



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

Minutes of a meeting of the Hawke's Bay Regional Council

Date: 26 June 2024

Time: 12.30pm

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

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

In Attendance: N Peet –Chief Executive
T Munro – Te Pou Whakarae
S Young – Group Manager Corporate Services (*online*)
K Brunton – Group Manager Policy & Regulation
L Hooper – Team Leader Governance (*online*)
R MacLeod –Regional Economic Development Agency
L Laitinen – HB REDA
S Gudsell – Policy Planner
P Barrett – Consents Manager

1. Welcome/Karakia/Apologies/Notices

Councillor Sophie Siers, Chairing the meeting due to the absence of Hinewai Ormsby and Will Foley participating online, welcomed everyone and Mike Paku offered a karakia to open the meeting.

Resolution

RC50/24 That the apologies for absence from councillors Hinewai Ormsby, Thompson Hokianga, Charles Lambert and Martin Williams be accepted.

Harding/Siers
CARRIED

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3 Call for minor items not on the Agenda

Recommendations

That Hawke's Bay Regional Council accepts the following *minor items not on the agenda* for discussion as item 9.

Topic	Raised by
Matariki fires	Cr Xan Harding
Dangerous dams	Cr Will Foley

4 Public Forum

There were no speakers.

At the Chair's invitation, Dr Nic Peet, HBRC Chief Executive, provided an update on the current weather event, including:

- A significant low pressure system has deepened and delivered more rain than was predicted, combined with 3.5+ metre swells, flooding southern parts of Wairoa.
- Parts of Haumoana and Te Awanga inundated due to erosion.
- Wairoa and the Heretaunga ward of Hastings District have declared a local state of the emergency.
- Water now receding and swells dropping however will need to remain vigilant at high tide.

5 Regional Economic Development Agency update

Councillor Sophie Siers welcomed Lucy Laitinen (CE) and Alasdair MacLeod (Chair) of REDA.

Dr Peet briefly outlined this history of REDA and reminded Council of its decision in 2021 to jointly fund REDA.

- Alasdair MacLeod outlined the development of Matariki - the most comprehensive Māori and non-Māori partnered economic development strategy in the history of NZ. The vision of the strategy is that every household and every whanau would be actively engaged in contributing to and benefiting from the HB economy.
- REDA was finally incorporated in September last year, the Charter was signed off in February 2024, and the first letter of expectation was signed off on Monday.
- Local councils, Post Settlement Government Entities (PSGEs) & Ngati Kahungunu, the HB Chamber of Commerce and Māori Business Network (Chaired by Tania Eden) are the 14 shareholder entities.

- Roles of REDA include operating Te Rae (ex business-hub) however the main focus will be in the areas of thought leadership.

Tania Hopmans arrived at 1.14pm

- The next 12 months is critical, large volume of work to redesign the constitution and get Matariki working effectively.

RC51/24 **Resolution**

That the Hawke's Bay Regional Council receives and notes the *Regional Economic Development Agency update* report.

**Siers/Kirton
CARRIED**

6 Dangerous dams, Earthquake-prone dams and Flood-prone Dams Policy adoption

Nic Peet introduced the item noting that the March 2024 Environment and Integrated Catchments Committee meeting had tasked him with writing to MBIE to ask for extension due to Cyclone Gabrielle. Saul Gudsell spoke to the item and highlighted:

- Height and volume thresholds were updated in the consultation document to match the final MBIE thresholds the day before consultation opened.
- There were no submissions received by Council during the consultation.
- For this technical policy, direct engagement with dam owners in the region was undertaken prior to the public-consultation period and again during the consultation period to ensure that those directly affected were aware of the Policy and the Building Act requirements.
- The Policy is governed by the Building Act and there is no option for councils to opt out or counter the requirements with different regulations or by-laws.
- Review of the dam safety regulations was initiated by government in 2015 and engagement by councils through the process has been ongoing.

RC52/24 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the proposed *Policy on dangerous dams, earthquake-prone dams and flood-prone dams 2024* adoption staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Adopts the Policy on dangerous dams, earthquake-prone dams and flood-prone dams for notification.

**Harding/Mackintosh
Foley abstained
CARRIED**

7 Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024 – Delegations

Paul Barrett spoke to the item, which was taken as read, highlighting that independent commissioners must be appointed to consider and make decisions on the consent applications for the flood protection works in eight specified areas under the Order in Council. Discussions covered:

- The work is already determined as Controlled Activity so consent must be granted. The single commissioner will decide consent conditions using this streamlined process for both regional and territorial works.

- In response to a query about using Māori commissioners due to at least 6 of the 8 sites being of particular significance to Māori, staff advised that they had been unable to secure any Māori commissioners due to availability during the constrained time period.
- Once an application is received, Council has 30 working days within which the commissioner must make and issue their decision and the process can not be paused to seek more information from the applicants.
- Staff are happy to take recommendations from PSGE and Taiwhenua representatives and, subject to the agreement of the TAs, add any Māori commissioners who are available to the pool of commissioners by way of a further paper to the July Council meeting.

RC53/24 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the *Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024 – Delegations* 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. In relation to resource consent applications made under the Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024, agrees to delegate the following duties, functions and powers:
 - 3.1. *in relation to a resource consent for flood protection works:*
 - 3.2. *consideration of an application under section 104 of the RMA*
 - 3.3. *decision to grant a resource consent under section 104A(a) of the RMA:*
 - 3.4. *imposition of conditions on a resource consent*
 - 3.5. *giving of notice of its decision under section 114 of the RMA.*

to the independent commissioners listed:

 - 3.6. Janeen Kydd-Smith (Sage Planning)
 - 3.7. Philip McKay (Mitchell Daysh Ltd)
 - 3.8. Alison Francis (Bay Planning Ltd)
 - 3.9. Rob van Voorthuysen (vVEnvironmental Limited).

**Kirton/van Beek
CARRIED**

8 Summary report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Councillor Jerf van Beek introduced the item as Chair of the Joint Committee. Discussions covered:

- Work on the strategy began in 2014 and is now at a critical stage with decisions required on its implementation, including how any interventions will be funded.
- HDC has agreed to apply for a resource consent to build a permanent structure in front of Te Awanga lagoon using an Ecoreef solution, which was presented to the 14 June joint committee meeting. The meeting recording is available via the HBRC website for anyone interested in learning more about the issue and proposed solution.

RC54/24 **Resolution**

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

9 Discussion of minor items not on the Agenda

Topic	Raised by
Matariki fires. Cr Harding noted his long history as volunteer firefighter and his love of a good bonfire on the beach. As a community we have agreed to have fires on Saturday to celebrate Matariki. He raised the specific risks associated with driftwood, including that burning wet driftwood produces dioxins (wet salty wood produces 100x more dioxins than dry untreated timber). Thankfully a lot of driftwood has been cleaned-up recently. We do have air monitoring but raised today as known risk.	Cr Xan Harding
Dangerous dams – addressed in item 6	Cr Will Foley

To close the meeting, and in keeping with Matariki, Mike Paku gave a mihi to the families of the three fishermen who lost their lives.

Closure:

There being no further business the Chair declared the meeting closed at 2.22pm on Wednesday, 26 June 2024.

Signed as a true and correct record.

Date: by HBRC resolution 10 July 2024

Chair: Hinewai Ormsby