



Meeting of the Environment and Integrated Catchments Committee

Date: Wednesday 23 June 2021
Time: 9.00am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

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HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

**Subject: FOLLOW-UPS FROM PREVIOUS ENVIRONMENT AND INTEGRATED
CATCHMENTS COMMITTEE MEETINGS**

Reason for Report

1. On the list attached are items raised at previous Environment and Integrated Catchments Committee 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 reported to the Committee they will be removed from the list.

Decision Making Process

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

Recommendation

That the Environment and Integrated Catchments Committee receives and notes the *"Follow-up Items from Previous Meetings"*.

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Approved by:

Desiree Cull
STRATEGY AND GOVERNANCE
MANAGER

Attachment/s

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

Follow-ups from Previous Environment & Integrated Catchments Committee Meetings

12 May 2021

	Agenda item	Follow-up item	Responsible	Status/Comment
1	OSPRI update on Hawke's Bay TB Response	Joint OSPRI-HBRC report mapping each organisation's responsibilities, operations and where integration occurs.	M Mitchell/ I Maxwell	The Biosecurity Operational Plan and Annual report is being amended to include this information, so it is reported to Council on an annual basis. This will be presented to Council at the next EICC meeting
2	Napier Open Waterways Water Quality	Napier City Council report on the Tyne and Thames Street drain discharges into the Ahuriri Estuary	C Dolley/ K Brunton	Napier City Council have been invited to attend the next EICC meeting.

HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

Subject: CALL FOR MINOR ITEMS NOT ON THE AGENDA

Reason for Report

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

Recommendations

That the Environment and Integrated Catchments Committee accepts the following "Minor Items Not on the Agenda" for discussion as Item 13:

Topic	Raised by

Leeanne Hooper
GOVERNANCE TEAM LEADER

James Palmer
CHIEF EXECUTIVE

HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

Subject: COASTAL HAZARDS FUNDING MODEL

Reason for Report

1. This item presents recommendations from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Joint Committee) and seeks a recommendation from this Committee to the Council on how to progress next steps to implement the Clifton to Tangoio Coastal Hazards Strategy (the Strategy).

Officers' Recommendations

2. Council officers recommend that the Committee considers the Joint Committee recommendations (following) alongside the findings of Raynor Asher's Funding Review in order to recommend that Hawke's Bay Regional Council embarks on the next stage of the process as recommended by the Funding Review.

Executive Summary

3. Following the completion of a review (Funding Review) to consider which Council should lead and fund the implementation of coastal hazard mitigation projects under the Strategy, the Joint Committee met to consider the report's recommendations and recommend the way forward to the Partner Councils. It is now necessary for each of the Partner Councils to agree (or not) the findings of the Funding review to enable implementing the Clifton to Tangoio Coastal Hazards Strategy and its coastal hazard mitigation projects.

Joint Committee Recommendations

4. At their meeting on 4 June 2021, the Joint Committee formally received Mr Asher's final report. By unanimous decision, the following resolution was passed.

That the Joint Committee:

1. *Receives and considers the "Coastal Hazards Funding Review" staff report.*
2. *Endorses the findings of the review undertaken by Mr Raynor Asher QC titled "Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee" as attached to the staff report, including the following key recommendations:*
 - 2.1. *That the Hawke's Bay Regional Council takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast*
 - 2.2. *That the Napier City Council, Hastings District Council and Hawke's Bay Regional Council enter into a memorandum of understanding setting out agreed positions on this arrangement*
 - 2.3. *That an advisory committee is formed by elected representatives from Napier City Council, Maungaharuru-Tangitu Trust, Hastings District Council, Mana Ahuriri, Hawke's Bay Regional Council and Heretaunga Tamatea Settlement Trust to support forward work*
 - 2.4. *That a Transition Plan is prepared to set out the timing and orderly process of transitioning functions to the Hawke's Bay Regional Council in accordance with the terms set out in the memorandum of understanding.*
3. *Recommends that the Napier City Council, Hastings District Council and Hawke's Bay Regional Council agree in principle to the findings of the Funding Review for the purposes of commencing consultation under s.16 of the Local Government Act 2002.*

Background /Discussion

5. Clifton to Tangoio Coastal Hazards Strategy (the Strategy) seeks to put in place a long-term planned response for the effects of coastal erosion, coastal inundation and sea level rise through recommended “adaptive pathways” developed collaboratively with the community for the highest risk areas of the coastline between Clifton and Tangoio.
6. To date, the Strategy development process has been jointly and equally funded by Napier City Council, Hastings District Council and Hawke’s Bay Regional Council (Partner Councils).
7. In the short to medium term, the pathways generally involve beach nourishment programmes, the construction of groynes (at Te Awanga and Haumoana) to reduce erosion losses, and the build-up of the beach crest to mitigate risks of overtopping and inundation. Consistent with the dynamic adaptive pathways planning approach, monitoring of these actions will determine their ongoing effectiveness, with trigger points set to determine when a different response becomes necessary as conditions change.
8. Significant capital and operational expenditure is required to implement the proposed pathways. Work undertaken this year to refine concept designs and costing suggests an approximate capital cost of \$15m and annual operating costs of \$3m to implement the first (short term) step of all pathways. These costs continue to be refined as design options are explored.
9. The Strategy’s Technical Advisory Group (TAG) is currently finalising information and details to prepare the Strategy for notification as a proposed Long Term Plan amendment. However, before this can occur, a decision is required on which Council (or Councils) should lead this next phase of the project.
10. Various workshops and proposals over the past 18 months have failed to achieve an agreed position between the Partner Councils on this question. Uncertainties in current legislation about the respective roles of each Council in the funding and implementation of works under the Strategy has contributed to the issue.
11. To facilitate an outcome, the Partner Councils collectively agreed that the Joint Committee should engage a retired judge to lead a Funding Review. Following a shortlisting and evaluation process, at their meeting on 27 November 2020 the Joint Committee appointed Mr Raynor Asher QC to lead the Review.
12. Mr Asher was appointed to the High Court Bench in 2005 and to the Court of Appeal in 2016. He retired from the Court of Appeal in 2019 and is now practicing as a barrister and arbitrator/mediator. Mr Asher was tasked with answering the following question:
 - 12.1. *Which Council or Councils should lead and fund the implementation of coastal hazard mitigation projects (including design, consenting, construction and maintenance cost) under the Strategy?*
13. In undertaking his review, Mr Asher engaged with the Joint Committee, staff and councillors from each Partner Council, considered material developed to date under the Strategy, reviewed relevant historical information, legislation and case law, and has been assisted with local legal advice.
14. Mr Asher completed his review and presents his findings in the report “*Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*” **attached**.
15. The key recommendation of the report is that the Hawke’s Bay Regional Council should lead and fund the implementation of coastal hazard mitigation projects under the Strategy.

Financial Impact to Hawke’s Bay Regional Council- Indicative Example

16. In order to provide context of the potential financial impact and/or the ability of HBRC to fund this activity a Scenario was developed that represents the low end of investment to meet the current erosion and coastal inundation in each priority cell.

17. As noted, the first tranche of works proposed under the Strategy have been provisionally costed (un-inflated) at \$15m in capital spent across years 2-8 (as per table 1 below) and up to \$3.6m per annum in operating costs (as per table 2 below); the annual operating costs are largely the result of a proposed gravel re-nourishment programme. These costs provide a baseline to consider the potential financial impact for HBRC should the Joint Committee's recommendations be adopted.

Table 1 - Uninflated Operating Costs over 2021-31 LTP

\$000's	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>	Total
Operating Costs Uninflated	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>	Over LTP
Operating Budget- renourishment	-	-	-	-	-	1,000	2,000	2,500	3,000	3,000	11,500
Operating- staff	-	300	300	300	300	300	300	300	300	300	2,700
Strategy Review	-	-	-	-	300	300	300	300	300	300	1,800
Total	-	300	300	300	600	1,600	2,600	3,100	3,600	3,600	16,000

Table 2 – Uninflated Capital Expenditure

\$000's	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>	Total
Operating Costs Uninflated	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>	Over LTP
New Assets - 50 Year design life	-	250	250	500	4,000	4,000	4,000	2,000	-	-	15,000

All dollars in 2020 \$000's un-inflated

18. When considering the rating impact, forecast operating and capital expenditure has been inflated using the 2021-31 LTP assumptions. Capital expenditure is modelled for repayment over a 20-year term. Table 3 below shows the rate requirement based on the illustrative expenditure above, including debt servicing.

Table 3 – Cost (as a result of Tables 1 and 2) to be collected from rates over 2021-31 LTP

Coastal Hazards -	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>	LTP
Impacts on LTP	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>	Total
Rates cost (Inflated)	-	313	321	329	675	1,846	3,078	3,770	4,496	4,613	19,442
Interest cost	-	-	7	13	26	138	248	356	402	384	1,572
Debt Repayment	-	-	10	21	43	220	407	602	712	730	2,746
Total	-	313	338	363	745	2,204	3,732	4,727	5,610	5,727	23,759

19. The impact on rates is represented in Table 4 following, which shows the impact of the expenditure detailed above on Council's planned total rate increases (general and targeted rates combined). The main impacts are in 2026-27 and 2028-29 where the renourishment budget is progressively introduced. The appropriate funding mechanism has not yet been determined, so these increases are indicative only as averages. The actual rating impact on particular ratepayers will vary significantly i.e. possible that ratepayers in CHB and Wairoa will not contribute.

Table 4 – Impact to (Total) Rates over 2021-31 LTP

Rate Impact - (Change in Total Rate)	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
Current LTP Increases	19.5%	15.0%	14.5%	10.0%	10.7%	9.8%	7.2%	5.8%	4.9%	4.9%
Impact of Coastal Hazard example	no change	1.1%	no change		0.8%	2.9%	2.5%	1.3%	1.0%	no change
Current LTP + Coastal example	19.5%	16.1%	14.5%	10.0%	11.5%	12.7%	9.7%	7.1%	5.9%	4.9%

20. While a method of funding has not been yet been determined, the following Table 5 shows the per property impact if the proposed additional costs are funded in the same manner

as the existing Coastal Hazards Strategy targeted rate. This is charged as a uniform fixed amount per rateable property on all Hastings District and Napier City properties.

Table 5 – Unit Cost of Uniformed Charge across Napier and Hastings Ratepayers

Total Amount to Be Funded - Split	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Between Napier & Hastings *Ratepayers	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>
Unit Cost - Current LTP budget	\$3.18	\$3.27	\$3.35	\$3.44	\$3.54	\$3.64	\$3.75	\$3.87	\$3.99	\$4.12
Unit Cost - Revised with New Works	\$3.18	\$9.10	\$9.64	\$10.20	\$17.38	\$44.62	\$73.15	\$91.77	\$108.29	\$110.60
<i>*Napier rating units = 27,919 / Hastings rating units = 33,932</i>										

**Note that it is not intended to uniform annual charge this activity. The strategy suggests a private and public targeted rate. This information is provided for context only as to the relative magnitude of this activity compared to the current rates revenue.*

21. The impact on Council's debt levels and on the debt to revenue ratio is demonstrated below at Table 6.
22. The proposed borrowing does not adversely affect the Council's peak of 158% in 2023-24 as the proposed borrowing occurs in later years where, based on the planned LTP expenditure, there is more capacity.

Table 6 – Impact on Debt and Debt to Revenue Ratio

\$000's	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>25/26</u>	<u>26/27</u>	<u>27/28</u>	<u>28/29</u>	<u>29/30</u>	<u>30/31</u>
Additional Borrowing (net of repayments)		261	519	1,046	5,506	9,902	14,232	16,062	15,349	14,619
Revised Debt to Revenue Ratio	103%	128%	158%	152%	148%	138%	134%	124%	115%	107%
LTP Debt to Revenue Ratio	103%	128%	158%	152%	143%	131%	125%	114%	107%	99%

23. Mr Asher also recommended that, along with assuming responsibility for leading future hazards mitigation projects, HBRC take over the management of existing coastal hazards mitigation assets held by Napier City Council and Hastings District Council. If enacted, this could see the transfer of existing rock revetments at Waimarama, Clifton, Cape View Corner and Ahuriri to HBRC. Ongoing projects such as the Westshore renourishment programme and resource consents held for the proposed rock revetment at Whakarire Avenue would also need to be considered.
24. The financial impact of this potential asset transfer has yet to be assessed as information on those assets is still being collated, but it is expected to be net-neutral from a ratepayer perspective i.e. existing assets would transfer with incumbent funding mechanisms.
25. It is noted that HBRC is also considering new spending (through a potential Long Term Plan amendment) on possum control and economic development. The collective impact of these new activities alongside coastal hazards will need to be assessed before a final Long Term Plan proposal is developed.

Central Government Direction

26. Councillors will be aware that Government has announced a proposed Climate Change Adaptation Act (CCAA); part of a suite of new legalisation being developed to replace the Resource Management Act.
27. The CCAA is expected to address the shortcomings in existing legislation associated with managed retreat and funding and financing adaptation to climate change effects.
28. At this stage, no definitive advice is available on when the proposed CCAA may be available for public comment or when Government expects the new legalisation to come into effect.
29. To date the standing direction from the Partner Councils has been to proceed with developing a local solution to the funding and responsibility questions facing the Strategy. It was considered desirable for the Strategy to continue its development path and to contribute to and inform, rather than wait for, central government direction.

30. It is, however, an option to defer decision-making on the Joint Committee's recommendations until such time as the details of CCAA are known.
31. If this approach is taken, the Strategy would largely need to be 'paused', as significant further work cannot proceed until a decision is made on funding implementation.
32. Alternatively, if the Joint Committee's recommendations are taken up, a mechanism should be developed to enable an efficient shift to any new funding and implementation model emerging from the CCAA. It is proposed that this matter is addressed in the Memorandum of Understanding recommended by Mr Asher. This would ensure that all Councils are clear on the response should the CCAA put in place a new framework that is inconsistent with the outcomes developed in Hawke's Bay.
33. It is noted that the Strategy team is actively engaging with the Ministry for the Environment, including providing Mr Asher's report. Opportunities for engagement in and contribution to the development of the CCAA are being actively pursued.

Decision-Making

34. The decision sought from all Partner Councils at this stage is an agreement in principle to the Joint Committee's recommendations. With this agreement, the Strategy team will proceed to developing the next level of detail, including the particulars of a draft Memorandum of Understanding.
35. An agreement by the Partner Councils for HBRC to assume responsibility for implementing hazard mitigation projects under the Strategy is a departure from the status quo and would represent a significant new activity for HBRC.
36. Acknowledging this, **Table 7** proposes a decision-making framework for the implementation of the Joint Committee's recommendations. It sets out the key decision-gateways from the agreement in principle sought by this paper (Gateway 1), through to the final adoption of a Long Term Plan amendment (Gateway 7).

Table 7: Proposed decision-making framework

Gateway	Action	Description
1	Agreement in Principle	Secure agreement in principle to the Joint Committee's recommendation that HBRC leads and funds the implementation of coastal hazard mitigation projects under the Strategy
2	Memorandum of Understanding	Sets out particulars of arrangement between Councils for implementing coastal hazards mitigation projects under the Strategy, including roles and responsibilities, transfer of assets, ongoing management, how Councils will work together in future, etc.
3	Financial analysis	Develop and workshop with Council: <ul style="list-style-type: none"> • Level of Service statements and measures, • Funding model • Overall impact across all rates • Revenue and Financing Policy • Budget
4	Pre-consultation feedback	Initiate pre-consultation with key parties to test ideas and concepts, present feedback to Council
5	Transition Plan	Develop detailed plan for orderly process of transitioning functions, assets and responsibilities from HDC and NCC to HBRC
6	Notify Long Term Plan amendment	Formal notification of proposed LTP amendment
7	Adoption of Long Term Plan Amendment	Review of submissions, hearings (if required) and adoption of final LTP amendment

Timeframes

37. The Strategy Team have scoped out a draft timeframe, presented in Table 8, for advancing the Joint Committees recommendations through to a proposed Long Term Plan amendment.
38. The key date in this schedule is the notification of a proposed Long Term Plan amendment in March 2022. Subject to the outcome of consultation, this would allow for the introduction of a new rating regime to fund Strategy implementation from July 2022.

Table 8: Indicative timeframe

Task	Activity	Draft Timing
Funding Review	<i>Funding Review undertaken to provide recommendations on responsibility for Coastal Hazards</i>	<i>Complete</i>
	<i>Joint Committee resolution and recommendation on Funding Review</i>	<i>Complete</i>
	Partner Council in-principle decision on Funding Review	HDC, HBRC, NCC decision-making in progress
	Develop Memorandum of Understanding between Partner Councils on Funding Review outcome	August – September 2021
LTP Amendment	Preparatory work: <ul style="list-style-type: none"> • Level of service statement and measures • Funding model • Rates modelling • Budgeting • Revenue and Finance Policy • Auditing 	September – December 2021
	Pre-consultation	September – November 2021
	Consultation on Strategy as LTP amendment	March 2022
	Finalise LTP following consultation	June 2022

39. If the timeframes in Table 8 are not met, the next opportunity to introduce a new rate to fund Strategy implementation will be July 2023 (i.e. the start of the 2023-2024 financial year).

Next Steps

40. If the recommendations to the Committee following are resolved as proposed, the Regional Council will consider and potentially resolve those as proposed on 30 June 2021.
41. Following Council resolving as proposed, staff will initiate preparation of a draft Memorandum of Understanding that sets out the detail of how the Councils will work together in practice under the new operational regime proposed by the Funding Review and the next key decision gateway for all Partner Councils.

Recommendations

1. That the Environment and Integrated Catchments Committee receives and considers the “Coastal Hazards Funding Model” staff report.
2. The Environment and Integrated Catchments Committee recommends that Hawke’s Bay Regional Council:

- 2.1. Agrees in principle to the outcome of the Funding Review and recommendations of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee; being:
 - 2.1.1 Endorses the findings of the review undertaken by Mr Raynor Asher QC titled “Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee” (as attached), including the following key recommendations, for the purposes of commencing consultation under s.16 of the Local Government Act 2002:
 - 2.1.1.1 That the Hawke’s Bay Regional Council takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast
 - 2.1.1.2 That the Napier City Council, Hastings District Council and Hawke’s Bay Regional Council enter into a memorandum of understanding setting out agreed positions on this arrangement
 - 2.1.1.3. That an advisory committee is formed by elected representatives from Napier City Council, Maungaharuru-Tangitu Trust, Hastings District Council, Mana Ahuriri, Hawke’s Bay Regional Council and Heretaunga Tamatea Settlement Trust to support forward work
 - 2.1.1.4. That a Transition Plan is prepared to set out the timing and orderly process of transitioning functions to the Hawke’s Bay Regional Council in accordance with the terms set out in the memorandum of understanding.
- 2.2. Directs staff to prepare a draft Memorandum of Understanding between the Hawke’s Bay Regional Council, Napier City Council and Hastings District Council that details the proposed operational regime for implementing coastal hazards mitigation projects under the Clifton to Tangoio Coastal Hazards Strategy.


Authored by:

**Simon Bendall
COASTAL HAZARDS STRATEGY
PROJECT MANAGER**

Approved by:

**Chris Dolley
GROUP MANAGER ASSET
MANAGEMENT**

Attachment/s

- 1  Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

REVIEW AND RECOMMENDATIONS FOR THE CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

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The Issue to be considered

1. I have been engaged to review and deliver non-binding recommendations on the issue of which Hawke's Bay Local Authority should lead and fund the implementation of coastal hazard mitigation projects for the coast from Clifton to Tangoio. This extends to considering:
 - (a) Who should collect the rates that will fund the projects?
 - (b) Who should decide which rate payers should pay and in what amounts and proportions?
 - (c) Who should decide and control the projects to which the funds are applied?
 - (d) Who should be in charge of the implementation of the projects?

Summary of my recommendations

2. For the reasons I now set out below, I recommend that the Hawke's Bay Regional Council takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast including deciding on preventative, mitigating or remedial works, making all decisions about rating for these works and collecting those rates, the implementation of all decisions including supervising works, and the control of all maintenance.
3. I recommend that there be an advisory committee including members of the Napier City Council, Hastings District Council and the Hawke's Bay Regional Council that has notice of, considers, and can comment on all significant proposals, but that it has no decision making powers, and no ability to delay the implementation of those proposals.
4. Therefore, the answer to each of the four questions listed above is that the Hawke's Bay Regional Council should carry out all the stated functions.
5. I now turn to my reasons for these recommendations.

The relevant local authorities

6. There are three local authorities in the Hawke's Bay area which are directly concerned with this issue of coastal hazards mitigation on the Clifton to Tangoio Coast. The first is the Hawke's Bay Regional Council (HBRC). The second and third are territorial authorities (TAs), being the Hastings District Council (HDC) and the Napier City Council (NCC). The HBRC is the only authority with jurisdiction over the whole stretch of coast between Clifton and Tangoio. The HDC and the NCC have responsibility for their individual territories, but do not have jurisdiction over the territories of each other.
7. The Resource Management Act 1991 sets out the functions of regional councils and territorial authorities. Under s 30, regional councils must achieve integrated management of natural and physical resources of the region. This relates to the natural environment including air, land, freshwater and the coastal marine area. Through policy statements and plans, regional councils must set objectives, policies and methods for controlling the use of land to avoid or mitigate natural hazards. Under s 31, territorial authorities must achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. Through district plans, territorial authorities must control the effects of land use to avoid or mitigate natural hazards, as well as create rules for land use and subdivision.

The model choices

8. There are two broad choices for the implementation of coastal hazard mitigation projects for the coast from Clifton to Tangoio. First, a hybrid model involving all the relevant local authorities, each having responsibility for some of the tasks or sharing the tasks between them. The alternative is a single agency model, involving a single authority which would have to be the HBRC.
9. These two broad models can be broken down into six possible sub-models:

(a) **MODEL ONE: The present TA and HBRC set up continues**

No change to the present

(b) **MODEL TWO: HBRC Only**

HBRC acts as sole agency and the TA's have no further role in prevention of coastal hazards

(c) **MODEL THREE: HBRC + Advisory Forum**

HBRC leads and controls all Strategy implementation functions, supported by an advisory forum involving the TAs

(d) **MODEL FOUR: Council Controlled Organisation (CCO)**

HBRC establishes a new CCO whose composition could match the existing Coastal Hazards Committee, tasked with implementing and monitoring Strategy

(e) **MODEL FIVE: HBRC + Decision-making Forum**

HBRC rates for Strategy implementation, and funding decisions are delegated to a decision-making forum involving TAs

(f) **MODEL SIX: HBRC + TA**

Hybrid model / shared responsibility, where HBRC rates for the public good component of works, and the TAs rate for private good component.

10. The last three models can be seen as variations of a hybrid approach, involving some re-organisation and a greater role for the HBRC, while maintaining significant TA control. Before analysing these choices and which is best, it is necessary to place those options in their historical context to understand the present situation and the need for a report such as this.

The development of Regional Councils and Territorial Authorities in New Zealand

11. The history of the development of local government in New Zealand can offer some lessons which assist in determining the best way forward.

Early days

12. Māori, the indigenous people of New Zealand, did not have central or local governance in the European sense. Iwi and Hapū controlled their traditional lands, and the concept of absolute ownership was unknown.
13. Europeans brought with them a different concept of governance and land ownership, whereby the Crown held in fee simple all privately "owned" land following the Treaty

of Waitangi.¹ There were endeavours to apply the English local government structure consisting of provinces, towns/boroughs (municipal corporations), and counties (county councils).

14. In 1876 the central government created a new system of local government to be administered from the centre, due to the prevailing system that “hindered New Zealand’s social and economic development”.² Two new Acts were introduced, the Counties Act 1876 and the Municipal Corporations Act 1876, which provided the foundation for future local management.³ These Acts outlined the functions of these local bodies; to set rates and establish and maintain basic services, including streets, water drainage, street lighting and transport.⁴

15. At the same time, special-purpose boards, or “*ad hoc* bodies”, were introduced to efficiently administer singular functions within a geographic region, such as the control of rabbits, rivers, harbours, fire, electric powers, hospitals and schools.⁵

16. Justification for the use of such *ad hoc* bodies at this time was that existing territorial authorities were often inappropriate, and “cooperative action could be politically difficult”.⁶ In addition, the special expertise acquired by the special-purpose boards was considered “advantageous and efficient”.⁷ The result was a “myriad of general-purpose and special-purpose local authorities”.⁸

17. By the 1890’s, a proliferation of local authorities was evident and there was need for reform. There was a worry that New Zealand was becoming “over-governed”, with

¹ Hinde, McMorland & Sim *Principles of Land Law in New Zealand* (3rd edition, LexisNexis, Wellington, 2020) at [3.007].

² *Te Ara – The Encyclopedia of New Zealand* “Local and Regional Government” (online ed) <<https://teara.govt.nz>>.

³ Jean Drage *A Balancing Act: Decision-Making and Representation in New Zealand’s Local Government* (Institute of Policy Studies Wellington, 2008) at 58; and Kenneth Palmer *Local Authorities Law* (Thomson Reuters, Wellington, 2012) at [23.1.1].

⁴ Municipal Corporations Act 1876; Counties Act 1876.

⁵ Drage, above n 3, at 59.

⁶ Palmer, above n 3, at [23.1.1].

⁷ *Ibid.*

⁸ Drage, above n 3, at 59.

almost 2,135 territorial authorities in existence with a New Zealand population of only 630,000.⁹

First attempts at Regional Bodies

18. A Local Government Board was established by the early twentieth century to supervise a re-organisation of the system. The intention was to “reduce the number of local authorities and abolish *ad hoc* boards”,¹⁰ which were considered to be a waste of ability and money.¹¹ A further attempt at restructuring the system occurred in 1946.

19. In 1960, the Labour government began a major parliamentary inquiry into the structure and fragmentation of local government, in order to “examine whether it was capable of meeting the increasing demands of a rapidly developing population and economy.”¹²

20. A principal finding of the inquiry was that the “basic structure of local government was sound, but the tendency towards forming *ad hoc* boards was undesirable.”¹³ One solution to the failure of the current local authorities to coordinate management was to introduce a regional tier of local government, which would “assume strategic functions such as water services, sewage disposal and regional roading, and acquire other functions held by special purpose authorities”.¹⁴

The first Regional Council

21. In 1963, the concept of regionalism culminated in the formation of the Auckland Regional Authority. Its establishment came from the “inadequacy of the mess of territorial bodies to cope with rampant urbanisation.”¹⁵ Services such as drainage and waste collection had become uncoordinated, and a need for better urban and regional

⁹ At 59.

¹⁰ At 61.

¹¹ At 61, referencing GW Russell, the Minister for Internal Affairs.

¹² Drage, above n 3, at 63.

¹³ Graham Bush *Local Government and Politics in New Zealand* (Auckland University Press, Auckland, 1995) at 38.

¹⁴ Palmer, above n 3, at [23.1.2].

¹⁵ Bush, above n 13, at 39.

planning was required.¹⁶ As such, regional boundaries were delineated, and Auckland *ad hoc* boards abolished.¹⁷ This new regional body was given functions such as bulk water supply, sewerage, public transport, airport management, regional roads, civil defence and regional planning.¹⁸ Territorial bodies in Auckland were slowly discontinued, as any new function was required to be administered by the new regional authority.¹⁹

Local Government Act 1974 and the Local Government Amendment Act (No 2) 1989

22. The *Local Government Act 1974* directed New Zealand to be divided into regions within 5 years, with each region having a directly elected regional council.²⁰ Under this Act, urban and rural territorial bodies were consolidated and many of the historic *ad hoc* functions of local government were taken over by these new regional bodies.²¹

23. The most extensive reform in local government occurred under the *Local Government Amendment Act (No 2) 1989*. It abolished all territorial authorities and many of the *ad hoc* boards (including catchment boards, harbour boards, electric power and health boards).²² Approximately 850 bodies were consolidated into 86 multi-purpose local authorities, including regional councils with broad environmental responsibilities.²³

24. Regional councils continued to have responsibility for the duties of many of the previous *ad hoc* boards as well as regional planning and environmental management. The new district and city councils were to carry out the functions of the previous general-purpose authorities.²⁴

25. Under this Act, the purpose of local authorities was focused on the amalgamations of regions and districts, “to ensure recognition of different communities of interest, but

¹⁶ *Te Ara*, above n 2.

¹⁷ Bush, above n 13, at 40.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Palmer, above n 3, at [23.1.3].

²¹ Drage, above n 3, at 64.

²² Drage, above n 3 at 64–65.

²³ *Te Ara*, above n 2.

²⁴ Drage, above n 3, at 65.

also to ensure the efficient and effective exercise of powers and functions”.²⁵ These purposes were appropriate in reducing the number of local authorities throughout the country to achieve efficiencies and to minimise duplication of resources and costs.

26. A review of the Local Government Act 1974 occurred in 2001. This led to the Local Government Act 2002, where broader purposes and powers were conferred equally on regional council and territorial authorities. This is the relevant Act today.

The Local Government Act 2002

27. Local authorities as they exist today, being regional councils or territorial authorities,²⁶ are created by the Local Government Act 2002 (LGA). Councils can create council-controlled organisations (CCOs), which are companies controlled by a local authority or authorities.²⁷ The role of local authorities is to give effect to the purpose of local government as stated in s 10 of the LGA. The purpose is to enable democratic local decision making by and on behalf of local communities. The “core services” to be considered in performing the role, (therefore both territorial and regional), include “*the avoidance or mitigation of natural hazards*”.²⁸

28. Section 14 of the LGA sets out principles relating to local authorities. A local authority should have regard to the views of all its communities,²⁹ and when making a decision should consider the interests of future as well as current communities.³⁰ In taking a sustainable development approach, a local authority should take into account the need to maintain and enhance the quality of the environment,³¹ and the reasonably foreseeable needs of future generations.³²

29. Importantly for the purposes of this report, a local authority should actively seek to *collaborate and co-operate* with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its priorities and outcomes.³³

²⁵ Palmer, above n 3, at [23.2.4]; and Local Government Amendment Act (No 2) 1989, s 37K.

²⁶ As defined under s 5 of the LGA.

²⁷ As defined under s 6 of the LGA.

²⁸ LGA, s 11A(d).

²⁹ Section 14(1)(b).

³⁰ Section 14(1)(c)(ii).

³¹ Section 14(1)(h)(ii).

³² Section 14(1)(h)(iii).

³³ Section 14(1)(e).

30. Part 2, sub-part 3 of the LGA is headed “Co-ordination of responsibilities of local authorities”. This part does not seek to delineate the responsibilities of *regional* and *territorial authorities*. If a *regional council* wishes to undertake the same significant new activity and 1 or more territorial authorities in the region of the regional council have already undertaken a significant new activity or notified their intention to do so in their long-term plans or annual plans, the *regional council* must advise all the *territorial authorities* within its region and the Minister of the proposal and the reasons for it.³⁴ It must adopt the consultative procedure set out in s 93A, and if agreement is not reached with affected territorial authorities there must be a mediation process.³⁵ If the mediation is unsuccessful, the territorial authorities may ask the Minister to make a binding decision on the proposal, who will do so in consultation with the Local Government Commission.

The Resource Management Act 1991

31. Like the LGA, the Resource Management Act 1991 (RMA) also makes no precise effort to delineate responsibilities between regional and territorial authorities. The RMA’s purpose is to promote the sustainable management of natural and physical resources, to manage the use and protection of natural and physical resources to sustain their potential to meet the reasonably foreseeable needs of future generations, and to safeguard and mitigate adverse effects on the environment.³⁶

32. Section 30 of the RMA is titled, “Functions of regional councils under this Act”. Under this section, regional councils are given the function of integrated management of regional natural and physical resources,³⁷ for matters of regional significance, in particular for water and coastal resource management.³⁸ , and “the avoidance or mitigation of natural hazards”.³⁹ These functions are translated from a regional policy

³⁴ Section 16(2).

³⁵ Section 16(4).

³⁶ RMA, section 5.

³⁷ Section 30(a).

³⁸ Peter Salmon and David Grinlinton *Environmental Law in New Zealand* (2nd edition, Thomson Reuters, Wellington, 2018) at [9.6.2].

³⁹ Section 30(1)(c)(iv).

statement into regional plans.⁴⁰ Regional Councils also have the function, in conjunction with the Minister of Conservation, for the control of land and associated natural and physical resources,⁴¹ the occupation of space in the coastal marine area and *the avoidance of natural hazards*.⁴² The coastal marine area in s 3 is defined as including the foreshore, which is in turn defined as meaning land covered and uncovered by the flow and ebb of the tide at mean spring tides, (the mean high water mark).

33. Section 31 of the RMA is titled “Functions of territorial authorities under this Act”.

Territorial authorities have the function of establishing policies and plans concerning land use, storage of hazardous substances, control of subdivision of land, control of the emission of noise, and control of activities on the surface of water in rivers and lakes. These functions are the basis of the district plan and district rules.⁴³

34. In contrast to regional council functions, territorial authorities have the function of controlling any *actual or potential effects on the use development or protection of land*, including for the purpose of the avoidance or mitigation of natural hazards.⁴⁴

35. Under s 33 of the RMA, the planning function of local authorities may be transferred to another local authority on the grounds of community interest, efficiency, or technical or special capability. The intention of s 33 is to facilitate coordination of functions between regional councils and territorial authorities and to allow for combined plans and administrative arrangements.⁴⁵ This enables cooperation between councils as to which should exercise a common function.

36. Under s 34(1) of the RMA local authorities can delegate to any Committee established in accordance with the LGA. This is relevant to the later discussion of CCOs.

⁴⁰ Palmer, above n 3, at [17.4.3], and RMA s 30.

⁴¹ Section 30(1)(d)(i).

⁴² Sections 30(1)(d)(ii) and 30(1)(d)(v).

⁴³ RMA s 31, and Palmer, above n 3, at [17.4.4].

⁴⁴ Section 31(1)(b)(i).

⁴⁵ Palmer, above n 3, at [17.4.5].

Overlap between the functions of regional councils and territorial authorities

37. The provisions of the RMA and the LGA mean that there are functional interactions between territorial and regional authorities. This has been described as “a paradigm of complementarity rather than hierarchy”.⁴⁶ The 11 regional councils have hallmarks of autonomy identical to territorial authorities (election, corporate status, powers to set rates etc.), but there is no statement of regional superiority. In sharing government locality, the two levels are said to be on equal footing.⁴⁷

38. As such, there is considerable scope for overlap and conflict between the roles of regional councils and territorial authorities. This is confirmed in the recent *Report of the Resource Management Review Panel (RM Review Report)*,⁴⁸ where it was said that this lack of clarification of roles and responsibilities in the legislation can lead to “unhelpful overlap”,⁴⁹ resulting in tensions between local authorities in resolving issues and achieving outcomes (including conflicting regional and district policies).⁵⁰ Generally, the RMA places territorial authorities “in a subsidiary role” to regional councils, as district plans are required to implement the policies set out at the regional level.⁵¹ The RM Review Report makes specific reference to the Clifton to Tangoio coastline as a case study,⁵² but expressed no view on which Council or Councils should take responsibility and set and collect rates for hazard mitigation purposes.

39. On a natural reading of ss 30 and 31 of the RMA, a regional council’s role is to have charge of policies to avoid or mitigate natural hazards in a region. Territorial authorities with regional councils have the function of controlling the actual or potential effects of the use development and protection of the land. It is my reading of sections 30 and 31 that it is regional councils who should develop the policy to avoid or mitigate coastal hazards, with the territorial authorities having a role with the regional council in controlling what is done in those areas. However, the legislation provides no

⁴⁶ Bush, above n 13, at 117-118.

⁴⁷ Ibid.

⁴⁸ *Report of the Resource Management Review Panel, “New Directions for Resource Management in New Zealand”* (June 2020) [RMA Report].

⁴⁹ Chapter 8, “Policy Planning and Framework”, at [2].

⁵⁰ Ibid, at [47].

⁵¹ RMA s 75(3)(c), and any district plan must not be inconsistent with any regional plan under s 75(4)(b); and Salmon, above n 38, at [9.6.2].

⁵² RMA Report, above n 48, Chapter 6, at [43].

clarification on who should implement such policies, including the construction of new infrastructure to reduce hazard risks.

40. The obligations on local authorities are not just imposed directly by the RMA. Under the New Zealand Coastal Policy Statement 2010, local authorities must consider and plan for coastal hazards risks. Under Policy 24(1), local authorities are required to:

Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami) giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed.

Summary of functions of local authorities

41. In summary, the Local Government Act framework gives all three relevant authorities in Hawke's Bay a role in avoiding or mitigating natural hazards. There is nothing to indicate conclusively that one has primacy over the other, and they have a duty to collaborate and co-operate.
42. As was noted in the RM Review Report in relation to climate change adaption, there is a lack of clarity under the RMA in regard to the roles and responsibilities of local authorities, and confusion as to where primary responsibilities lie.⁵³ The RM Review Panel in its careful and lengthy report considered limiting the primary responsibility of natural hazards response to regional councils only, as matters of regional significance. However, it preferred an approach where responsibility for reducing the risks of natural hazards is assigned to both regional councils and territorial authorities, given the broad implications of the issues for both levels of local government.⁵⁴
43. However, under the RMA some distinction can be seen in ss 30 and 31 between the power to be in charge of an integrated management of the natural and physical resources of a region, and the control of the use of land and avoidance of natural hazards. The former task is given to the regional councils, and the power to manage the effects of use and developments, which is given to the territorial councils.

⁵³ Above n 48, at Chapter 6, "Climate Change" at [32].

⁵⁴ Above n 48, at Chapter 8, "Policy and Planning Framework" at [45].

44. Legislation leaves it open to councils, both territorial and regional, to cooperate and allow one council to have the controlling role in an area of common jurisdiction.

Case law on the relationship of regional councils and territorial authorities relevant to coastal hazards

45. The element of hierarchy was noted by the Court of Appeal in *Canterbury Regional Council v Banks Peninsula District Council*.⁵⁵ It was observed that regional councils have the task of preparing policy as to any effects of the use of land which are of regional significance.⁵⁶ Territorial authorities have the function of establishing and implementing policies to achieve the integrated management of the effects of land and resources in their district and the control of the actual or potential effects of use including the avoidance or mitigation of adverse effects.⁵⁷

46. The Court of Appeal held that the RMA provides a:

“...hierarchy of instruments to the extent that...district plans must not be inconsistent with...a regional policy statement or regional plan [s 75(2)]. It does not follow, however, that there can be no overlap between the functions of regional authorities and territorial authorities...to the extent that matters have been dealt with by an instrument of higher authority, the territorial authority’s plan must not be inconsistent with the instrument.”

47. It was also stated that:⁵⁸

“A function of the regional council is to achieve integrated management of the resources of the region. It would be inconsistent with that function for...the decision as to the appropriate control to be carried out...on a regional basis, rather than by individual territorial authorities.”

48. The Court of Appeal concluded:

“It follows that the control of the use of the land for the avoidance of mitigation of natural hazards is within the powers of both regional councils and territorial authorities. There will no doubt be occasions where such matters need to be

⁵⁵ [1995] 3 NZLR 189 (CA).

⁵⁶ At 191.

⁵⁷ Ibid.

⁵⁸ At 196.

dealt with on a regional basis, and occasions where this is not necessary, or where interim or additional steps need to be taken by the territorial authority. Any controls imposed can be tested by appeal to the Planning Tribunal, and inconsistencies are precluded by s 75(2)."

[emphasis added]

49. It is stated in a leading text, *Brookers Resource Management*⁵⁹ that a territorial authority cannot control the use of land for purposes that are within the jurisdiction of the regional council. However, a territorial authority may exercise control for the purposes set out in s 31(1)(b), even if an incidental result falls within the function of the regional council.⁶⁰ That approach was applied to allow a city council to include controls on cell phone sites in its plan irrespective of whether the regional council had the power to control radio emissions, on the basis they were contaminants.⁶¹

50. There is one respect, however, in which the regional council has a power of importance in relation to coastal hazards that a district council does not have. It has the power to alter or terminate existing use rights in relation to land. This comment was made by the Chief Judge of the Environment Court in *Awatarariki Residents Incorporated v Bay of Plenty Regional Council*:⁶²

[10] The District Council requested this change to the Regional Plan because it does not have any power to alter existing use rights arising under s 10 of the RMA. The Regional Council, under s 30(1)(c)(iv) of the RMA, has the function of controlling the use of land for the purpose of avoiding or mitigating natural hazards. Under s 63(1) of the RMA, the purpose of a regional plan is to assist a regional council to carry out any of its functions in order to achieve the purpose of the RMA. A regional council may make rules under s 68(1) for carrying out its functions under s 30(1)(c). Under s 10(4) of the RMA, s 10 does not apply to any use of land that is controlled under s 30(1)(c). It is by that combination of functions and powers that the Regional Council may terminate existing use rights.

[emphasis added]

51. This statement is relevant to the issue to be determined of who should have charge of the task of managing coastal hazards to the Clifton to Tangoio coast, and the rating for it. It is only the HBRC that has the power, through the removal of existing use rights,

⁵⁹ (online loose-leaf ed, Thomson Reuters).

⁶⁰ At [A30.05(2)].

⁶¹ *Telecom NZ Ltd v Christchurch CC* EnvC C036/03.

⁶² [2020] NZEnvC 215 at [10] and [11].

to direct property owners to engage in a managed retreat. This cannot be done by the territorial authorities. It is some indication from the legal framework that the general defence of the coast, which can presage a managed retreat response in the long term in some parts of Hawke's Bay, is more naturally the responsibility of the HBRC.

Regional Plans

52. The Hawke's Bay Regional Resource Management Plan appears to recognise the primacy of the HBRC's role in RMA functions relevant to natural hazards. It records:

8.4.4.1 *Section 62 (1) (b) (h) of the RMA enables regional policy statements to set out the respective responsibilities of the regional council, and territorial authorities within the region concerned, for developing objectives, policies, and rules relating to the control of the use of land for:*

(a) *the avoidance or mitigation of natural hazards, and*

(b) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances.*

8.4.4.2 *If no responsibilities are identified in accordance with this provision of the Act, the regional council retains primary responsibility for natural hazards and hazardous substances.*

8.4.4.3 This section describes the respective functions of the HBRC, and of territorial authorities within Hawke's Bay, in relation to natural hazards and hazardous substances. This section is written in accordance with section 62 (1) (ha) of the RMA (and in keeping with the fact that this Regional Plan incorporates the role and provisions of a regional policy statement).

8.4.4.4 It is important that the HBRC and territorial authorities work together in the management of natural hazards and hazardous substances. To this end, the HBRC and territorial authorities have, through discussions and refinement of earlier arrangements set out in the former Hawke's Bay Regional Policy Statement (HBRC, 1995), reached the following agreements on their respective responsibilities.

NATURAL HAZARDS

8.4.4.5.1 *Both the HBRC and the territorial authorities within the Hawke's Bay region will be responsible for developing objectives and policies for managing the use of land for the purpose of avoiding and mitigating natural hazards. Territorial authorities will be responsible for developing methods controlling the use of land for the purposes of avoiding or mitigating natural hazards, except in relation to coastal hazards. In relation to coastal hazards, both the HBRC and territorial authorities may be responsible for developing methods controlling the use of land for the purpose of the avoidance or mitigation of coastal hazards.*

8.4.4.5.2 To support the territorial authorities in developing and implementing their plan provisions in relation to natural hazards, *the HBRC will be the key information provider.* The HBRC will provide relevant, up to date and accurate data in an appropriate form for the territorial authorities to use. The HBRC will also use this information itself for natural hazard management and

planning purposes, and for Civil Defence management in accordance with the Civil Defence Act 1983.

[emphasis added]

53. The district councils or city councils so far have tended to be the proponents of physical coastal protection works and associated resource consent applications. That is because it is usually a residential settlement within their city or district which is threatened by the coastal hazard or some infrastructure (such as a road) for which that territorial authority has responsibility. There can be a need to get consents from both the territorial and the regional authorities when works situated in both jurisdictions are required.
54. The combined Regional Coastal Environment Plan (RCEP), created in the mid 2000's, was one of the first coastal plans in New Zealand to include regional rules controlling land use activities for the purposes of tackling coastal hazard risks. Previously, land use controls were only included in district plans. The HBRC had a leading role in identifying regionally significant coastal natural hazards, in particular in funding an extensive assessment of inundation and coastal erosion carried out by Tonkin & Taylor Ltd in 2004 which highlighted coastal hazard zones along the entire Hawke's Bay regional coastline.
55. However, support from territorial authorities is recognised in the RCEP. For example, a pragmatic approach was taken concerning the Westshore/Bayview coast in Napier. To avoid multiple coastal hazard zones and multiple rules, the RCEP omitted this hazard zone, and the Napier District Plan continued to govern hazard management in this area of the Napier coast. On the other hand, in reviewing its own district plan, the HDC made a policy decision to omit land use controls in relation to its own coastal hazard zones, save for subdivision, to avoid duplicity of rules. This was because the RCEP featured appropriate land use controls in relation to coastal hazard zones within the Hastings territory.

Practicalities

56. Practical issues are discussed below under the following headings:
- (a) Public recognition of a need for urgent action on an integrated basis;

- (b) Protection can only work through an integrated approach to all of the Clifton to Tangoio coast;
- (c) The need for an integrated approach has been recognised already by the three local authorities;
- (d) Election by geographic area;
- (e) The HBRC has helpful experience in managing flood hazards in the Hawke's Bay;
- (f) Which authority has greater expert personnel?
- (g) Comparison to Civil Defence Management Groups;
- (h) Which body is best suited to work out fair rates and in particular targeted rates?;
- (i) Any indications as to the preference of ratepayers?;
- (j) The need for co-operation from the territorial councils; and
- (k) The future need for similar strategies for other parts of the coastline in the Hawke's Bay region.

Public recognition of a need for urgent action on an integrated basis

57. That there is a need for action held by the people of the Hawke's Bay is, to an extent, supported by the 'Climate Crisis Survey' which can be found on the Hawke's Bay Regional Council website. It noted:⁶³

- **41% of people associated the Regional Council as the main organisation responsible for actions on climate change in Hawke's Bay**
- 25% of residents believe climate change is one of the challenges facing New Zealand
- Drinking water was of the highest concern, followed by economic struggles then climate change
- **90% of people believe that climate change is already occurring**
- **62% of people are concerned about the impact of climate change in Hawke's Bay**
- Drought is seen as the main negative outcome of climate change
- **55% of residents were prepared to pay more in rates to minimise the impact of climate change**
- The most supported initiative that people were prepared to pay for was a reduction of carbon and erosion through tree planting (69%)
- Concern for future generations was the main driving force for taking part in environmental actions
- **80% of people said they have been moderately or greatly involved in environmental activities**

⁶³ <https://www.hbrc.govt.nz/environment/climate-action/hb/climate-crisis-survey/>

- Lack of alternatives or resources and cost were the two main cited barriers to engaging in environment related activities
- The top four activities were recycling, reusable product purchases, energy saving household products, and composting
- Two-thirds of residents do not think the Council is doing enough to prevent and reduce the impact of climate change.

58. This is some indication that the people of Hawke's Bay are aware of, and concerned with, the impacts of climate change on the region. They are prepared to contribute more rates to prevent the adverse impacts of climate change. To some extent, it shows a public consensus on the need to prevent the impact of climate change on the region. If that is so, it follows that the body with jurisdiction over the whole coast is the logical leader. That body is the HBRC.

Protection can only work on an integrated approach to all of the Clifton to Tangoio coast

59. Until now, the steps taken by local authorities to protect the Clifton to Tangoio coast have been reactive responses of territorial authorities to specific damage arising from coastal hazards. Among the measures, there have been steps taken by the HDC to prevent coastal hazards at Waimarama Beach and Clifton through sea walls, and steps taken by the NCC to prevent coastal hazards at Westshore Beach (in conjunction with HBRC), and Whakarire Avenue. These have involved the territorial authority making applications for resource consents to the regional council for works on the coastal strip, and to themselves for land use or subdivision consent. This does not pose a conflict problem, as independent hearing commissioners may hear and determine the resource consent application.⁶⁴

60. However, it is accepted by all three Councils that an integrated approach to the whole coastline is needed, rather than a piecemeal approach turning on territorial authority boundaries. What can be done in one part of the coast to prevent coastal hazards can affect, possibly adversely, another part of the coast.

⁶⁴ RMA, s 100A, whereby an applicant may request in writing that a local authority delegate its functions and powers, under s 34A(1), to an independent hearing commissioner to hear and decide their application.

61. This scientific reality was confirmed in the report of Emeritus Professor Paul D Komar and Professor Erica Harris.⁶⁵ They note that the Clifton to Tangoio coast contains two littoral cells, being stretches of beaches not separated by rocky shores and headlands.⁶⁶ These do not correspond to territorial council areas but are both within the HBRC area. In the coast North of the Napier Port up to Tangoio, gravel moves northwards.⁶⁷ Again, it can be noted that this movement crosses the territorial council border line.

62. The same is true South of the Port, where sediment has a predominant northward mitigation along the coast in response to the prevailing wave direction. Natural coastal processes have no relationship to territorial authority boundaries. However, the actions of authorities to respond to coastal hazards by intervening in coastal processes can have a direct consequence for a neighbouring jurisdiction. HBRC is the only authority with jurisdictional boundaries that can accommodate these entire littoral cells, including the coastal marine area.

63. When they commented on the effects of the 1931 earthquake in relation to the whole coast, the authors stated:⁶⁸

“Prior to the uplift this coast in 1931, produced by the Hawke’s Bay earthquake, most of its beaches and backshore areas experienced chronic erosion and over wash flooding occurrences during storms, making it essentially impossible to develop. Even the downtown area of Napier was frequently inundated during the high water levels of storms. The character of this coast abruptly changed when the earthquake raised most of its shores by 1.5 to 2 metres, extending from Tangoio in the north to about the present-day communities of Awatoto and East Clive in the south. Elevated by that amount, those shores then exceeded the elevations of the tides plus the surge and wave runup of even major storms, their acquired stability permitting the development of homes and infrastructure found there today. Only the southernmost portion of this shore, extending along the present-day Haumoana, Te Awanga and Clifton, experienced subsided during the earthquake, increasing its hazards and in part accounting for its persistent problems with erosion and flooding. It is evident that any increase in the future levels of the sea and in the intensities storms, both being projected by climatologists to occur during the next 100 years, would result significantly enhanced threats to properties along the Hawke’s Bay coast.”

64. Earlier they had noted:⁶⁹

⁶⁵ *Hawkes Bay, New Zealand: Global Climate Change and Barrier-Beach Responses* (March 2014).

⁶⁶ At [1.1].

⁶⁷ At [1.2].

⁶⁸ At [1.5].

⁶⁹ At [1.3].

This pattern of shoreline erosion in the south versus accretion to the north is produced by there being a net northward longshore transport of the beach sediments, caused by the dominant waves arriving from the southeast, the gravel and sand supplied by the Tukituki River and erosion of Cape Kidnappers being rapidly carried to the north within this littoral cell.

65. This physical reality requiring an integrated approach to the whole coastline is a reason for the local body that has jurisdiction over that coastline to be the body that takes responsibility for controlling and managing coastal hazards.

The need for an integrated approach has been recognised already by the three local authorities

66. None of the three local authorities have determined which authority or authorities should take charge of implementing works to reduce coastal hazards risks along the Clifton to Tangoio coast. However, the need for an integrated approach can be seen in the creation in 2014 of a Clifton to Tangoio Coastal Hazards Strategy Joint Committee (the Joint Committee). This is a true joint committee established under the Local Government Act consisting of members of the three local authorities and local Iwi. The Joint Committee identified the extent of coastal erosion and coastal inundation hazards across the whole of the Clifton to Tangoio coast, adopted a bespoke decision-making process, created two assessment panels, and are in the process of developing an implementation plan for responding to coastal hazards.⁷⁰ Strategy monitoring and reviews would be ongoing for at least the next 100 years.

67. This report of the Northern and Southern Cell Assessment Panels is impressive in that it makes detailed findings of the hazards on the coast and provides precise recommendations on pathways for protection. The area is divided into a northern and southern cell, and within the cells into coastal units. The units are based on "...a combination of ward boundaries, land area units and topography".⁷¹ The coastal units are numerous and do not correspond to the territorial authority boundaries.

⁷⁰ *Report of the Northern and Southern Cell Assessment Panels* (14 February 2018) at [3.2].

⁷¹ At [7].

68. The work of the Northern and Southern Cell Assessment Panels as recorded in that report, reflects the need for this integrated approach. Their final report of 14 February 2018 dealt with the Clifton to Tangoio coast as a whole, without territorial demarcation. The strategy covered the whole area and included the goal, “to take into account the impact of coastal hazards responses on natural coastal processes, and any resulting impacts on other parts of the coast”.⁷²

69. This goal has been recognised by the Hawke’s Bay community and is a feature of the lead up to this report. The fact that the local authorities have themselves shown an admirable consensus through the use of a single body, the Joint Committee, to create an integrated response to coastal hazards, is itself a strong testimonial in favour of a single body being in charge of the actual rating and work.

Election by geographic area

70. It is significant that elected members of both territorial authorities and regional councils are elected by geographic districts with the authority area. Under the Local Electoral Act 2001 the members of territorial authorities are elected by ward,⁷³ and members of regional councils are elected by constituencies of the region.⁷⁴ This means that there is a specific member of each local authority with a particular interest in a particular part of the Clifton to Tangoio Coast.

71. This means that, while the NCC and the HDC will have particular geographic ties, so will the individual elected members of the HBRC. Within the HBRC, there is a member representing the northern part of the coast, a member representing the city of Napier, and a member representing the southern part of the coast. Therefore, the three relevant geographic areas in total encompass the relevant coastal area.

72. This means that, just as territorial councillors representing different wards will have a particular knowledge of and sensitivity of their particular ward area, so will the HBRC councillors to their particular constituencies.

⁷² At [3.1].

⁷³ Section 19C.

⁷⁴ Section 19E.

The HBRC has helpful experience in managing flood hazards in the Hawke's Bay region

73. It is useful to compare the management of flood hazards in the Hawke's Bay. The measures to prevent or control floods and provide protection in the Hawke's Bay are run by the HBRC. The HBRC decide what is necessary, rate for the cost, and manage the implementation of remedial measures. This has been the case as far as I can understand, since the creation of the HBRC. This is an indication that there has been a natural inclination to put the management of regional hazards in the hands of the HBRC.

74. What this means is that the HBRC has expertise in managing water encroachment. It has had to grapple with the need to calculate the movements and effects of water, the effects of extreme weather, the need to obtain permanent access to land to be used to prevent the damaging effects of water, and the creation and maintenance of structures on that land. It has had to deal with the issue that such expensive remedial measures will benefit some ratepayers far more than others, and on occasions to impose targeted rates that reflect this.

75. The territorial authorities have expertise in managing drainage and stormwater, but not in the creation of significant works to prevent water encroachment in specific vulnerable parts of their districts.

Which local authority has greater expert personnel?

76. Each territorial authority currently owns and maintains coastal structures. This means each territorial authority has a base level of capability. I understand that the NCC and the HDC have engineering and asset management teams dedicated to three waters (potable water supply, wastewater and urban stormwater), and many of these skills may be transferrable. They have large, dedicated project delivery teams to deliver a large and wide-ranging capital works programs. These capital works programs are in the \$50-\$100m per annum range, and include roads, bridges, Three Waters projects, and major buildings including museums, and those on reserves and parks.

77. HBRC has a smaller engineering and asset management team dedicated to flood control, drainage, and supporting coastal projects. HBRC employs a specialist dedicated to coastal modelling and analysis. HBRC currently actively monitors the extent of the coastline. HBRC holds expertise in modelling of drainage and rivers with two dedicated staff. They have additional flex and capability and frequently provide advice to the territorial authorities and Civil Defence.
78. HBRC has a small, dedicated project delivery team dedicated to delivering flood control and drainage projects, with a budget of around \$7m per annum.
79. I understand that the pending Three Waters reforms is likely to remove significant Three Waters engineering, asset management and project delivery resources from the territorial authorities, and amalgamate these into a single Three Waters entity, although no decisions have been made. This is a significant point as most of the transferable skills to coastal management will likely exit the territorial authorities over the next couple of years.
80. In considering the governance, rating, construction and maintenance of coastal strategy, the scale of the specialist resource required is a consideration. This is where there may well be a difficulty in putting control of the process in a Council Controlled Organisation (CCO). It would not have resources of its own and would have to use the resources of local authorities. It is difficult to see this as efficient, or economic. It would be difficult to develop a depth of expertise in managing coastal hazards over three local authorities, none of which controlled the works, the control being with a third body such as a CCO. It is difficult to see how such disparate expertise could be amalgamated into an efficient working unit. A model where all the expertise is in one organisation that collects the rates to pay for that expertise, and administers that expertise, seems preferable.
81. If there were one local authority in charge, then the right resources to deal with coastal hazards are likely to develop further, both as a group of staff members develops within the organisation, and through the use of independent consulting engineers and other expert professionals, who it would be expected would develop more expertise and a good working relationship with the local authority in charge. Members of that local

authority would develop knowledge of the best contractors and develop skills in dealing with them.

Comparison to Civil Defence Emergency Management Groups

82. During the course of my investigations, the analogy of the Hawke's Bay Civil Defence Emergency Management Group, which is a group created for the whole Hawke's Bay region, has been raised as an alternative to control by a single local authority or authorities. This group is created under the Civil Defence Emergency Management Act 2002 (CDEMA). Its members are the HBRC and all those territorial authorities that lie wholly within the boundaries of the Hawke's Bay region. There is a group controller and a group plan, under which effective civil defence management is carried out on a region-wide basis. Could a similar model be used for the creation of a CCO, which would take charge of managing coastal hazards?

83. Such civil defence groups *must* be created by local authorities under s 12 of the CDEMA. Such groups are designed to ensure civil defence co-ordination over a whole large area, and involve a number of concerned bodies and organisations in addition to local authorities, such as the Hawke's Bay District Commander of NZ Police, the Area Commander Hawke's Bay Fire and Emergency NZ, the Chief Executive Hawke's Bay District Health Board, the Hawke's Bay Medical Officer of Health the Group Welfare Manager the Group Recovery Manager, the Heretaunga Territory Manager, St John, the Chief Executive Officer of each Local Authority of the Group, the Chairperson of the Hawke's Bay Lifelines Group, and any other persons that may be co-opted by the Group.

84. Such groups are one-off, involving multiple administrative bodies in order to deal with the broad spectrum challenge of civil defence, and in particular emergency response. Inevitably, a group different from a local authority or authorities was required. The same statutory and practical imperatives do not arise with regard to coastal hazards which are typically slow moving and evolving over years and decades.

85. In summary, I do not think that the Hawke's Bay Civil Defence Emergency Management Group provides an appropriate template for a similar structure regarding

coastal hazard management. Therefore, I do not consider that the Civil Defence model should be applied to controlling coastal hazards.

Which body is best suited to work out fair rates and in particular targeted rates?

86. It is arguable that all people in the Hawke's Bay get some benefit from the protection of its coast, but it is also true that some will get far more benefit than others. The difficult question will arise of finding a fair way to rate for hazard protection measures that will greatly benefit those properties immediately on the threatened shore, with the benefits lessening the greater the distance of the rated property from that shore.

87. This was done in relation to the Waimarama revetment and to an extent with the Whakarire Avenue revetment. However, this was not done with the Clifton revetment, (which had no residences that were immediately affected). Different policies can be adopted therefore, from significant targeting of rates to none at all.

88. Who is best to decide? A territorial authority may well have the better knowledge of its local people, and the history and their concerns about a local hazard. On the other hand, they may not have the same understanding of how the coast benefits the Hawke's Bay as a whole, in terms of being an amenity for recreation, attracting tourists, and as a barrier to protect infrastructure such as roads cables and pipes. There may also be complexities where some benefits of a particular work (or adverse impacts) accrue outside of the rating jurisdiction of a given territorial authority from resulting 'downstream' coastal change. This could occur from, for example, a major beach nourishment programme in Westshore and Bay View (within the jurisdiction of NCC) potentially benefiting residents in Whirinaki (within the jurisdiction of HDC) as the nourishment material naturally migrates northwards.

89. It is also the case that the territorial authorities face the reality that infrastructure owned by them is threatened by coastal erosion, in particular coastal roads, cables and pipes under their control. Accepting that the territorial authorities could not be rated for any works, there is an advantage in having a body independent of the owners of that infrastructure, deciding on what should be done to protect it. If, say, a managed retreat and the destruction of a piece of territorial authority infrastructure was an option, the

HBRC as an independent organisation with no financial interest could be better suited to the tasks of decision-making, rating, implementation and maintenance, than the territorial authority itself.

90. For these reasons, I suggest that a regional council, the HBRC, is best suited for the task of responding to coastal hazards and setting rates. The task is best undertaken by an authority with pan-jurisdictional reach and a regional (rather than specific local) frame of reference.

Any indications as to the preference of ratepayers?

91. The ratepayers of Hawke's Bay voted against the creation of a single new body for all of Hawke's Bay, with local boards, in a poll conducted in 2015. In that poll, 34% of ratepayers were in support of such a body, and 66% against it. I see this as a poll requiring a multiplicity of considerations, and not an indication of any preference from the local population as to how to deal with the coastal hazards problem. I am not aware of any indications from ratepayers as to which Council they might wish to take charge of responding to coastal hazards to the Clifton to Tangoio coastline.

92. Thus, when this result is seen in conjunction with the results from the Climate Crisis Survey referred to earlier, the ratepayers can be seen as generally agnostic as to who does the work, but it is clear that they want it done and they want it done efficiently and effectively.

The need for co-operation from the territorial councils

93. Some of the work that will have to be done will fall within the coastal marine area which is the HBRC's bailiwick. Other works, on the landward side of the mean high water mark, fall within the territorial authority jurisdiction. The fact that regional councils have to deal with land which falls within their own jurisdiction but also within the jurisdiction of a territorial council is common, if not unusual. Regional councils have experience in designations, and in acquiring land under the Public Works Act 1981. For instance, some of the flood prevention works that have been carried out by

the HBRC have been on land which is not under HBRC control, and included private land and land owned by territorial authorities.

The future need for similar strategies for other parts of the coastline in the Hawke's Bay region.

94. Coastal hazards issues are of course not unique to the coastline between Clifton and Tangoio. Indeed, I understand that one of the objectives of the Clifton to Tangoio Coastal Strategy is to develop an approach and model to apply in future to other parts of the Hawke's Bay coastline. This introduces the prospect of involving additional territorial authorities in this work, namely the Wairoa District Council and Central Hawke's Bay District Council.

95. The Wairoa District Council and Central Hawke's Bay District Council have not been approached for comment, and it is not part of my specific brief to consider their position. However I comment that consistent with my analysis above, additional agencies can add complexity and inefficiency for little practical benefit. A single agency-model enables a regional roll out of strategic planning in ways that a multi-agency model cannot. This is a strong argument in favour of a single agency model for all of Hawkes Bay. However, I make this observation with diffidence, as I have no knowledge of the history and coastal erosion issues in those Council areas.

Summary of factors in favour of continuing the status quo, with each council dealing with coastal hazards (Model One)

96. The creation of the Joint Committee appears to me to constitute a recognition by all the local authorities that an integrated approach is required through all the local authorities working together.

97. Through discussions held as part of developing this review, some support was expressed for retaining the existing status quo (Model One) based on the concept that there should be a direct connection between the money being taken from ratepayers and those who could be held to account. The works and the ratepayers should be as closely joined as possible. It was suggested that the HBRC has no role to play in relation to

coastal hazards that are essentially community issues, and the HBRC's involvement should be limited to providing only an environmental point of view. It was observed that territorial authorities have the responsibility for the built environment. It was said that given the concern that a regional council should have for the environment, it was thought that a regional council was more suited to managing retreat, rather than hard engineering on the coast.

98. While these arguments have merit, they are not persuasive of a piecemeal approach corresponding to territorial boundaries, with the HBRC having a limited role. As I have set out, the problem of coastal hazards along the Clifton to Tangoio coast is physically problem of the whole coast, in particular the southern and northern sections, and does not correspond physically to the territorial authority boundaries. If responses are carried out from the point of view of just parts of that coast, the response may have adverse effects on other parts of that coast. In my assessment, coastal hazards are to be approached as a whole of coast issue, requiring a whole of coast response.

99. The various legislation and regional plans mentioned above give the regional and territorial authorities overlapping responsibility and powers in dealing with coastal hazards. However, it is clear from the interpretation of those instruments that a regional body, the HBRC, is higher in the hierarchy and therefore can be seen to have primacy.

100. As I have set out, the HBRC is better able to assess rates with a whole of region approach. The HBRC already has some of the skills and knowledge in dealing with the prevention of coastal hazards, having been in charge of managing and rating for flood prevention across the Hawke's Bay for many decades. This is not going to change, and the skill sets involved for both areas of flood prevention and coastal management overlap.

101. These issues were already in part at least recognised by the formation of the Joint Committee, which was set up by all the local authorities to proceed on a region-wide basis. This move to a whole of region approach can be said to have arisen in part as an organic response to the issues.

Summary of factors in favour of a single agency model (Model Two)

102. It should first be observed that the analysis earlier of the LGA and RMA, the relevant authorities interpreting those Acts, and the relevant plans, indicates primacy of the Regional Council in relation to policy on coastal hazards, and equality in relation to implementation. Only the Regional Council can in relation to coastal hazards direct managed retreat.
103. The Clifton to Tangoio Coast is not congruent with the boundaries of the territorial authorities. Neither the NCC nor the HDC has jurisdiction over the coast of the other. In contrast, the coast all falls within the boundaries of the HBRC. This is the most powerful reason for the HBRC to rate and manage coastal hazards. As mentioned, what happens on one part of the Clifton to Tangoio coast may adversely affect other parts. There is no other existing single suitable body with the power to plan for, rate for manage and implement measures to control coastal hazards other than the HBRC, (other than through the creation of CCO, which is discussed below). Thus, geographic logic supports a single agency implementing measures to respond to coastal hazards along this coast, and the reality of the boundaries of the territories of the councils supports that council being the HBRC.
104. This geographic logic, at least as a matter of fact if not law, is increasingly recognised by local body politicians and employees in all three local authorities. It is reflected in the work of the Joint Committee. In my discussions with the councillors of all three local authorities, there appeared to be a recognition by most that a single agency was the most practical option in terms of efficiency and cost.
105. Even with a single agency approach, local interests can be recognised and promoted by members of the HBRC, given that they are elected on a constituency basis.
106. There is a considerable body of experience in the area of coastal hazards in the HBRC, and the work has a connection with flood control. The HBRC has successfully carried out flood control throughout the region in recent years.
107. Further, the HBRC is well able to carry out the task of considering whether there should be targeted rating, and if so in what proportions, and the collection of those

rates. It already administers targeted rating in the area of flood control. The HBRC is experienced in identifying water hazards, coming up with a remedial concept, working out how to acquire or control required properties and implementing the acquisition of necessary land, and doing the construction.

108. It is true that if the HBRC carries out the rate collection exercise, this will result in a greater percentage increase in the HBRC rates than would be the case if the NCC and HDC did the rating, as the overall rates on household of the territorial authorities are much higher. An extra rate to pay for protection from coastal hazards may be less noticed by rate payers if it is made by the territorial authorities. However, this is not a valid reason for the task of collection of such rates to be left to the NCC and HDC. The same ratepayers more or less will end up paying for the cost of the works, they will simply be paying directly to the HBRC rather than to the NCC or HDC. Any cosmetic reason should be treated as irrelevant.

109. The only reasons why the single collection model may not be the best are that:

- (a) The territorial authorities know their ratepayers, and the history of their district and perhaps have a closer connection to their ratepayers than the HBRC. The HBRC covers a much wider area, and must take into account the interests of many more groupings of ratepayers;
- (b) The territorial authorities have the power to do these works under the LGA and the RMA (although, so does the HBRC);
- (c) The NCC and HDC will have a good institutional knowledge of the coastal hazards in their territories; and
- (d) In particular, both the NCC and HDC have had hands-on experience in taking successful measures to prevent coastal hazards, in particular at Waimarama, Clifton and Westshore and have skills in that area in their existing staff.

110. However, these are not persuasive in comparison to the reasons favouring a single agency model. Indeed, a single agency model can be constructed to still benefit from

the knowledge, experience and capability of territorial authorities through the formation of an advisory forum, which I discuss below. There are therefore powerful reasons why the single model approach should be adopted. I will traverse some other considerations to the contrary below.

Summary of factors in favour of HBRC and an advisory committee (Model Three).

111. This model involves the HBRC being the decision-maker and implementer of all functions including rating (model 2) but supported by an advisory committee, (it could be called a forum or group), involving the territorial authorities. This approach was favoured by a number of politicians in two of the Councils.
112. For the reasons I have set out, I recommend that the HBRC takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast. I believe that the HBRC's ability to carry out this role would be strengthened by an advisory panel or committee. While, for reasons that I will set out, I do not favour a CCO or any option that compromises the HBRC as the decision-maker and rating body in relation to all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast, a committee that had only an advisory role could be a real benefit.
113. As I have set out, the territorial authorities have a close connection with the ratepayers on their coastlines. They will know the socio-economic circumstances of the ratepayers of particular areas. They have a history of dealing with their own coastal areas that the HBRC has not had. They will know their infrastructure, and how it may be affected by a coastal hazard. They will be aware of the cost and implications of not stopping damage to that infrastructure.
114. The territorial authorities have had to manage coast related issues for many years. Obvious examples are the works at Westshore and Whakarire Avenue. The NCC has a good knowledge of what has been done, and what its ratepayers think about it. The HDC has had the experience of Clifton, and the long running issues at Haumoana.

115. In relation to specific proposals and issues relating to their coasts, the territorial authorities through an advisory body can let the HBRC know of the wishes of ratepayers and the history of parts of the coast. The individual territorial authorities through an advisory body can have an exact knowledge of what is happening in relation to coastal hazards in their area and how they are being dealt with, so that not only can they comment, but they can report back and have a sense of participation. The territorial authorities will be in a position to provide advice or assistance to the HBRC on proposals for works and strategies. They will also be able to come up with their own suggestions as to what could be done.
116. I would recommend that this advisory committee be modelled in composition at least in part on the existing Joint Committee, so that there would be an equal number, (perhaps two), of representatives from each of the three local authorities, plus continued Iwi representation. The local authority representatives should be elected politicians, who can be seen as responsible to, and representative of, their district's ratepayers. It will also be important to have inputs from key personnel in the three councils, in the same way as the existing Joint Committee has had the benefit of the TAG Group. I recommend that the advisory committee have an associated group of experts who work with them, like the TAG group.
117. I think it important that the HBRC has its own elected members on this advisory committee, and that they have a role in the HBRC in the area of coastal hazards. This will allow them to inform the other members of the advisory committee of what is intended and what is happening, and debate and learn. The HBRC members and Iwi representatives can also be a counter-balance against any particular sectional pressures and conflicts that might arise between the NCC and HDC.
118. I would envisage that the advisory forum or committee is given advance notice by HBRC of significant new works or maintenance works, and of rating proposals, so that they could be debated and commented on by the advisory committee. The finalisation of such proposals should allow the advisory committee reasonable time to understand, debate and comment. However, the time frame for such debate and comment would have to be such that there was no significant delay. Moreover, the view

of the advisory forum or committee, even if opposed to a proposed measure, could not delay the implementation of that measure by the HBRC.

119. The effect would be, then, that the advisory committee could come up with its own proposals or respond to those of HBRC. It would have to be given prompt advice of HBRC proposals, and then meet on relatively short notice to discuss and give such advice if considered appropriate. There would need to be a time frame for this, and it would need to be measure in weeks more than months. Significant delay would defeat one of the key benefits of having a single deciding body.

Summary of factors in favour of a Council Controlled Organisation (CCO) (Model Four)

120. The fourth proposed model is that HBRC establishes new council-controlled organisation (CCO) whose composition could match the existing Joint Committee, tasked with implementing and monitoring strategy. The HBRC would collect the relevant coastal hazard rates, but the CCO would decide on allocation of rate contributions, targeting, the projects to be undertaken, how those projects are to be carried out, and who should carry out those projects.
121. This model is supported by a number of councillors in one of the local authorities. I understand that it was envisaged that there would be an equal number of representatives from each local authority in this CCO.
122. This model is effectively a single entity in charge, not the HBRC, but rather a hybrid body of the local authorities. This would have some of the advantages of Model 2, with a single body making all the decisions, and which would develop skills and expertise in managing coastal hazards.
123. The power to delegate to CCOs is set out at part 5 of the LGA, and the power is wide. I will assume that it includes the power to decide on works and who will own them to prevent or mitigate coastal hazards, and to rate or get the regional council to rate for them, and to have staff and carry out those works.

124. The key disadvantage of such a model is that there would be the opportunity for conflict and stalemate, as councillors from particular authorities sought to maximise the position of the ratepayers that they represent, rather than the good of the Clifton to Tangoio coast as a whole. The great advantage of the HBRC being in charge, is that its councillors from all constituencies have a duty to advance the interests of the whole region, rather than one part of it. They are better able to manage a coast which demands a whole of coast approach, rather than one dictated by the boundaries of territorial authorities.

125. Also, there would be overlap in the CCO's functions particular in the area of flood control, with the HBRC. Such a move would be against the overall trend in local government, which is to try to check proliferation of authorities, and thus duplication of costs and a more piecemeal approach. The general move in local government is to conflate rather than expand the multiplicity of local government organisations. This would be a step in the opposite direction. A CCO would mean the creation of another *ad hoc* local body, a coastal hazards board, a move similar to the move to multiple boards in the late nineteenth century, where there were boards for rabbits, rivers and harbours.⁷⁵ Such a proliferation proved costly and inefficient and was firmly reversed in the next century.

126. The HBRC has representatives of all the ratepayers that are represented by the territorial authorities. The HBRC has representatives for the ratepayers in the constituencies that are on the Clifton to Tangoio coast. Those ratepayers do not therefore need a say in decision making through a CCO, as they already have a say through their votes for HBRC members. The territorial authorities, therefore, do not have to have a direct say in what happens through a CCO, because the ratepayers that they represent are already represented on the HBRC.

127. Further, if a CCO was to take charge, it would not have any staff. It would have to use NCC, HDC or HBRC staff. As a result, there would be more of a possibility of conflict and duplication.

⁷⁵ Drage, above n 3, at 59.

128. The particular contributions that the NCC and HDC can make can be accommodated in an advisory committee as discussed in the preceding section. There is no need for the creation of a CCO, as the ratepayers affected by any coastal hazard works can have their democratic right to a say met through their votes for HBRC members. There is a significant downside in delegating all the coastal hazard functions to a CCO, in cost and delay and an unhealthy proliferation of the local government function. I do not recommend this model.

HBRC + Decision-making forum (Model Five)

129. Under this model, the HBRC would rate for strategy implementation, and funding decisions would be delegated to a decision-making forum involving the territorial authorities.
130. I do not support this concept for the reasons I have already set out. I favour the HBRC having all the decision making and rating functions, assisted by an advisory board which includes representatives of the NCC and HDC. If the HBRC's role was limited to rating and possibly implementation as well, this would involve its powers and functions being divided, which is undesirable for the reasons I have already set out. A decision making forum involving the NCC and HDC would be much like the CCO option, and could lead to division and stalemate, and the attendant delays and costs.

HBRC + TA (Model Six)

131. This proposal is for a hybrid model with shared responsibility between the HBRC, NCC and HDC. Under this model, the HBRC would rate for the public good component of works, and the NCC and HDC would rate for private good component.
132. Again, I do not support this for the reasons I have set out, where I favour the HBRC having all the decision making and rating functions, assisted by an advisory forum or committee which includes representatives of both territorial authorities. To split the rate collection function in relation to coastal hazards would lead to wrangles as to how the division should be made, and confusion among voters about to whom they are paying and for what. The advantages derived from the single authority option, which I have already set out, would be lost.

133. I have not sensed any particular enthusiasm for this option from any person or group.

Transition

134. The recommended single agency model represents a change to the status quo. This necessitates a comment on the successful transition to a new operational model.

135. If the Councils do accept my recommendation, they should record this in a joint memorandum or similar document as a first step. This would ensure that all parties are clear and agreed on the changes and their respective roles moving forward. I envision that this memorandum would include agreed positions on key matters, such as the ongoing role of the advisory committee and its membership, any financial contributions to operational costs from advisory committee members, and the future ownership and maintenance of existing coastal hazard assets.

136. On the issue of existing assets, I would envisage that all existing coastal hazard assets owned by the two territorial authorities (the NCC and the HDC), such as revetments (and including the resource consents held for structures that have not yet been built), be transferred to the HBRC. They are unlikely to have any open market value. This will allow for a fully integrated approach to managing coastal hazards risks at present and into the future; to do otherwise risks perpetuating the issues I have identified with the multi-authority options discussed above.

137. The next step will be for the HBRC, I suggest in conjunction with the Joint Committee, to prepare a Transition Plan to set out the timing and orderly process of transitioning to a single agency model in accordance with the terms set out in the agreement.

138. The Transition Plan should be prepared in consultation with the territorial authorities and set out procedures for the transfer of assets. A full transition plan would then be finalised and implemented.

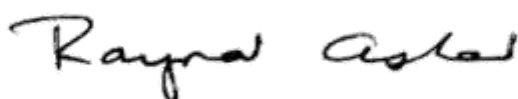
Recommendation

139. For the reasons I have set out, I recommend that the HBRC takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast including deciding on preventative, mitigating or remedial works, making all decisions about rating for these works and collecting those rates, the implementation of all decisions including supervising works, and the control of all maintenance. I recommend that there be an advisory committee which includes members of both the NCC and HDC, but that this advisory committee has no decision-making powers, and no ability to delay the implementation of proposals.

140. My recommendation is that the HBRC should take charge of:

- (a) The collection of the rates that will fund the projects;
- (b) Deciding which rate payers should pay and in what amounts and proportions;
- (c) Deciding and controlling the projects to which the funds are applied; and
- (d) Implementation of the projects.

Dated this 23rd day of April 2021



HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

Subject: TE MATA PARK TRUST PRESENTATION

Reason for the Report

1. Hawke's Bay Regional Council support the Te Mata Park Trust by way of a grant of \$122K per annum for a full-time equivalent caretaking role on Te Mata Park. This has been increased from 0.6 FTE to 0.8 FTE and is now 1FTE for two Works Group employees to undertake a variety of jobs at Te Mata Park, including the newly acquired Te Kahika 8ha land. The caretakers work together over two or three days a week to undertake these activities, as identified in a Memorandum of Understanding between HBRC and Te Mata Park.
2. The Te Mata Park Trust have requested the opportunity to present to the Environment and Integrated Catchment Committee on progress at the park and thank the Council for their support. This is for information only.

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 Environment and Integrated Catchments Committee receives and notes the "*Te Mata Park Trust Presentation*" staff report.

Authored by:

Russell Engelke
TEAM LEADER OPEN SPACES

Approved by:

Chris Dolley
GROUP MANAGER ASSET
MANAGEMENT

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

Subject: TE KARAMŪ PROJECT UPDATE

Reason for Report

1. This item provides the Committee with an update on the progress of enhancement works undertaken as part of the Te Karamū Enhancement Review and Management Strategy 2016-25 (the Strategy) and presents the forward programme of work for the remaining years as required by the Strategy.

Executive Summary

2. In 2016 Council prepared a strategy for the enhancement projects along the waterways which has provided the backbone for planning and enhancement work for various stakeholders and the wider public.
3. Five years on we have undertaken a review of the Strategy to report how enhancement works along the Te Karamū are progressing against what was planned.
4. From the time the Strategy was implemented in 2016, progress has been made across all 7 zones as per 'the Enhancement Strategy'. Of the 9.4ha of priority areas identified in the Strategy, to date 77% has been delivered (7.29 ha). This was reported to Council in September 2020, and with the 2021 planting season underway and due to deliver an additional 2.19ha of native planting, the target of 9.4ha of priority planting will be achieved by the end of winter 2021. A summary of the deliverables to date including this winter planting are shown in a table 1 following.
5. The 2019-20 winter planting period was impacted by Covid-19 which meant less planting was achieved using volunteers. Contractors were used to deliver the planting programme due to the uncertainty around large community events under the changing Alert Levels of Covid-19, while groups such as Forest & Bird and Fish & Game undertook their own smaller planting days with appropriate measures in place to manage the risks.
6. Various external factors have influenced the delivery of this Strategy and are identified in the Te Karamū Enhancement Review 2021-2025.
7. The last 12 months has seen focus on coordinating, supporting, and enabling the community, partners, and corporate sponsors involvement in this project. There has been a significantly increased community desire to be involved, requiring a significant volume of community engagement and planning.
8. The implementation plan approved by Council in 2016 has being updated to reflect an increase in demand and priorities, to keep pace and align with the expectations of this highly valued community initiative, but also to be aware of the original expectations and drivers set in the original document. This is shown as the attached Te Karamū Enhancement Review 2021-2025.

Table 1- Summary of planting to date including this year 2020-21.

Zone	2016 Strategy Planting Target (Ha)	Actual Planting 2016-20 (Ha)	Planting 2020-21 (Ha)	Percentage of 2016 Strategy Target actually delivered (%) - (without this year planting)	Remaining Planting to achieve 2016 strategy target (ha)
Zone 1 - Whakatū	1.3266	0.397	0.1	30%	0.9296
Zone 2 - Ruahāpia	4.9250	4.2908	0.45	87%	0.6342
Zone 3 – Twyford	0.00	0.0115		0%	-0.0115
Zone 4 - Waipatu	1.1062	0.7427		67%	0.3635
Zone 5 - Havelock	0.2480	0.2480	0.47	100%	0
Zone 6 - Irongate	0.6734	0.6734	0.12	100%	0
Zone 7 - Awanui, Kārewarewa, Paritua	1.1672	0.8464	1.05	73%	0.3208
Total	9.4464	7.2908	2.19	77%	2.2366

Strategic Fit

9. The Enhancement Strategy shares the Hawke's Bay Regional Council's vision for a region with a 'healthy environment and a resilient and prosperous community', now and for future generations, with an overarching purpose 'to improve habitat and ecosystem health whilst providing flood and erosion protection'.
10. The Enhancement Strategy provides a toolbox to enable the Karamū Stream and its tributaries to be maintained as a highly valued asset to Hawke's Bay, providing a vision for:
 - 10.1. A balancing of values where grazing, native vegetation, and recreational areas support a rich and abundant ecosystem that is accessible and easily managed
 - 10.2. A network of clean healthy waterways, connecting and unifying the residents of the Heretaunga Plains
 - 10.3. An asset and resource that supports the cultural, commercial, social and recreational needs of the community.
11. This enhancement programme also directly aligns to the values outlined in the Hawke's Bay Regional Parks Network Plan for the management of open space and contributes to the Hawke's Bay Biodiversity Strategy 2015-2050.
12. A Strategic fit of the Te Karamū Enhancement work within the catchment is shown in the infographic attached. The Te Karamū program is one of many significant works undertaken within the catchment which will improve many values, including water quality in the future years.

Background

13. The Karamū can be divided into eleven sub-catchments comprising of over 238 kilometres of waterways. These waterways have evolved through a series of transformations over time, influenced by changing land use, urbanisation, impacts of plant and animal pests, channel realignment, as well as other natural and human-induced changes.
14. The catchment also serves to convey stormwater away from the Heretaunga Plains, including the expanding urban areas of Hastings and Havelock North as well as the commercial and industrial areas surrounding them.
15. The catchment and particularly its primary waterways are becoming increasingly valued as a biodiversity corridor, for landscape views and as public recreational areas.
16. The 'Te Karamū Catchment Review and options for Enhancement (2004)' report provides thorough analysis and detailed recommendations for the management of The Karamū catchment. Part of the information formally approved in 2004 included a "Rough Order Cost Estimation" and it was recommended that staff would develop further detailed proposed work programs over time.
17. In 2007 a draft Karamū Revegetation Strategy and Concept Plan was developed. Community support, engagement and awareness has grown with the maturing of the initial enhancement project and the 2016 strategy assists to further progress and direct the management of this valuable assets by the Hawke's Bay Regional Council (HBRC) on behalf of residents of Hawke's Bay.
18. In 2016 Council approved the Te Karamū Strategy, primarily intended as a guide to open space development and management of public land within the Karamū catchment which is owned or managed by HBRC.
19. Enhancement has involved re-creating patches of native vegetation, protecting existing native vegetation, removing stock from berm areas, creating wetlands at tributaries and within river berm areas, improving access for maintenance and public use, providing advice and encouragement for neighbours, including marae, to engage in enhancement activity and providing opportunity for engagement and education of school and community groups.
20. Te Karamū Stream and its tributaries are a highly valued asset and resource that supports the cultural, commercial, social and recreational needs of the community in the Hawke's Bay.
21. The Te Karamū Enhancement Strategy identifies the following as 4 key focus strategies:
 - 21.1 **Strategy 1:** Control Plant Pests (Strategy 1a) and Animal Pests (Strategy 1b) and Prevent Re-Establishment
 - 21.2 **Strategy 2:** Protect and Preserve Existing Animals and Plants that are Desirable
 - 21.3 **Strategy 3:** Re-Establish an Indigenous Ecosystem
 - 21.3.1 Every 5km there should be a core sanctuary which is approximately 6.25ha (250m x 250m)
 - 21.3.2 Every 1-2km there should be habitat which is approximately 1.56ha (125m x 125m) to provide habitat for most plants, lizards, insectivorous birds and invertebrates and resource-rich 'stepping stones' for larger frugivorous or honey-eating birds; and
 - 21.3.3 Every 200m there should be groves of natives which are 0.01ha (10m x 10m) to provide groves of trees, finer-grained stepping stones, and feeding stations.
 - 21.4 **Strategy 4:** Protect and Enhance Cultural, Social and Recreational Values (including engagement with mana whenua).
22. Apart from the delivery of the programme, consideration has been given to:

- 22.1 The future for the Karamū strategy beyond the 10-year timeframe and incorporating new regulations and TANK plan changes
- 22.2 Proposed in the 2021-31 Long Term Plan (LTP) is a new Karamū Catchment Coordinator to start in the first year of the LTP. The addition of a full-time resource to the Karamū catchment would see additional collaboration with interested stakeholders and volunteers
- 22.3 Connectivity (e.g. project identified and funded in LTP: cycle connection between Havelock North and the Wineries Ride in Bridge Pa.).

Review of Te Karamū Strategy 2021-2025

- 23. Te Karamū Enhancement Review 2021-2025 identifies progress made to date on each of the key focus strategies and proposes future development of Te Karamū in the Implementation Plan 2021-2025.
- 24. Various external influences have resulted in minor changes to program's focus, and where best to prioritise future capital expenditure on planting. These priorities could be considered under the following objectives:
 - 24.1. General alignment with the Implementation Plan 2021-2025: Re-establish an Indigenous Ecosystem
 - 24.2. Focus on riparian planting as this is likely to have the most positive impact on improvement of water quality
 - 24.3. Create buffer strips to help prevent and reduce the impact of cattle breaches. (Since the commencement of the 2016 strategy all cattle grazing on Council owned land within the Te Karamū stream edges has been eliminated.)
 - 24.4. Incorporate recreational trails and accessways along restored margins in locations where ecological and cultural values will not be adversely impacted
 - 24.5. Undertake planting in areas where bank stabilisation is necessary to minimize erosion.
- 25. Therefore, rather than consider completing the target planting in each zone as it was mapped in 2016, further analysis has been undertaken regarding where planting will best meet all of the above objectives. The results of this analysis are outlined in the attached plan "Te Karamū Enhancement Review 2021-2025 specifically the Implementation Plan Deliverables".
- 26. This plan identifies six "Focus Areas" (A to F) that are aligned with the nested, forest patch configurations. It seeks to bolster planting in those areas that are considered to be a Core Sanctuary or fill in the gaps along the river corridor that are Habitat or Groves. The clusters are also aligned with areas of known public or mana whenua interest.
- 27. Within each cluster, various individual projects are identified. These have been aligned with the other objectives such as bank stabilisation or where there are gaps in existing riparian vegetation.
- 28. Proposed development of the following zones has been scoped and prepared for planting in 2021 with further opportunity to continue the development of these planting zones into the coming years ending in 2025.

Table 2: Te Karamū Enhancement Planting Programme 2021

Water Body	Zone	Site ID	Bank	Location Description	No. Plants	2021Ha
Karamū	Havelock	22-47	Right	D/s from St Georges Rd bridge	500	0.1
Paritua	Upper Catchment	39-00	Both	Sileni Estates Winery, 2016 Maraekakaho Rd	300	0.15

Water Body	Zone	Site ID	Bank	Location Description	No. Plants	2021Ha
Karamū	Awanui	30-52	Left	U/s from bridge at 74 Anderson Rd)	300	0.15
Karamū	Whakatū	08-58	Right	Hawea - new area, D/S new road bridge	337	0.1
Karamū	Havelock	22-21	Left	D/s from St Georges Rd bridge (Bostock)	1600	0.2
Karamū	Havelock		Right	U/s from St Georges Rd Bridge (Riverbend)	800	0.1
Irongate	Irongate		Right	D/s from Awanui/Irongate/Karamū Stream confluence (F&B)	1500	0.12
Karamū	Havelock	21-31	Left	U/s from Southland Drain confluence	600	0.07
Karamū	Ruahāpia	11-10	Right	Ruahāpia - opposite marae	204	0.05
Karamū	Ruahāpia		Left	D/S of Bridge Ruahāpia	800	0.3
Awanui	Awanui	23-17	Left	U/s of Awanui/Irongate/Karamū Stream confluence	3000	0.7
Awanui	Awanui		Left	Kārewarewa (Aero club on hold)	2000	0.05
Karamū	Waipatu	12-10	Right	U/s from SH2 bridge (2 volunteers)	1000	0.05
Karamū	Waipatu		Right	Mangateretere	500	0.05
Total					13,441	2.19

29. It is anticipated that between 2.91ha and 3.6ha will be planted each year (through the 2021, 2022, 2023 and 2024 planting season), which will total approximately 12.64 ha of additional habitat establishment. The Implementation Plan 2021-2025 shows proposed development in each of the focus areas.
30. The 2020-2021 Budget for the Te Karamū Enhancement is \$681,245 of which \$452,575 is for capital delivery and \$228,670 is for operations and maintenance of established sites.
31. The Te Karamū Enhancement **capital** budget is used to retire invasive tree species (mulching the material where possible for planting usage), weed clearing, preparation of new planting sites, fencing where required, ground preparation, plants, stakes, tree guards etc. Where possible, additional wetlands are created with inclusion of fish passages and consideration of fish and bird habitat. This is in collaboration with the science, schemes, engineering and biodiversity teams.
32. The Te Karamū Enhancement **operational** budget is spent on maintenance of the planted areas which are delivered through contracts to ensure that planted areas are well-maintained and survival rates are high. Plant maintenance is intensive over the first three years, dropping off as plants cover over the site, reducing weed growth. A palette of successful plant species has been identified for specific locations to minimize loss. Higher areas of amenity e.g. below Mary Doyle require a higher level of service for mowing, scrub bar work and spraying. These areas have become treasured park-like sites along the

Karamū for many walkers, cyclists and locals. Consideration has been given to future Hawke's Bay Trail cycle connections to Bridge Pa and the 'Wineries Ride' in the coming years.

Next Steps

33. A Karamū Catchment Coordinator position is identified in the LTP to complement this important work and build on external relationships with aiding groups, businesses, clubs, schools and individuals.
34. To continue progressing the Te Karamū Enhancement Strategy while fostering goodwill and enthusiasm of all key stakeholders in the future development of the identified Focus Areas identified as A to F on the attached Plan.

Decision Making Process

35. 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 Environment and Integrated Catchments Committee receives and notes the "*Te Karamū Project Update*" staff report.

Authored by:

Russell Engelke
TEAM LEADER OPEN SPACES

Martina Groves
MANAGER REGIONAL ASSETS

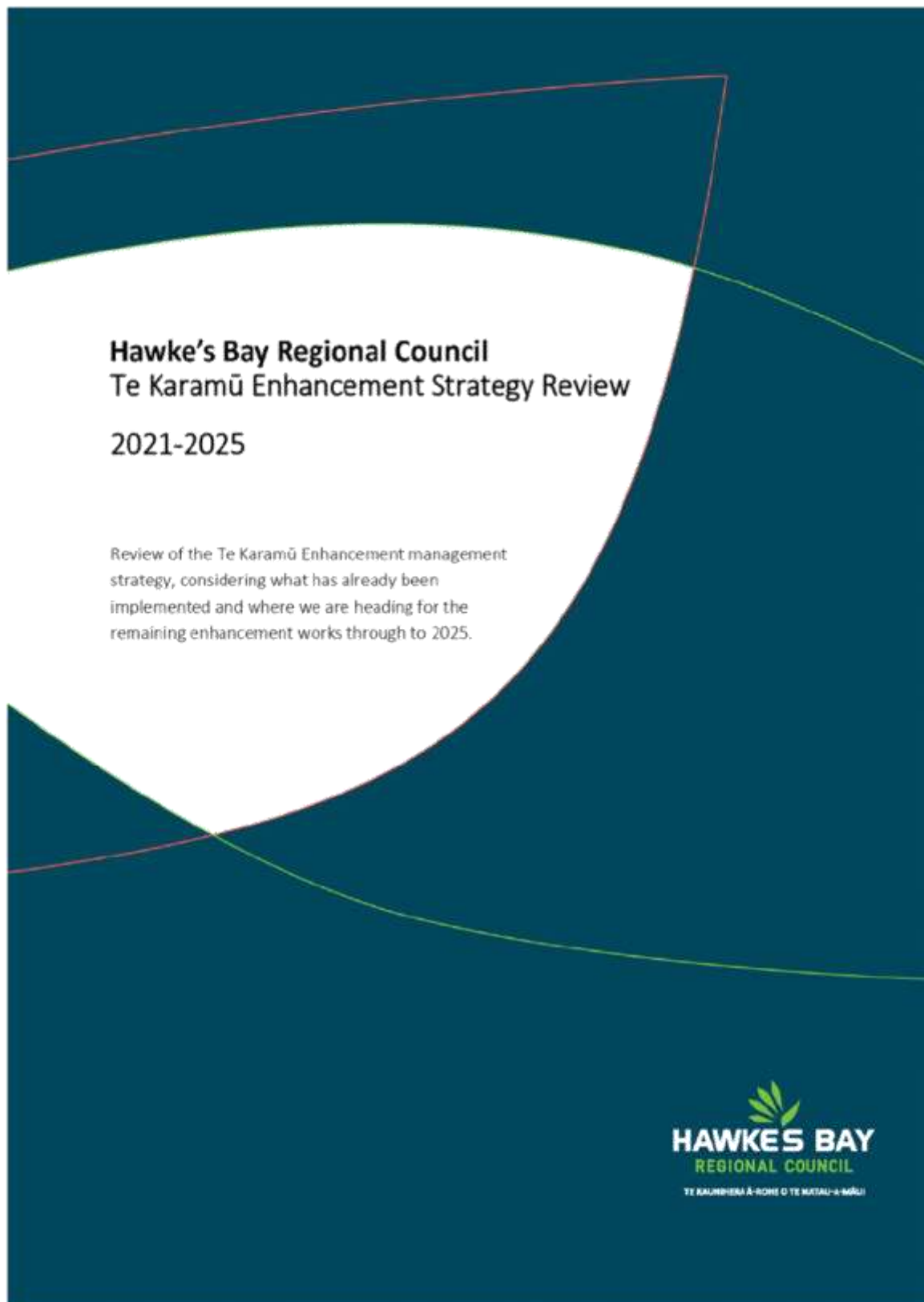
Approved by:

Chris Dolley
GROUP MANAGER ASSET
MANAGEMENT

Attachment/s

- 1 [↓](#) Te Karamū Enhancement Strategy Review 2021-2025
- 2 [↓](#) Te Karamū Revised Implementation Plan Strategy 3 Deliverables
- 3 [↓](#) Te Karamū Central Catchment Infographic

Attachment



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(06) 835 9200
0800 108 838
Private Bag 6006 Napier 4142
159 Dalton Street, Napier 4110

Hawke's Bay Regional Council Te Karamū Enhancement Strategy Review 2021-2025

Review of the Te Karamū Enhancement management strategy, considering what has already been implemented and where we are heading for the remaining enhancement works through to 2025.



Prepared By:
Wayfinder Landscape Planning & Strategy Ltd

Reviewed By:
Russell Engelke – Hawke's Bay Regional Council

Approved By:
Martina Groves – Hawke's Bay Regional Council

Revision B: 11 June 2021



Te Karamū Enhancement Strategy Review 2021 – 2025
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Whakataka te ahu ki te uru
 Whakataka te hau ki te tonga
 Kia mākinakina ki uta
 Kia mātaratara ki tai
 E hī ake ana te atakura
 He tio, he huka, he hau hū
 Tihei mauri ora!

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1. Introduction

In 2016, Council prepared a strategy for the enhancement of Te Karamū catchment. This strategy has guided various enhancement projects along the waterway and has provided the backbone for planning and development work across various Council departments alongside partners, stakeholders and the wider public.

Five years on, Council are undertaking a review of how enhancement works along Te Karamū are progressing against the strategy. The objective is not to re-write the strategy or its objectives, but to take stock of the work that has been completed in order to plan what is best to be undertaken over the next five years. However, there is value in considering how various external influences might have changed some of the enhancement priorities, before re-mapping and prioritising projects going forward.

This document provides this review. It provides a broad-level review of Te Karamū and the 2016 strategy, before considering what has been done, and what external influences now shape some of the decision making, before setting out goals, objectives and projects for the next five years. The document is supported by a map that provides a graphical summary of the recommendations.

2. History

In Māori times, Te Karamū as it is known today did not exist. Rather, the bed of the river now known as Te Karamū was historically the Ngaruroro River – a waterway rich in cultural value that supported a diverse array of wildlife. It was widely used by Māori as a passage for waka and to support crop growth, and many settlements and gardens were located along its length. Ruahāpia, Kohupatiki and Waipatu Marae remain key cultural locations, although there are many more wahi tapu sites, including Karamū Pā (which was located in the Mangateretere area) and Pākowhai (located near to the confluence of Te Karamū and Raupere Stream). Mihiroa and Korongata Marae are located within the upper catchment streams.

After a major flood in 1867, the Ngaruroro changed its course, leaving a smaller flow which was largely disused for many years. Originally named Ngaruroro-Waimate (literally meaning “dead” Ngaruroro) it was renamed by Māori to Te Karamū, reflecting the many Karamū trees along the riparian margins. Up until the 1970’s, Te Karamū rejoined the natural flow of the Ngaruroro River near Pakowhai.

In the 1970’s, the then Hawke’s Bay Catchment Board undertook a significant flood control works across Heretaunga Plains. This resulted in the creation of a new, artificial channel for the Ngaruroro River between Pakowhai and Waitangi estuary. To retain some natural water flow, both Te Karamū and Raupere Stream were left to flow their original natural paths, with this remaining stretch of water given the name Clive River.

From the late 1970’s onwards a channel clearance and willow control programme was commenced, the aim to provide bank stabilisation alongside unclogging of the main waterway.



In 1997, the first coordinated community project took place, with a focus on restoring the natural riparian habitat along the waterway. Since then, the Council has led various enhancement programmes with the aim of improving public access to the stream edges and improving water quality.

Key Cultural Values

The key cultural values of Te Karamū are:

- spiritual values
- wāhi tapu, wāhi taonga, wai tapu
- mahinga kai, pā tuna
- pā kainga

For all Māori, Te Karamū is a representation of:

- Atuatanga (symbolised by the Upoko-Head and Tāhūhū-Backbone of the house)
- Kaitiakitanga (the Maihi and Heke of the house identifying the guardianship from Atua)
- Rangatiratanga (symbolised by the Poupou standing strong)
- Manaakitanga (symbolised by the Papa or Floor of the house)

Water is the essence of all life, the life blood of Papatūānuku that supports all people, plants and wildlife. It is the source of mahinga kai and hāngi stones and provides a tangible link to ancestral lands and taonga. Te Karamū carries its own mauri and spirit.

3. Te Karamū Enhancement Strategy 2016 (296-081)

In June 2004, Council prepared a technical document titled “**Te Karamū Catchment Review and Options for Enhancement**”. This document considered Te Karamū in the context of the Heretaunga Flood Control Scheme, and within Council statutory and non-statutory policy that was current at the time.

In March 2016, Council undertook a significant review of the 2004 document in order to provide a 10 year plan open space development and management of public land (that being land owned by Council) within the Te Karamū catchment. **The Te Karamū Enhancement Strategy 2016** was developed with the overarching vision to “**improve habitat and ecosystem health whilst providing flood and erosion protection**”.

The following four broad “values and management objectives” were identified (these being consistent with the 2004 options document):

- Drainage and Flood Control;
- Ecological Value (Stream Habitat – both Terrestrial and Aquatic);
- Amenity and Aesthetic Values; and
- Cultural, Social and Recreational Values.



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It sought to:

1. Increase the proportion of indigenous riparian vegetation to:
 - Improve biodiversity and resilience of the natural ecosystems;
 - Increase shading effects on the waterways, which will ultimately improve water and in-stream habitat quality;
 - Reduce erosion and stabilise banks; and
 - Introduce woody debris to improve habitat diversity;
2. Preserve and enhance areas already supporting native vegetation, valuable wetland flora, or endangered species;
3. Establish the environmental infrastructure (habitat, connectivity, reduced pollution, and food source such as vegetation and invertebrates) required for species to self-establish;
4. Create wildlife corridors; and
5. Enhance recreational, cultural and aesthetic qualities.

Importantly, the strategy was developed to be consistent with Council's long term focus and statutory requirements outlined by the following core functions:

- Natural resource knowledge and management;
- Natural hazard assessment and management;
- Regional strategic planning; and
- Regional scale infrastructure and services.

The strategy defined the upper reach of Te Karamū catchment as the flood control banks associated with the Ngaruroro River. Although technically known as the Clive River, the strategy also included the Karamū-Clive Corridor and Muddy Creek (at the Clive Estuary) as part of the catchment area. In addition, the following sub-catchments are also included in the strategy:

- Poukawa Stream;
- Paritua & Kārewarewa Streams;
- Awarui Stream;
- Louisa Stream;
- Irongate Stream and Southland Drain;
- Havelock North Streams (including Karitūwhenua, Tekahika, Maungarau, Herehere);
- Hastings Streams (Awahou, Rushapia, and some un-named tributaries and drains);

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- Raupere Stream (although noting that the upper Raupere is being managed under the Raupere Enhancement Strategy to fulfil the requirements of the "Agreement regarding Twyford Water Consents", dated 24 August 2010); and
- Mangateretere Stream.

The strategy was supported by a multi-disciplinary analysis that considered policy, ecology, hydrology, climate, landform, geology and soil. It also provided an overview of the cultural values associated with the Te Karamū catchment.

To assist with planning, the strategy divided the catchment into the following zones:

Zone	Name	Waterbody	Length	Description
1	Whakatū	Karamū, Clive, Muddy Creek	5.87km	Clive bridge to Karamū/Raupere Confluence
2	Ruahāpia	Karamū, Ruahāpia	3.84km	Floodgates to SH2
3	Twyford (Lower Raupere)	Raupere		Upstream of Karamū/Raupere Confluence
4	Waipatu	Karamū, Awahou, Windsor, Riverslea, Mangateretere, Karitūwhenua	5.8km	SH2 to Crosses Road
5	Havelock North	Karamū, Herehere, Louisa	5.6km	Crosses Road to Karamū/Irongate/Awanui Confluence
6	Irongate	Irongate, Southland	7.5km	Irongate Stream and Southland Drain (K5)
7	Awanui, Kārewarewa, Paritua	Awanui, Kārewarewa, Paritua, Poukawa	14.3km	Awanui Stream (K3), Paritua-Kārewarewa (K2), Poukawa (K1)

The recommendations included:

- **Strategy 1:** Control plant pests (Strategy 1a) and animal pests (Strategy 1b) and prevent re-establishment.
- **Strategy 2:** Protect and preserve existing animals and plants that are desirable.
- **Strategy 3:** Re-establish an indigenous ecosystem (framework) – this was elaborated as creating an "idealised, nested forest patch configuration" (developed by Landcare Research) as follows:
 - Every 5km there should be a core sanctuary which is approx. 6.25ha (250m x 250m);



Attachment

- Every 1-2km there should be habitat which is approx. 1.56ha (125m x 125m) to provide habitat for most plants, lizards, insectivorous birds and invertebrates and resource-rich 'stepping-stones' for larger frugivorous or honey-eating birds; and
- Every 200m there should be groves of natives which are 0.01ha (10m x 10m) to provide groves of trees, finer-grained stepping-stones, and feeding stations.
- **Strategy 4: Protect and Enhance Cultural, Social and Recreational Values** (including engagement with mana whenua).

4. External Influences

Since the 2016 strategy was prepared, Te Karamū and the Council have been impacted by a number of external influences that have resulted in planned projects being reconsidered or delayed. These influences include:

Influence	Description of Impact	Current Status
Stakeholders, including (but not limited to): <ul style="list-style-type: none"> • Tom Skirman – HBRC Integrated Catchment • Charles Ropitini (HDC) • Landcare • Fish & Game • DoC • HBRC Science – Water Quality 	Other departments in Council and other stakeholders have alternative objectives and projects within the same catchment area. Where possible, Council has sought to change plans to align and support others.	External influences from stakeholders will be ever present and is likely to always result in changes to plans. This 5-year review provides an opportunity to consider new information.
Havelock North Drinking Water Crisis	The 2016 water contamination event and in particular the following investigations enhanced public interest in the management of water, including within Te Karamū. This resulted in some planned projects being diverted or reconsidered.	There remains heightened public interest in water quality and increased expectations on how Council should be responded.
Hastings District Council Stormwater	The Hastings District Council has various consents to discharge stormwater into the Te Karamū network, and have an ongoing responsibility to manage the effects of this discharge.	The discharge of stormwater will be ever present and must be managed in consultation with Hastings District Council.
Te Ara Kahikatea and Hawea Historical Park	Realignment of Te Karamū and the investment in Hawea Historical Park has diverted some planned planting works to this area of the catchment, and resulted in more significant cultural values interest.	Most riparian works around Hawea Historical Park have been completed, but there remains enhanced cultural focus on this location.
Covid-19	Impacts on staff resourcing (particularly in 2020) and availability of volunteers, both physically and	Most impact has now passed, but there remain some resourcing

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	resulting from requirements to divert resources to other Council initiatives	challenges. Future lockdowns remain a threat.
Predator Free 2050	The Predator Free 2050 involves Council contributing to biodiversity outcomes set by a collective, multi-agency vision. This doesn't necessarily change the Te Karamū strategy but requires enhanced focus and reporting.	The updating of the vision and ongoing tracking of outcomes will be beneficial in supporting the vision.
TANK	The TANK planning process involves the Te Karamū catchment and includes rules that affect how land will be used. This has resulted in some changes to the way in which Council undertakes and maintains its work.	The TANK proposals are now widely adopted by Council even though the planning process continues, therefore TANK is not anticipated to have further impacts on the Te Karamū strategy.
Council Staff Changes	It can take time for new personnel to get up to speed with projects or to re-establish relationships, which sometimes results in delays or changes to project scopes.	Staff personnel changes are always likely and will create minor changes in how or when outcomes are delivered – this should not be considered a bad outcome.
Councillor Changes	Re-elected Council brings new focusses and requirements, and there have been some projects which have been shaped or adapted to meet particular Councillor requirements.	Councillor changes are always likely and will create minor changes in how or when outcomes are delivered – this should not be considered a bad outcome.
Stock Incidents	Despite best intentions, there have been various incidents over the past year where wandering stock and broken fences has resulted in previous work having to be re-done. This has tied up resources that could have been used on new projects.	Stock incidents will continue to happen, although it is part of the strategy to continue to find ways to reduce both the quantity of occurrence and damage impact. This work will be ongoing.
Twyford Water Consents	The upper Raupere is being managed under the Twyford Water Consents, but what is undertaken in this part of the catchment will impact what can or needs to be undertaken downstream in order to achieve positive outcomes.	There will be ongoing enhancement of the upper Raupere as part of the Water Consents, and therefore it is important Council remains part of the decision making process for work in this part of the catchment.
Public Engagement	Various public feedback (formal and informal) has resulted in some projects being reshaped or expanded. A 2017 research report indicated that 83% of respondents would prefer to see more smaller projects rather than few large projects.	Public engagement is critical to the success of the strategy, and will continue to shape projects as they are undertaken. This is expected and a positive outcome, so long as regular reviews of the objectives (such as this report) is undertaken.
Public Use	Various public use, both positive (in terms of recreation) and adverse (in terms of fly-tipping and vandalism) has impacts on the success of the enhancement strategy and how it relates to other external pressures.	Public Use of Te Karamū will be ongoing and is encouraged, so managing its effects will be a constant requirement.

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5. Implementation to Date

The following lists the outcomes that have been achieved against each of the strategies:

Strategy 1: Control Plant and Animal Pests and Prevent Re-Establishment.

The following outcomes have been achieved:

- The Council "Regional Pest Management Plan 2018-2038" has been prepared and is being implemented by the Council Biodiversity team. This plan provides a broad overview of the plant and animal pest problems within the whole of the Council management area, including Te Karamū, and aligns with the Hawke's Bay Biodiversity Strategy. Weeds controlled include Old Mans Beard, Moth Plant, Woolly Nightshade, Iris and Tradescantia (the latter two involve various biocontrol trials in collaboration with the Biosecurity team). Pests include Possums, Rats, Rabbits, Hares, Wild Cats and Mustelids.
- Council's pest control team currently consists of five people who work closely with the parks and rivers team to ensure the objectives of the Te Karamū strategy are being delivered. In addition, the Open Spaces team undertake (or arrange external contractors or volunteers to undertake) additional pest and weed control under the guidance of the Biosecurity team and in partnership with the pest control team. Established processes are in place and this work will be ongoing.
- Both the Biosecurity and Open Spaces teams are working closely with neighbouring land owners to ensure that pest and weed control on adjacent private land is also appropriately managed.
- Various areas of the Te Karamū catchment that have been planted are occasionally re-mulched to assist with the establishment of planting (such as when mulch is washed away in a flood situation).

Full reporting on what has been achieved by the pest control team within the Te Karamū catchment can be found in other technical documents.

Strategy 2: Protect and Preserve Existing Animals and Plants that are Desirable.

The following outcomes have been achieved:

- Since the commencement of the 2016 strategy all cattle grazing on Council owned land within the Te Karamū stream edges has been eliminated. There remain some smaller areas where sheep are used to maintain grasslands (in locations where mowing is not feasible); but the use of sheep will be reduced as additional riparian planting is undertaken (and ultimately eliminated).
- Areas that have been planted are regularly reviewed and where necessary gap-filling of new seedlings is undertaken. In addition, infill planting of some areas with rarer or harder to establish species is undertaken throughout the planting season.
- Council staff continue to have ongoing engagement with neighbouring landowners to the Te Karamū catchment. Where necessary, Council has contributed to the enhancement and strengthening of boundary fences; and educated landowners about stock management and stock

Attachment

issues. In addition, in the past five years there has been a notable increase in public awareness of stock wandering (particularly around waterways), which has resulted in fewer stock incidents and faster reactionary measures.

- A number of wetlands and fish-passages have been established to help protect and enhance habitat for macro-invertebrates and inanga.

Strategy 3: Re-Establish an Indigenous Ecosystem (Framework)

The 2016 Strategy set out a variety of planting targets across each zone of the catchment to be achieved prior to 2025. The following table outlines the planting completed at the end of the 2020 planting season:

Zone	2016 Strategy Planting Target (Ha)	Actual Planting 2016-20 (Ha)	Percentage of 2016 Strategy Target actually implemented (%)	Remaining Planting to achieve 2016 strategy target (ha)
Zone 1 - Whakatū	1.3266	0.397	30%	0.9296
Zone 2 - Roahāpia	4.9250	4.2908	87%	0.6342
Zone 3 - Twyford (Lower Raupene)	0.00	0.0115	0%	-0.0115
Zone 4 - Waipatu	1.1062	0.7427	67%	0.3635
Zone 5 - Havelock	0.2480	0.2480	100%	0
Zone 6 - Irongate	0.6734	0.6734	100%	0
Zone 7 - Awenui, Eārewarewa, Paritua	1.1672	0.8464	73%	0.3208
Total	9.4464	7.2908	77%	2.2366

Note that the 2021 planting season is about to commence, and various planting areas have been identified, plants ordered, and planting days are being scheduled. This planned work is captured in the next section of this report.

Strategy 4: Protect and Enhance Cultural, Social and Recreational Values

The following outcomes have been achieved:



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- Ongoing engagement with mana whenua has been established in regard to the delivery of the Te Karamū strategy and engagement with individual hapū or collective iwi is undertaken on an ongoing basis – Council has a relatively good working relationship with iwi in regard to the delivery of the Enhancement Strategy, and mana whenua volunteers regularly assist with implementation.
- Planning for Hawea Historical Park has advanced with extensive on-site works (including riparian planting) completed and established. The development of this park has also further engaged mana whenua, particularly Kohupatiki, Waipatu, Matahiwi, and Ruahapia marae.
- Planning is advanced for the development of the Pekapeka to Waitangi pathway, with some stretches of this completed through Havelock North.
- There has been good local press, including a detailed article in Bay Buzz (dated 1 June 2018) outlining the works being undertaken by Council and volunteers.

6. Future Planning

Strategies 1, 2 and 4 require ongoing engagement and planning across multiple areas of Council. With various other policies (such as the Pest Management Plan) and procedures now established, this management is enabled to continue.

In particular, a focus needs to be retained on:

- Engagement with Mana whenua ... potentially formalising this? Need to discuss, more information needed
- Engagement with neighbouring landowners; and
- Engagement with the public.

In addition, work continues on the establishment of the Pekapeka to Waitangi walking trail. Plans have been advanced for the "Rymans to Riverslea" and "Poukawa to Awanui" sections, and the "Mary Doyle to Crosses Road" section has been implemented. In addition, funding is in place within the LTP for the establishment of the "Havelock North to Bridge Pā" Hawke's Bay Trail, which will include sections that follow the Te Karamū and Irongate Streams.

Strategy 3 requires ongoing capital development projects to be planned and prioritised. The table above (needs a table name) identifies that two areas have met 100% of the planting target (Havelock North and Irongate), whereas planting is required to be completed across other areas. At face value, it could be assumed that undertaking a further 2.2366ha of planting across the remaining zones would complete the requirements of the 2016 strategy.

However, as identified in Section 3, various external influences have resulted in some changes in Council's focus, and where best to prioritise future capital expenditure on planting. These priorities could be considered under the following objectives:

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- General alignment with the “idealised, nested forest patch configuration” that is detailed in the original Te Karamū Enhancement Strategy (and was developed in collaboration with Landcare Research).
- Focus on riparian planting as this is likely to have the most positive impact on improvement of water quality
- Create buffer strips to help prevent and reduce the impact of cattle breaches.
- Incorporate recreational trails and accessways along restored margins in locations where ecological and cultural values will not be adversely impacted
- Undertake planting in areas where bank stabilisation is necessary

Therefore, rather than consider completing the target planting in each zone as it was mapped in 2016, further analysis has been undertaken in regard to where planting will best meet all of the above objectives. The results of this analysis are outlined in the attached plan “Te Karamū 2021-2025 Implementation Plan”.

This plan highlights the identified Core Sanctuary, Habitat and Grove areas that were developed by Council in accordance with the original Enhancement Strategy. It then identifies where planting has already been implemented throughout the catchment.

Six “Focus Areas” (A to F) are then identified. These were selected for the following reasons:

Focus Area A: Whakatu Zone

This portion of the Whakatu Zone has had little planting undertaken to date due to focusses elsewhere in the catchment. There is one Habitat area and Two Groves that are needed in this location to achieve connectivity between Waitangi Regional Park and Pakowhai/Hawea. This area is also located close to Kohupatiki marae, with this hapū having been very supportive of the Enhancement Strategy to date. Although only three planting areas are identified in this focus area, the overall area of planting is significant at approximately 2.0ha.

Focus Area B: Te Ara Kahikatea

The recent development of a road linkage in this area has resulted in increased public focus on this area of Te Karamū. There is also an opportunity in this area to connect the roadside planting to the stream, enhancing the resilience of habitat. In addition, although there has been more extensive planting around Hawea Historical Park, there remains gaps in Habitat and Groves between Hawea and the already well-established planting near Ruahapia. Closing these gaps will strengthen the corridor connection in this area.

Focus Area C: Watson and Flanders Roads

This section of Te Karamū is relatively meandering, with wider lower stream banks that are prone to increased flooding. There is little existing vegetation, and therefore bank stabilisation is important, particularly on the external corners. Access to this area is a little more challenging than other areas of the catchment, hence why it has often been overlooked in previous planning. Getting plants established in this area will have immediate positive impacts in terms of connectivity between the more established Core Sanctuaries around Ruahapia and Havelock North.



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Focus Area D: Upper Havelock North

This part of the catchment has also historically been more challenging to access, and the focus has been on planting within the urban area of Havelock North. As such, there is limited connectivity between the Core Sanctuaries of Havelock North and Pukahu. In addition, the proposed Hawke's Bay Trail will pass through some of this area, with this likely to bring increased public interest in the establishment of habitat and managing water quality.

Focus Area E: Pukahu

The area around the confluence of Karamū, Awanui and Irongate is important in terms of habitat diversification and the management of water quality. Although some planting areas have already been completed, it is identified that the Irongate in particular is lacking in vegetation cover. There is a need to begin connectivity along Irongate through to Bridge Pā in order to achieve the nested patch configuration identified in the strategy. In addition, there have been some stock breaches which means that greater boundary protection and buffering is required.

Focus Area F: Pakipaki

The confluence of Awanui and Waikoroure is also important in terms of habitat and water quality, and there is also a high degree of mana whenua interest in this area (the Houngarea Marae backs onto Waikoroure in this location, and there are significant areas of Māori land bordering both waterways).

7. Revised Implementation Plan 2021 to 2025

Planting locations are identified on the attached Plan within each of the Focus Areas listed above. Each planting area is provided a reference number and approximate area.

However, it is anticipated that external influences will continue to mean plans need to be adapted or changed. In addition, all planting areas are developed in collaboration with other Council programmes and requirements, and in consultation with mana whenua. It is therefore anticipated that the identified planting areas will change each year.

As such, it is recommended that planting areas be mapped out at the beginning of each calendar year. Ideally the selected planting areas should align to those identified on the attached plan, or at the very least would be located within the identified focus areas.

It is anticipated that between 2.19ha and 3.6ha will be planted each year (through the 2021, 2022, 2023 & 2024 planting seasons), which will total approximately 12.64ha of additional habitat establishment.

2021 Planting Season

The table on the following page provides a list of the planting that is planned for the 2021 planting season. It is noted that the planting area is less than the anticipated average due to the ongoing effects of Covid-19 and the availability of plants, contractors, and volunteers.

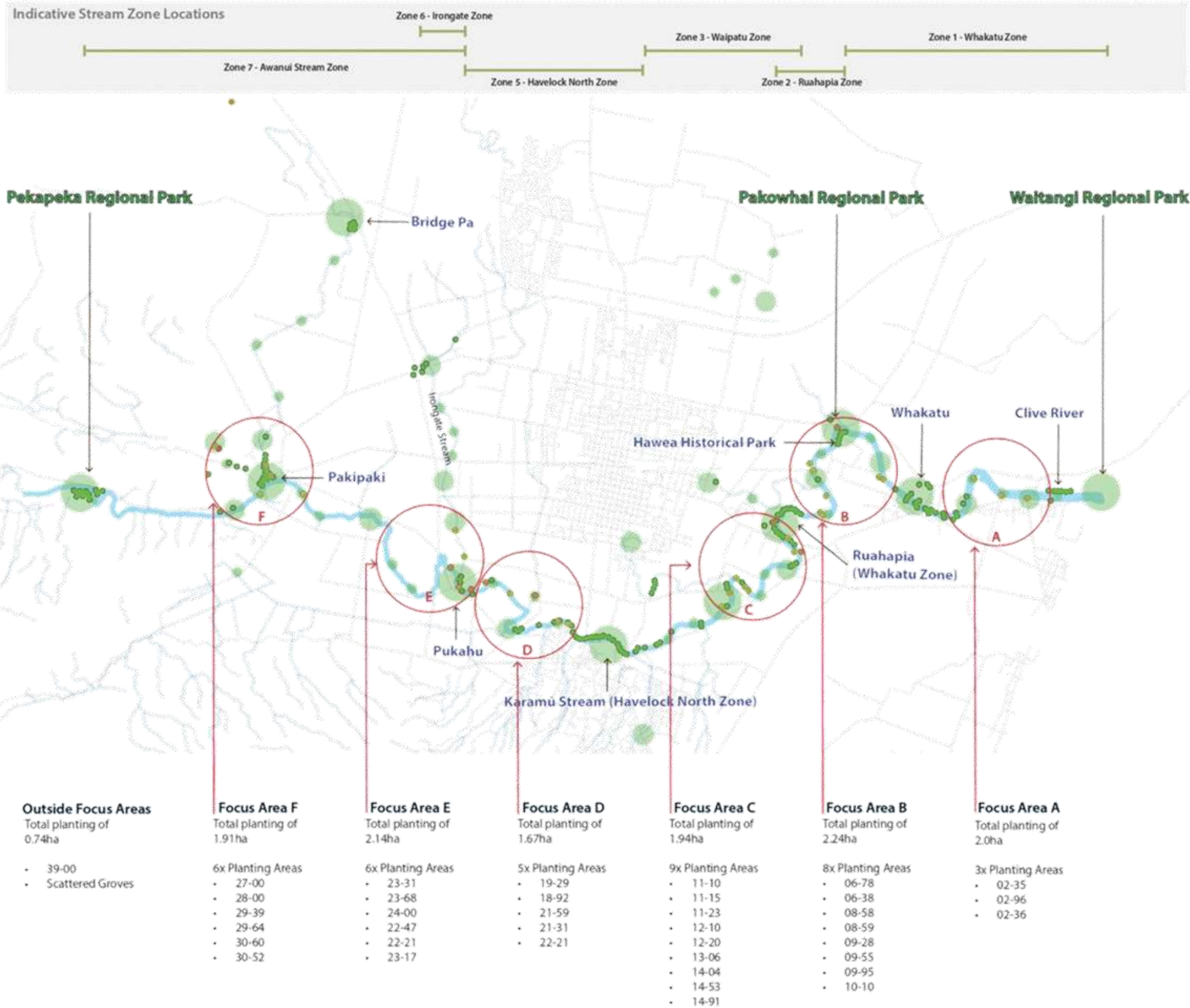


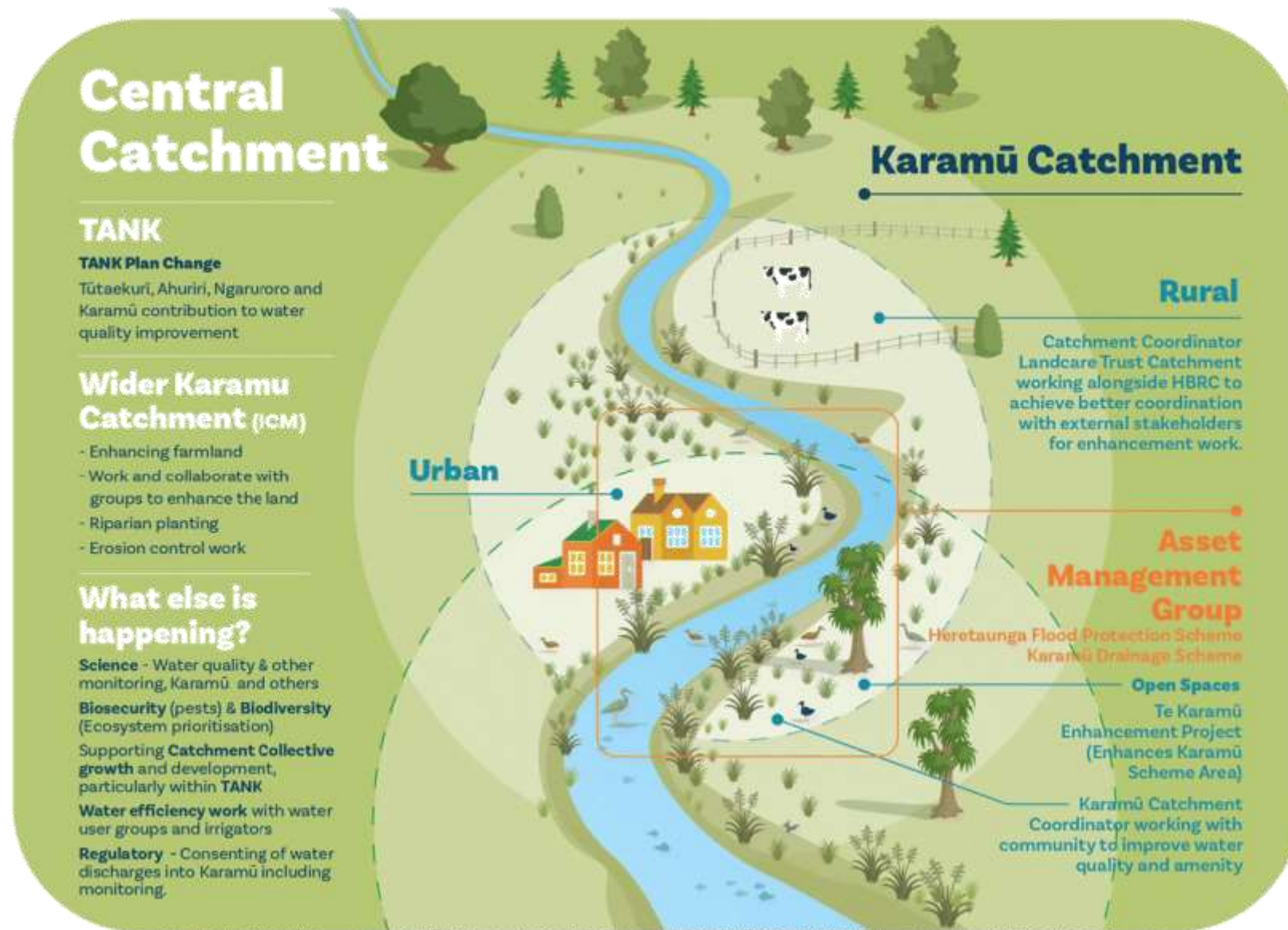
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Te Karamū 2021 Planting Overview:

Water Body	Zone	Site ID	Bank	Location Description	No.Plants	Ha
Karamu	Havelock	22-47	Right	D/s from St Georges Rd bridge	500	0.1
Paritua	Upper Catchment	39-00	Both	Sleni Estates Winery, 2016 Maraekakaho Rd	300	0.15
Karamu	Awanui	30-52	Left	U/s from bridge at 74 Anderson Rd	300	0.15
Karamu	Whatatutu	08-58	Right	Hawea - new area, U/S new road bridge	337	0.1
Karamu	Havelock	22-21	Left	D/s from St Georges Rd bridge (Bostock)	1600	0.2
Karamu	Havelock		Right	U/s from St Georges Rd Bridge (Riverbend)	800	0.1
Irongate	Irongate		Right	D/s from Awanui/Irongate/Karamu Stream confluence (F&S)	1500	0.12
Karamu	Havelock	21-31	Left	U/s from Southland Drain confluence	600	0.07
Karamu	Ruahāpia	11-10	Right	Ruahāpia - opposite marae	204	0.05
Karamu	Ruahāpia		Left	D/S of Bridge Ruahāpia	800	0.3
Awanui	Awanui	23-17	Left	U/s of Awanui/Irongate/Karamu Stream confluence	3000	0.7
Awanui	Awanui		Left	Kārewarewa (Aero club on hold)	2000	0.05
Karamu	Waipatu	12-10	Right	U/s from SH2 bridge (2 volunteers)	1000	0.05
Karamu	Waipatu		Right	Mangatere	500	0.05

Total	13,441	2.19
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HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Wednesday 23 June 2021

Subject: QEII NATIONAL TRUST PRESENTATION

Reason for Report

1. This item provides the QEII National Trust with an opportunity to deliver a presentation to the Committee.

Background

2. QEII National Trust was formed by an Act of Parliament in 1977 as an independent charitable trust to work with private landowners to forever protect sites on their land through use of covenants. There are now more than 4,700 protected areas covering approx. 180,000 hectares of land
3. Further background information can be found here:
 - 3.1 2020 Annual Report <https://qeiiinternationaltrust.org.nz/wp-content/uploads/2020/12/C.2-1248-QEII-Annual-Report-2020-ffLR-FINAL-WEB-VERSION.pdf>
 - 3.2 A report completed in 2017 by Waikato University about investment in covenanted land. <https://qeiiinternationaltrust.org.nz/wp-content/uploads/2018/04/waikato-investment-convenanted-land.pdf>
4. May 2021 Open Space Magazine <https://qeiiinternationaltrust.org.nz/wp-content/uploads/2021/05/1289-QEII-May-2021-newsletter-ff2LR-FINAL.pdf>

Decision Making Process

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

Recommendation

That the Environment and Integrated Catchments Committee receives and notes the “QEII National Trust presentation” staff report.

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Approved by:

Iain Maxwell
GROUP MANAGER INTEGRATED
CATCHMENT MANAGEMENT

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL
ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE
Wednesday 23 June 2021

Subject: DISCUSSION OF MINOR ITEMS NOT ON THE AGENDA

Reason for Report

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

Topic	Raised by