



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

Unconfirmed

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

Date: Wednesday 26 March 2025

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
Cr N Kirton
Cr C Lambert (*online*)
Cr J Mackintosh
M Paku, Māori Committee Co-chair (*online*)
Cr D Roadley
Cr S Siers
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
R Wakelin – Acting Group Manager Integrated Catchment Management
D Cull – Strategy & Governance Manager
C Comber – Chief Financial Officer
S Bendall - Project Lead - Traverse Environmental (*online*)
R Hollyman – Governance Advisor
P Martin – Acting Team Leader Governance
D Eaglesome-Karekare – Wairoa impacted landowner (*online for item 10*)
L Symes – Chair, Tātau Tātau o te Wairoa (*online for item 10*)
L Yule – Wairoa Flood Resilience Crown Manager
J Bennett – Programme Finance & Controls Manager

1. Welcome/Karakia/Apologies/Notices

The Chair welcomed everyone and Councillor Thompson Hokianga offered a karakia to open the meeting.

Resolution

RC13/25 That the apology for absence from Councillor Jerf van Beek, for lateness and early departure from Mike Paku and for early departure from Councillor Charles Lambert be accepted.

Mackintosh/Foley
CARRIED

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

Councillor Xan Harding clarified that because he does not hold a resource consent subject to low flow conditions he does not have a conflict of interest in relation to item 7.

3. Confirmation of Minutes of the Hawke's Bay Regional Council meeting held on 26 February 2025

RC14/25 Resolution

Minutes of the Hawke's Bay Regional Council meeting held on Wednesday, 26 February 2025, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Harding/Hokianga
CARRIED

4. Public Forum

There were no speakers in the public forum.

5. Call for minor items not on the Agenda

There were no items raised.

6. Annual Plan 2025-2026 consultation

Nic Peet introduced the item and Desiree Cull and Chris Comber spoke to the item. Discussions included:

- There is only time for 'show stoppers' to be incorporated into the consultation document and supporting information to open on Monday 31 March 2025.
- Richard Wakelin explained that the costs associated with ecosystem prioritisation sites in the Biodiversity budgets are for maintenance and will be prioritised by value.
- A request was made to unbundle the cost increases budgeted for NIWE, (approximately \$200k of the \$500k total), cyclone recovery and CDEM.
- For Mangarau streams, the preferred option is to borrow for a shorter period to reduce the interest to be paid and this is 'on top of' the 9.9% average rates increase for those HDC ratepayers.
- It was noted that sample rates are representative and should be a good mix of residential, commercial and rural.
- Councillor Williams asked to make changes to the Regional Public Transport, Mangarau streams and capital value sections directly with staff after the meeting.

RC15/25 Resolutions

That Hawke's Bay Regional Council:

1. Receives and notes the *Annual Plan 2025-26 Consultation* staff report.

2. Adopts the following documents for public consultation, for nearly five weeks from 31 March to 2 May 2025:
 - 2.1. The suite of supporting information relied on for the content of the consultation document, being:
 - 2.1.1. Statement of proposal to amend the Draft Hawke’s Bay Regional Public Transport Plan 2025-2035 and plan showing our proposed changes
 - 2.1.2. Statement of proposal to amend the Rates Remission and Postponement Policies and policy showing our proposed changes
 - 2.1.3. Statement of proposal to amend the Revenue and Financing Policy and policy showing our proposed changes
 - 2.1.4. Explanation of rating methods.
 - 2.2. Consultation document, entitled *Our resilience-focused Annual Plan 2025-26*
3. Delegates final approval of any further minor editorial changes to the supporting information, amended policies, draft HB Regional Public Transport Plan 2025-2035 and consultation document prior to being made available for public consultation to the Chief Executive.

Mackintosh/Kirton
CARRIED

7. Annual Freshwater Science Charges 2024-2025

Nic Peet introduced Chris Comber and James Park, who spoke to the item, noting that neither of the choices represent a significant change and there is no impact on ratepayers so no need to consult.

RC16/25 Resolutions

That Hawke’s Bay Regional Council:

1. Receives and considers the *Annual Freshwater Science Charges 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 conferring directly with the community or persons likely to have an interest in the decision.
3. Approves the amendment of the Annual Freshwater Science Charges approach for the 2024-2025 financial year, to:
 - 3.1. reduce the Low Flows Monitoring annual fee for the 2024-2025 financial year to \$85 plus GST.
 - 3.2. Charge water take and discharge consent holders in line with the 2024-27 Three Year Plan.
 - 3.3. accept requests for annual freshwater science charges remission from consent holders experiencing ongoing financial hardship due to Cyclone Gabrielle.

Ormsby/Harding
CARRIED

Mike Paku joined the meeting online at 2.20pm

8. Reimagining flood resilience projects for Upper Tukituki and Heretaunga Plains

Chris Dolley, Desiree Cull, Louise McPhail, and Simon Bendall spoke to the item, which seeks Council’s agreement to the updated project approach, timeframes and structure for the Reimagining Flood Resilience project. Discussions covered:

- The flood resilience work sits within a broader strategic framework of flooding, river and stream management, river mouth openings, surface flooding and coastal erosion.
- A public facing, high level discussion document is being developed and staff aim to have this done by the end of April.
- Phase 2 is now broken into 2 parts to start with the community socialisation phase earlier and for longer, before the establishment of the community reference groups. Formal invitations to participate on the community reference groups will be a key next step if the project structure is agreed today.

Councillor Thompson Hokianga left the meeting at 2.31pm

- The project team is developing the detailed project plan, including resourcing for the community socialisation phase, working with TAs and PSGEs, and the aim to get the details confirmed within the next month.
- It was suggested that the 'big picture strategic work' needs to be embedded into the UTT/Heretaunga projects.
- The community socialisation and Stakeholder Reference Group engagement phases will feed into the proposed options for UTT and Heretaunga Plains for the next Long Term Plan consultation process.

RC17/25 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the *Reimagining flood resilience projects for Upper Tukituki and Heretaunga Plains* staff report.
2. Agrees that the decisions to be made today are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make the relevant decisions knowing that consultation and engagement with the public will be undertaken throughout the course of the *Upper Tukituki and Heretaunga Plains flood resilience* projects.
3. Confirms and adopts the revised project approach, timeframes and structure as outlined in the *Reimagining flood resilience projects for Upper Tukituki and Heretaunga Plains* staff report.
4. Appoints councillors Will Foley and Thompson Hokianga to the Upper Tukituki Steering Group
5. Appoints councillors Neil Kirton, Jerf van Beek and Sophie Siers to the Heretaunga Plains Steering Group.
6. Notes the need to ensure the strategic work on flood resilience is aligned with the scheme review projects.

**Siers/Kirton
CARRIED**

Thompson Hokianga re-joined the meeting online at 2.43pm

9. Draft HBRIC Statement of Intent 2025-2026

Tom Skerman introduced the item, which was taken as read, and provided an overview of the evolution of the Sol. Discussions noted.

- Feedback from this meeting will be provided to the HBRIC Board for consideration on 14 April and incorporation into the final Sol for adoption by Council at the end of June.
- Council wants to see consistent growth of assets along with increased reliability of higher dividends.
- Investment policies were removed from the KPIs because they are contained in the SIPO.
- It was suggested that more clarity on performance expectations needs to be surfaced in the Sol.

RC18/25 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the *draft HBRIC Statement of Intent 2025-2026* 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. Provides feedback on the draft 2025-26 HBRIC Statement of Intent in accordance with requirements in the Local Government Act (2002).

**Kirton/Foley
CARRIED**

10. Wairoa NIWE project next steps

Chris Dolley, Andrew Caseley, Lawrence Yule, and Jess Bennett presented the item.

- The Chair acknowledged Denise Eaglesome-Karekare and Leon Symes online.
- The focus of the refinement process has been to minimise negative impacts on homes, marae, urupa and cultural taonga; managing where the river naturally overflows its channel through North Clyde.
- The main difference is that 1C+ is south of Takitimu Marae and results in only 8 homes (6 lived in) being impacted and whenua Māori reduced from 6ha to 2ha.
- There is new general land not previously impacted however that is owned by willing sellers.
- Further judicial and engagement processes will continue with whenua Māori landowners and further cultural assessment work is under way to gather as much information from as many sources as possible in relation to marae, urupa and cultural taonga with the aim being to avoid or protect culturally significant sites.
- Smaller footprint of 1C+ means some 'higher' flood walls and deeper channels to manage higher water velocities.
- Costs have been reassessed to be within the same funding envelope with a slightly different make-up. An order in council will be needed for 1C+ consenting, and has been factored into the budget.
- The whenua Māori land acquisition process is going through the Māori Land Court and is seeking easements or similar.
- The previous cultural impact assessment didn't cover the C1+ area specifically and HBRC is working with TToTW to ensure the work being undertaken now is appropriate and covers all of the relevant sites of significance.
- Discussion of the significance of the decisions reached agreement of the amended wording of the resolutions as recorded and having been subject to legal review.

RC19/25 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the *Wairoa NIWE project next steps* staff report.
2. Agrees that, given the background to the decisions to be made, they are not of themselves significant when considered against the criteria contained in Council's adopted Significance and Engagement Policy and that, based on the existing community engagement, Council has a good understanding of the views and preferences of those within the community affected and can exercise its discretion and make decisions on this issue without conferring directly with those affected or who have an interest in the decision.
3. Rescinds the 13 February 2025 resolutions 5 and 6, and:
 - 3.1. Adopts Option 1C+ as the preferred option for flood mitigation for the Category 2C

area of Wairoa as it provides the best possible mitigation within budget and minimising impacts on whenua Māori, whānau, home and landowners where possible.

- 3.2. Directs the project team to complete a Project Development Plan for submission to the Crown based on Option 1C+ with sufficient scope for option refinement to minimise the impacts on whenua Māori.

**Roadley/Harding
CARRIED**

The meeting adjourned at 3.50pm and Councillor Will Foley left.

The meeting reconvened at 4.05pm.

12. Whirinaki NIWE project next steps

Resolutions

1. That Hawke’s Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 12 Whirinaki NIWE project next steps 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:

RC20/25

General subject of the item to be considered	Grounds under section 48(1) for the passing of the resolution	Reason for passing this resolution
Whirinaki NIWE project next steps	s7(2)(c)(ii) Excluding the public is necessary to prevent disclosure of information which is subject to an obligation of confidence (or which any person has been or could be compelled to provide) and would damage the public interest .	The public interest is served by continuing negotiations. This process is confidential between the parties and the information being made public would significantly prejudice those negotiations and could lead to a poor outcome for ratepayers
	s7(2)(j) Excluding the public is necessary to prevent the disclosure or use of official information for improper gain or improper advantage .	The information could be exploited by various parties for financial or other advantages, such as property speculation on property values in the affected areas and market manipulation by commercial interests in contracts arising in associated industries.
	s7(2)(i) Excluding the public is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Ongoing negotiations to achieve favourable outcomes for HBRC ratepayers and communities could be jeopardised or unfairly influenced.
2. That the outcomes of negotiations are made public as soon as practicable once negotiations have concluded.		

**Williams/Siers
CARRIED**

13. Confirmation of Public Excluded Minutes of the meeting held on 26 February 2025

Resolutions

- That Hawke’s Bay Regional Council excludes the public from this section of the meeting being

Confirmation of Public Excluded Minutes Agenda Item 13 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:

RC21/25

General subject of the item to be considered	Reason for passing this resolution	Grounds under section 48(1) for the passing of the resolution
HBRIC Chair succession	In considering the appointment of the HBRIC Chair's successor, the experience and qualifications of the candidate will be discussed.	s7(2)(a) Excluding the public is necessary to protect the privacy of natural persons
Regional Water Security	<p>Sensitive commercial and pricing information in the report has the potential to adversely impact commercial negotiations and, at this preliminary stage, may be misrepresented publicly and negatively impact the project's ongoing commercial negotiations.</p> <p>Further, deliberations have the potential to impact the privacy of landowners, and commercial arrangements between the Council and the Crown under current, amended or future funding proposals.</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 and contractors/ consultants 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 (including commercial and industrial negotiations)</p> <p>s7(2)(j) Excluding the public is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p>
Regional Deals - Expression of Interest for Hawke's Bay	<p>The Department of Internal Affairs acknowledges that all parties are expected to treat proposals in confidence as they may contain confidential and commercially sensitive information. All parties will keep the information confidential, unless obliged to disclose it (such as by law under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA)), or until it no longer remains confidential (such as being agreed to in a Memorandum of Understanding). Where a relevant OIA or LGOIMA request is received, each party must consult with each other.</p> <p>The information is still the subject of further negotiations both regionally and with the Crown.</p>	<p>s7(2)(c)(ii) Excluding the public is necessary to prevent disclosure of information which is subject to an obligation of confidence (or which any person has been or could be compelled to provide) and would damage the public interest</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 (including commercial and industrial negotiations)</p>

**Williams/Siers
CARRIED**

The meeting went into public excluded session at 4.10pm and out of public excluded session at 5.05pm.

Closure:

There being no further business the Chair declared the meeting closed at 5.05pm on Wednesday, 26 March 2025.

Signed as a true and correct record.

Date:

Chair: