



HAWKES BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Minutes of an Extraordinary Meeting of the Regional Council

Date: 8 March 2023

Time: 1.30pm

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: Cr H Ormsby, Chair
Cr W Foley, Deputy Chair
Cr X Harding
T Hopmans (*RPC Co-chair*)
Cr N Kirton
Cr J Mackintosh
M Paku (*Māori Committee Co-chair*)
Cr D Roadley
Cr S Siers
Cr J van Beek
Cr M Williams

In Attendance: P Munro – Acting Chief Executive
S Young – Group Manager Corporate Services
K Brunton – Group Manager Policy and Regulation
C Dolley – Group Manager Asset Management
I Maxwell – Group Manager Integrated Catchment Management
L Hooper – Team Leader Governance
G Ide – Principle Advisor Strategic Planning
C Comber – Chief Financial Officer

1. Welcome/Karakia/Apologies/Notices

The Chair welcomed everyone to the meeting and Mike Paku opened with a karakia. The Chair acknowledged all those who have suffered the loss of whanau, livelihoods and homes as the result of Cyclone Gabrielle.

Resolution

- RC13/23 That the apologies for absence from councillors Thompson Hokianga and Charles Lambert, and from councillor Di Roadley for early departure at 3pm and from councillor Martin Williams for absence for a period between 2pm – 4pm be accepted.

Harding/van Beek
CARRIED

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Council meeting held on 25 January 2023

RC14/23 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 25 January 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Roadley/van Beek
CARRIED

4. Cyclone Gabrielle presentation

Chris Dolley introduced the item, about the Council's emergency response to Cyclone Gabrielle. Key points of the presentation by Chris Dolley, Katrina Brunton, Susie Young, Iain Maxwell and Pieri Munro covered:

- Massive event with widespread and significant damage. Recorded rainfall in many areas was well beyond the amounts forecast by MetService, amounts, intensity and duration. This was on top of what was already one of the wettest summer since records began in Hawke's Bay.
- Stopbank breaches occurred as the result of erosion, after the stopbank was over-topped by the velocity of water and debris in the channel. Stopbanks are built to a standard, e.g. 1 in 100 year standard in Central Hawke's Bay and Heretaunga Plains schemes.
- There is a view amongst technical staff that a risk of under-reporting of rainfall exists due to the high winds and potential for gauges to have not collected all of what fell (wind blew it away from the gauge).
- Progressed from local state of emergency declared in Wairoa first, to national state of emergency
- Eight lives lost in HB and massive damage to property (over 1000 red & orange stickered properties), highways, bridges, railway lines, power and communication networks, wastewater treatment and drinking water networks, and production (farms, orchards) and recreational land.
- At least two reviews will be undertaken. An 'infrastructure (scheme)' review that looks at how the flood protection schemes performed, the flood warning network, pump stations etc. which will include a peer review and inform the 'build back better' work programme. There will also be a review of how all agencies involved in the emergency response responded.
- Rapid repair team working to carry out emergency repairs to stopbanks, first with temporary bunding while permanent repairs are carried out.
- 99% of the rain and river level monitoring sites have been restored and staff are working on the last site today

- HBRC has taken on regional coordination of rural waste disposal for silt, wood, posts and wire and animal carcasses (will be completed by end of this week)
- Regional disaster relief trust has been set up and HBRC will be the administration agency for that fund.
- At any one time there are 15-20% of HBRC staff at the Group Emergency Coordination Centre in Hastings involved in the response.
- Council edge protection trees included in wood debris, is used to control the velocity of water at the edges to protect stopbanks from erosion. Damming of wood debris against bridges (Waiohiki bridge near EIT & Omaha at Fernhill bridge) reviews will be modelled to take into account when looking at bridge heights for rebuilding bridges.
- Engineered solutions (stopbanks) are always built to a standard and there is a risk that the level of service is exceeded by an event which isn't a failure of the system.
- In 2015 Council made decision to upgrade the Heretaunga scheme from 1 in 100 years to 1 in 500 years, and co-funding was provided by central government during Covid, including impact of failure risk assessments, for Taradale (completed), Moteo (finalising consent) and upper Ngaruroro in Ngatarawa (contracted works commenced October 2022) area as prioritised as highest risks to population and lifelines.
- Taradale built to 1 in 500 year standard with freeboard but was slightly overtopping in places, and why evacuations of parts of Taradale were carried out.
- Esk and Tangoio not covered in today's presentation, both of which have maintenance schemes providing a very low level of protection. HBRC responsibilities in those areas include making hazard profiles known and submitting to city and district council consenting processes advising against building in hazard prone areas.
- After Cyclone Bola there was a flood scheme designed but due to 'affordability' issues (schemes are funded by the communities that benefit from them) it wasn't implemented.
- Discussions with central government need to include suitable land use in high risk areas as well as funding for engineered flood protection schemes.
- Without doubt there is a lot of wood debris and more work will be done to understand and model impacts of volumes of wood on bridges and the stopbanks.
- Where wood needs to be removed to access stopbank repairs or is threatening bridges HBRC is carrying out that work. Responsibility for clearing wood out of waterways is the responsibility of the bridge or land owner where the wood is.
- Rapid rebuild workstream (160 people) carrying out stopbank repairs (5km breaches and 26km weakened) with Allen Road, Taradale and Maraenui Golf Course repairs completed.
- An HBRC team has been stood up to coordinate solid waste collection and disposal, working with central government to find funding sources.
- Collaborating with TLAs for collection wood waste, which is being taken to Whakatu for chipping, stockpiling the wood chips until such time as the wood chips can be taken to Panpac for use in their furnace when it is back running. Staff are connected into the 'slash' review by central government.
- Working with TLAs to develop capacity at the landfill because the region does not have the capacity to deal with the volumes of waste.
- Working on options, with ministry officials, for disposing of posts (tanalised), wire and netting from orchards. Burning tanalised wood is prohibited.
- Napier, Hastings and HBRC working collaboratively on sites for depositing silt from rural areas. TAs currently don't have capacity to collect residential silt. Sampling has shown silt is mostly not contaminated, with one known contaminated site being Awatoto industrial area.
- Contracts issued for disposal of silt and wood primarily around HBRC flood infrastructure and open spaces, and the costs are not recoverable from anywhere at the moment. EQC will assist, where people are insured, with removal of residential silt. If removal of silt from Tangoio and Esk is to happen central government would have to provide funding.

Councillor Martin Williams left the meeting at 2.40pm

- Warnings and alerts are issued on the basis of known or predicted information (forecasts) by the Civil Defence Group Controller and delivered via cellphone. Parts of Esk Valley known to be at risk of flooding were asked to evacuate on the Monday night by NZ Police going door to door.
- Based on forecasts, flood engineers work to model predict the response of the catchments. In this event, it was concluded that the flood schemes would be tested but would be within the levels of service provided. Part of the assessment identified Esk Valley properties at risk and those properties were advised to evacuate.
- HBRC is not going to be clearing land but is offering to collect and transport silt and help facilitate the opportunity for those who can to save their trees, for example.
- Any review or enquiry will definitely look for lessons learned and how systems and processes can be improved.

Councillor Di Roadley left the meeting at 3.00pm

RC15/23

Resolution

That the Hawke's Bay Regional Council receives and notes the *Cyclone Gabrielle* presentation.

**Kirton/Foley
CARRIED**

5. 2022-2025 Triennial Agreement for Hawke's Bay

Desiree Cull introduced the item, which was taken as read.

Councillor Thompson Hokianga joined the meeting online at 3.10pm

RC16/23

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *2022-2025 Triennial Agreement for Hawke's Bay* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Adopts the *Hawke's Bay Region Triennial Agreement for the Triennium October 2022-2025* as proposed, subject to the Hawke's Bay Regional Local Government Leaders Forum convening as a matter of priority to prepare and agree an addendum to the Triennial Agreement to ensure that:
 - 3.1 Agency and decision making over the recommended recovery programme and implementation remains with the relevant local authority with primary legislative responsibility for the actions and activities involved.
 - 3.2 The purpose, principles and protocols including communication, collaboration and coordination along with 'no surprises' are applied by the Delivery Oversight Board and Matariki Governance Group in implementing the recovery functions of those entities.
 - 3.3 The Dispute Resolution provisions apply as between the member local authorities and those entities.

**Harding/van Beek
CARRIED**

6. Napier-Hastings Future Development Strategy Joint Committee Terms of Reference

Gavin Ide introduced the item, which was taken as read.

RC17/23 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Napier-Hastings Future Development Strategy Joint Committee Terms of Reference* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Approves the updated Terms of Reference for the Napier-Hastings Future Development Strategy Joint Committee, noting that the Terms of Reference is an agreement between the Hastings District Council, the Hawke's Bay Regional Council and the Napier City Council as required under Clause 30A of Schedule 7 of the Local Government Act 2002.

Siers/Mackintosh
CARRIED

7. Report and recommendations from the Māori Committee

Pieri Munro introduced the item, which was taken as read.

RC18/23 Resolutions

That Hawke's Bay Regional Council:

1. Receives and notes the *Report and recommendations from the Māori Committee*.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.

Māori Committee Chair

3. Confirms that Mike Paku and Katarina Kawana are the Māori Committee Co-chairs.

Māori Committee Terms of Reference and Charter

4. Confirms the Terms of Reference for the Committee as adopted by the Regional Council on 16 November 2022.
5. Recommends the Charter between the Committee and the Regional Council as proposed (attached), incorporating amendments agreed today, to Hawke's Bay Regional Council for adoption and signing.

Appointment of Taiwhenua representatives to the Māori Committee

6. Confirms the appointments to the Māori Committee of:
 - 6.1. Katarina Kawana and Henare Mita representing Wairoa Taiwhenua
 - 6.2. Paul Kelly representing Wairoa Kahungunu Executive, with Teresa Smith as the alternate member for the Wairoa rohe
 - 6.3. Haami Hilton, Marei Apatu and Michael Paku representing Te Taiwhenua o Heretaunga, with Ana Te Whaiti as the alternate member
 - 6.4. Bayden Barber representing the Ngāti Kahungunu Iwi Incorporated Board with an alternate member to be advised

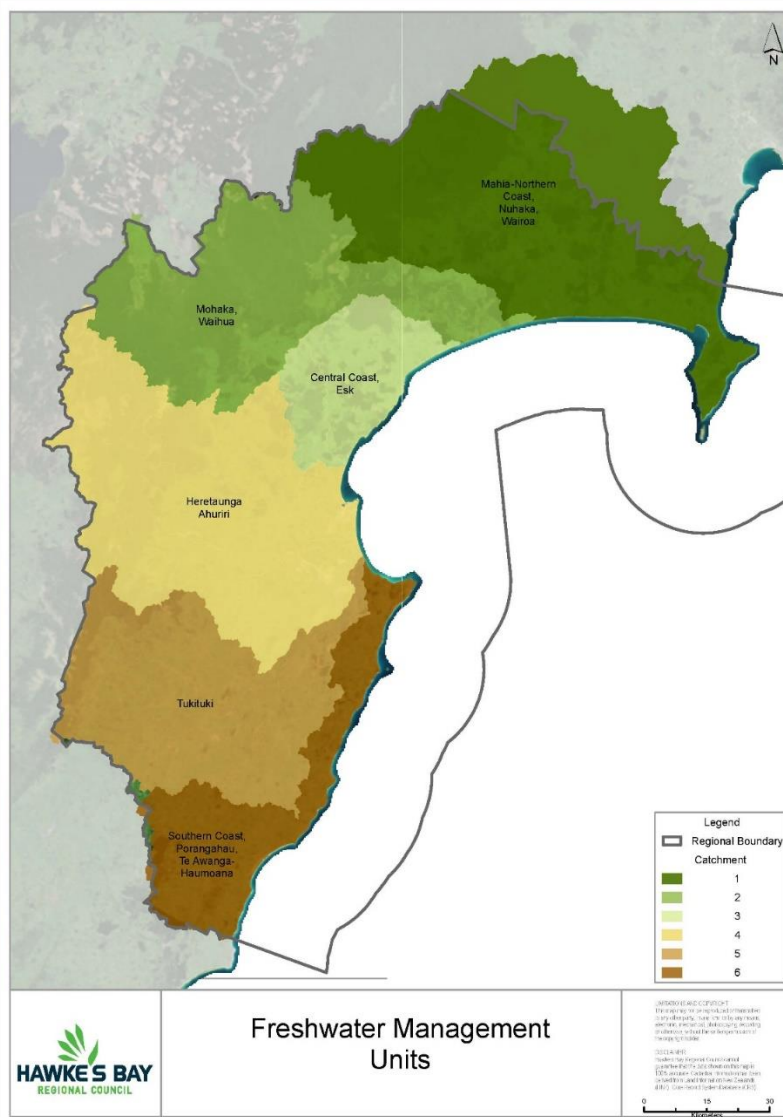
- 6.5. Three positions representing Tamatea Taiwhenua and an alternate member to be advised
- 6.6. Peter Eden, Api Robin and Rose Hiha representing Te Taiwhenua o Te Whanganui-a-Orotū, with an alternate member to be advised.

Nomination of Māori Committee representatives to Council’s committees

- 7. Confirms the following appointments:
 - 7.1. Peter Eden as a member of the Corporate and Strategic Committee
 - 7.2. Katarina Kawana as a member of the Environment and Integrated Catchments Committee
 - 7.3. Api Robin as an Advisory Member of the Regional Transport Committee
 - 7.4. A representative of Tamatea Taiwhenua to be confirmed and Paul Kelly as members of the Climate Action Joint Committee, and Marei Apatu as alternate.
 - 7.5. Co-chairs Katarina Kawana and Mike Paku to the Regional Council with full speaking rights.

Freshwater Management Units

- 8. Considers the six FMUs proposed for the region (as depicted following) as endorsed by the Māori Committee.



9. Notes that the following reports for information were presented to the Māori Committee:

- 9.1. Kotahi and All Governors Forum
- 9.2. January 2023 Statutory Advocacy update.

**Ormsby/van Beek
CARRIED**

8. Affixing of the Common Seal

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

		Seal No.	Date
1.1	Staff Warrants 1.2.1 P. Munro <i>(Delegations under Resource Management Act 1991 (Sections 34A(1) and 38(1); Maritime Transport Act 1994 (Section 33G(a); Biosecurity Act 1993 (Sections 103 and 105); Local Government Act 2002 (Section 177)) and Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908</i>	4533	10 February 2023
1.2	Regional Pest Management Plan 2018-2038	4534	10 February 2023

RC19/23 Resolutions

That Hawke's Bay Regional Council:

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

**Ormsby/Foley
CARRIED**

9. HBRIC Ltd Independent Director appointments

RC20/23 Resolution

That the Hawke's Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 9 *HBRIC Ltd Independent Director appointments* with the general subject of the item to be considered while the public is excluded. The reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 are:

General subject of the item to be considered	Reason for passing this resolution	Grounds under section 48(1) for the passing of the resolution
HBRIC Ltd Independent Director appointments	s7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**van Beek/Foley
CARRIED**

10. Potential sale of Wellington leasehold property

RC21/23 That Hawke’s Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 10 Potential sale of Wellington leasehold property with the general subject of the item to be considered while the public is excluded. The reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are:

General subject of the item to be considered	Reason for passing this resolution	Grounds under section 48(1) for the passing of the resolution
Potential Sale of Wellington Leasehold Property	s7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**van Beek/Foley
CARRIED**

The meeting went into public excluded session at 3.20pm and out of public excluded session at 3.44pm

Mike Paku led the group in offering a karakia to close the meeting.

Closure:

There being no further business the Chair declared the meeting closed at 3.45pm on Wednesday, 8 March 2023.

Signed as a true and correct record.

Date: 29 March 2023 by HBRC Resolution

Chair: Hinewai Ormsby