

Meeting of the Hawke's Bay Regional Council

Date: 30 August 2023
Time: 1.30pm
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

Item	Title	Page
1.	Welcome/Karakia/Apologies/Notices	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Council meeting held on 26 July 2023 and the Extraordinary Regional Council meeting held on 2 August 2023	
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Decision Items (Public Excluded)		
19.	Confirmation of Public Excluded Minutes of the meeting held on 2 August 2023	75

Subject: Call for minor items not on the Agenda**Reason for report**

1. This item provides the means for councillors 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

3. That Council accepts the following *Minor items not on the Agenda* for discussion as Item 18.

Topic	Raised by

Leeanne Hooper
Governance Team Leader

Desiree Cull
Strategy & Governance Manager

Subject: Wise Water Use Petition

Reason for report

1. This item presents a Wise Water Use Hawkes Bay petition (attached).

Background

2. Petitions may be presented to the Council or any of its committees in accordance with Standing Order 16 and Council's *Guidelines for Petitions*, which include the following information.

Preparing a petition

- 2.1. Petitions must include a short statement (no more than 150 words), regarding the issue to be addressed.
- 2.2. Petitions must state the name, physical address, and signature of the person or organisation who started the petition.
- 2.3. The petition must not be disrespectful or use offensive language or statements made with malice.
- 2.4. Petitions can be written and presented in English or te reo Māori.
- 2.5. Petition documents should contain a privacy waiver, advising signatories that the information gathered by the petition may be made publicly available/published, an example of which is:

Privacy Notice: Petitions may become public documents, including the names of the signatories, if released to persons who request a copy from the Council. The contact details (physical or email address) of the signatories will be withheld by the Council unless the Principal Petitioner indicates that they do not object to those contact details being released.

- 2.6. The Petitioner must ensure the petition is addressed directly to the Hawke's Bay Regional Council Chief Executive.

Presenting a petition

- 2.7. Principal petitioner sends the petition to the HBRC Chief Executive.
- 2.8. HBRC Governance team checks that the petition is in line with the Council's Standing Orders and *Guidelines for Petitions*.
- 2.9. If the principal petitioner wishes to speak to their petition, they will need to seek permission from the Chief Executive at the time of submitting the petition. Otherwise, the petition will be presented by staff to the next relevant Council or Committee meeting and the principal petitioner will be advised of the date and time the petition will be presented.
- 2.10. Either Council or the relevant Committee makes decisions on next steps for the petition, for example, if further work is needed by staff to investigate the issue(s) raised by the petition. (Note that while Council may accept a petition from the public, this does not mean Council is required to make any decisions about or take any action to address the issues raised in the petition.)
- 2.11. Council notifies the principal petitioner of Council's decisions, if any.

Decision-making process

3. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 3.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 3.2. The use of the special consultative procedure is not prescribed by legislation, nor is the decision significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 3.3. The persons affected by this decision are those that signed the petition.
 - 3.4. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting the community or others with an interest in the decision.

Recommendation

That Hawke's Bay Regional Council receives the *Wise Water Use Hawkes Bay petition*.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Nic Peet
Chief Executive

Attachment/s

- 1 [!\[\]\(c33cb967c8fc4f5e27188a389b621c8e_img.jpg\)](#) Wise Water Use Hawkes Bay Petition



PETITION

Presented to councillors of Hawkes Bay Regional Council

Wednesday 23rd August 2023

“We, the undersigned, believe that Hawke's Bay Regional Council has been negligent in not collecting the annual science charges due from Water Holdings Hawkes Bay since 2020 and that this private company should not be receiving special treatment.

We strongly urge Regional Council to levy the full amount owed of \$382,956. If Water Holdings Hawke's Bay is unable to make immediate payment then they must surrender the water consents they hold.”

Presented by: Paul Bailey
31 Lowther Place
Taradale
Napier 4112

Screenshot of online petition form

< <https://www.wisewateruse.org.nz/hbrc-petition> >

HBRC Petition

We, the undersigned, believe that Hawke's Bay Regional Council has been negligent in not collecting the annual science charges due from Water Holdings Hawkes Bay since 2020 and that this private company should not be receiving special treatment.

We strongly urge Regional Council to levy the full amount owed of \$382,956. If Water Holdings Hawke's Bay is unable to make immediate payment then they must surrender the water consents they hold.

Read the explainer here: [FAQ's](#)
Petition closes Wed. 23rd Aug.

343 HAVE SIGNED SO FAR!

TAKE ACTION
Sign the petition!

First name

Last name

Email *

Town/City

SUBMIT!

Last name	First name	Town/City
Arthur	Paul	Auckland
Firo	Sahar	Auckland
Gabriel	Philip	Auckland
Hall	Bernard	Auckland
Hennessy	Catherine	Auckland
Kay	Simon	Auckland
Parsons	Thomas	Auckland
Salmond	Graeme	Auckland
Strawbridge	Nicola	Auckland
Fleming	Andrew	Blenheim
Hull	Ruben	Christchurch
Austing	Jim	Dannevirke
Squires	Loren	Dunedin
Paku	Chanel	Elsthorpe
Lawton	Kerrie	Featherston
Foster	Barry	Gisborne
Visser	Chris	Gisborne
Elderkamp	Dan	Hamilton
Appleton	David	Hastings
Bailey	Rose	Hastings
Bartlett	Te Moana	Hastings
Bell	Diana	Hastings
Bisset	Bruce	Hastings
Burn	Rodger	Hastings
Huata	Huia Libya	Hastings
Johnson	Anthony	Hastings
Kelland	Barbara	Hastings
Kemp	Shirley	Hastings
Lawrence	Christine	Hastings
LeQuesne	Amy	Hastings
LeQuesne	Matt	Hastings
Lewis	Sharon	Hastings
McGuire	Ann	Hastings
McGuire	Howard	Hastings
McKenzie	Adele	Hastings
McKenzie	Dianne	Hastings
Meulenbrugge	Ingrid	Hastings
Ratcliffe	Susy	Hastings
Ratcliffe	Nick	Hastings
Reed	Peter	Hastings
Ruth	John	Hastings
Scherger	Heather	Hastings
Schermann	Wanda	Hastings

Scott	Marilyn	Hastings
Scott	Deborah	Hastings
Squires	Darryl	Hastings
Te whaiti	Theresa	Hastings
Tiuka	Ngaio	Hastings
Tully	Adrienne	Hastings
Tuohy	Marcia	Hastings
Walsh	Catherine	Hastings
Walsh	Catherine	Hastings
Klingender	Ged	Haumoana
Belcher	David	Havelock North
Borrett	Stephen	Havelock North
Courtnell	Helen	Havelock North
Elliott	Pauline	Havelock North
Elliott	Jenny	Havelock North
Hunsberger	Susan	Havelock North
Jenkins	Anna	Havelock North
Mear	Shane	Havelock North
Nimon	Christine	Havelock North
Perley	Chris	Havelock North
Tomlins	Grayson	Havelock North
Trubridge	David	Havelock North
Burnell	Jill	Havelock North
Bayliss	Merryn	Hokitika
Lelievre	Eugene	Invercargill
Wistrand	Asta	Kaitaia
Howard	Wendy	Kaiwaka
McAuley	Linda	Kotemaori
Mcauley	Owen	Kotemaori
Rutherford	Megan	Levin
Frater	Nigel	Lower Hutt
Battes	Lis	Māhia
Birch	Michael	Masterton
Manhire	Kathy	Napier
Alexander	John	Napier
Anderson	Lynne	Napier
Arnott	Barb	Napier
Atkins	Tony	Napier
Baer	Emil	Napier
Bailey	Paul	Napier
Baker	Jenny	Napier
Baker	Krystina	Napier
Bates	Lindsay	Napier
Bell	Simon	Napier

Bell	Michelle	Napier
Bishop	Jane	Napier
Biasco	Christine	Napier
Burborough	Marc	Napier
Burke	Alan	Napier
Catt	Carolyn	Napier
Condon	Claire	Napier
Cook	Ian	Napier
Craig	Ken	Napier
Cross	Melissa	Napier
DeNard	Matthew	Napier
Denby	Angie	Napier
Doyle	Pauline	Napier
Drew	Neil	Napier
Dukes	Sara	Napier
Eagles	Neil	Napier
Evans	Steve	Napier
Ferguson	Jane	Napier
Fox	Michelle	Napier
Graham	Don	Napier
Hansen	Nikki	Napier
Hart	Valerie	Napier
Hart	Carl	Napier
Harvey	Kathleen	Napier
Hawthorne	Selwyn	Napier
Hull	Chris	Napier
Hull	Sue	Napier
Humphreys	Ron	Napier
Hutchinson	Peter	Napier
Kay	Sue	Napier
Kay	Phil	Napier
Kerridge	Helen	Napier
Lynch	Rita	Napier
McHalick	Raymond	Napier
McKenty	Wendy	Napier
McKenty	Neville	Napier
Meehan	Kerry	Napier
Mio	Jess	Napier
Mudford	Sylvia	Napier
Murphy	Julia	Napier
Paton	Jude	Napier
Perols	Ingrid	Napier
Perols	Kerstin	Napier
Phillips	Eric	Napier

Powell	Maureen	Napier
Ramsay	Douglas	Napier
Rarere	Wanita	Napier
Ridler	Barrie	Napier
Roberts	Maria	Napier
Rust	Gill	Napier
Smith	Robyn	Napier
Smyth	Megan	Napier
Tasker-Poland	Phil	Napier
van der Vyver	Delia	Napier
van der Vyver	Fred	Napier
Ward	Lynn	Napier
Warren	John	Napier
Wilson	Jean	Napier
Wuts	Pam	Napier
Wuts	Joseph	Napier
Wilde	Jacob	Nelson
Deckard	Molly	Norsewood
Vermedal	Oddvar	Norway
Adams	Michael	Onga Onga
Longshaw	Janette	Onga Onga
Atkinson	Vivian	Ongaonga
Ford	Alistair	OngaOnga
Frater	Thomas Gregory	Ongaonga
Gordon	Laurence	Ongaonga
Mackie	Jenny	OngaOnga
Magee	Lynus	Ongaonga
Meredith	Peter	Ongaonga
Phillips	Louise	Ongaonga
Trstenjak Innes	Anja	Ongaonga
Schaper	Ali	Ongaonga
Fogarty	Ruby	Otane
Houston	Glenda	Otane
Hume	Alison	Otane
Hume	Barry	Otane
Marriage	Nigel	Otane
McPhedran	Wayne	Otane
Murphy	Julie	Otane
Olsen	Ernie	Otane
Rickard	Zahira	Otane
Roosman	Jeannette	Otane
Hay	Rose	Ōtāne
Kupa	Nikora	Ōtāne
Kupa	Pauline	Ōtāne

Ace	Kim	Palmerston North
Hunter	Kathleen	Paraparaumu
Sciascia	Paora	Porangahau
Curran	Bruce	Pungarehu
Bradford	Bev	Queenstown
Barber	Lance	Takapau
Brbich	Suzannah	Takapau
Burne-Field	Shelley	Takapau
Deckard	Clint	Takapau
Field	Bernard	Takapau
Fox	Richard	Takapau
Heperi	Jo	Takapau
MacDonald	Hannah-May	Takapau
Maulder	Kerri	Takapau
Mooney	Mark	Takapau
Phelvin	Patricia	Takapau
Thompson	Dave	Takapau
Williams	Melissa	Takapau
Keehan	Niki	Taradale
Cunningham	Ted	Taupo
Dalmon	Penelope	Tauranga
Roach	Bev	Tauranga
Toulmin	Fraser	Tauranga
Boonen	Roy	Te Awanga
Ashcroft	Gwyn	Te Pohue
Burton	Sereena	Thames
Gordon	Meg	Tikokino
Norris	Peter	Tikokino
Norris	Valerie	Tikokino
Williams	Maria	Tikokino
Daines	Ellery	TROMSØ
Black	Emma	Waipawa
Boderick	David	Waipawa
Brown	Dion	Waipawa
Brown	Nikki	Waipawa
Brown	Colin	Waipawa
Brown	Brittney	Waipawa
Burgin	Helen	Waipawa
Burton	Gwyn	Waipawa
Calder	Bronwyn	Waipawa
Chapman	Rose	Waipawa
Collin	Yvonne	Waipawa
Cooper	Kerry	Waipawa
Cooper	Rob	Waipawa

Crump	Val	Waipawa
Doody	Aaron	Waipawa
Fergusson	Emma	Waipawa
Fergusson	Bryce	Waipawa
Fern	Wade	Waipawa
Fern	Paula	Waipawa
Foss	Natasha	Waipawa
Greenwood	Marjon	Waipawa
Greenwood	Aidan	Waipawa
Griffiths	Kay	Waipawa
Hansen	Kerri	Waipawa
Harper	Tui	Waipawa
Harper	Nicki	Waipawa
Harper	Robina	Waipawa
Harty	Fiona	Waipawa
Howell	Warren	Waipawa
Jakes	Kristina	Waipawa
Kaye	Harrison	Waipawa
Keeling	Tina	Waipawa
King	Syd	Waipawa
King	Ronald	Waipawa
King	Marie Anne	Waipawa
Lawrence	David	Waipawa
Lelievre	Robert	Waipawa
Longshaw	Diane	Waipawa
Mackenzie	Kerry	Waipawa
MacKirdy	Stuart	Waipawa
Marsh	Lynn	Waipawa
Mawson	Glenda	Waipawa
Mcgregor	Alan	Waipawa
Murphy	Patrice	Waipawa
Murphy	Tony	Waipawa
Nelson	Nicole	Waipawa
Nielson	Brent	Waipawa
Paul	Cheryl	Waipawa
Pearce	Bob	Waipawa
Pile	Cheryl	Waipawa
Price	Janece	Waipawa
Robson	Tony	Waipawa
Rose	Lee	Waipawa
Singson	Jesse	Waipawa
Smith	Karen	Waipawa
Stevens	Mark	Waipawa
Thompson	Lara	Waipawa

Thomson	Brendon	Waipawa
Tilby	Catherine	Waipawa
Wake	Deborah	Waipawa
Madsen	Anna	Waipukurau
Adamson	Drew	Waipukurau
Aramoana	Dawn	Waipukurau
Renata	Tony	Waipukurau
Baird	Sharleen	Waipukurau
Barnes	Nigel	Waipukurau
Bayliss	Mary	Waipukurau
Bayliss	Sheryl	Waipukurau
Bayliss	Kathryn	Waipukurau
Bean	Logan	Waipukurau
Bone	Murray	Waipukurau
Booth	Leel	Waipukurau
Bourhill	Nerralee	Waipukurau
Campbell	Gabrielle	Waipukurau
Cassidy	Barbara	Waipukurau
Christie	Grenville	Waipukurau
Corkran	Mark	Waipukurau
Corkran	Lynette	Waipukurau
Cornwall	Cameron	Waipukurau
Cottrell	Kate	Waipukurau
Davey	Lisa	Waipukurau
Ellen	Terrie	Waipukurau
Ellison	Grenville	Waipukurau
Farrand-Collins	Lisa	Waipukurau
Gray	Frith	Waipukurau
Gray	Joy	Waipukurau
Hilson	Robin	Waipukurau
Hoogenboom	Johannes	Waipukurau
Hunt	Josh	Waipukurau
Hunt	Phillip	Waipukurau
Hyde (JP)	Dean	Waipukurau
Jevon-Dalgaard	Tor	Waipukurau
Jukes	John	Waipukurau
Laurent	Christine	Waipukurau
Le Lievre	Trevor	Waipukurau
Le Lievre	Celeste	Waipukurau
Le Lievre	Camille	Waipukurau
Le Lievre	Dawn	Waipukurau
Le Lievre	Rosanna	Waipukurau
Logan	Luke	Waipukurau
Lorck	Kerry	Waipukurau

Lorck	John	Waipukurau
Mills	Jessica	Waipukurau
Mills	Patricia	Waipukurau
Mooney	Andrea	Waipukurau
Murphy	Peter	Waipukurau
Nichol	Fredsrick	Waipukurau
Nicol	Craig	Waipukurau
Nicol	Anne	Waipukurau
Norton	Jessica	Waipukurau
Painter	Amy	Waipukurau
Penney	Gail	Waipukurau
Plaisted	Robyn	Waipukurau
Plaisted	Graeme	Waipukurau
Rattray	Wendy	Waipukurau
Rosser	Jacob	Waipukurau
Smith	Carol	Waipukurau
Tarrant	Valerie	Waipukurau
Tarrant	Stephen	Waipukurau
Thomas	Richard	Waipukurau
Tichinin	Phyllis	Waipukurau
van Leeuwen	Ruth	Waipukurau
Wallace	Anne	Waipukurau
Wallace	William	Waipukurau
White	Jane	Waipukurau
Williams	John	Waipukurau
Williams	Cushla	Waipukurau
McIlroy	Michelle	Wairoa
Olsen	Murray	Wairoa
Graeme	Kate	Wellington
Herbison	Sam	Wellington
Kay	Thomas	Wellington
Prickett	Marnie	Wellington
Squires	Keryn	Wellington
Swale	Benjamin	Wellington
Morgan	Yvonne	Whangarei
McAuley	Mark	Willowflat

Subject: Council delegations

Reason for report

1. This report seeks Council's approval of delegations to the Chief Executive (CE) by way of Council resolutions.

Officers' recommendation

2. Council officers recommend that the Council:
 - 2.1. delegates to the Chief Executive, all the powers, functions and responsibilities under legislation and bylaws set out in the schedule attached to this report, subject to any restrictions or prohibitions imposed by Council or required by any enactment
 - 2.2. prior to delegating the power to issue warrants to enforcement officers under the Local Government Act 2002, determine whether Council should:
 - 2.2.1. limit or restrict the exercise of that power
 - 2.2.2. impose conditions on the exercise of that power, or
 - 2.2.3. prohibit, in specified circumstances, the exercise of that power
 - 2.3. Authorises the CE to sub-delegate any powers, functions, and responsibilities delegated to the CE to the extent authorised by law.
 - 2.4. Delegates to the CE, authority to instruct legal counsel, settle proceedings, and to sign any memorandum of understanding on Council's behalf.

Executive Summary

3. On 26 April, the Council formally appointed Dr Nic Peet to the position of Chief Executive to take effect from 10 July 2023. The Council now needs to formally delegate to the newly appointed CE the powers, functions and duties required to carry out the responsibilities of the role, from 30 August 2023.
4. For the purposes of administrative efficiency and expediency when conducting its day-to-day business, the Council delegates certain statutory duties, responsibilities and powers to its committees, members or staff. Likewise, the CE delegates certain duties and responsibilities to a subordinate level.
5. The Council has separate Delegation Registers: one set of financial delegations, recently reviewed and amended, and another of delegations of functions and powers in relation to activities undertaken in accordance with the legislation set out in Attachment 1.

Background

6. A delegation is the transfer of a responsibility, duty or power from the Council to another subordinate decision-making body (e.g. committee), or to the CE or a Council officer. It includes, in some circumstances, the transfer of responsibility, duty, or powers from the CE to officers and third parties. Any delegation includes the authority to make decisions under delegated authority on behalf of Council, unless expressly stated otherwise.
7. Certain matters are not able to be delegated. For example, Clause 32 of Schedule 7 to the Local Government Act 2002, which sets out Council's general power of delegation, provides:

Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—

- (a) the power to make a rate; or
 - (b) the power to make a bylaw; or
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan; or
 - (d) the power to adopt a long-term council community plan, annual plan, or annual report; or
 - (e) the power to appoint a chief executive; or
 - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term council community plan or developed for the purpose of the local governance statement; or
 - (g) [repealed]
 - (h) the power to adopt a remuneration and employment policy.
8. Other legislation also provides that certain matters cannot be delegated, with those matters only able to be decided upon by Council. For example, under the Resource Management Act 1991, Council may not delegate the power to approve a proposed policy statement or plan.
9. Unless provided otherwise in legislation, committees and Council officers are also able to make further delegations (i.e. to sub-delegate). Any power of sub-delegation will be subject to any limits or prohibition attached to the primary delegation. There are instances where legislation explicitly restricts sub-delegation and/or prescribes how delegations must be made. For example, the Resource Management Act 1991 does not authorise sub-delegation of powers, with all delegations needing to be made directly by the Council to the relevant officer or person.
10. A delegated power must be exercised in accordance with all relevant Council policies and conditions, such as financial limits and process and reporting requirements.

Discussion

11. Delegating authority to the CE allows for administrative efficiency and ensures timeliness in the conduct of the Council's daily business and statutory responsibilities. It also provides the legal structure for the efficient and effective operation of the Council and its decision making.
12. Council has a wide range of statutory powers, duties and responsibilities. Delegations from Council ensure that elected members can focus on governance/strategic issues, while management activities and related operational and administrative functions can be carried out by the CE and Council officers.
13. The Council's delegations to the CE and Council officers are monitored on a regular basis and reported back to Council for amendment as required in response to changes in legislation. This provides Council with the opportunity to regularly exercise oversight over the scope and use of delegated authority.
14. It is therefore recommended that Council delegates to the Chief Executive all responsibilities, duties, and powers to act under the legislation and bylaws set out in the schedule attached to this report, subject to any restrictions imposed by Council and excluding those matters in respect of which delegation is prohibited under the legislation.
15. Attachment 1 includes the delegation of power to the Chief Executive to issue warrants to enforcement officers, pursuant to clause 32A of the Local Government Act 2002 and under any other legislation which enables the appointment of authorised or warranted officers. For the avoidance of doubt, this includes the power of appointment of enforcement officers under section 38 of the Resource Management Act 1991.

16. When Council delegates the power to issue warrants to enforcement officers under the Local Government Act 2002, it must determine whether it should:
 - 16.1. limit or restrict the exercise of the power
 - 16.2. impose conditions on the exercise of the power, or
 - 16.3. prohibit, in specified circumstances, the exercise of the power.
17. Officers recommend that this power be delegated without limits, conditions or prohibitions. Providing the CE with the ability to appoint enforcement or warranted officers allows for that process to occur efficiently and effectively as and when required.
18. Finally, officers recommend that the authority to instruct legal counsel, settle proceedings, and to sign any memorandum of understanding on Council's behalf should also be delegated to the CE. Officers note that this power will still be subject to financial delegation limits.

Strategic fit

19. Appropriate statutory delegations to the CE with the power to sub-delegate to officers, where appropriate, enables the Council to undertake its core business delivering the roles and responsibilities required by law.
20. The CE is required to ensure the Council is managed efficiently and effectively so that the Council may achieve the requirements set out above and in its Strategic Plan, Long Term Plan and Resource Management plans.

Significance and Engagement Policy assessment

21. The significance of this decision is very low according to Council's Policy.

Financial and resource implications

22. There is no financial impact in relation to this paper.

Other considerations

23. In writing this paper, staff have reviewed and updated the delegations already conferred upon previous CEs of the Hawke's Bay Regional Council in accordance with legislative and operational changes. There is no impact on existing delegations already held by the position of CE.

Decision Making Process

24. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 24.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 24.2. The use of the special consultative procedure is not prescribed by legislation.
 - 24.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 24.4. The persons affected by this decision are all ratepayers of the Hawke's Bay region.
 - 24.5. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the information contained in the *Council delegations* staff report and attachment.
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. Delegates to the Chief Executive all the powers, functions and responsibilities set out in Attachment 1 to this report, subject to any restrictions or prohibitions imposed by Council or required by any enactment.
4. Determines, in relation to the delegation of the power to issue warrants to enforcement officers under the Local Government Act 2002 to the Chief Executive, that Council should not, other than where it is prohibited under a specific enactment:
 - 4.1. limit or restrict the exercise of that power
 - 4.2. impose conditions on the exercise of that power, or
 - 4.3. prohibit, in specified circumstances, the exercise of that power.
5. Authorises the Chief Executive to sub-delegate any powers, functions, and responsibilities delegated to the Chief Executive, to the extent authorised by law.
6. Delegates to the Chief Executive authority to instruct legal counsel, settle proceedings, and to sign any memorandum of understanding on Council's behalf.

Authored & Approved by:

Katrina Brunton
Group Manager Policy & Regulation

Attachment/s

- 1 [🔗](#) Chief Executive Delegations

Chief Executive Delegations

Authorisation

Council delegates to the Chief Executive all responsibilities, duties and powers to act under the legislation set out below, subject to any restrictions imposed by Council and excluding those matters in respect of which delegation is prohibited by any Act or regulation.

- Biosecurity Act 1993
- Building Act 2004
- Civil Defence Emergency Management Act 2002
- Criminal Procedure Act 2011
- Employment Relations Act 2000
- Financial Reporting Act 1993
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Health & Safety at Work Act 2015
- Holidays Act 2003
- Human Rights Act 1993
- Land Drainage Act 1908
- Land Transport Management Act 2003
- Local Government Act 1974
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Maritime Transport Act 1994
- Ombudsmen Act 1975
- Privacy Act 1993
- Public Bodies Leases Act 1969
- Public Records Act 2005
- Public Works Act 1981
- Rates Rebate Act 1973
- Rating Valuations Act 1998
- Reserves Act 1977
- Resource Management Act 1991
- Reserves and Other Land Disposal Act 1956
- Search and Surveillance Act 2012
- Soil Conservation and Rivers Control Act 1941
- Water Services Act

If the Council has powers, duties and functions under any other legislation or regulation then the Chief Executive is delegated the powers, duties and functions as if the legislation was specified above.

To avoid doubt, all ministerial powers that have been delegated to the Council under the Reserves Act 1977 are delegated to the Chief Executive.

Warrants

Council also delegates to the Chief Executive the power to issue warrants to enforcement officer pursuant to clause 32A of Schedules 7, LGA and under any other legislation which enables the appointment of authorise or warranted officers. For the avoidance of doubt, this includes the power of appointment of enforcement officers under section 38 of the Resource Management Act 1991. The power to issue warrants has been delegated without limits conditions, or prohibition, unless the 'power to appoint' is expressly prohibited under a specific enactment.

Bylaws

All the powers, duties and functions contained in the following bylaws adopted by the Council are delegated to the Chief Executive:

- Navigation Safety Bylaw

Subject: Regional Planning and Māori Committee appointees' remuneration review

Reason for Report

1. This item provides the means for Council to resolve the remuneration to be paid to tāngata whenua representatives (TWR) on the Regional Planning Committee (RPC) and the Māori Committee.

Officers' Recommendation

2. Council officers consider that the remuneration recommended by Strategic Pay is reasonable and therefore recommend that Council sets the remuneration for RPC TWR and Māori Committee TWR in accordance with the recommendations from the relevant review. Staff consider the midpoint of the ranges is appropriate.

Executive Summary

3. Strategic Pay was selected by the RPC and Māori Committee to undertake separate remuneration reviews, with these commencing in September 2022. The reviews have been completed and the findings provided to Council to enable Council to resolve remuneration for both RPC TWR and Māori Committee for the remainder of the current triennium, with effect from 1 July 2023.
4. This matter was considered by the Council on 26 July 2023 and deferred until this meeting to allow the Māori Committee and RPC to consider their respective reviews first.

Background

5. The current RPC Terms of Reference (adopted in 2014) states that the level of remuneration shall be determined promptly following each triennial election by independent persons (Appointee) appointed by RPC Co-chairs.
6. RPC tāngata whenua representatives' remuneration was last reviewed in 2019 by Strategic Pay, and they were again selected as the single Appointee to carry out the review.
7. The last significant review of Māori Committee TWR remuneration was carried out in February 2018. This triennium, it was considered appropriate that both reviews be carried out at the same time.
8. Strategic Pay's two reports are attached for Council's consideration:
 - 8.1. *Fees Review for: Tāngata Whenua members (Regional Planning Committee) and*
 - 8.2. *Fees Review for: Tāngata Whenua members (Māori Committee).*
9. In summary, Strategic Pay recommends that:
 - 9.1. RPC TWR receive an increase in their annual salary (from \$13,750) to between \$15,000 and \$17,000 p.a. Additional meeting attendance fees remains at \$452 per meeting.
 - 9.2. RPC TW Co-chair receives an increase in salary (from \$27,500) to between \$30,000 and \$34,000 p.a. and Deputy Co-chair receives an increase in salary (from \$20,625) to somewhere between \$22,500 and \$25,500 p.a.
 - 9.3. The Māori Committee tāngata whenua meeting attendance fee remains at \$452 per meeting.

- 9.4. Māori Committee Co-chairs each receive an increase in salary (from \$13,750) to between \$15,000 and \$17,000 p.a. The actual amount to be dependent upon what remuneration is approved for the RPC TWR Co-chair as the Māori Committee Co-chairs share that per annum salary.

Consultation

10. A collaborative process was followed to set the terms of reference for the reviews, to inform the findings, and to provide feedback on iterative draft reports. The original timeframe has been delayed two months but improvements to the methodology resulting from the feedback will ensure the process is streamlined next review cycle.

Māori Committee

11. Most recently, Strategic Pay's final *Fees Review for: Tāngata Whenua representatives (Māori Committee)* was considered and endorsed by the Māori Committee at its meeting on 2 August 2023.
12. The Māori Committee also delegated to its Co-chairs to pass on the feedback raised at its meeting to the 30 August 2023 Regional Council meeting.

Regional Planning Committee

13. The RPC Co-Chair met with Strategic Pay online on 8 August 2023 to provide additional feedback on the *Fees Review for: Tāngata Whenua members (Regional Planning Committee)*. As this was after the agenda had been sent for the RPC meeting on 16 August the *Fees Review* report was withdrawn from the agenda, and therefore there is no resolution to endorse.
14. However, the Co-Chair's feedback has since been incorporated into the final *Fees Review* document and is attached. The recommended remuneration figures in the review remain the same, however, the view of the tāngata whenua members regarding methodologies used has been explicitly stated in the *Fees Review*. This is important as it will become the starting point next review cycle.

Financial and resource implications

15. If accepted, the recommendations will have a minor impact on Council's budgeted costs. The table below sets out the impact based on an assumption that all recommended salary increases are approved at the midpoint of the range recommended by Strategic Pay, being RPC Co-chair at \$32,000 p.a., Deputy Co-chair at \$24,000 p.a., tāngata whenua appointed members \$16,000 p.a.

RPC Fees	Current cost per annum	Number of members	Midpoint new range	Number of members	New cost per annum
Co-chair	\$27,500	1	\$32,000	1	\$32,000
Deputy Co-chair	\$20,625	1	\$24,000	1	\$24,000
Committee member	\$13,750	7	\$16,000	7	\$112,000
Total	\$144,375				\$168,000

Māori Committee Fees	Current cost per annum	Midpoint new range	New cost per annum
Co-chairs combined	\$27,500	\$32,000	\$32,000
Total	\$50,100		\$54,600

16. On this basis, total RPC TWR remuneration costs would rise by \$23,625 p.a.

17. Māori Committee TWR meeting attendance costs are assumed to remain constant as the meeting fee is not changing.

Decision-making process

18. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 18.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 18.2. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 18.3. The persons affected by this decision are representatives appointed by the PSGEs and Taiwhenua and NKII Board to the Regional Planning and Māori Committees.
 - 18.4. Given the nature and significance of the issue to be considered and decided, Council can exercise its discretion and make this decision without consulting directly with the community or others having an interest in the decision.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the *Regional Planning and Māori Committee appointees' remuneration review* report.
2. Receives and considers the *Fees Review for: Tāngata Whenua members (Regional Planning Committee)* and *Fees Review for: Tāngata Whenua members (Māori Committee)* reports from Strategic Pay.
3. Receives and considers the verbal feedback provided by the Māori Committee Co-chairs and the 2 August 2023 Māori Committee resolution that:
 - 3.1. Endorses the recommendations contained in the Strategic Pay July 2023 report *Fees Review for: Tāngata Whenua representatives (Māori Committee)*.
4. Receives and considers the verbal feedback provided by the Co-chair of the Regional Planning Committee.
5. 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.
6. Sets the remuneration for tāngata whenua representatives appointed to the Regional Planning Committee within the range recommended by Strategic Pay's independent review with effect from 1 July 2023 of:
 - 6.1. \$15,000 - \$17,000 per annum for a tāngata whenua committee member
 - 6.2. \$22,500 - \$25,500 per annum for the Regional Planning Committee Deputy Co-Chair
 - 6.3. \$30,000 - \$34,000 per annum for the Regional Planning Committee Co-Chair.
7. Sets the remuneration for tāngata whenua representatives appointed to the Māori Committee in accordance with the recommendations in Strategic Pay's independent review with effect from 1 July 2023 of:
 - 7.1. \$452 per meeting attended for a tāngata whenua committee member.
 - 7.2. within the range of \$15,000 - \$17,000 per annum for each of the Māori Committee Co-chairs.

8. Travel reimbursement will be made to RPC and Māori Committee members upon submission of an approved Travel Claim Form or invoice, at the same rates paid to councillors in accordance with the Remuneration Authority 2023-2024 Determination, being as follows.

Allowance	1 July 2023 – 30 June 2024
Mileage Allowance – petrol or diesel	\$0.95 per km (first 14,000 km)
Mileage Allowance - Hybrid	\$0.95 per km (first 14,000 km)
Mileage Allowance – Electric Vehicle	\$0.95 per km (first 14,000 km)
Mileage Allowance – E-bike	\$0.28 per km (first 14,000 km)
Mileage Allowance (after first 14,000 km)	\$0.34/km petrol/diesel \$0.20/km hybrid \$0.11/km electric including e-bike

Authored by:

Peter Martin
Senior Governance Advisor

Desiree Cull
Strategy and Governance Manager

Approved by:

Pieri Munro
Te Pou Whakarae

Attachment/s

- | | |
|---|---|
| <p>1 ➡ Strategic Pay Fees Review for tāngata whenua representatives (Māori Committee)</p> <p>2 ➡ Strategic Pay Fees Review for tāngata whenua representatives (Regional Planning Committee)</p> | <p>Under Separate Cover</p> <p>Under Separate Cover</p> |
|---|---|

Subject: Audit and Risk Sub-committee review

Reason for report

1. This paper asks Council to adopt an amended Terms of Reference (TOR) in line with the findings from an independent review of the Audit and Risk Sub-committee.
2. It also proposes that the Council appoints the current independent member as the Chair of the renamed Risk and Audit Committee and seeks nominations and voting on the appointment of the Deputy Chair from amongst the elected members on the Committee.

Officers' recommendations

3. Council officers recommend that the Council, after considering the information provided, adopts the updated Terms of Reference (attached) as proposed from the independent review.
4. In conjunction with changes to the TOR and in line with the recommendation to appoint an independent member, Council officers also recommend the appointment of the current independent member as Chair.

Executive Summary

5. The key findings from the review are to:
 - 5.1. Lift its status to a full Committee of Council that meets quarterly
 - 5.2. Rename it the Risk and Audit Committee to better align to the primary focus on risk
 - 5.3. Appoint an independent chairperson and an additional independent member
 - 5.4. Appoint specialist advisers from time to time as needed.

Background

6. On 10 May, the Audit and Risk Sub-committee (RAS) considered its Terms of Reference (TOR) as adopted by newly elected Council on 16 November 2022, and subsequently recommended to Council that the TOR be reviewed to better align with Office of the Auditor General's guidance on best practice.
 - 6.1. On 31 May 2023, the Council requested staff carry out a review of the Terms of Reference for the Audit and Risk Sub-committee in accordance with:
 - 6.1.1. advice from the Office of the Auditor General (OAG), including that the Chair should be independent
 - 6.1.2. the sub-committee reporting directly to Council
 - 6.1.3. the purpose of RAS which is to cover financial and non-financial risks.
7. Doug Craig from RDC Group Ltd was engaged to undertake the review, and his report is attached.
8. In preparing his report Mr Craig reviewed the existing Terms of Reference, minutes of recent meetings and interviewed the current Chair, independent member and the Group Manager responsible. Comparisons were also made with other regional councils.
9. Also attached is a tracked-change version of the Terms of Reference recommended by Mr Craig.

Discussion

10. Further to the review, it is recommended that the current independent member of the Committee be directly appointed as the Independent Chair. The current independent member has been in the role since September 2021. She has provided challenging and incisive feedback on a number of matters since being appointed and is highly regarded by the current Committee members.
11. At this time Council officers believe HBRC is looking for an appropriate resource who will challenge the risk and control environment to ensure HBRC remains well governed to stand up against external and internal challenge. However, this needs to be balanced with the rate of change on our organisation and the need to bring stability and continuity to the Committee.
12. The current independent member has a background in law, human resources and governance. She has worked as a lawyer for commercial law firms in Australia and New Zealand, was a senior in-house lawyer for Australia's largest investment bank, and ran an employment law practice in Hawke's Bay. She has extensive experience in operating in a range of highly regulated environments and holds governance roles in private enterprise, public sector organisations and the not-for-profit sector.
13. The current independent member has confirmed willingness to step into this position.

Options assessment

14. The council can agree to the amended TOR as proposed by the independent review, retain the existing TOR or propose its own changes to the TOR. Subsequent appointments of the Chair and Deputy Chair depend on the TOR adopted.

Significance and Engagement Policy assessment

15. The decision to amend the Committee's TOR to align to OAG guidance and appoint the Chair/Deputy Chair is not significant and is within Council's discretion without seeking community views.

Financial and resource implications

16. The proposed change to allow for up to two independent members rather than one, and to allow the appointment of up to two specialist advisers to advise on special matters would have a financial implication if taken up.
17. However, it is not deemed significant given one independent already exists (cost neutral) and specialist advisers would only be called upon as and when needed on a time/cost basis to limit costs. Independent committee members' remuneration is currently limited to less than \$10k.

Decision-making process

18. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 18.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 18.2. The use of the special consultative procedure is not prescribed by legislation.
 - 18.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 18.4. Council is required to (LGA sch.7 cl.19(1)) hold the meetings that are necessary for the good government of its region.
 - 18.5. Council may appoint (LGA sch.7 cl. 30(1)(a)) the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate.

- 18.6. Given the provisions above, Council can exercise its discretion and make these decisions without consulting directly with the community or others having an interest in the decision.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the *Audit and Risk Sub-committee review* 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. Receives and considers the Independent Advice on Hawke's Bay Regional Council's Audit and Risk Committee Memorandum authored by Doug Craig, RDC Group Ltd.
4. Adopts the attached Term of Reference for the Risk and Audit Committee resulting from the independent advice, including any amendments agreed by Council.
5. Confirms the appointments of Councillors Xan Harding, Jock Mackintosh, Neil Kirton and Thompson Hokianga to the Risk and Audit Committee.
6. Seeks nominations and votes on the appointment of the Deputy Chair from amongst the elected members of the Risk and Audit Committee.
 - 6.1. _____ nominates _____ for deputy chair, seconded by _____
 - 6.2. Appoints _____ as Risk and Audit Committee Deputy Chair

And Either

7. Appoints independent member, Stephanie Maloy, as Risk and Audit Committee Chairperson.

Or

8. Instructs staff to initiate a recruitment process for the selection of an independent Chair of the Risk and Audit Committee, with the selection process to be undertaken by *either* the councillor members of the Risk and Audit Committee *OR* the Council Appointments Committee.

Authored by:

Desiree Cull
Strategy and Governance Manager

Andrew Siddles
Acting Group Manager Corporate Services

Approved by:

Susie Young
Executive Officer Recovery

Attachment/s

- 1 ➡ RDC Group advice on HBRC Audit and Risk Committee 20 July 2023 Under Separate Cover
- 2 ⚡ Risk and Audit Committee proposed ToR with tracked changes



Risk and Audit and Risk Sub-Committee

Terms of Reference

Adopted by Hawke's Bay Regional Council resolution ~~16 November 2022~~

1. Purpose

The purpose of the Risk and Audit and Risk Sub-Committee is to provide advice and recommend actions, responses and changes to the Corporate and Strategic Committee for: Council about risk management, assurance activities, governance oversight and internal control matters, including external reporting and audit matters. Specifically this includes the following matters:

- 1.1. The robustness of Council's risk management systems, policies, practice and assurance processes
- 1.2. The appropriateness of controls to safeguard the Council's financial and non-financial assets, the integrity of internal and external reporting and accountability arrangements
- 1.2.3. Review the Council's revenue and expenditure policies, amongst others, and the effectiveness of those policies in ensuring limited risk is generated
- 1.3.4. Assurance on the independence and adequacy of internal and external audit functions
 - 1.1. the robustness of risk management systems, processes and practices ensuring
- 1.5. Council's compliance with applicable laws, regulations, standards and best practice guidelines.

2. Specific Responsibilities

The Risk and Audit and Risk Committee Sub-Committee shall have responsibility and authority to:

- 2.1. Review whether Council management has a current and comprehensive risk management framework and associated procedures for effective identification and management of the council's significant risks in place
- 2.2. Undertake periodic monitoring of corporate risk assessment, and the internal controls instituted in response to such risks
- 2.3. Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), Council's own standards, and best practice guidelines, including health and safety.
- 2.4. Consider the appropriateness of the Council's existing accounting policies and principles and any proposed changes
- 2.5. Satisfy itself that the financial statements and statements of service performance are supported by adequate management sign-off and adequate internal controls
- 2.6. Confirm that processes are in place to ensure that financial information included in Council's Annual Report is consistent with the signed financial statements

- ~~2.1. Monitor the performance of Council's investment portfolio, such that any risks identified in the performance against benchmarks and targets are remedied to remain within risk thresholds and performance targets~~
- ~~2.7. Confirm the terms of appointment and engagement of external auditors, including the nature and scope of the audit, timetable, and fees~~
- ~~2.8. Receive the internal and external audit report(s) and review actions to be taken by management on significant issues and recommendations raised within the report(s)~~
- ~~2.9. Enquire of internal and external auditors any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to this~~
- ~~2.10. Conduct a ~~Committee Sub-Committee~~ members-only session with Audit NZ to discuss any matters that the auditors wish to bring to the Committee's attention and/or any issues of independence~~
- ~~2.11. Review ~~whether and recommend to~~ Council ~~management has a current and comprehensive~~ the approach to insurance strategy and placements as part of its risk management framework and associated procedures for effective identification and management of the council's significant risks in place practices.~~
- ~~2.2. Undertake periodic monitoring of corporate risk assessment, and the internal controls instituted in response to such risks~~
- ~~2.3. Undertake systematic reviews of Council operational activities against Council stated performance criteria to determine efficiency/effectiveness of delivery of Council services~~
- ~~2.4. Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), Council's own standards, and best practice guidelines, including health and safety.~~

3. Accountability

- ~~3.1. The ~~Risk and Audit and Risk Sub-Committee~~ is not delegated to make any decisions unless by specific delegation of Council.~~

The ~~Audit and Risk~~ Risk and Audit Committee is delegated by Council to:

- ~~3.2. Obtain external legal or independent professional advice within approved budgets in the satisfaction of its responsibilities and duties.~~
- ~~3.3. Secure the attendance at meetings of third parties with relevant experience and expertise as appropriate.~~
- ~~3.4. Receive all of the information and documentation needed or requested to ~~fulfil~~ fulfil its responsibilities and duties, subject to applicable legislation.~~
- ~~3.5. Ensure that recommendations in audit management reports are considered and, if appropriate, actioned by management~~
- ~~3.6. Review the objectives and scope of the internal ~~risk and~~ audit ~~function~~ functions, and ensure those objectives are aligned with Council's overall risk management framework~~
- ~~3.7. Assess the performance of the internal ~~risk and~~ audit ~~function~~ functions and ~~ensure~~ seek assurance that ~~the function is~~ these are adequately resourced and ~~have the~~ appropriate authority and standing within Council.~~

4. Membership

4.1. Up to four members of Council, ~~being: councillors Xan Harding, Jock Mackintosh, Neil Kirton and Thompson Hokianga~~ appointed by Council.

~~3.2. An external appointee, Stephanie Maloy~~

4.2. Up to two independent external members appointed by Council.

4.3. The ~~Sub-e~~Committee may appoint up to two specialist advisers to advise on special matters within the scope of the work of the ~~Sub-e~~Committee.

5. Chairperson and Deputy Chairperson

~~A~~An independent member of the ~~Sub-e~~Committee ~~as shall be~~ appointed by the Council, ~~councillor Neil Kirton, to be Chairperson.~~

An elected member of the Council shall be appointed the Deputy Chairperson. In the event the Chairperson cannot attend a meeting of the ~~Sub-e~~Committee the Deputy Chairperson shall chair the meeting.

6. Meeting Frequency

~~The Committee shall meet twice per year, or as required.~~

As a minimum the ~~Sub-e~~Committee shall meet quarterly. Additional meetings may be called at the discretion of the Chairperson or as required by Council. The ~~Sub-e~~Committee shall meet at least once a year to consider the performance of the ~~Sub-e~~Committee, its membership and any other matters relating to the ~~Sub-e~~Committee's performance and effectiveness.

7. Quorum

The quorum at any meeting of the ~~Sub-e~~Committee shall be ~~three~~four members, including the Chair/Deputy Chair.

8. Officers Responsible

8.1. Chief Executive

8.2. Group Manager Corporate Services.

Subject: Electoral System for Local Government Elections

Reason for Report

1. This item provides information for the Council to consider whether it wishes to change its electoral system from First Past the Post (FPP) to Single Transferrable Vote (STV) for future local elections.

Executive Summary

2. Once each electoral cycle councils have the option to change their electoral system by resolution.
3. HBRC has used First Past the Post (FPP) as its electoral system for all previous elections, back to 1989.

Background

4. The Local Electoral Act 2001 (LEA) offers the choice between two electoral systems for local government elections: first past the post (FPP) and the single transferable vote (STV).
5. Information about how the two electoral systems work, their advantages and disadvantages is attached.
6. Local authorities in Hawke's Bay, not including HBRC, have so far decided the following:
 - 6.1. Central Hawke's Bay District Council's decision on 17 August 2023 was to retain FPP
 - 6.2. Hastings District Council's decision on 10 August 2023 was to retain FPP
 - 6.3. Napier City Council has indicated its intent to retain FPP and will resolve its decision on 30 August 2023
 - 6.4. Wairoa District Council's decision on 22 August 2023 was to retain FPP.
7. Any 2023 resolutions will remain in effect until such time as a future resolution to change is made or a poll determines otherwise.

Options assessment

8. Council has the opportunity to decide whether or not it wishes to change the electoral system for future triennial elections. The options open to Council are to:
 - 8.1. resolve to retain the status quo (FPP system)
 - 8.2. resolve to change the electoral system from FPP to STV for triennial elections from 2025
 - 8.3. resolve to hold a poll on the electoral system to apply for the triennial elections from 2025.
9. Regardless, public notice of the right to demand a poll on the electoral system must be given by 19 September 2023.

Financial and resource implications

10. The STV electoral system involves more complex administration at the 'vote counting' stage and is therefore more expensive. For HBRC it is estimated that the costs for STV would be \$10-15k more per constituency – or ~\$70-100k.
11. For comparison, the costs for the 2022 elections (voting processes only) were \$248,094.

Decision-making criteria

12. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the LGA). Staff have assessed the requirements in relation to this item and have concluded that because the Electoral System provisions are prescribed by the Local Electoral Act (LEA) and that LEA provisions include notice to the public of the right to demand a Poll on the electoral system, the LGA decision-making provisions do not apply.

Recommendations

That Hawke's Bay Regional Council:

1. Exercises its discretion and makes a decision on this issue without conferring directly with the community or others due to the option available to the public to demand a poll under the Local Electoral Act, should they choose to do so and can obtain the necessary number of signatures (5% of the electors).
2. Instructs staff to action the necessary public notices and any other processes required under the Local Electoral Act 2001 in respect to the electoral system for future Local Government Elections.

Either

3. Retains the First Past the Post electoral system,

Or

4. Changes the electoral system to Single Transferrable Vote for triennial elections from 2025.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy and Governance Manager

Attachment/s

- 1 [↓](#) Detailed electoral systems information

The following information has been taken from publications provided by Taituarā, Local Government Commission and NZ Department of Internal Affairs.

The two systems prescribed by the Local Electoral Act 2001

[5A General description of the First Past the Post (FPP) electoral system]

For local electoral purposes, the First Past the Post electoral system,—

- (a) in the case of an election, has the following features:—
 - (i) voters may cast as many votes as there are positions to be filled
 - (ii) where a single position is to be filled, the candidate who receives the highest number of votes is elected
 - (iii) where more than 1 position is to be filled, the candidates equal to the number of positions who receive the highest number of votes are elected
- (b) in the case of a poll, has the features specified in paragraph (a) as if, with all necessary modifications, every reference to a candidate were a reference to the matter or matters that are the subject of the poll.]

[5B General description of Single Transferrable Vote (STV) electoral system]

For local electoral purposes, the Single Transferable Voting electoral system,—

- (a) in the case of an election for multi-member vacancies, has the following features:—
 - (i) voters express a first preference for 1 candidate and may express second and further preferences for other candidates
 - (ii) a quota for election is calculated from the number of votes and positions to be filled
 - (iii) the first preferences are counted and any candidate whose first preference votes equal or exceed the quota is elected
 - (iv) if insufficient candidates are elected under subparagraph (iii), the proportion of an elected candidate's votes above the quota is redistributed according to voters' further preferences, and—
 - (A) candidates who then reach the quota are elected; and
 - (B) the candidate with the fewest votes is excluded
 - (v) the excluded candidate's votes are redistributed according to voters' further preferences
 - (vi) if insufficient candidates are elected under subparagraphs (iv) and (v), the steps described in subparagraphs (iv) and (v) are repeated until all positions are filled

About FPP

1. FPP is a 'plurality' electoral system; this means that to get elected a candidate must win the most votes, but not a majority of the votes. In multi-member constituencies, like local government elections, voters cast multiple votes. This means that one voter can help to elect multiple candidates to represent him/her, and another voter may not elect any candidate to represent him/her. As a plurality system, many votes can be 'wasted' in FPP elections; 'wasted' votes do not help to elect a candidate. FPP is often described as a simple system for voters to use, but it is widely recognised as producing disproportional results; that is results that do not reflect the preferences of the broad community of voters.

About STV

2. STV is a 'proportional' electoral system; this means that to get elected a candidate must win a proportion of the overall votes cast (or 'meet the quota'). In multi-member constituencies like local government elections, a voter casts a single vote by ranking his/her preferred candidates. That single vote can transfer according to the voter's preferences to ensure that the voter has a good chance of helping to elect one candidate to represent the voter. A good example to consider is an election to select three councillors for a constituency in a council election. Under STV, you would write "1" next to the name of your favourite candidate, "2" next to your second favourite candidate and so on.
3. Under a STV (Single-Transferable Vote) electoral system, voters rank candidates in their order of preference.
4. STV means that you have one vote, but can indicate your preferences for all the candidates and it can be transferred if your most preferred candidate is so popular s/he doesn't need all their votes or is not popular at all with other voters. Under FPP, you would place ticks next to the names of up to three candidates, which means you would have three votes.
5. As a proportional system, STV minimises 'wasted' votes; in other words more votes help to elect candidates. STV is often described as a complex system for voters to use, but it is widely recognised to produce proportional results that reflect the preferences of the broad community of voters.
6. Let's imagine that you vote in a local government FPP election to fill two vacancies, with four candidates standing for election. You vote for Candidates A and B. Imagine Candidate A wins by a landslide and Candidate B is the least popular of all the candidates. The vote for the other candidate to be elected is very close between Candidates C and D; in the end Candidate D wins the second vacancy by a very small margin. Candidate D is your least preferred candidate.
7. You might think to yourself, once you see the results, 'I wish I had known that Candidate A didn't need my vote to win, and that Candidate B didn't have a chance of being elected as I would have voted differently. I may have still voted for Candidate A, but would have voted for Candidate C instead of Candidate B.'
8. Now imagine you vote in the same election using STV. You have a *single* transferable vote even though there are two positions to fill. Again Candidate A wins by a landslide and Candidate B is the least popular candidate. Candidates C and D are very close on first preference votes and so second and subsequent preferences become important.
9. You cast your vote by ranking the candidates according to your preferences; you rank Candidate A as '1', Candidate B as '2' and Candidate C as '3'. You don't rank candidate D at all because you don't want that candidate to be elected. Under STV:
 - 9.1. Candidate A is very popular and is elected on first preferences
 - 9.2. Candidate A has votes surplus to the number required to reach the quota and these are transferred according to voters' second preferences
 - 9.3. the surplus portion of your vote for Candidate A is transferred to your second preference, Candidate B
 - 9.4. both Candidates C and D are very close to the quota at this point and Candidate B is least popular
 - 9.5. Candidate B is excluded and the proportion of your vote for this candidate is transferred to your third preference, Candidate C
 - 9.6. when preferences are counted again Candidate C reaches the quota and is elected.
10. Under STV, unlike the FPP election, your ranking of the candidates made your vote more effective and avoided it being 'wasted' on Candidates A (who had a surplus of first preference votes) and B (who was excluded once surplus votes from Candidate A were transferred). In other words, despite Candidates A and B being your most preferred candidates, under STV you were also able to influence the race

between Candidates C and D because you showed a preference between them on your voting document.¹

11. These election results reveal an important difference between FPP and STV electoral systems. Think again about your FPP vote. You voted for two candidates to fill two vacancies. If you are part of the largest group of like-minded voters, even if that group is not the majority, you could determine the election of both candidates. Other voters (from perhaps only slightly smaller groups) won't have gained any representation at all.
12. In the STV election, however, you cast only one *single* transferable vote, even in multimember wards/constituencies. That vote is used to greater effect as long as you rank all the candidates you like in order of preference. Because your vote is a single vote that can be transferred in whole or in part according to your wishes, you and other voters will not be over-represented or under-represented. This is why STV, unlike FPP, in multi-member wards or constituencies, is called a proportional representation system. The outcomes potentially better reflect community views.

Advantages and Disadvantages of Each System

13. No electoral system is perfect, and different people will have different views on what is 'fair'. Both FPP and STV have advantages and disadvantages.
14. Overall, the advantages of STV relate to the people who get elected using STV.² The system potentially achieves:
 - 14.1. broad proportionality (in multi-member constituencies)
 - 14.2. Majority outcomes in single-member elections
 - 14.3. more equitable minority representation
 - 14.4. A reduction in the number of wasted votes.
15. The disadvantages of STV relate to:
 - 15.1. the public being less familiar with the system and possibly finding it harder to understand
 - 15.2. matters of process such as the way votes are cast and counted (for example perceived complexity may discourage some voters)
 - 15.3. the information conveyed in election results.
16. The advantages of FPP, on the other hand, relate to the simplicity of the process including the ways votes are cast, counted and announced.
17. The disadvantages of FPP relate to:
 - 17.1. the results of the election, including the generally 'less representative' nature of FPP councils
 - 17.2. the obstacles to minority candidate election
 - 17.3. the number of wasted votes.

¹ These scenarios oversimplify how the vote count actually works under NZSTV, in order to explain the principle of vote transfers. The STV calculator uses a complex mathematical set of rules to ensure that the appropriate proportions of votes are transferred between candidates.

² For further discussion, see Graham Bush, 'STV and local body elections – a mission probable?' in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45–64 (Wellington: Victoria University Press, 2002).

18. Detailed advantages and disadvantages include:

FPP	STV
Casting votes FPP is a straight forward system of voting. FPP is familiar to most people. 'Tactical' voting is possible; votes can be used with a view to preventing a candidate from winning in certain circumstances.	Casting votes STV is a less straight forward system of voting. There is a need for more information for people to understand the STV ranking system of candidates. It is virtually impossible to cast a 'tactical' vote under STV. As a result, voters are encouraged to express their true preferences.
Counting votes FPP is a straight forward system for counting votes. Votes can be counted in different locations and then aggregated. Election results are usually announced soon after voting ends.	Counting votes STV vote counting requires a computer programme (the STV calculator). Votes must be aggregated first and then counted in one location. Election results will usually take a little longer to produce.
Election results Official results show exactly how many people voted for which candidates. Results are easy to understand. Election results A 'block' of like-minded voters can determine the election of multiple candidates in multi-member wards/constituencies, without having a majority of the votes, thereby 'over representing' themselves. The overall election results will not be proportional to voters' wishes, and will not reflect the electoral wishes of the majority of voters, only the largest group of voters who may not be the majority. In single-member elections, the winner is unlikely to have the majority of votes, just the largest group of votes. There will be more 'wasted' votes (votes that do not contribute to the election of a candidate).	Election results Official results will identify which candidates have been elected and which have not and in which order. They do not show how many votes candidates got overall, as all successful candidates will have the same proportion of the vote (the quota). This information, at stages of the count, can still be requested. Results can be easy to understand if presented appropriately. Election results STV moderates 'block' voting as each voter casts only one single vote, even in multi-member wards/constituencies. The overall election results reflect the wishes of the majority of voters in proportion to their support for a variety of candidates. In single-member wards/constituencies, the winner will have the majority of votes (preferences). Every vote is as effective as possible (depending on the number of preferences indicated) meaning there are fewer 'wasted' votes and more votes will contribute to the election of a candidate than under FPP.

"STV can be more representative of voters' choices because a vote can be transferred if a preferred candidate does not meet a certain threshold. This transfer of votes avoids wasted ballots. Early research demonstrates that STV leads to improvements in the representation of women (Vowles and Hayward 2021). However, the representative benefits of STV work best when there is a large pool of candidates and wards with more than one seat being contested."

Subject: Councillors' 2023-2024 remuneration and allowances

Reason for Report

1. This item seeks the Council's formal receipt of the Local Government Members (2023-24) Determination from the Remuneration Authority as gazetted and associated amendments to the Council's *Elected Members' Expenses and Allowances Policy*.

Executive Summary

2. The Remuneration Authority has completed a review of remuneration for the local government sector and subsequently released the latest Determination reflecting the findings of that review.

Remuneration

3. This Council's remuneration levels for the 2023-2024 financial year, under the Local Government Elected Members' Determination 2023-24 (attached with TLA pages removed) have not changed and are:
 - 3.1. Chairman's salary \$142,761 per annum adjusted for vehicle use (not included in the Remuneration Pool)
 - 3.2. \$61,000 per annum as the base salary for a councillor with no additional responsibilities; currently councillors Xan Harding, Thompson Hokianga, Charles Lambert, Jock Mackintosh, and Di Roadley
 - 3.3. The remainder of the pool distributed evenly between positions of responsibility at \$67,860 per annum, currently being:
 - 3.3.1. Cr Will Foley – HBRC Deputy Chair
 - 3.3.2. Cr Sophie Siers – Chair, Cyclone Recovery Committee (CRC)
 - 3.3.3. Cr Neil Kirton – Chair, Corporate and Strategic Committee (C&S)
 - 3.3.4. Cr Martin Williams – Chair, Regional Transport Committee (RTC)
 - 3.3.5. Cr Jerf van Beek – Chair, Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Coastal JC).
4. Participation on resource consent hearing panels is remunerated separately and administered by the Consents Team to enable cost recovery from the consent applicant.

Allowances and Expenses

5. The 2023-2024 Determination also includes Elected Members' Expenses and Allowances, which are set out in the following table.

Allowance	1 July 2022 – 30 June 2023
Mileage Allowance – petrol or diesel	\$0.95 per km (was \$0. 83)
Mileage Allowance - Hybrid	\$0.95 per km (was \$0. 83)
Mileage Allowance – Electric Vehicle	\$0.95 per km (was \$0. 83)
Mileage Allowance – E-bike	\$0.28 per km (no change)
Mileage Distance on Higher Rate	14,000 km per year

Allowance	1 July 2022 – 30 June 2023
Mileage Allowance (after higher rate distance)	\$0.34/km petrol/diesel (was \$0.31) \$0.20 /km hybrid (was \$0.18) \$0.11/km electric including e-bike (was \$0.10)
Threshold time on daily travel	8 hours in a 24 hour period
Travel Time Allowances	\$40 per hour (after the first hour of eligible travel) (was \$37.50)(max 8 hours in 24 hour period)
Communication Allowance	\$800 Internet Service \$500 Cellphone Service \$200 Cellphone \$50 Printer Total per annum \$1550
Childcare Allowance	Limited to \$6,000 per child per year (no change)

Financial and Resource Implications

- The remuneration and allowances for councillors are accounted for within the Community Partnerships and Leadership workstream, paid by General Rates and budgeted annually.

Decision Making Process

- Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded that because the payment of councillors' remuneration and allowances is prescribed by Schedule 7 of the Act the decision-making provisions do not apply.

Recommendations

That Hawke's Bay Regional Council:

- Receives and considers the *Councillors' 2023-2024 remuneration and allowances* staff report.
- Confirms the remuneration and allowances payable to councillors resulting from the Local Government Members (2023-24) Determination and updates the *Elected Members' Expenses and Allowances Policy* accordingly.

Authored by:


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Team Leader Governance

Approved by:

Desiree Cull
Strategy and Governance Manager

Nic Peet
Chief Executive

Attachment/s

- 1  Local Government Members 2023-24 Determination Under Separate Cover

Subject: Interim Groups of Activity 2022-2023 financial results

Reason for Report

1. This item provides Council with the draft financial results by Group of Activities, and provides an update on the carry forward of expenditure budgets from 2022-2023 to 2023-2024.

Executive Summary

2. The operating position for the Council for the full year to 30 June 2023 was \$6.5m adverse to budget. The adverse variance is driven by Cyclone Gabrielle response expenditure and lower than expected investment returns.
3. Operating expenditure (opex) for Groups of Activities for the full year to 30 June 2023 was \$26.4m (30%) over budget due to Cyclone Gabrielle response expenditure. Total opex on business-as-usual activities was \$73.1m against a budget of \$87.2m (\$14m underspend), and the unplanned Cyclone response expenditure was \$40.4m (resulting in a \$26.4m overspend overall).
4. The operating income from activities was \$26.1m (50%) above budget, mostly due to government grants for silt and debris removal and NEMA welfare claim income related to Cyclone Gabrielle (total of \$24.9m).
5. Capital expenditure (capex) net of capital grants was \$1.4m (5%) under budget. Unplanned Cyclone Gabrielle Response capex (\$13.6m) is mostly offset by significant underspends in the business-as-usual asset management flood and river control improvement projects, however, many of the projects disrupted by the cyclone will still need to be progressed in the new financial year, and a carry forward of budgets will need to be considered.
6. Investment income net of investment expenditure was \$7.1m (38%) behind budget due to a shortfall in HBRIC income (Napier Port dividend), and investment property fair value losses.
7. Rates income was \$0.8m (3%) ahead of the annual budget, mostly due to rates penalty income significantly above what was assumed in the Annual Plan.
8. Finance & Treasury, People & Capability, Communications and Corporate Support (fleet/office accommodation) overheads were \$1.7m (7%) above budget due to additional fuel and rent costs, additional interest on working capital funding and additional staff capacity required to meet work demands such as those taken on for Hawke's Bay Disaster Relief Trust, insurance processing and rates remissions. ICT was \$2m (8%) underspent, mostly in software-as-a-service development due to reprioritisation of staff to cyclone response activities, though this budget is loan funded and these savings reduce the loan drawdown requirements for the year. The overhead costs are included as part of the overhead allocation in the above operating expenditure results.
9. While the operating position for the Council is in deficit, there are still activities that were budgeted to occur this financial year but which have not been delivered due to disruption from the cyclone. These activities need to be assessed as to when or if they need to be transferred to a future financial year. Any carry forwards of budget to 2023-2024 are contingent on Council approval, and need to be considered in the context of what funding has not been utilised.
10. A total of \$6m unspent opex and \$9m unspent capex needs further analysis for what is critical for carry forward into the 2023-2024 budget. Any carry forward activity is contingent on the final funding position of the Council. Should no funding be available we will be unable to carry forward any proposals. Officers propose to bring this analysis to the Corporate & Strategic meeting on 20 September 2023.

11. Full financial statements are currently being prepared for the Annual Report 2022-2023, and are due to be presented to Council at the meeting on 11 October 2023.

Background

12. Groups of activities (GOA) expenditure include each activity's external expenditure, internal staff time, finance costs (interest and debt repayments), depreciation/amortisation and a share of overheads. The operating income presented for each GOA, includes fees and charges, user charges and recoveries and grants, and excludes rates, reserves or loan funding, which are allocated to activities as part of the year-end financial statements preparation which is currently underway.
13. A full funding analysis of the GOA revenue and expenditure will be provided at the Corporate & Strategic meeting on 20 September 2023.
14. Financial statements for the 2022-23 financial year are currently being prepared for the Annual Report, and will be presented to Council in October.

GOA Operating Income and Expenditure (\$,000)

Group of Activity	Full Year Expenditure			
	Actual	Revised Budget	%	LTP/Annual Plan budget
Governance and Partnerships	10,291	10,958	94%	10,545
Policy & Regulation (BAU)	9,557	12,320	78%	11,076
- Silt taskforce/Woody debris	14,358	-	-	-
Integrated Catchment Management	26,965	32,962	82%	30,992
Asset Management	16,969	20,519	83%	16,061
Emergency Management (BAU)	1,704	3,301	52%	3,301
- Cyclone Gabrielle Response	26,133	-	-	-
Transport	7,668	7,160	107%	7,036
	113,646	87,220	130%	79,010

Group of Activity	Full Year Operating income			
	Actual	Revised Budget	%	LTP/Annual Plan budget
Governance and Partnerships	1,455	802	181%	802
Policy & Regulation (BAU)	3,109	3,297	94%	3,297
- Silt taskforce/Woody debris	14,358	-	-	-
Integrated Catchment Management	5,669	5,939	95%	6,038
Asset Management	2,982	3,332	90%	3,332
Emergency Management (BAU)	166	199	83%	199
- Cyclone Gabrielle Response	10,519	-	-	-
Transport	5,243	3,827	137%	3,827
	43,502	17,395	250%	17,494

15. Governance and Partnerships were in line with expenditure budget overall, and \$0.6m ahead in operating income.
 - 15.1. Regional development was \$0.6m overspent due to costs of establishing the Regional Economic Development Authority (REDA) and new business hub in Hastings, though this is mostly offset by additional operating grants from other councils (\$0.5m).
 - 15.2. Tāngata whenua partnerships was underspent by \$0.9m, due to unfilled staff vacancies and cyclone disruptions stalling the tangata whenua engagement regarding te mana o te wai. This work will continue into the 2023-2024 financial year, and a carry forward of budget may be required to support this activity.
16. Policy and Regulation was underspent \$2.7m, and operating income was mostly in line with budget.
 - 16.1. Compliance was behind budget (\$1.2m) mostly due to delays in recruitment, and further compounded by staff time reprioritised to the cyclone response.
 - 16.2. Planning was behind budget (\$2m) due to the pause of the Kotahi programme while staff resources have been re-prioritised to the cyclone response and recovery activities, and a carry forward of this budget may be required to support this activity next financial year.

- 16.3. Consents operating income was in line with budget, however the fees and charges budget set in the LTP is not at the level required to cover the full cost of providing the resource consent activity. The estimated additional unbudgeted general funds required for the consent activity is ~\$0.5m. This will be corrected in future budgets.
17. The Silt taskforce programme began in the final quarter of this financial year, and the \$14m expenditure has been recovered in full, from the DIA Sediment and Debris local government fund.
18. Integrated Catchment Management was underspent YTD \$5.9m, and \$0.3m behind budget in operating income.
 - 18.1. Environmental info and science was \$1.2m behind budget, largely driven by unfilled staff vacancies, the reduction in depreciation budget requirement due to audit direction to not capitalise data models, and delays across a number of contracted work programmes.
 - 18.2. Catchment management operations was \$4.3m behind budget, mostly in erosion control scheme grants (\$2.4m) where wet weather and then the cyclone disrupted the completion of landowner projects. Land for life (\$0.4m) and the Environmental Enhancement programme (\$0.9m) were also disrupted by the cyclone. Carry forward of some of this budget may be required to complete committed activities.
 - 18.3. Operating income variance was \$0.6m ahead due to additional grant income to support biodiversity and biosecurity projects (e.g. Predator Free Hawkes Bay in Mahia, and DOC *Jobs for Nature* biodiversity fencing). This is offset by reduced annual freshwater science charges (\$0.6m) as per Council agreement to reduce the charges for the water quality activity (to discharge consent holders) for the period following the cyclone.
19. Asset Management's business-as-usual operational programme was \$3.5m underspent, and \$0.3m behind in operating income.
 - 19.1. Flood Protection and Control Works were underspent by \$1.6m due to Cyclone Gabrielle response and recovery work taking priority over planned maintenance activities.
 - 19.2. Regional Water Security projects were under budget \$2.7m, and a carryforward of unspent budget will be requested.
 - 19.3. Operating income was up on budget for Works Group external income (\$0.7m) and Gravel Management (\$0.5m), but down on budget for Coastal Hazards due to reduced contributions from Territorial Local Authorities (\$0.7m) (offset by reduced expenditure), and reduced forestry income (\$0.9m) due to harvests being postponed to next financial year due to a mix of wet weather conditions and an unfavourable export log market.
20. Cyclone Gabrielle response expenditure includes staff time reprioritised from business-as-usual activities (~\$3.9m), external expenditure required for the CDEM welfare response (\$7.9m), infrastructure and equipment repairs (~\$10m) and administration of the disaster relief trust (\$0.15m). The operating income received to date to support this activity includes:
 - 20.1. the Government grant contribution to the disaster relief trust (\$1m),
 - 20.2. NEMA welfare claims (\$5.1m)
 - 20.3. a claim from the Sediment and Debris local government fund for silt and debris removal from HBRC infrastructure (\$4m).
21. Insurance proceeds and infrastructure recovery claims are in infancy in terms of processing, and no accrual made because the quantum and timing of these funds is not yet certain. This leaves a funding shortfall in the 2022-2023 financial year of ~\$10m which we are confident we will retrieve back from NEMA and Insurance in the coming 12 months.
22. Transport expenditure was \$0.5m above budget, largely due to the unbudgeted indexation costs on the GoBus contract, partly offset by credits for missed trip claims (including historic

claims from the previous financial year). Operating income was \$1.4m above budget, which is largely driven by a one-off operating shortfall funding payment from Waka Kotahi (\$0.8m).

GOA Capital Expenditure (net of capital grants) (\$,000)

Group of Activity	Full Year Net Expenditure			
	Actual	Revised Budget	%	LTP/Annual Plan budget
Governance and Partnerships	4,454	6,901	65%	6,901
Integrated Catchment Management	762	2,867	27%	2,291
Asset Management	3,676	12,949	28%	12,751
Emergency Management				
- Cyclone Gabrielle Response	13,622	-		-
Transport	-	10	0%	10
Corporate Services - ICT	789	1,902	41%	1,476
Corporate Services - vehicles/buildings/Furniture	2,330	2,434	96%	800
	25,634	27,064	95%	24,229

23. Governance & Partnerships was \$2.5m behind budget, due to the ongoing decline in the number of Sustainable Homes grant applications received.
24. ICM was \$2.1m underspent, mostly in the Land for life project (\$1.6m), where HBRC loan funding to farmers as originally envisaged has not eventuated. The remaining underspend was in the groundwater drilling programme, and monitoring equipment replacements, where the work is delayed and carry forwards of budget will be sought.
25. Asset Management business-as-usual programme expenditure was \$9.3m behind budget, with the majority of the YTD underspend in flood protection and control works (\$7.8m), where weather events delayed progress in the first half of the year, and then Cyclone Gabrielle rapid rebuild projects took top priority. Hawke's Bay trail development and Regional Park Network projects were postponed following the cyclone (underspend of \$1.2m) and a carry forward of the unspent budget will be sought to progress the project deliverables.
26. The Cyclone Gabrielle response expenditure includes the purchase of generators, stop bank and pump station rapid rebuild projects, and the replacement of environmental monitoring equipment lost or damaged in the flood. This expenditure has been loan funded, pending insurance and NEMA claim processing.
27. ICT expenditure was \$1.1m behind budget, mostly in Business computing due to disruptions caused by Cyclone Gabrielle (staff re-prioritised to the response and recovery activities), and due to the delay in scaling up resource capacity as intended to accelerate the programme of work. The business computing underspend is slightly offset by additional expenditure in hardware driven largely by the increase in staff numbers.
28. Vehicles/Buildings/Furniture expenditure overall was in line with budget, but within cost centres there was some larger variances.
 - 28.1. Expenditure on new and replacement vehicles was in line with budget, but the funding assumed a \$0.8m gain from the sale of vehicles, which has not been achieved (vehicles have been held longer).
 - 28.2. The accommodation refurbishments project was underspent \$0.7m due to consent and engineering delays, combined with impacts from the cyclone. The reception reconfiguration and ground floor upgrade will continue into the new financial year, and a carry forward of unspent budget will be requested.

Investment Income (\$,000)

	Full Year Income (net)		
	LTP/Annual		%
	Actual	Plan budget	
Managed funds	6,538	6,139	106%
HBRIC	6,889	10,236	67%
Wellington Investment property	592	878	67%
Leasehold rent (Napier)	(2,496)	1,386	-180%
	11,522	18,638	62%

29. The income figures presented in the table above are presented net of investment expenses and include property fair value assessments for the 30 June balance date.
30. Managed funds are slightly above budget, reflecting improved financial markets in the second half of the financial year.
31. Both property investment portfolios are down due to a softening in the property market, and fair value losses have been incurred for this financial year (Napier leasehold properties are significantly down with a \$3.9m fair value loss).
32. HBRIC income is down due to a lower-than-expected dividend from Napier Port.

Rates collection (\$,000)

	Full Year Expenditure		
	LTP/Annual		%
	Actual	Plan budget	
Rate collection costs	377	449	84%
Remissions/Refunds/Write-offs	16	5	315%
	394	454	87%

	Full Year income		
	LTP/Annual		%
	Actual	Plan budget	
General rates	13,742	13,538	102%
Targeted rates	20,391	20,197	101%
Penalty Income	625	130	482%
	34,758	33,865	103%

33. Rate collection costs were below budget mostly due to reduced debt collection costs following a pause placed on debt management activities after the cyclone.
34. Rate remissions/refunds/write offs were above budget due to an increase in Māori land remissions. Any financial hardship remissions relating to Cyclone Gabrielle will be managed in the new financial year (2023-2024).
35. Rates penalty income was \$0.5m above budget and \$0.2m above the amount in the last financial year. The increase is due to a number of factors, including returning to the standard due dates for imposing penalties and the increase in the rates charged.
36. Rates debt arrears decreased this quarter from \$257k to \$173k.

Overheads (\$,000)

	Full Year Expenditure			
	Revised		LTP/Annual	
	Actual	Budget	%	Plan budget
Corporate Support	5,459	4,570	119%	4,482
Finance	2,209	2,067	107%	1,891
Treasury	1,396	1,024	136%	1,024
ICT	8,569	10,594	81%	8,625
Communications	955	858	111%	811
P&C	1,891	1,624	116%	1,591
Strategy & Governance	831	957	87%	946
Executive	1,526	1,600	95%	1,540
Maori Partnerships	459	589	78%	597
	23,296	23,882	98%	21,506

37. Overhead costs overall were within budget, but within cost centres there are some larger variances.
 - 37.1. Corporate Support was \$0.9m above budget due to additional fleet running costs from fuel price pressure as well as increase in fleet numbers, and an increase in depreciation and finance costs for fleet and the accommodation project.
 - 37.2. Treasury is overspent due to the increased cost of borrowing (interest rates).
 - 37.3. ICT expenditure is \$2m underspent, relating to delays in the software-as-a-service development programme due to staff being redeployed to cyclone response and recovery activities, and lower storage and back up costs than anticipated in budget. A portion of the software-as-a-service development budget is loan funded, therefore savings this financial year reduces our borrowing requirements (\$1.4m).
 - 37.4. Communications and Finance are each ~\$0.1m above budget due to staffing changes required to meet work demands.
 - 37.5. People and Capability (P&C) was \$0.2m above budget due to increase in salary protection insurance costs, and increased recruitment expenditure and health & safety training related to continued staff turnover.
 - 37.6. Māori Partnerships and Strategy & Governance are below budget due to delays in recruitment.

Carry Forwards

38. Carry forwards is a common practice within councils and allows for unspent funds against projects to be moved forward to the next financial year so that projects can be completed. These include the funding of final costs of projects and contracts that were unable to be completed by the financial year-end and the carry forward of external income received for specific projects.
39. The funding types are categorised as:
 - 7.1 General funding includes General Rates and investment income
 - 7.2 Reserve funding includes targeted rate surpluses that have flowed through to scheme reserves, and planned funding from Reserves
 - 7.3 External is external funding received for specific projects
 - 7.4 Debt is for loan funding not drawn down this year and is covered by interest and principal repayments that are already included in the LTP.
40. Officers informed the Corporate & Strategic Committee on 14 June 2023, based on the full year forecast at that time, the indicative carry forwards from 2022-2023 would be \$6m opex and \$9.6m capex, and final carry forward requests would be presented at the conclusion of the financial year once the draft financial results had been analysed.
41. The interim financial results indicate that HBRC will have an operating deficit for the 2022-2023 financial year. Any carry forward of general funding or external funding will impact the general funds deficit further.
42. Reserve and debt funded expenditure can be carried forward with no impact to general funding as this has been included in the LTP.
43. Funding from targeted rates will be automatically carried forward through the associated reserve to enable the funds to be drawn down to complete the work in subsequent years.
44. Officers will make a critical assessment of the delayed external and general-funded activities still required to be undertaken in 2023-2024 and present the final carry forward requests for Council approval in September 2023.

Decision-making criteria

45. 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.

Recommendations

That Hawke's Bay Regional Council receives and considers the *Interim Groups of Activity 2022-2023 financial results* staff report and notes that carry forward expenditure requests will be prepared for Council's consideration in September 2023.

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Susie Young
Executive Officer Recovery

Attachment/s

There are no attachments for this report.

Subject: Report from the Maori Committee

Reason for Report

1. The following matters were considered by the Māori Committee on 2 August 2023 and now presented for the Council's information alongside any additional commentary the co-chairs or other members present may wish to offer.

Agenda Items

2. The **Māori Committee Appointees' Remuneration Review** item invited the committee to provide feedback on the recommendations of the Strategic Pay July 2023 report – *Fees Review for: Tāngata Whenua representatives (Māori Committee)*.
3. The **Land for Life Project update** provided the committee with background on the project and asked for feedback on opportunities for outcomes for whenua Māori and how the monitoring and evaluation programme could incorporate outcomes of value to mana whenua.
4. The **Clifton To Tangoio Coastal Hazards Strategy And Its Mātauranga Māori Workstream Update** item provided a progress update on the Clifton to Tangoio Coastal Hazards Strategy and the Mātauranga Māori workstream implementation and sought feedback on the frequency and nature of updates the Committee would like.
5. The standing **Take Ripōata Ā Takiwā – Taiwhenua Representatives' Updates** item provides the committee with local information from each Taiwhenua and highlighted:
 - 5.1. Marei Apatu received an environmental award sponsored by Hawke's Bay Regional Council
 - 5.2. Mapping and protection of taonga Māori and data sovereignty
 - 5.3. The need for mana whenua participation in cyclone recovery and building sustainability.
 - 5.4. Land categorisation impacts on whanau and Marae
 - 5.5. Wairoa Hikitia Fund which provides support and relief for hapori who may not be eligible for other support.
6. The **July Statutory Advocacy Update** item provided an update on Resource Management related proposals including Orders in Council made under Severe Weather Emergency Legislation and resource management reforms.
7. The **Spatial Climate Vulnerability Assessment Tool** item presented the Climate Risk Explorer tool to the committee, in particular demonstrating the Kaupapa Māori aspect of the tool with a view to how it might be developed in future stages of the project.

Recommendation

That the Hawke's Bay Regional Council receives and notes the *Report from the Māori Committee* staff report.

Authored by:

Allison Doak
Governance Advisor

Approved by:

Leeanne Hooper
Team Leader Governance

Attachment/s There are no attachments for this report.

Subject: Report from the Regional Transport Committee

Reason for Report

1. The following matters were considered by the Regional Transport Committee (RTC) on 4 August 2023 and are now presented for Council's information alongside any additional commentary that the Chair wishes to offer.

Agenda items

2. The Committee heard a deputation from Neill Gordon and Duncan Darroch on safe cycling in HB, noting:
 - 2.1. HB is well known for its recreational cycling trails which are well utilised and relatively safe. The opposite is the case for people trying to bike to work or school. The urban areas of Napier and Hastings are over-represented in the Waka Kotahi's communities at risk register.
3. The **2024-2027 Regional Land Transport Plan (RLTP)** item provided the Committee with an update on development of the RLTP. The Committee's agreement was sought for the strategic vision, objectives, policies, and priorities for the draft RLTP which will be subject to public consultation later in the year. Highlights included:
 - 3.1. RLTP priorities include resilience, recovery – building back better, transitioning to a low-emissions transport system, ensuring safety, and putting the community at the centre of transport system design.
 - 3.2. Cyclone Gabrielle showed that the roading network is at the limit of its durability, particularly the rural network. This is critical, and there will be a focus in building resilience across the transport system.
 - 3.3. Maintaining the current roading network across HB and adding active transport and modal change will also be an RLTP priority.
4. The **Transport emissions reduction** item provided the Committee with the first draft of the Regional Emissions Reduction Plan, with particular focus on a chapter regarding transport actions. The item also sought the Committee's endorsement of that chapter. Highlights included:
 - 4.1. Transport emissions are 20% of HB's overall carbon emissions.
 - 4.2. Focussing on emissions will also have a positive effect on the overall health and wellbeing of the community.
 - 4.3. Committee endorsed the Transport Chapter following some wording changes.
5. The **NZTA Regional Relations Director's update** item provided an update that highlighted:
 - 5.1. As a result of the wet spring and then the cyclone, many road maintenance projects have been deferred until September/October 2023.
 - 5.2. Over the past 10-15 years there has been consistent under-investment in roading assets. If the network is not maintained adequately the issue is likely to become serious as roads reach the end of their lifespan. LGNZ passed a remit at its recent conference petitioning the Government on this matter.
 - 5.3. SH5 (Napier – Taupo) safety improvements will be starting shortly. The Programme Business Case for the long-term future of SH5 is progressing through Waka Kotahi's internal checking processes and will be considered by the Waka Kotahi Board on 28 September 2023.

- 5.4. SH5 speed limit review – a draft report is currently being peer reviewed and is expected to be available by mid-October 2023.
6. The **Regional Transport Programme August 2023 update** item is a regular feature updating the committee on the various workstreams being undertaken by the Regional Transport Advisory Group (RTAG).
7. The **Regional Road Safety update** item is a regular feature updating the Committee on the activities of RoadSafe Hawke's Bay – highlights were:
 - 7.1. A range of videos, educational items and tip sheets has been developed in HB to provide drivers with information on how to better operate a vehicle and develop safe driving behaviours. These resources are being distributed across the community including to driver licencing providers and secondary schools.
 - 7.2. Roadsafe HB rebranding is progressing well with a potential relaunch in October 2023.
8. The **Public Transport update** item provided statistics and other details of public transport services, noting:
 - 8.1. Public transport services were reduced following Cyclone Gabrielle and are still not back to previous levels. The Redclyffe bridge reopening will allow the main commuter service past EIT to the hospital to resume. There are still a number of operational matters to be finalised before this service can start.
 - 8.2. On demand public transport – a report on the Hastings MyWay trial is expected shortly. Trialling a similar service in Napier is no longer being considered due to funding constraints.
9. The **Verbal updates by advisory representatives** included:
 - 9.1. Air New Zealand services at HB Airport have not yet returned to pre Covid-19 levels.
 - 9.2. Te Whatu Ora - planning for the redevelopment of the Hastings Hospital is starting shortly and will include a review of staff and patient transport options.
 - 9.3. AA members (nearly 2m) have expressed concerns about road maintenance, network resilience, drink drivers, EV charging network, cell phone use in cars, regional state highway safety and emissions reduction.

Decision Making Process

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

Recommendation

That Hawke's Bay Regional Council receives and notes the *Report from the Regional Transport Committee*.

Authored by:

Mark Allan
Transport Manager

Bryce Cullen
Transport Strategy & Policy Analyst

Approved by:

Katrina Brunton
Group Manager Policy & Regulation

Attachment/s

There are no attachments for this report.

Subject: Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Reason for Report

1. The following matters were considered by the Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Joint Committee) on 11 August 2023 and are now presented for the Council's consideration alongside any additional commentary the Joint Committee Chair wishes to offer.

Agenda items

2. The **Coastal Hazards Interim Response Plan** item presented a proposed plan that sets out the responsibilities and processes to respond to emerging coastal hazards issues while the Strategy is still in development. It acknowledges the long development time for the Strategy, and that coastal hazards are ongoing. 8 key actions are identified, including new monitoring initiatives.
3. The **Adaptation Thresholds Development Report** item presented a report that outlined the proposed adaptation thresholds for the Strategy and the process taken to develop them. Adaptation thresholds represent the conditions or effects from hazards that the community wish to avoid. Alongside signals and triggers, adaptation thresholds are a key component of adaptive planning for the coastal hazards and the effects of climate change and sea level rise. The proposed adaptation thresholds will form part of the Strategy for later community consultation.
4. The **Real Options Analysis** item presented a report that provided an update on earlier Real Options Analysis (ROA) work undertaken for the Strategy. ROA is a more advanced form of Cost Benefit Analysis, that includes economic analysis of future option value and the economic benefit of deferring an investment. An updated ROA was prepared to utilise updated and more accurate costings for the interventions proposed by the Strategy, and for managed retreat as the primary alternative option. Using the updated costings did not change the overall outcome of the ROA, which generally aligns with and supports the recommended interventions, at least over the next 20 to 30 years or so.
5. The **Project Managers Report** identified only one key project risk, which is in relation to project timelines. It noted that the decision to defer Strategy notification to August 2024, while necessary, further delayed action under the Strategy while coastal hazards issues continue to present challenges for communities.
6. The **Recent Coastal Events** and **Current Coastal Projects** papers provided an update on the effects of Cyclone Gabrielle on coastal areas covered by the Strategy, and on a range of ongoing coastal hazard-related projects within the Strategy area.

Decision-making Process

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

Recommendation

That Hawke's Bay Regional Council receives and notes the *Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*.

Authored by:

Simon Bendall
Coastal Hazards Strategy Project Manager

Approved by:

Chris Dolley
Group Manager Asset Management

Attachment/s

There are no attachments for this report.

Subject: Report from the Climate Action Joint Committee

Reason for report

1. The following matters were considered by the Climate Action Joint Committee (the Joint Committee) on 14 August 2023 and are now presented for the Council's information alongside any additional commentary the HBRC Joint Committee members wish to offer.

Agenda items

2. The ***Climate Action Joint Committee Terms of Reference update*** item presented an update on amendments to the Terms of Reference that have been made to include an invite to all Post-Settlement Governance Entities to appoint a member. The Terms of Reference have now been adopted by all five partner councils and two PSGEs have appointed members. The Climate Action Joint Committee adopted the Terms of Reference.
3. Principal Analyst Chris Holland from the ***Climate Change Commission*** presented information on national legislated targets for greenhouse gas emissions and setting targets for production of greenhouse gases in the region. Discussion followed on the cost of mitigation activities, the rationale behind using a split gas approach and expected reduction pathways across various sectors of economy.
4. Following the public meeting, members of the Joint Committee present took part in discussions in a workshop setting on whakawhanaungatanga. The acting Chair (NCC councillor Hayley Browne) led the discussions around mana whenua involvement with the committee, self-evaluating climate knowledge for members and planning for a marae-based wānanga for joint committee and TAG members.
5. The papers prepared by TAG on emissions reductions activities in Transport and Waste and on regional emissions target setting were not discussed.

Decision-making process

6. 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.

Recommendations

That Hawke's Bay Regional Council receives and notes the *Report from Climate Action Joint Committee*.

Authored by:

Pippa McKelvie-Sebileau
Climate Action Ambassador

Approved by:

Desiree Cull
Strategy and Governance Manager

Attachment/s

There are no attachments for this report.


Subject: Strategic projects report to 30 July 2023**Reason for report**

1. This agenda item presents the Project Management Office's (PMO) *Strategic projects report to July 2023* for information.
2. HBRC's key strategic projects are tracked by the Project Management Office (PMO) and reported monthly throughout their lifecycle. These projects were selected because of their significance in terms of investment, risks, benefits, and interdependencies.
3. This report is backward looking and reports on activities in the prior month specifically. In line with good project management discipline, particular emphasis is given to scheduling, budgeting and risk management.













Points of note

4. The Farm Environment Management Plans (FEMPs) have been removed from the Strategic Projects report from this month. All Tukituki FEMPs remain current until the next required renewal date of 31 May 2024 as outlined in the RRMP PC6. Due to the impacts of Cyclone Gabrielle and the introduction of the national regulations for Freshwater Farm Plans in June 2023, the decision was made to not require Tukituki FEMPs to be updated until the national regulations become operational and to reduce onerous duplication on landowners. When the national regulations come into effect, eligible properties across the Hawke's Bay will be required to develop and maintain a Freshwater Farm Plan. Next farm plans are not due to start until 2025, with 18 months after this to submit a plan.

Key












Project performance indicators (RAG):  = Off Track  = At Risk  = On Track  = Not available

Status Change over last 6 months: how the status has tracked between November 2022 and May 2023. *Risk status is inherent (e.g. prior to mitigations and controls implemented) vs residual.

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
1. HBRC Recovery Programme (Monthly reporting)					Apr	May	Jun			
				Sch						
				Risk						
				Bud						
Project summary: The Recovery Programme coordinates and tracks recovery planning and community communication and engagement activities across HBRC. This connects and aligns this work under the Hawke’s Bay Regional Recovery framework to support regional coordination of recovery. Under this framework, HBRC will be the lead agency for the Environmental Resilience pou, the supporting agency for the Primary Sector pou, and will input into relevant workstreams under the other pou that will make up the Regional Recovery Plans. This programme will support teams working within this framework during the planning phase and help prepare the organisation for adoption of recovery initiatives into BAU programmes of work.										
Schedule – community engagement for land categorisation feedback is ongoing. As part of the FOSAL process we have been able to release all but two 2C* (8 areas) to category 1 following the completion of the rapid flood protection work. Negotiations between the Crown and councils were concluded and accepted by all councils. Community consultation is the next step, before a cost-share deal can be confirmed. RRA submitted the Regional Recovery Plan and Action Plan to central govt. The cyclone Recovery Unit is now reviewing recovery initiatives within the Action Plan. The development of business cases for recovery initiatives, 2nd edition of the Environmental Resilience Plan and community engagement and planning for transition from recovery back to BAU by end of year is underway.										

Risk - potential misalignment on timing of CRU's review of recovery initiatives against LTP process. Additional funding confirmation needed by October when LTP budgets open. The community's appetite for engagement for the 2nd edition of Environmental Resilience Plan cross over with land categorisation and Category 3 buyouts with TLAs is low. The LTP timeline and process has been escalated to RRA and CRU. We are considering combining with TLA community engagement and LTP consultation to reduce the number of engagements where possible.

Budget - waiting for Crown cost-share offer for future flood protection to be confirmed following TLAs consultation. Ministries are reviewing recovery initiatives and funding options for the region. Additional funding for other key recovery initiatives is unknown at this stage.












Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months					
2. Recovery Claims - Insurance (Monthly reporting)					Apr	May	Jun		
				Sch					
				Risk					
				Bud					

Project summary: This is a project to recover asset and business interruption losses arising from the impacts of Cyclone Gabrielle and how we will maximise recovery of costs to replace assets through our insurance policies.

Schedule – On track. Loss adjusters have been on-site, most recently to our 3 most damaged Pump Stations with their technical engineers.

Risk - AON Risk Consultant is assisting with collating claim information and liaising with Loss Adjustors. This, together with Assets work helps mitigate the risk of operational data not matching financial data.

Budget - A prepayment of insurance of \$4.25m has been proactively given (in April) to HBRC by Insurance.

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months					
3. Recovery Claims - NEMA (Monthly reporting)					Apr	May	Jun		
				Sch					
				Risk					
				Bud					

Project summary: This is a project to recover costs incurred through CDEM response (and HBRC) including response costs for infrastructure.

CDEM – Welfare claims





































- Total CDEM – Welfare costs to date are **\$8.4m and of this we have identified \$5.8m is recoverable.**
- We have claimed \$5.8m to date with NEMA and a further \$580k recoverable via commercial entities, MSD and other councils for on-charging of costs incurred by CDEM on behalf.
- NEMA is currently assessing the most recent claim which was submitted 11 July for \$3.1m so we are yet to understand the full extent of potential recoverability.
- We have been reimbursed by NEMA a total of \$2.7m to date.
- As part of this a 'Special Claim' was submitted to NEMA for the costs that sit outside the s33 criteria but relate to Welfare costs servicing remote communities. These types of costs were not anticipated by the s33 legislation and have occurred due to the widespread impacts of Cyclone Gabrielle in Hawke's Bay. This was a total of \$967k and has been accepted and reimbursed.











































Infrastructure


























































- We are close to finalising the first claim to NEMA for Infrastructure costs. There have been delays in trying to set up new processes and also aligning the financial data with operational information to tell the 'full story' of the damage and repairs to date.
- We have been working closely with the AIP team to understand what will be required for the next stage of asset repairs and funding required across the 780 assets identified as needing repair.
- They have been advised that the asset repair costs are likely to be less than \$180m however, this amount is yet to be confirmed.











































Other response claim

- We intend to collate this once the Business Interruption costs have been claimed via insurance. Further updates pending.

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months							
4. IRG Flood Control & Drainage Programme (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun	
				Sch							
				Risk							
				Bud							
Project summary: Project 1: Heretaunga Flood Control & Drainage Scheme We are reviewing and upgrading flood protection assets across the Tūtaekurī, Ngaruroro, Lower Tukituki and Clive rivers to increase flood protection across the scheme from a 1 in 100 to a 1 in 500-year event. Project 2: Upper Tukituki Flood Control Scheme: Gravel Extraction We are removing gravel from the Upper Tukituki River to improve flood protection in Central Hawke’s Bay. Decreased demand for gravel has seen a build-up of gravel (aggradation). Extracting gravel from the riverbeds helps increase river capacity and reduces the risk of water inundation of neighbouring properties during a flood.											
Schedule - the delay in progress caused by Cyclone Gabrielle and the ensuing repairs has had a significant impact on the programme. Physical works for the Ngatarawa stopbank upgrade have recommenced and are programmed to be completed by the end of November. Risk - work currently underway will not be able to be completed in the current funding window. If funding is not renewed/extended some initiatives will need to be halted prior to completion. The Asset Management Group is in discussions with Kānoa (co-funder) to review the funding deadline and programme extents to identify practical project hold points and funding timeframes. Budget - the programme is significantly underspent. Resourcing, both internally and externally will constrain the programme in the foreseeable future.											
Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months							
5. Kotahi Plan (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun	
				Sch							
				Risk							
				Bud							
Project summary: Developing a combined resource management plan for the Hawke’s Bay region. It will refresh how we manage the use and protection our natural and physical resources looking at all aspects of the environment. This includes land and freshwater, air, the coastal and marine area, climate change, biodiversity, urban form and development, natural hazards and risks, energy, transport, and infrastructure. Kotahi will combine and update the existing Regional Policy Statement, the Regional Resource Management Plan, and the Regional Coastal Environment Plan into one, while also giving effect to the new policies, planning and technical standards from central government.											
Schedule -The Policy and Planning team was engaged in development of the Kotahi Plan prior to the Cyclone. This work has been largely paused while the team engages in the following significant work streams: <ul style="list-style-type: none">• working with Regulatory Implementation, Consents and Compliance staff, the Rural Recovery Team and MfE officials to understand the needs and content for Orders in Council.• supporting the Recovery Manager and team in the development of the Environmental Resilience Plan.• ongoing work with the Rural Recovery and Asset Teams.• providing support to district and city councils community drop-in events• working with the Regional Recovery Agency, territorial authorities, DPMC, Treasury and MfE on the development of Future of Severely Affected Land (FOSAL) Policy.• liaising with other teams and working with MfE, MPI, Gisborne District Council and several Crown Research Institutes.• reviewing regional issues with respect to the impact of Cyclone Gabrielle and assessing options for faster resolution, such as the TANK Land Use Change rules. Risk - as the region focuses on recovery, capacity of mana whenua and the wider community to undertake other business as usual work and engage in freshwater vision, values, and Te Mana o te Wai statement setting has been notably constrained. Should the OIC for the extension for the delivery of the freshwater planning instrument be adopted by Government there will be greater ability to deliver a quality plan which allows Council to continue to work in partnership with iwi. Budget – currently underspent, but on track given the challenges of the Cyclone to progress the work programme. It is envisaged that contracts with PSGEs/taiwhenua will be in place prior to year-end to support the delivery of locality plans incorporating visions and values for freshwater plan development.											

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
6. Land for Life (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: A pilot on up to five farms with loans offered to landowners to plant trees on marginal land that can earn a return and enhance regenerative farming practices. Run in collaboration with The Nature Conservancy (TNC) and the Ministry for Primary Industries (MPI) to accelerate erosion control work and extend the programme to more farms.										
Schedule – The last month has been fully focused on finalising the business case and associated consultation with 25 people from HBRC, The Nature Conservancy and MPI who were involved in the Quality Assessment process. Initial thinking has been applied to roles, responsibilities and costings. Socialising with these partners has started as part of the decision-making process on whether to proceed with the project.										
Risk - key risks include: ability to streamline the farm planning process; funding for implementation and ramping up the project; prioritising/integrating the project with HBRC; and farmer uptake. Mitigation actions include working with HBRC, MPI and TNC through the go/no-go decision process to scale the project. A well-developed (and resourced) implementation plan to scale the project including digital platform for farm planning and extension programme for farmer engagement.										
Budget - the project is tracking under budget with ~\$260k recommended to be rolled over to next financial year. This is needed to complete the business case, work through a go/no-go decision process with MPI, HBRC and TNC, work toward integrating the project with HBRC as a key component of rural recovery and start planning for implementation.										
Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
7. Regional Water Security Programme (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: Investigating water supply options aiming to ensure Hawke’s Bay has long-term, climate-resilient, and secure supplies of freshwater for all. This supports the Kotahi Plan and includes: <ul style="list-style-type: none">exploring above ground, medium-scale water storage options in the Ngaruroro catchment for and on behalf of the communitysetting up a Managed Aquifer Recharge (MAR) trial in Central Hawke’s Bay to determine whether MAR is a viable water storage option and can contribute to water security in the area.we will also work with water users to drive more efficient and effective use to complement water storage following the completion of a comprehensive 40-year Regional Water Assessment.										
CHB MAR: <p>Awaiting final consent decision. All elements have now been dealt with and final reports are being completed for public decision. Communications have been prepared with input from Kānoa, CHBDC and Tamatea Taiwhenua is with HBRC communications for final review/input. Implementation planning is ongoing. Landowner engagement has been ramped up in preparation for the next steps. Restated Funding Agreement for construction funding has been signed by HBRC. We are awaiting final sign off from MBIE.</p>										
Heretaunga Water Storage: <p>Damwatch Engineering, independent technical peer reviewers, are reviewing the Tonkin & Taylor Stage 2 technical study for Option 3 Dam site. Draft findings have been shared and discussed with the project team. Final report due end of August. Landowner briefing conducted in late July with technical lead engineer and lead terrestrial ecologist presenting prefeasibility findings. This session was well attended by the primary-affected landowners and feedback suggests it was received positively. Preparation underway to present prefeasibility findings to Council in a workshop scheduled for 6 September. Submitted loan draw down request for \$200k of Kānoa funding. This is expected to be processed by the end of August.</p>										
Regional Water Assessment (RWA): <p>The final RWA report was discussed with Council in early June and issued for public release at the end of June. A Water Demand Assessment report focused on the Industrial and Territorial water users has been issued and is under review alongside another independent report on potential opportunities for efficiency gains of the Irrigators. Internal discussions have been held over the past 4-6 weeks to better understand current and potential levers already used to manage demand. Draft recommendation report is being prepared for discussion with Executive at the end of the month. Separate funding of \$1M was ear marked in the Long Term Plan to progress priority recommendations.</p>										

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
8. Transport Choices (monthly reporting)					F/M	Apr	May	Jun		
				Sch						
				Risk						
				Bud						
Project summary: HBRC secured funding of \$1.39 million from central government to upgrade eight bus stops in the region and create two new stops. The funding is part of a <i>Transport Choices</i> package included in the Government’s Climate Emergency Response Fund (CERF) led by Waka Kotahi NZ Transport Agency.										
Schedule – shelter design is behind schedule to due to work pressure and staff changes. Currently working through revised (simplified) generic design with HNI. A key date is to finalise the plan and submit designs to Waka Kotahi before the end of September 23. Work being done around revising locations in conjunction with HDC & NCC.										
Risk - greatest risk is failing to get design and costings finalised including public consultation before the end of September. Current timeframe is driving the risk. We are comfortable everything is still achievable. Working with HNI to mitigate and cost, any risk associated with locations.										
Budget - due to simplifying design the budget is tracking to or ahead of expectation. This may be offset by the need to make the shelters relocatable which may be required due to a June 24 completion.										
Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
9. Revenue & Financing Policy/ Rates Review (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: First principles review of our Revenue and Financing Policy, and full review of our rating system. The aim is to improve transparency for who pays what, ensure legal compliance, simplify the Policy and provide more flexibility in applying the Policy. Consultation is planned to take place towards the end of 2023 prior to the next Long Term Plan when the amounts rated for many Council services will likely change.										
Schedule – the project is on schedule with one workshop on rating for rivers and stream maintenance and CDEM with councillors completed in July. There are five more workshops in Step two before a new Revenue & Financing Policy consultation document is adopted.										
Risk – the main risk remains the reliance on one or two people for the modelling. Still looking for an interim to come in and take charge of the excel modelling.										
Budget - the budget for this project is resourced from existing Finance budget. An external contractor has been engaged to facilitate the workshops and process.										
Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
10. Emissions Reduction Plan (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: Development of an inaugural Regional Emissions Reduction Plan by July 2023 with broad community involvement, support, and engagement, which will integrate with the next long term plans of the region’s councils. The Emissions Reduction Plan will be informed by a greenhouse gas emissions inventory to establish the carbon footprint at the city, district, and regional level. A first for Hawke’s Bay.										
Schedule – the Emissions Reduction Plan was to be presented at the first meeting of the Joint Action Committee Meeting on 22 May but it was deferred until the meeting of 14 August. Initially four chapters of actions that had been developed were to be presented but there were concerns that mana whenua had not been involved in the development of the actions. Consequently, the papers presenting two chapters (Transport actions as endorsed by the Transport committee) and Waste actions (as endorsed by Waste Minimisation Officers from TAs) were proposed as Workshop papers to the Joint Committee. However these were not discussed as the workshop was dedicated to whakawhanaungatanga. There was a concern that mana whenua had not been involved in the development of actions (due to capacity) and were not present at the committee meeting.										
Risk – the risk is that climate action is going to be delayed and not included in LTPs for this cycle. Genuine mana whenua engagement at Governance and TAG levels has been difficult to achieve since the beginning of the process of developing actions. The outcome of their recent joint committee is to host a wānanga in October for committee and TAG members. We are actively seeking mana whenua involvement on TAG.										
Budget – on track										

Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
11. Enterprise Asset Management (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: Aims to embed an Asset Management Information System that integrates into and expands on the Enterprise Resource System (ERP) that was introduced during the Finance Upgrade Systems & Efficiency (FUSE) project. The goal is to improve efficiency, allowing us to confidently identify assets (both spatially and uniquely within a register), manage and maintain our current infrastructure through whole-of-life, and assess risk to determine when changes or additions are required.										
Schedule – project schedule is on track. Work continues on the design of the Work Model & Product Lifecycle Management. Asset Register moved to pre-production with testing completed for CAB sign-off into production.										
Risk – financial architecture issue unresolved and escalated to the Steering Group. Possible resolution being assessed by project team with assistance being requested from TechOne and Attura Consulting Teams. Work System design will be held up if resolution is not found in August.										
Budget - on track.										
Project/Programme Title	Schedule	Risk*	Budget	Status Change over last 6 months						
12. Synergy (Monthly reporting)					Dec	Jan	F/M	Apr	May	Jun
				Sch						
				Risk						
				Bud						
Project summary: The enhancement of already implemented TechnologyOne modules to ensure a stable foundation for the future stages of the TechnologyOne ERP deployment at HBRC.										
Schedule - AP: Implementation of ABBYY Vantage going well. Training complete and the launch planned for 21 August. Creditor work still ongoing - more complex than initially thought. Payroll: Audit is underway and we should have the report available in August with recommendations which will be used to close workstream. Legacy Apps: NAV Viewer has been tested and accepted by Finance. We are now planning comms and decommission plan for legacy apps with the exception of Asset Management related items which will be revisited post SEAM go live. Other: WalkMe Implementation is underway - we are very excited about the impact this tool could have on our organisation to enable improved adoption and engagement with new systems and processes.										
Risk - limited resource continues to be a risk. Finance resource essential for defining reporting requirements which may be brought forward as a workstream.										
Budget - on track. ABBYY, WalkMe and Atturra consulting within budget.										
Note: ABBYY = OCR (optical character recognition) tool used by Finance to scan and read information from invoices / credit notes and update TechOne.										
WalkMe = digital adoption / training / change management tool to trial with TechOne. Simplifies software usage by overlaying instructions & automating some steps.										

Key Strategic Projects - pipeline		
Title	Group	Estimated Start
Freshwater Farm Plans (formerly Farm Environment Farm Plans)	Policy & Regulation	July 2024
Regional Water Efficiency Programme (Future Water Use)	Asset Management (Water Security)	TBC
Biosecurity Information System	Integrated Catchment Management	TBC
Clive River Dredging 2030	Asset Management (Regional Assets)	TBC
On Demand Public Transport (Napier trial)	Policy & Regulation (Transport)	TBC
Urban Catchment Plans (Te Karamū & Ahuriri)	Asset Management (Regional Assets)	TBC

Decision-making Process

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

Recommendation

That Hawke's Bay Regional Council receives and notes the *Strategic projects report to 30 July 2023*.

Authored by:

Sarah Bell
Team Leader Strategy and Performance

Jason Doyle
Project Manager Policy & Planning

Approved by:

Desiree Cull
Strategy and Governance Manager

Attachment/s

There are no attachments for this report.

Subject: Significant organisational activities through September 2023**Reason for Report**

1. The following commentary is for councillors' information to highlight significant areas of Council activity, particularly in recovery from Cyclone Gabrielle. Resources are directed toward various initiatives which reflect the Council's evolving agenda, and it is important that Council is consistently informed of progress in areas that have created or may create a high external profile.

Significant activities by group

Asset Management Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Napier urban waterways	<ol style="list-style-type: none"> 1. A review of the Awatoto and Pakowhai Drainage Areas has commenced using a consultant. 2. It is expected that the outcome of the review will be completed by the end of October. 	Regional Assets
Wairoa	<ol style="list-style-type: none"> 3. Scheme reviews are being carried out on Opoho and Ohuia schemes by PDP. 4. A hydrological review of the Mahanga wetland and stream is underway, also by PDP. 5. The Silt Taskforce has set up a specific team in Wairoa to manage woody debris. This is focusing on 4 areas – Wairoa, Mohaka, Mahia and 12 bridge sites. 6. Ohuia PumpStation screen renewal and culvert repair in progress. 7. Ohuia and Kopuawhara Scheme ratepayer meetings scheduled for September and October 2023. 8. A team has been formed by HBRC and WDC staff to explore flood resilience in Wairoa. This has now been incorporated into the land categorization process and is working to help facilitate the optioneering of design solutions. 	Operations / Regional Assets
Central Hawke's Bay	<ol style="list-style-type: none"> 9. Waipawa River at SH50 scour and erosion repairs are in progress, including bridge abutment repair by NZTA. Discussions are underway with NZTA regarding funding for river work upstream of the SH50 bridge, to ensure that the Waipawa River maintains its alignment. 10. Makara Dam #4 – dewatering is ongoing to allow outlet repair and desilting to be undertaken. This work has been assigned to the Regional Projects team, project manager has been assigned. 11. Upper Tukituki Scheme Review is underway. T&T are conducting the review. A meeting has been set up with CHBDC to develop the final scope of the review. 	Operations / Regional Assets
Napier Meeanee NCC MOU	<ol style="list-style-type: none"> 12. PDP has been engaged by NCC. 	GM
Gravel extraction	<ol style="list-style-type: none"> 13. Gravel extraction authorisations for 2023-24 year are being processed including within the Tukituki River Controlled Area Notice (CAN). 14. Next Catchment Tangata Whenua Gravel Operational Group Hui proposed for September/October 2023. 	Operations

Asset Management Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Hastings Karamu Scheme Review	<p>15. The scheme review is on hold.</p> <p>16. The HPFC scheme review is underway. T&T are conducting the review. Elements of the Karamu will be reviewed as part of the HPFC scheme review.</p>	Regional Assets
Cyclone Gabrielle Response	<p>17. All breaches on the Tūtaekurī and Ngaruroro rivers have been completed. The work programme now consists of scour repairs and work packages for river management works. This work is progressing well with all scours in the Heretaunga Plains likely to be completed by October, weather permitting.</p> <p>18. Breach and scour repairs in Central Hawke's Bay are well advanced with one remaining breach site having been delayed due to wet weather and high river levels. Several breach sites that were on hold awaiting technical review have been released and work is now underway on these repairs.</p> <p>19. Further Asset inspections have been carried out, and the inspections analysed and prioritised.</p> <p>20. Work is continuing to scope and develop the work packages and add costings to each.</p> <p>21. So far 1678 inspections have been completed and 124 work packages developed. 78 of these have been scoped and 46 are with delivery partners.</p> <p>22. A review of the pumpstations at Pakowhai, Mission and Brookfields is underway, as noted above. The outcome of the review will inform future development around those pumpstations.</p> <p>23. The drain silt excavation programme is in progress; currently working in the Moteo area including retaining wall construction.</p> <p>24. Asset Management maintenance contracts 2023-24 have been finalised.</p> <p>25. Wood waste removal from the rivers is being coordinated through the taskforce.</p>	Regional Assets/ Operations
Regional Parks	<p>26. Pekapeka: Main carpark is open to the public, however, major damage to boardwalks still requires repair.</p> <p>27. Tūtira: Still closed due to significant damage and access issues due to blocked outlet. Working with MPI/HBRC Science.</p> <p>28. 2023 Community Planting Days: Pukahu / Karamu - Bostock's on Saturday 26 August 2023 at 11am.</p> <p>29. Hawea Historic Park planting plan has been developed and endorsed by the Committee for implementation – planting was undertaken in July.</p>	Regional Projects/ Operations
Cycle Networks	<p>30. A second Managing Great Rides (MGR) Extreme Events application for \$1,925,570 was made to MBIE in June – to cover damage for med/long-term repairs to 30% of the network still closed with stopbank damage, slips or bridges destroyed, and for some resilience work. Repairs will be coordinated with TAs, NZTA and KiwiRail. The med/long term phases of repair include Waitangi to Fernhill/Taradale, Waimarama/Karamu repairs and the Long Puketapu Loop.</p> <p>31. Lagoon farm pathway renewal project is under way through Works Group in preparation for HB Marathon on Saturday 26 August 2023.</p>	Regional Assets / Operations

Integrated Catchment Management Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Hill Country Erosion Fund (HEF)	32. Development of HCE learning modules initiated 33. 2019-23 data review and feedback document completed for MPI 34. HCE Governance group still to be established.	Catchment Management
Soil Conservation Nursery	35. Nursery site visits in CHB and Gisborne.	Catchment Management
Erosion Control Scheme	36. Erosion control planting will be finishing up this month and CA's will start inspections of these plantings as well as developing next winter's planting programmes on farm. 37. Deed of variation signed with MfE extending our 'shovel-ready' riparian fencing project. This will allow the PWERF project underspend (\$165k) to be used toward repairing damaged riparian fencing. 38. Scheduled review of ECS policy documentation commencing. 39. MAPPi poplar and willow pole app trial underway – this is a mobile phone App developed in-house that lets landowners record the location and variety of ECS funded poplar and willow poles.	Catchment Management
Hydrology and Water Quality	40. Telemetry sites continue to be rebuilt and/or upgraded to provide reliable data during storms. Digital mobile radios will be installed in the southern area to give better coverage. 41. More camera sites will be installed to show river conditions and heights at selected sites and the data put onto HBRC web. 42. Water Quality and Ecology team will continue its extra sampling to accurately define changes in streams and rivers.	Environmental Information
43. Science	44. A project with Plant and Food Research to test the survival rate of horticultural plant pathogens after composting has been completed and a report produced. Composting diseased plant material may be an alternative to burning as all tested pathogens did not survive. 45. Monitoring air quality (PM2.5) across Wairoa using a network of 20 low-cost sensors was undertaken in July. This should provide insights into the spatial variation of air quality once the data is quality checked and spatial maps produced by the end of September. 46. Science team and flood modelers are continuing to work with NIWA to undertake flood frequency analyses for Cyclone Gabrielle, funded by the MBIE Extreme Weather Science Fund. The analyses will produce annual exceedance probabilities for the region's waterways pre-cyclone and post-cyclone to help guide recovery and rebuild. 47. Contracts for the complete Hawke's Bay LiDAR flights are well underway with this contract being managed by NIWA. 48. Work continues on the integrated ecological assessments of rivers, lakes, marine and terrestrial ecosystems.	Environmental Science
Biosecurity	49. Alligator weed - Lake Whatumā. Containment boom installed at lake outlet with promising results thus far. 50. Contract signed for CNG review with contractor. 51. The Biosecurity team is gearing up for the 2023 rook season. A survey will be carried out across the region to identify rookery locations prior to carrying out aerial control. 52. Our contractor has started servicing the bait station networks within our river berm corridors. This will be a work in progress over the next 2 to 3 months.	Biosecurity

Integrated Catchment Management Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Biodiversity and Priority Ecosystems	<p>53. All completed and planned projects within the <i>Priority Ecosystem</i> and <i>Protection and Enhancement</i> programmes are being assessed for damage and feasibility of repair from the impacts of the cyclone. This work is being prioritised and underway.</p> <p>54. Planning for the ground truthing of the region's priority ecosystem sites has been completed with a consultant engaged and site visits will begin soon.</p>	Biodiversity
Community Engagement	<p>Rural Recovery Team</p> <p>55. Rural Recovery Team (RRT) delivery of Community Engagement events and workshops in collaboration with Rural Advisory Group and Territorial Authorities.</p> <p>56. HBRC RRT worked closely with MPI to organise and coordinate a series of five Rural Recovery workshops under the banner of the Hawke's Bay Rural Advisory Group (RAG – HBRC, MPI, B+LNZ, Federated Farmers, Rural Support Trust, DairyNZ).</p> <p>57. Workshops covered information and advice for dealing with erosion, plant and tree selection for remedial work, and presentations by farmers affected by other flood and extreme weather events (Chris Allen Mid-Canterbury Floods 2021, Andrew Stewart Rangitikei farmers 2004 and 2015)</p> <p>58. RRT members have been attending Hastings District Council Community Hub events in Waikare/ Putorino, Kereru and Pukehāmoamo. The collaborative approach enabled communities to engage across a range of issues.</p> <p>59. RRT has identified the primary focus at Community Hubs/Groups events has been communication (lack of), roading and infrastructure. Communities share that they continue to feel isolated through gaps in communication and surety of support.</p> <p>60. Rural communities of mostly commercial farmers and networks, engaged through workshops and catchment groups raised issues relating to land use recovery and remediation.</p> <p>61. Rural Advisory Group has remained active, although as members have reverted to their business priorities and differing customer groups, the foundation principle of RAG as a network of network has remained intact. Meeting frequency has shifted from weekly to currently fortnightly and is about to shift to monthly.</p> <p>62. Horticulture Advisory Group has received strong industry support from NZ Apples & Pears Industry and funding from MPI. Primary focus has been in communicating to affected landowners support packages from government and seeking funding from MPI NIWE to engage specialist advisors to work with affected Horticulture business in recovery actions.</p>	Rural Recovery

Integrated Catchment Management Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Resilient Land Businesses	<p>63. An in-depth case study of a multi-faceted Horticulture Business has been completed and is currently awaiting internal review. This review was conducted by AgFirst and will provide a deep understanding of full costs and recovery prioritisation.</p> <p>64. A contracted Land Recovery Advisor (short term contract) has started with HBRC to respond to land use/recovery questions from landowners. The objective of the role is to work with landowners who have contacted HBRC through the 0800-line seeking guidance on land use recovery operations (soil remediation, contouring, removal, planting, and water protection planning).</p> <p>65. Contracted Rural Recovery Advisors (short term contract) have been engaged in Northern and Southern Regions to work with and support community and catchment groups dealing with increased engagement events as part of post-cyclone recovery.</p>	Rural Recovery

Policy and Regulation Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Plan Change 9 (TANK plan) appeals	<p>66. HBRC has commenced proceedings with the Environment Court and appellants in relation to preliminary matters and order of topics for mediation. There are sixteen appeals and over 600 individual appeal points. There are 25 parties that have joined as interested parties to one or more of those appeals.</p> <p>67. Planning staff are revising appeal point topic allocations following an instruction in July 2023 by the Environment Court. Dates for Court-assisted mediation sessions are yet to be scheduled.</p>	Policy
Plan Change 7 (Outstanding waterbodies) appeals	68. Four appeals were lodged with the Environment Court. The Court has scheduled a hearing to commence on or after 20 November 2023. The Court has also set a timetable for parties to exchange evidence. HBRC circulated its expert evidence on 11 August 2023. Appellants need to circulate their respective experts' evidence in mid-September. An Environment Court hearing date at end of 2023 is now unlikely. The Court is scoping possible hearing dates in Feb-April 2024.	Policy
Napier-Hastings Future Development Strategy (FDS)	69. A meeting of the FDS Joint Committee was held on 11 July 2023. Refer to 26 July 2023 Council meeting agenda for report and recommendations from that meeting.	Policy
Ngaruroro River Water Conservation Order (WCO) High Court appeal	70. High Court appeal hearing was scheduled to commence on 8 May 2023 but cancelled pending clarification from one of the parties about their status and interests in proceedings. New High Court hearing date is yet to be confirmed.	Policy

Policy and Regulation Group		
Project /Activity description	Significant upcoming milestone(s)	Team or Section
Spatial Planning Act and Natural and Built Environment Act passing into legislation	<p>71. Spatial Planning Act (SPA) and Natural and Built Environment Act (NBA) received Royal Assent during week beginning 21 September 2023. A limited number of provisions have immediate effect from 'Day One' of the NBA coming into effect. Senior leads in the Policy and Regulation Group are familiarizing themselves with provisions that have immediate effect in the NBA and consequential amendments to the RMA. The RMA is not immediately repealed. It continues to have effect until a new combined plan for a region is made under the NBA (this may be up to 7-10 years away).</p> <p>72. Some work to understand and implement these new provisions is likely to be collaborative with the other regional councils and unitary authorities (through the Te Uru Kahika network).</p>	<p>Consents</p> <p>Compliance and Enforcement</p> <p>Policy Planning</p> <p>Policy Implementation</p>

Decision Making Process

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

Recommendation

That the Hawke's Bay Regional Council receives and notes the *Significant organisational activities through September 2023* staff report.

Authored by:

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Approved by:

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Chris Dolley
Group Manager Asset Management

Iain Maxwell
Group Manager Integrated Catchment
Management

Attachment/s

There are no attachments for this report.

Subject: Confirmation of Public Excluded Minutes

That Hawke's Bay Regional Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 19 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
Cost-share Agreement with Central Government	<p>s7(2)(g) 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 maintain legal professional privilege</p> <p>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)</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

Authored by:

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Team Leader Governance

Approved by:

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Strategy and Governance Manager