



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: Wednesday 24 July 2024

Time: 11.00am

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

Present: Cr H Ormsby, Chair (*until 12.35pm*)
Cr W Foley, Deputy Chair
Cr X Harding
Cr T Hokianga
T Hopmans, RPC Co-chair (*online until 12.35pm*)
Cr C Lambert
Cr J Mackintosh (*online until 12.35pm*)
M Paku, Māori Committee Co-chair
Cr D Roadley
Cr S Siers
Cr J van Beek
Cr M Williams

In Attendance: N Peet –Chief Executive
T Munro – Te Pou Whakarae
S Young – Group Manager Corporate Services
K Brunton – Group Manager Policy & Regulation
C Dolley – Group Manager Asset Management
I Maxwell – Group Manager Integrated Catchment Management
L Hooper – Team Leader Governance
B Cullen – Transport Strategy & Policy Analyst
R Turnbull – Transport Manager
T Skerman – HBRIC Commercial Manager
P Mitchell, B Roka Arapere, K Christensen – Independent Review Panel

1. Welcome/Karakia/Apologies/Notices

The Chair welcomed everyone and Councillor Thompson Hokianga led the group in offering a karakia to open the meeting.

The independent review panel, Phil Mitchell (Chair), Kyle Christensen (Technical Expert), and Bernadette Roka Arapere (Barrister) was welcomed with a mihi whakatau and karakia.

2. Conflict of interest declarations

There were no conflicts of interest declared.

4. Review of the performance of all HBRC-owned and operated flood protection, control and drainage schemes during Cyclone Gabrielle - Findings Report

Phil Mitchell introduced the panel's presentation, and highlighted the key themes underpinning the panel's recommendations of:

- Use all data and knowledge available including historical, to underpin decision-making, systems and processes
- Upgrade and reimagine flood management infrastructure, including new models of funding and collaboration
- Understand the performance of flood management systems in super design events so nothing is left to chance
- Strengthen the Regional Policy Statement to ensure it is clear and directive, and enforce it rigorously
- Strengthen systems and communications to ensure information for Civil Defence is accurate and timely
- Address inequities for mana whenua exposed to flood risk
- Involve all communities to rebuild trust and flood resilience
- Ensure the right internal resourcing and capability

Phil Mitchell provided an overview of the process that the panel undertook to carry out the review, including what the review did not consider.

Karl Christiansen provided information about the key structural issues, highlighting:

- Very significant 1000-year event in some rivers, which completely overwhelmed stopbanks.
- Legacy flood management infrastructure is, in many places, no longer fit for purpose.
- Design and planning of systems didn't take account of the uncertainty during events that exceed stopbank capacity, e.g. how to redirect or slow water flows.
- Little or no planning for super-design events to mitigate residual risk to the entire floodplain including Taradale, Napier and Hastings, including how to evacuate 100,000 people.
- No protection of Wairoa despite the risks being well articulated and a scheme being designed post-Bola – which was not developed because there was no funding and it was simply not affordable for the local community. Now, post-Cyclone Gabrielle central government funding has been committed.
- Region-wide, the flood management systems need a substantial upgrade/reimagination, including that new designs need to provide predictable and manageable performance – not left to chance – and need to consider making room for rivers.
- Due to the scale of this event, river maintenance (berm and gravel extraction) played a lesser role than during smaller flood events due to floodplains being inundated rather than the floodwaters confined within channels.
- Readiness /maintenance of contingency measures (e.g. pumping stations, generators/diesel supply) were stretched during this event and the scale completely overwhelmed drainage systems that are not designed for events of this magnitude.
- Low level of understanding of flood risk amongst the community and very limited access to flood forecast information.

- Event rainfall under-forecast by MetService as well as HBRC telemetry and communications failures
- Some uncertainty in language used by HBRC in advice to Civil Defence, “may be at risk”.... “could be similar” – hoping for the best rather than planning for the worst.
- The scale of the event overwhelmed everything, including HBRC resources.

Phil Mitchell spoke to the planning controls that HBRC has available, and noted:

- HBRC’s Regional Policy Statement (RPS) did not prevent development in known flood hazard areas, e.g. Tangoio and Esk
- Future planning must reflect the scale/magnitude of historic floods and include data even if it’s incomplete
- RPS needs a substantial refresh/change in emphasis to be more directive and less vague to prevent development in hazard zones.
- HBRC needs to be better resourced to take an advocacy role in land use planning and consenting processes to ensure that the RPS is implemented appropriately by district/city councils.
- The Regional Plan also needs more specific provisions regarding the design of structures in riverbeds, e.g. bridges’ span and height requirements.

Bernadette Roka Arapere addressed mana whenua having been disproportionately impacted and noted:

- Remaining Māori lands are often flood-prone.
- Kanohi ki te kanohi, rangatira ki te rangatira – the council needs work in partnership with mana whenua to enable better engagement, and more resourcing for tangata whenua is urgently required.
- Mana whenua knowledge and participation is fundamental to managing future flood risk.

In addressing community issues Bernadette Roka Arapere noted:

- HBRC needs to make more and better use of community knowledge, lived experience and networks, and treat communities as project partners.
- Community and stakeholder participation is fundamental to managing flood risk. Communities need to be ready, mobilised and motivated to progress improvements in flood-risk-management, and HBRC needs to harness the momentum from Cyclone Gabrielle and the findings of the reviews to implement improved flood-risk-management solutions with community.

Phil Mitchell spoke to the key issue of HBRC resourcing and funding, focused on:

- Capability: resourcing needs to be sufficient to deliver the agreed level of service for business-as-usual operations and means HBRC has sufficient back-up and contingency plans to meet its flood-event-management responsibilities.
- Partnership funding: be proactive in working in partnership with central government to ensure sustainable funding for river management, flood resilience and event management.
- Equitable outcomes: review the funding of current/future river management schemes so that the targeted and regional rates contributions enable affordable and equitable outcomes for all communities, including mana whenua.

RC60/24 Resolutions

That Hawke’s Bay Regional Council:

1. Thanks the Independent Panel for its thorough work including engagement with affected communities.
2. Receives the independent *Review of the performance of all HBRC-owned and operated flood protection, control and drainage schemes during Cyclone Gabrielle - Findings Report*.
3. Notes that Council will need to consider the range of recommendations presented in the report in conjunction with flood scheme reviews currently underway.

4. Notes that engaging with communities will be a significant part of future work given the size and scale of flood mitigation scenarios as our climate changes.
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.

Williams/Foley
CARRIED

The meeting adjourned at 12.35pm and reconvened at 1.15pm

Councillor Will Foley assumed the Chair at 1.15pm as Councillor Ormsby was not in attendance.

3. Confirmation of Minutes of Extraordinary Hawke's Bay Regional Council meeting held on 10 July 2024

RC61/24 Resolution

Minutes of the Extraordinary Hawke's Bay Regional Council meeting held on Wednesday, 10 July 2024, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Williams/van Beek
CARRIED

5. Hawke's Bay Regional Land Transport Plan 2024-2034

Katrina Brunton introduced the item and Council's new Transport Manager, Russell Turnbull, before Martin Williams (RTC Chair) outlined the process undertaken to develop the Regional Land Transport Plan (begun in December 2022) and highlighted:

- It was intended that this would be a light-touch review however after Cyclone Gabrielle a wholesale rewrite was required to account for the impacts and recovery required to build more resilience in the transport networks.
- Government funding is likely to be only 10% of what is actually required (\$4.5 B).
- Because the 4-laning of the expressway is of 'national significance' funding for that will win out at the expense of other projects if funding is restricted.
- Emission reduction initiatives are all 'subject to funding' in the RLTP largely because of the change of direction by central government in the National Land Transport Plan. There is no quantified metric for emissions reductions and so vehicle kilometres travelled has been used to calculate.

RC62/24 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Hawke's Bay Regional Land Transport Plan 2024-2034* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Adopts the *Hawke's Bay Regional Land Transport Plan 2024-2034* as recommended by the Regional Transport Committee.
4. Submits the *Hawke's Bay Regional Land Transport Plan 2024-2034* to the New Zealand Transport Agency (Waka Kotahi).

Williams/van Beek
For: Hokianga, van Beek, Williams, Lambert, Roadley, Siers, Kirton, Foley
Against: Harding
CARRIED

6. HBRIC Ltd Statement of Intent 2024-2025

Tom Skerman introduced the item, which was taken as read. Discussions covered:

- Council granted an extension to HBRIC for adoption of the Sol while the 3-year plan was finalised and adopted – with the correct distribution policy and numbers.

RC63/24 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *HBRIC Ltd Statement of Intent 2024-2025* 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 consulting with the community.
3. Adopts the HBRIC Ltd Statement of Intent 2024-2025 in accordance with requirements of the Local Government Act (2002).

Harding/Kirton
CARRIED

7. Recommendation from the Environment & Integrated Catchments Committee

Councillor Sophie Siers, Chair of the committee, introduced the item which was taken as read.

RC64/24 Resolution

The Hawke's Bay Regional Council:

1. Receives and notes the *Recommendation from the Environment & Integrated Catchments Committee*.
2. Agrees that the decision to be made is not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make this decision without consulting directly with the community.
3. Directs the Chief Executive to consider the implications of the *Braided Rivers Research Project* for flood resilience and Kotahi planning with a particular focus on the critical importance of the protection and enhancement of aquifer recharge zones to river systems and the communities reliant on them.

Siers/Roadley
CARRIED

8. Local Government NZ Annual General Meeting - Voting on Remits

The Chair introduced the item and then ran through each of the remits to give councillors the opportunity to provide direction for voting at the AGM.

RC65/24 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Local Government NZ Annual General Meeting - Voting on Remits* 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.
3. Confirms that HBRC Chair, Hinewai Ormsby, will attend the LGNZ AGM as HBRC's delegate and exercise Council's votes on the remits as follows.

- 3.1. *Remit 1 – Representation reviews; Remit 3 – Support*
 - 3.2. *Remit 2 – Community Services Card – no position, delegate’s discretion*
 - 3.3. *Remit 3 – Local government constituencies & wards should not be subject to referendum – Support*
 - 3.4. *Remit 4 – Entrenchment of Māori wards seats for local government– no position, delegate’s discretion*
 - 3.5. *Remit 5 – Graduated driver licensing system – no position, delegate’s discretion*
 - 3.6. *Remit 6 – Proactive lever to mitigate the deterioration of unoccupied buildings – Abstain*
 - 3.7. *Remit 7 – Appropriate funding models for central government initiatives – Support*
 - 3.8. *Remit 8 – Goods and services tax (GST) revenue sharing with local government – Support*
4. Confirms that councillor Thompson Hokianga will attend the LGNZ AGM as HBRC’s alternate delegate and exercise Council’s votes on the remits as above if required.

**Williams/Harding
CARRIED**

9. Affixing of Common Seal

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

		Seal No.	Date
1.1	Staff Warrants		
	1.1.1 D. Hurst <i>(Delegations under Resource Management Act 1991 (Sections 34A(1) and 38(1); Maritime Transport Act 1994 (Section 33G(a); Building Act 2004 (Section 317B); Biosecurity Act 1993 (Sections 103 and 105); Civil Defence Emergency Management Act 2002 (s.86-92) and Local Government Act 2002 (Section 177))</i>	4597	15 July 2024

RC66/24 Resolution

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.

**Kirton/Siers
CARRIED**

10. Report from the Māori Committee

Mike Paku, Co-chair of the Committee, introduced the report and noted that the Wairoa bar was discussed as part of the Wairoa takiwā report, including the location of the opening, and will be fed into the Wairoa Flood Resilience programme.

RC67/24 **Resolution**

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

**Lambert/Hokianga
CARRIED**

Councillor Thompson Hokianga led a karakia to close the meeting.

Closure:

There being no further business the Chair declared the meeting closed at 2.15pm on Wednesday, 24 July 2024.

Signed as a true and correct record.

Date: by HBRC resolution 7 August 2024

Chair: Will Foley