



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

Minutes of a meeting of the Regional Council

Date: Wednesday 27 September 2023

Time: 1.30pm

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

Present: Cr H Ormsby, Chair
Cr W Foley, Deputy Chair
Cr X Harding
Cr T Hokianga
K Kawana, Māori Committee Co-chair (*online from 2.20pm*)
Cr N Kirton (*on line*)
Cr C Lambert
Cr J Mackintosh
Cr D Roadley (*on line*)
Cr S Siers
Cr J van Beek
Cr M Williams

In Attendance: N Peet –Chief Executive
P Munro – Te Pou Whakarae
J Kingsford – Manager Regional Projects
S Young – Executive Officer Recovery
Captain M Moore - Harbourmaster
K Brunton – Group Manager Policy & Regulation
A Siddles – Acting Group Manager Corporate Services
C Comber – Chief Financial Officer
P Martin – Senior Governance Advisor

1. Welcome/ Karakia/ Apologies/ Notices

The Chair welcomed everyone and Councillor Charles Lambert led the group to open the meeting with a karakia.

2. Conflict of interest declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Council meeting held on 30 August 2023

RC72/23 **Resolution**

Minutes of the Regional Council meeting held on Wednesday, 30 August 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Hokianga/Mackintosh
CARRIED**

4. Call for minor items not on the Agenda

There were no items raised

5. Report and recommendations from the HB Civil Defence Emergency Management Group Joint Committee meeting

Nic Peet introduced the item, which gives the Council visibility of the joint committee's work, and discussions covered:

- The Long Term Plan (LTP) process will provide Councillors with the opportunity to consider funding for the CDEM Group in detail.
- The current \$3m deficit is the result of costs incurred during emergency events over the past three years including COVID 19 response.
- As prescribed by the CDEM Act, HBRC is the administering authority for HB CDEM Group with responsibilities including setting funding /rates to meet the Group's running costs to ensure that the Group can provide services to the HB community. CDEM Group staff are HBRC employees and the CDEM Group Controller/Manager reports to the HBRC CE. HBRC influence is over activities directly delivered by HBRC only.
- Oversight of HB CDEM Group operations is overseen by the Chief Executives of all HB councils (Coordinating Executives Group) and Governance provided by the CDEM Group Joint Committee.
- A National CDEM Review is under way, and may recommend changes to the CDEM structure however the HB CDEM review will not influence any legislative or structure change.
- The Emergency Management Bill, which proposes structure and governance changes, is currently in the Select Committee stage with submissions being accepted until 3 November 2023. The Select Committee report is due 28 December 2023 with the Bill expected to be passed into legislation early in 2024.

RC73/23 **Resolutions**

That Hawke's Bay Regional Council receives and considers the *Report and recommendations from the HB Civil Defence Emergency Management Group Joint Committee meeting*.

**Siers/Harding
CARRIED**

6. Affixing of Common Seal

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

		Seal No.	Date
1.1	Staff Warrants		
	1.1.1 P. Duncan R. Patil <i>(Delegations under Resource Management Act 1991 (Sections 34A(1) and 38(1); Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908; Civil Defence Emergency Management Act 2002 (s.86-92) and Local Government Act 2002 (Section 177))</i>	4554 4559	7 September 2023 13 September 2023
	1.1.2 P. Campbell <i>(Delegations under Resource Management Act 1991 (Sections 34A(1) and 38(1))</i>	4555	7 September 2023
	1.1.3 D. Griffin <i>(Delegations under Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908</i>	4556	7 September 2023
	1.1.3 S. Courtnell <i>(Delegations under the Biosecurity Act 1993 (Sections 103 and 105)</i>	4557	8 September 2023
	1.1.4 J. Lese <i>(Delegations under the Civil Defence Emergency Management Act 2002 (s.86-92 inclusive)</i>	4558	12 September 2023

RC74/23 Resolutions

That Hawke's Bay Regional Council:

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

**Foley/Mackintosh
CARRIED**

7. Report and recommendations from the Corporate & Strategic Committee

Nic Peet introduced the item, which was taken as read. A query was made as to whether casual staff turnover could be included in the staff turnover data provided in the Quarterly Organisational Performance report.

RC75/23 Resolutions

That Hawke's Bay Regional Council:

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

2023 Navigation Safety Bylaw approval for consultation

3. Delegates authority to the Group Manager Policy and Regulation to make any required minor amendments or edits to the document prior to publication and the start of engagement.
4. Adopts the proposed 2023 Navigation Bylaw for public consultation 29 September to 29 October 2023.

Debt Drawdown

5. Delegates borrowing up to the 2023-2024 Annual Plan total debt amount of \$134.6m to the Hawke's Bay Regional Council Chief Executive and Group Manager Corporate Services, noting that further delegation over and above this level, if required, will be a Council decision.

**Harding/Williams
CARRIED**

8. 2022-2023 Carry forwards

Nic Peet introduced the item, which was first considered by the 20 September Corporate and Strategic Committee, where councillors sought reconsideration of the Kotahi and Māori partnerships budgets. It was noted that future budget considerations for the Kotahi project will be managed directly with Council rather than through the carry forward process, and the carry forward for 2022-2023 to 2023-2024 has been reduced by \$700,000.

RC76/23

Resolutions

That Hawke's Bay Regional Council:

1. Receives and notes the *2022-2023 Carry forwards* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Approves the carry forward of all expenditure requests from the 2022-2023 to the 2023-2024 budget, being:

Operating expenditure carry forward requests

Activity / Project		Amount Requested	Source of funds			
			General	Reserve	External	Debt
<i>Integrated Catchment Management (ICM)</i>						
1	Biodiversity	\$429,000			\$229,000	\$200,000
2	Predator Free Hawkes Bay	\$423,000			\$423,000	
3	Land for life	\$277,000		\$277,000		
4	Environmental Science data models	\$502,000				\$502,000
5	Environmental Enhancement Programme	\$320,000	\$208,000		\$112,000	

6	Land research & investigations	\$99,500			\$99,500	
Asset Management						
7	Central & Southern Rivers – flood protection	\$30,000	\$ 3,750	\$26,250		
8	Regional Water Security	\$3,500,000		\$3,500,000		
Governance & Partnerships						
9	Tangata Whenua Partnerships	\$450,000	\$450,000			
Policy & Regulation						
10	Kotahi (policy & planning)	\$1,050,000	\$1,050,000			
Transport						
11	Passenger Transport	\$763,000			\$763,000	
Corporate services						
12	Software-as-a-service development	\$500,000				\$500,000
Total		\$8,343,500	\$1,711,750	\$3,803,250	\$1,626,500	\$1,202,000

Capital expenditure carry forward requests

Activity / Project		Amount Requested	Type of funding		
			General	Reserve	Debt
Integrated Catchment Management (ICM)					
1	SOE Ground water monitoring drilling	\$275,000		\$208,000	\$67,000
2	Enviro info technical equipment	\$102,000		\$102,000	
Asset Management					
3	Flood protection schemes	\$397,000		\$397,000	
4	Flood risk assessment & warning	\$113,000	\$113,000		
5	Forestry	\$45,000		\$45,000	
6	Regional cycleways	\$115,000	\$115,000		
7	Regional Parks	\$707,000			\$707,000
8	IRG – HPFCS and gravel extraction	\$1,101,000		\$212,000	\$889,000
Corporate Services					
9	Office renovations (including furniture & fittings)	\$730,000		\$164,000	\$566,000
10	Radio network	\$44,000		\$44,000	
11	ICT network & equipment	\$72,500		\$72,500	
12	Aerial Imagery (GIS)	\$104,000			\$104,000
Total		\$3,805,500	\$228,000	\$1,244,500	\$2,333,000

4. Notes that officers may come back to Council to approve bringing forward some LTP funding if required to maintain momentum in the delivery of tangata whenua engagement regarding te mana o te wai.

Williams/Kirton
CARRIED

9. Strategic Projects report to 31 August 2023

Nic Peet introduced the item, which was taken as read. Discussions covered:

- HB councils are still negotiating with the Government for additional funding for silt and debris removal. Funding received to date is around half of what was sought and council's

have no capacity to fund this work themselves.

- Some 330-350 land categorisation reassessments completed, usually on the edges of category two and three areas. Next week the HBRC land categorisation process will be completed and all related technical assessment information made available online. The start of the voluntary land buyout process by Hastings District and Napier City councils will begin early October. Any challenges to the categorisation decisions will be dealt with on a case-by-case basis.
- The 2nd edition of the Environmental Resilience Plan is commencing with councils working together to minimise the number of community meetings and instead use online opportunities wherever possible.
- Gravel extraction in Upper Tukituki is being undertaken by private commercial entities as well as by HBRC. The IRG funded extraction programme, tranche 3 is currently out for tender, with main challenges being low river levels and good weather to allow the extraction to be carried out. Staff are applying to Kanoa for a variation to extend the contract deadline.

Katarina Kawana joined the meeting online at 2.20pm

RC77/23

Resolution

That Hawke's Bay Regional Council receives and notes the *Strategic projects report to 31 August 2023*.

**Williams/Mackintosh
CARRIED**

10.

Significant organisational activities through October 2023

Nic Peet introduced the item, which was taken as read. Discussions covered:

- The independent review of the HBRC flood control, drainage schemes and river management response to Cyclone Gabrielle is underway and public input is being managed by the review panel in order to maintain its independence. The findings from the independent review will be fed into the technical flood scheme reviews.
- The Tukituki and Heretaunga flood scheme reviews are technical reviews of the schemes' performance and what betterment might look like. These technical processes will not involve public input other than the findings of the independent review, and will be carried out by external consultants, e.g. Tonkin + Taylor.
- Pathways network repairs are about to commence, and the funding approved is strictly for cycling purposes. Staff are aware that the horse riding community is looking for opportunities for more pathways they can use and more land alongside rivers on berms has been suggested for that purpose, instead of 'shared' pathways.
- The tangata whenua gravel extraction group has been established as a requirement of the global gravel extraction consents and is managed through the gravel assurance team with assistance from the Māori Partnerships team.
- The primary concern with silt dust is one of public health which Te Whatu Ora has responsibility for. HBRC has responsibility for silt management on public sites where we are managing it and will provide support to Te Whatu Ora. Planting is not feasible for much of the land where silt has been deposited.
- The burning of horticultural waste under the OIC was successful largely thanks to landowners carefully separating potentially toxic waste items, with only one site receiving complaints.

RC78/23

Resolution

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

**Siers/van Beek
CARRIED**

11. Discussion of minor items not on the Agenda

There were no minor items raised.

The Chair and Chief Executive acknowledged the service to the Council and the community provided by Pieri Munro, Te Pou Whakarae, as his employment with the Council nears its end.

12. Recommendation from the Corporate & Strategic Committee – HBRIC Chairperson appointment

RC79/23 **Resolution**

That Hawke’s Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 12 Recommendation from the Corporate & Strategic Committee – HBRIC Chairperson Appointment, 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
Recommendation from the Corporate & Strategic Committee - HBRIC Chairperson Appointment	s7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Mackintosh/Lambert
CARRIED**

The meeting moved into public excluded session at 3.08pm and out of public excluded session at 3.10pm

Councillor Charles Lambert led a closing karakia.

Closure:

There being no further business the Chair declared the meeting closed at 3.11pm on Wednesday, 27 September 2023.

Signed as a true and correct record.

Date: by HBRC resolution 25 October 2023

Chair: Hinewai Ormsby