

Meeting of the Hawke's Bay Regional Council

Date: 25 September 2024
Time: 1.30pm
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

Item	Title	Page
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3.	Confirmation of Minutes of the Hawke's Bay Regional Council meeting held on 28 August 2024	
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Information or Performance Monitoring		
11.	Verbal update on the 4 September 2024 Māori Committee meeting	
12.	Discussion of minor items not on the Agenda	
Decision Items (Public Excluded)		
13.	Confirmation of Public Excluded Minutes of the meeting held on 28 August 2024	27

Subject: Public Forum

Reason for report

1. This item provides the means for Council to give members of the public an opportunity to address the Council on matters of interest relating to the Council's functions.

Background

2. The Hawke's Bay Regional Council's Standing Orders provide for public forums as follows:

14. Public Forums

Public forums are a defined period of time, usually at the start of a meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters to the attention of the local authority.

In the case of a committee or sub-committee, any issue, idea or matter raised in a public forum must also fall within the terms of reference of that meeting.

Requests must be made to the HBRC Governance Team (06 835 9200 or governanceteam@hbrc.govt.nz) at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

14.1 Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled Regional Council, Corporate & Strategic Committee, Environment & Integrated Catchments Committee and Regional Transport Committee meeting.

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

14.2 Restrictions

The Chairperson has the discretion to decline to hear a speaker or to terminate a presentation at any time where:

- a speaker is repeating views presented by an earlier speaker at the same public forum
- the speaker is criticising elected members and/or staff
- the speaker is being repetitious, disrespectful or offensive
- the speaker has previously spoken on the same issue
- the matter is subject to legal proceedings
- the matter is subject to a hearing, including the hearing of submissions, where the local authority or committee sits in a quasi-judicial capacity.

14.3 Questions at public forums

At the conclusion of the presentation, with the permission of the Chairperson, elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

14.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

Decision-making process

3. 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 *Public Forum speakers' verbal presentations*.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy & Governance Manager

Attachment/s

There are no attachments for this report.

Subject: Call for minor items not on the Agenda

Reason for Report

1. This item provides the means for councillors to raise minor matters 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

That Hawke's Bay Regional Council accepts the following *minor items not on the agenda* for discussion as item 12.

Topic	Raised by

Subject: Climate Action Joint Committee amended Terms of Reference

Reason for report

1. This report seeks the Regional Council's agreement to the amended Terms of Reference for the Climate Action Joint Committee (CAJC).

Staff recommendations

2. Staff recommend that the Council adopts the amended Terms of Reference (**attached**) for the remainder of this triennium as recommended by the CAJC.

Executive summary

3. The previous Terms of Reference specified that the Chair of the Joint Committee would be the Chair of the Hawke's Bay Regional Council (HBRC). To action the Chair's wish to become HBRC's alternate, the Terms of Reference has been amended to enable another HBRC representative on the CAJC to be the Chair.
4. Several procedural and minor amendments to bring the ToR up to date to reflect current legislation have also been made.
5. The CAJC meeting on 26 August 2024 agreed the amendments and that the updated ToR be recommended to the member councils for adoption.

Background

6. Under s30 of [Schedule 7](#) of the Local Government Act 2002 (LGA), the Council may appoint committees, sub-committees and other subordinate decision-making bodies that it considers appropriate, and joint committees with another local authority or other public bodies by agreement.
7. A new Climate Action Joint Committee administered by Hawke's Bay Regional Council was established following a proposal from the first meeting of the Mayors and Chair after the 2022 local body elections.
8. The Terms of Reference was discussed and adopted by the first meeting of the Joint Committee on 22 May 2023, and subsequently adopted by each of the member councils later in 2023.

Discussion

9. Committees can review their Terms of Reference at any stage to ensure they are appropriate and fit for purpose for the context in which the committee is operating. Any changes must then be recommended for adoption by the member councils.
10. Given that there are fewer than 14 months between now and the election, staff considered that changes to the CAGC Terms of Reference should be limited, to avoid back and forth between member councils; more substantive changes can be considered in the new triennium.

Summary of changes to TOR

11. Attached to this report is a tracked-change version of the Terms of Reference. The reasons for the changes are summarised in the table following.

Reference	Suggested change	Reason for change
Section 3 – Objectives		
3.5	Remove reference to legislation that has been repealed	The Government repealed the Spatial Planning Act and the Natural and Built Environments Act in December 2023, making this objective no longer relevant.
Section 5 – Chairperson and Deputy Chairperson		
5.1	Allow the Chair of HBRC to nominate an HBRC JC member to be Chair	To provide flexibility in the ToR for leadership changes.
Section 6 – delegated authority		
Section 12 - Technical Advisory Group and reporting		
12.2	Remove references to specific job titles	Provides for changes to role titles and descriptions over time without the ToR becoming out of date. For example, the Climate Action Ambassador role (HBRC) has changed. The reference to dedicated climate roles at NCC and HDC has also been removed as there is currently no provision for a dedicated climate role at NCC.
12.3	Alternative wording proposed	Streamline process for providing information to member councils.
Section 14 – List of member representation		
14.	Membership	Updated to reflect current membership
Appendix	Delete	Reflects information at a point in time and no longer relevant.

Significance and Engagement Policy assessment

12. The amendment of a committee's Terms of Reference is not considered significant under HBRC's Significance and Engagement Policy.

Financial and resource implications

13. There are no financial or resourcing implications of the proposed changes to the Terms of Reference.

Consultation

14. The proposed changes to the Terms of Reference were proposed by the cross-council Technical Advisory Group and agreed by the CAJC.

Decision-making considerations

15. Councils and committees are required to make every decision in accordance with the requirements of the Local Government Act 2002. Staff have assessed the requirements in relation to this item and have concluded:
- 15.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 15.2. The use of the special consultative procedure is not prescribed by legislation.
 - 15.3. The decision is not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy.
 - 15.4. There are no persons directly affected by this decision and the Joint Committee can exercise its discretion and make a decision without consulting with the community.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the *Climate Action Joint Committee amended Terms of Reference* staff report.
2. Adopts the amended 2024 Terms of Reference for the Climate Action Joint Committee as proposed.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy & Governance Manager

Attachment/s

- 1 [↓](#) Proposed amended 2024 Climate Action Joint Committee Terms of Reference

**Proposed
Terms of Reference
for the
Climate Action Joint Committee**

Adopted by resolution of:

Hawke's Bay Regional Council, ~~26 July 2023~~ 25 September 2025
 Hastings District Council, ~~20 July 2023~~ 2024
 Napier City Council, ~~20 July 2023~~ 2024
 Central Hawke's Bay District Council, ~~21 September 2023~~ 2024
 Wairoa District Council, ~~18 July 2023~~ 2024

1. Name and status of Joint Committee

- 1.1. The Joint Committee shall be known as the Climate Action Joint Committee.
- 1.2. The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act (the Act).

2. Purpose

- 2.1. Climate mitigation and adaptation is core business for councils. It spans multiple council workstreams such as urban planning, land-use and resource management, transport, flood protection, coastal hazards and emergency management. Without duplicating effort, the purpose of the Joint Committee is to support a coordinated and collaborative response to address the complex challenge of Climate-Resilient Development¹ for the communities of Hawke's Bay.
- 2.2. The focus of the Joint Committee' will be promoting action to mitigate climate change (emissions reductions and offsetting) and adapt to the changing regional climate.
- 2.3. The Joint Committee aims to support communities and industries to become resilient to the effects of climate change and to thrive within the means of our natural environment in a manner that aligns with central government policy on climate change².

3. Objectives

- 3.1. Oversee and guide the development and implementation of a Regional Emissions Reduction Plan including recommending actions for partner councils to consider for inclusion in their Long Term Plans.
- 3.2. Oversee and guide the development and implementation of a spatial Regional Climate Risk Assessment to deliver on responsibilities under the National Adaptation Plan to:
 - 3.2.1. Reduce vulnerability to the impacts of climate change
 - 3.2.2. Enhance adaptive capacity and consider climate change in decisions at all levels
- 3.3. Strengthen resilience
- 3.4. Support compliance with the statutory requirement to "have regard to" the National Emissions Reduction Plan and the National Adaptation Plan in all RMA-related plans of partner councils³.

¹ Climate Resilient Development is a framework developed in the Intergovernmental Panel on Climate Change 6th report – Impacts, Adaptation and Vulnerability. It combines strategies to adapt to climate change with actions to reduce greenhouse gas emissions to support sustainable development for everyone ([FAQ 6: What is Climate Resilient Development? ipcc.ch](#))

² Including UNFCCC Paris Agreement on Climate Change.

³ From 30 November 2022 it is a legal requirement for local government to 'have regard to' the national adaptation plan and the emissions reduction plan when preparing or changing regional policy statements, regional plans and district plans. (Guidance note [environment.govt.nz](#))

- 3.5. Inform planning to drive climate-resilient development in the right locations within the Future Development Strategy required under the National Policy Statement on Urban Development, ~~and the Regional Spatial Strategy and regional combined plan proposed under the Spatial Planning and Natural and Built Environments legislation.~~
- 3.6. Collaborate on the delivery of key services for infrastructure impacted by climate change on respective councils.

4. Membership⁴

- 4.1. Up to two elected members from the Hawke's Bay Regional Council; being the Chair and one other elected member, and one alternate.
- 4.2. Up to two elected members from each Territorial Authority within the Hawke's Bay region; preferably the Mayor and one other elected member, and one alternate.
- 4.3. Each Post [Treaty] Settlement Governance Entity (PSGE) within the Hawke's Bay region is invited to appoint one member, and one alternate.
- 4.4. Up to two members and one alternate appointed to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the HBRC Māori Committee⁵.
- 4.5. Under clause 30A(6) Schedule 7 of the Act, the power to discharge any member on the Joint Committee and appoint his or her replacement shall be exercisable only by the body that appointed the member.

5. Chairperson and Deputy Chairperson

- 5.1. The Chairperson of the Joint Committee will be the Hawke's Bay Regional Council Chair or a HBRC Joint Committee member nominated by the Chair of the Hawke's Bay Regional Council.
- 5.2. At the first meeting of the Joint Committee the members shall elect a Deputy Chairperson.
- 5.3. The mandate of the Chairperson and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

6. Delegated authority

The Joint Committee has delegated responsibilities for:

- 6.1. Guiding and monitoring climate mitigation and adaptation across the region with current and relevant technical inputs
- 6.2. Leading regional emissions reduction plans including recommending actions for consideration to partner councils to include in their long term plans
- 6.3. Leading spatial regional climate risk assessments to deliver on responsibilities under the National Adaptation Plan
- 6.4. Setting targets, including interim goals, towards achieving carbon neutrality by 2050
- 6.5. Monitoring regional greenhouse gas emissions (community carbon footprint) on a regular basis and reporting annually on implementation of regional emissions reduction plans
- 6.6. Considering and recommending key emissions reduction actions to each of the partner councils and industry for consideration
- 6.7. Advocating for and/or advancing the objectives of regional climate action by submitting on and participating in processes, at the Joint Committee's discretion, including but not limited to:

⁴ Membership will be reviewed at the end of the three-yearly cycle.

⁵ HBRC Māori Committee has 13 tangata whenua representatives, 3 from each of the Taiwhenua (and Wairoa Kahungunu Executive) within the Hawke's Bay regional boundary and 1 from the Ngāti Kahungunu Iwi Inc Board.

- 6.7.1. Council long term plans
- 6.7.2. Council annual plans
- 6.7.3. District and regional plan and policy changes
- 6.7.4. Reserve management plans
- 6.7.5. Asset management plans
- 6.7.6. Notified resource consent applications
- 6.7.7. Central Government policy and legislation
- 6.7.8. Investigating and securing additional sources of funding to support regional decarbonisation, offsetting and protecting communities from the impact of climate change.
- 6.8. For the avoidance of doubt, the Joint Committee can only make recommendations to partner councils. Without legally binding subsequent council decisions, the partner councils agree to:
 - 6.8.1. Have particular regard to the recommendations of the Joint Committee in developing policies, determining priorities, and allocating resource
 - 6.8.2. Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

7. Powers not delegated

The following powers are not delegated to the Joint Committee:

- 7.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 7.2. Decisions relating to the allocation of funding for undertaking investigations, studies and/or projects in climate adaptation, offsetting or climate mitigation and matters relating to consenting.

8. Meetings

- 8.1. The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer (Chief Executive) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 8.2. The Joint Committee shall hold meetings at such frequency, times and place(s) as required for the performance of the functions, duties and powers delegated under this Terms of Reference, at least three times per year.
- 8.3. Notice of meetings will be given as far in advance a possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act 1987.
- 8.4. Meetings may provide for members' attendance by audio-visual link if required.
- 8.5. Members, or their confirmed alternates, will attend all Joint Committee meetings.
- 8.6. The quorum will consist of a majority of members.

9. Voting

- 9.1. In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the body that appointed them without further recourse to the appointing body.
- 9.2. Where voting is required, each member has one vote.

- 9.3. Best endeavours will be made to achieve decisions on a consensus basis.
- 9.4. The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, may use a casting vote.

10. Good faith

- 10.1. In the event of any circumstances arising that were unforeseen by the partner councils or their representatives at the time of adopting these Terms of Reference, the partner councils and their representatives hereby record their intention that they will negotiate in good faith to add to or vary these Terms of Reference so as to resolve the impact of those circumstances in the best interests collectively of the partner councils taking into account also the views of the Regional Planning Committee and Māori Committee appointed members in relation to those circumstances.

11. Remuneration

- 11.1. Each partner council shall be responsible for remunerating its representatives on the Joint Committee and for the costs of those persons' participation in the Joint Committee.
- 11.2. Hawke's Bay Regional Council as the Administering Authority shall be responsible for remunerating the HBRC Māori Committee representatives and the PSGE representatives on the Joint Committee for travel and attendance as per its agreed meeting fees policy.

12. Technical Advisory Group and Reporting

- 12.1. A technical advisory group (TAG) will service the Climate Action Joint Committee.
- 12.2. The TAG will comprise of staff members from the partner councils who are working in climate mitigation and adaptation and will involve subject matter experts as required to ensure linkages with other workstreams, such as the work of the Regional Transport Committee and Napier-Hastings Future Development Strategy Joint Committee. The TAG will be led by the Hawke's Bay Regional Council, ~~Climate Action Ambassador along with the dedicated climate roles at Napier City Council and Hastings District Council.~~
- 12.3. Following each meeting of the Joint Committee, ~~meeting minutes will be distributed for information to each partner council~~ TAG shall create a summary report of the business of the meeting which will be distributed, for information, to each partner council for inclusion in the agenda for the next available council meeting. ~~Such reports will be in addition to any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee members.~~

13. Variations to the Terms of Reference

- 13.1. Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee for recommending to the partner councils if agreed.
- 13.2. Amendments to the Terms of Reference must be agreed by all partner councils before taking effect.

14. Recommended for Adoption

- 14.1. The Climate Action Joint Committee, made up of the following members, confirms this Terms of Reference as adopted by the five partner councils.

Hawke's Bay Regional Council represented by:

Councillors ~~Hinewai Ormsby~~ and Xan Harding, and Di Roadley, ~~and Hinewai Ormsby~~ as alternate
Councillor ~~Hinewai Ormsby~~ Xan Harding as Chairperson of the Climate Action Joint Committee

Hastings District Council represented by:

Mayor Sandra Hazlehurst and Councillors Hana Montaperto-Hendry, and Tania Kerr as alternate

Napier City Council represented by:

Councillors Annette Brosnan and Hayley Browne, and Juliet Grieg as alternate

Central Hawke's Bay District Council represented by:

Mayor Alex Walker and Councillors Tim Aitken and Jerry Greer as alternate

Wairoa District Council represented by:

Mayor Craig Little and Councillors Roslyn Thomas, and Denise Eaglesome-Karekare as alternate

HBRC Māori Committee represented by:

Paul Kelly and Roger Maaka, and Marei Apatu as alternate

Post [Treaty] Settlement Entity appointees:

Tamatea Pōkai Whenua – ~~represented by Cordry Huata~~

Mana Ahuriri Trust – represented by Tania Eden

Maungaharuru-Tangitū Trust – ~~represented by Robbie Paul~~

Ngati Pāhauwera Development Trust

Ngati Tuwharetoa Hapu Forum

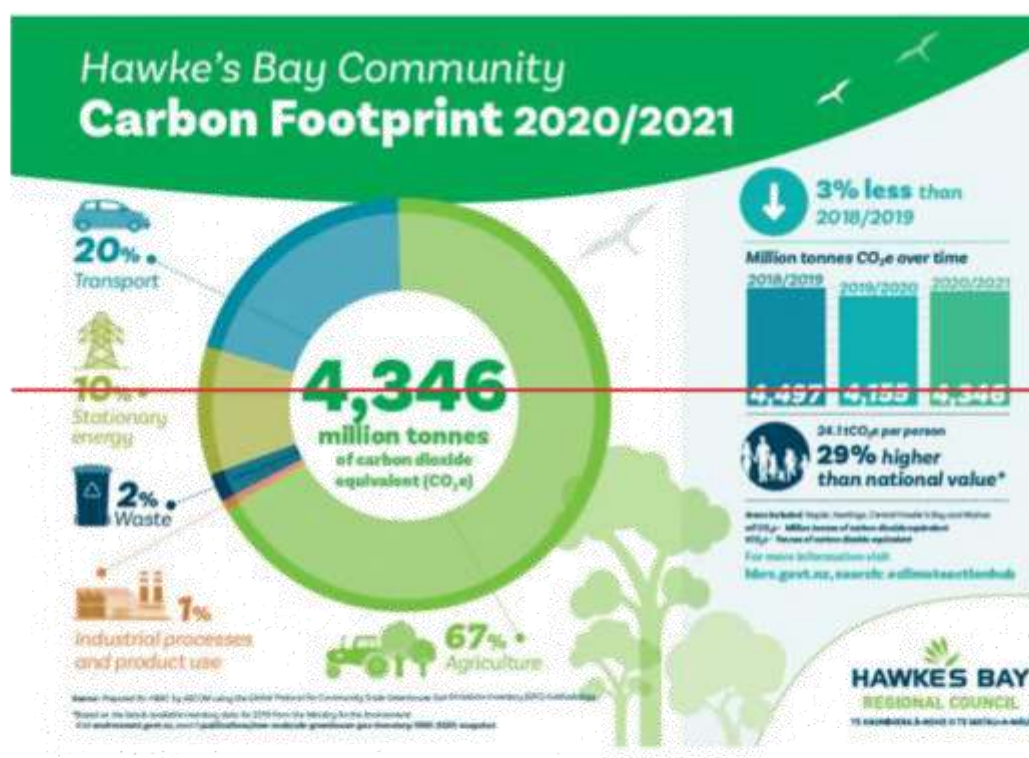
Tātau Tātau o Te Wairoa – represented by Michelle McIlroy

Te Kopere o te Iwi Hineuru

Te Toi Kura o Waikaremoana

Appendix A—Project Background

1. The Regional Council declared a climate emergency for the Hawke's Bay region on 26 June 2019. The declaration recognises that the climate crisis is an urgent and pervasive threat to human and ecological wellbeing and that we have a small window of time to act to avoid the most damaging effects of the climate crisis in the longer term. This climate crisis declaration was one of many declarations by councils across the country, with the Government declaring a climate emergency on 2 December 2020.
2. In 2022 HBRC, HDC, and NCC each invested in dedicated strategic climate change roles, an acknowledgement of the important leadership role councils can, and should, play in regional climate action.
3. There is a general acknowledgement that the transition to a low emissions future cannot be achieved by individual councils working in isolation and a regional approach is needed.
4. In 2022 the Ministry for Environment released Aotearoa's first Emissions Reduction Plan. National legislation introduced in November 2022 states that local government must have regard to the National Emissions Reduction Plan and the National Adaptation Plan when developing RMA-related plans.
5. In September 2022 the first Hawke's Bay Community Carbon Footprint was released, measuring greenhouse gas emissions from 2018/19 to 2020/21. Separate footprints were created for each Territorial Authority. The whole of region footprint established that our regional emissions for 2020/21 were made up of:
 - 5.1. Agriculture 67%
 - 5.2. Transportation 20%
 - 5.3. Stationary Energy 10%
 - 5.4. Waste 2%
 - 5.5. IPPU 1% (Industrial Processes and Product Use)



- 6.1 The next step for us is to create a Regional Emissions Reduction Plan, with input from all Hawke's Bay councils, as well as significant engagement across expert, business, and community spheres.

Subject: Recommendations from the Corporate & Strategic Committee**Reason for report**

1. The following matters were considered by the Corporate and Strategic Committee (C&S) meeting on 4 September 2024 and the recommendations agreed are now presented for Council's consideration, alongside any additional commentary that the Committee Chair wishes to offer.

Agenda items for Council decision

2. The **2023-2024 carry forwards** decision item presented proposed carry forward expenditure budgets from 2023-2024 to 2024-2025 restricted to debt, reserve or externally funded carry forwards, as these are just a timing difference when funding is drawn or recognised, and have no immediate impact on Council's financial position. Discussions covered:
 - 2.1. A total of \$20.086m was requested to be carried forward into the 2024-25 Annual Plan budget, split as \$17.681m capital expenditure (capex) and \$2.404m operating expenditure (opex).
 - 2.2. The following underspent general rate funded projects with commitments likely to become a cost in the 2024-25 financial year will need to be reprioritised from existing budgets and are not requesting budgets to be carried forward.

Unfunded commitments from 2023-24

Group	Project	Opex/Capex	Unspent general funds
Asset Management	Flood risk/flood forecasting (including flood monitoring room)	Capex	\$113,000
	SCADA Project	Capex	\$17,700
	Westshore (coastal)	Opex	\$71,116
Integrated Catchment Management	Ruataniwha model	Opex	\$136,776
	Biodiversity (Tukipo wetlands)	Opex	\$19,648
	Environmental science (land monitoring science and research)	Opex	\$96,696
Policy & Regulation	Kotahi	Opex	\$874,000
Total			\$1,328,936

3. The Corporate and Strategic Committee resolved the following recommendations that Hawke's Bay Regional Council:
 - 3.1. 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.
 - 3.2. Approves the carry forward of all expenditure requests from the 2023-24 budgets to 2024-25 budgets identified in the tables provided.
4. Discussions on the **Annual Compliance, Monitoring, and Enforcement Report 2022-2023** decision item covered:

- 4.1. Compliance monitoring is set by the levels of service in the Long Term Plan, prioritised by the risk posed to the environment and then any history of non-compliance
- 4.2. Burning complaints are dealt with using an education first approach, and most enforcement action is taken when prohibited items are being burned
- 4.3. Most forestry non-compliance is around sediment run-off
- 4.4. A targeted campaign on commercial/industrial wastewater prior to Cyclone Gabrielle may account for the increase in non-compliance and the team is looking to now reinstate the focus on these in areas such as Awatoto and Whakatu industrial areas.
5. The Corporate and Strategic Committee resolved the following recommendation that Hawke's Bay Regional Council:
 - 5.1. Adopts the *Annual Compliance, Monitoring, and Enforcement Report 2022-2023* for publication.
6. The finalised *Annual Compliance, Monitoring, and Enforcement Report 2022-2023* is **attached**.

Decision-making process

7. 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:
 - 7.1. Given the item was specifically considered by the Corporate and Strategic Committee on 4 September 2024 the Council can exercise its discretion and make the relevant decisions in accordance with the following recommendations.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the Recommendations from the Corporate & Strategic Committee 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.

2023-2024 carry forwards

3. Approves the carry forward of all expenditure requests from the 2023-24 budgets to 2024-25 budgets, being:

Operating expenditure carry forward requests

Activity/Project		Amount Requested	Source of funds		
			Debt	Reserves	External
<i>Asset Management</i>					
1	Coastal Hazards	\$37,500		\$37,500	
2	NIWE	\$1,269,200	\$317,300		\$951,90*
<i>Integrated Catchment Management</i>					
3	Biodiversity	\$52,300	\$52,300		
4	Ruataniwha Model	\$64,600	\$64,600		
5	Environmental Science	\$332,700			\$332,700
6	Land for Life	\$57,500		\$57,500	

Activity/Project		Amount Requested	Source of funds		
			Debt	Reserves	External
<i>Governance & Partnerships</i>					
7	Sustainable Homes	\$17,800		\$17,800	
<i>Corporate services</i>					
8	ICT Software as a service development (SAAS)	\$572,600	\$572,600		
Total opex		\$2,404,200	\$1,006,800	\$112,800	\$1,284,600

Capital expenditure carry forward requests

Activity/Project		Amount Requested	Source of funds		
			Debt	Reserves	External
<i>Asset Management</i>					
1	Cyclone Gabrielle infrastructure repairs	\$10,000,000			\$10,000,000
2	NIWE	\$1,801,700	\$331,825		\$1,469,875
3	IRG – HPFCS	\$2,514,200		\$125,710	\$2,388,490
4	Flood control	\$293,400		\$293,400	
5	Regional Water Security	\$567,800		\$567,800	
6	Regional Parks	\$1,220,000	\$870,000		\$350,000
7	Forestry	\$198,000		\$198,000	
<i>Integrated Catchment Management</i>					
8	Whakaki Weir	\$100,000	\$100,000		
9	Monitoring drilling	\$32,900	\$32,900		
<i>Governance & Partnerships</i>					
10	Sustainable Homes	\$594,000	\$594,000		
<i>Corporate services</i>					
11	ICT	\$359,500	\$69,500	\$290,000	
Total capex		\$17,681,500	\$1,998,225	\$1,474,910	\$14,208,365

Annual Compliance, Monitoring, and Enforcement Report 2022-2023

- Adopts the *Annual Compliance, Monitoring, and Enforcement Report 2022-2023* for publication.

Authored by:

Leeanne Hooper
Team Leader Governance

Chris Comber
Chief Financial Officer

Approved by:

Katrina Brunton
Group Manager Policy & Regulation

Attachment/s

- Annual Compliance Monitoring and Enforcement Report 2022-2023 Under Separate Cover
online only

Subject: Recommendation from the Environment & Integrated Catchments Committee

Reason for report

1. The following matter was considered by the Environment & Integrated Catchments Committee meeting on 11 September 2024 and the recommendation to Council is now presented for the Council's consideration alongside any additional commentary the Committee Chair wishes to offer.

Council decisions

2. The *Biosecurity Annual Report* for the 2023-2024 year and the *Operational Plan* for the 2024-2025 year were presented to the Committee, to provide the means for a recommendation to the Regional Council for adoption of the Operational Plan as required by the Biosecurity Act 1993. Discussions covered:
 - 2.1. Achievements include 293,056ha of the PCA area monitored, 151 rook nests treated, completed aerial operation to control Alligator Weed at Lake Whatumā
 - 2.2. Feral cats are well-established in the region and are managed at sites of high biodiversity value but not subject to regional-scale control by HBRC.
 - 2.3. To introduce a new pest for control, a review of the Regional Pest Management Plan (RPMP) is necessary so that the right control method, supported by adequate funding and resources is put in place.
 - 2.4. While unwanted organisms that have recently arrived in the country will not be in the RPMP, they are typically managed by Biosecurity New Zealand who collaborate with councils on this.
3. The Environment and Integrated Catchments Committee resolved the following recommendation, that the Regional Council:
 - 3.1. Adopts the Biosecurity Operational Plan for 2024-2025.

Decision-making considerations

4. 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:
 - 4.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 4.2. The use of the special consultative procedure is prescribed by legislation. The Council must consult directly with the community or others having an interest in the decision.
 - 4.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 4.4. The item was specifically considered by the Environment and Integrated Catchments Committee on 11 September 2024.

Recommendation

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. Adopts the Biosecurity Operational Plan for 2024-2025.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Iain Maxwell
Group Manager Integrated Catchment
Management

Attachment/s

- | | | |
|----------|----------------------------------------------------------------|------------------------------------------------------------|
| 1 | 2024-2025 Combined Pest Plant and Pest Animal Operational Plan | Under Separate Cover
<i>online only</i> |
|----------|----------------------------------------------------------------|------------------------------------------------------------|

Subject: Councillors' 2024-2025 remuneration and allowances**Reason for report**

1. This item seeks the Council's formal receipt of the Local Government Members (2024-25) 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 2024-2025 financial year, under the Local Government Elected Members' Determination 2024-25 (attached with TLA pages removed) have increased by 3.64% and are now:
 - 3.1. Chairman's salary \$148,043 per annum adjusted for vehicle use (not included in the Remuneration Pool)
 - 3.2. \$63,257 per annum as the base salary for a councillor with no additional responsibilities; currently councillors Thompson Hokianga, Charles Lambert, Jock Mackintosh, and Di Roadley
 - 3.3. The remainder of the pool (\$668,144) distributed evenly between positions of responsibility at \$69,186 per annum, now being:
 - 3.3.1. Cr Will Foley – HBRC Deputy Chair
 - 3.3.2. Cr Sophie Siers – Chair, Environment and Integrated Catchments Committee (EICC)
 - 3.3.3. Cr Xan Harding – 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)
 - 3.3.6. Cr Neil Kirton – appointed director of HBRIC Ltd.
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 2024-2025 Determination also includes Elected Members' Expenses and Allowances, which are set out in the following table.

Allowance	1 July 2024 – 30 June 2025
Mileage Allowance – petrol or diesel	\$1.04 per km (was \$0.95)
Mileage Allowance - Hybrid	\$1.04 per km (was \$0.95)
Mileage Allowance – Electric Vehicle	\$1.04 per km (was \$0.95)
Mileage Allowance – E-bike	\$0.29 per km (was \$0.28)

Allowance	1 July 2024 – 30 June 2025
Mileage Distance on Higher Rate	14,000 km per year (no change)
Mileage Allowance (after Higher Rate distance)	\$0.35/km petrol/diesel (was \$0.34) \$0.21 /km hybrid (was \$0.20) \$0.12/km electric including e-bike (was \$0.11)
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) (no change)
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 considerations

- 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' 2024-2025 remuneration and allowances* staff report.
- Confirms the remuneration and allowances payable to councillors resulting from the Local Government Members (2024-25) Determination and updates the *Elected Members' Expenses and Allowances Policy* accordingly.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Nic Peet
Chief Executive

Attachment/s

- Local Government Members 2024-25 Determination Under Separate Cover
online only

Subject: Councillor appointment to the Hawke's Bay Future Farming Charitable Trust Board

Reason for Report

1. This item provides the means for Council to make a new appointment to the Hawke's Bay Future Farming Charitable Trust.
2. The role of councillor on this board is not to direct or lead, but instead it is to inform the group of Council's view and to act as a conduit for the group back to Council.

Entity Representation

Hawke's Bay Future Farming Charitable Trust

3. The [Future Farming Trust](#) was established and funded in the Hawke's Bay Regional Council's 2018 Long Term Plan. HBRC's intent was to establish an independent voice to champion sustainable agriculture in Hawke's Bay. The Trust's vision is *to make Hawke's Bay farming the pride of our entire community*, and its mission is *to promote, inspire and celebrate profitable farming systems that enrich the environment and the community*.
4. The composition of the Trust Board, as per the HBFFT Trust Deed, is a minimum of three and a maximum of nine individuals including one Council-appointed trustee. It is recommended that Councillor Will Foley is re-appointed to the HB Future Farming Charitable Trust Board in order to provide continuity for both the Trust and the Council.

Decision-making consideration

5. 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:
 - 5.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 5.2. The use of the special consultative procedure is not prescribed by legislation.
 - 5.3. The decisions are not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 5.4. The persons affected by this decision are those bodies seeking Council representation.
 - 5.5. Given the nature and significance of the issues to be considered and decided, and also the persons likely to have an interest in the decisions made, Council can exercise its discretion and make these decisions without consulting directly with the community.

Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the *Councillor appointment to the Hawke's Bay Future Farming Charitable Trust Board* staff report.
2. Appoints Councillor _____ as Council's representative on the Hawke's Bay Future Farming Charitable Trust board.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy & Governance Manager

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 *Agenda Item 13 Confirmation of Public Excluded Minutes* 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	Rationale
Confirmation of Public Excluded Minutes	<p>s7(2)(a) Excluding the public is necessary to protect the privacy of natural persons.</p> <p>s7(2)(f)(ii) Excluding the public is necessary to maintain the effective conduct of public affairs by protecting councillors and/or council employees from improper pressure or harassment.</p> <p>s7(2)(i) Excluding the public is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations.</p>	<p>Employee performance reviews and salary negotiations are private matters between the employer and employee only.</p> <p>The public interest is served by the CE's salary being declared in the Council's Annual Report each year.</p>

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy & Governance Manager