



# HAWKES BAY REGIONAL COUNCIL

TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

## Meeting of the Hawke's Bay Regional Council

**Date:** Wednesday 29 November 2023  
**Time:** 1.30pm  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

## Agenda

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## HAWKE'S BAY REGIONAL COUNCIL

29 November 2023

Item 4

### Subject: CALL FOR MINOR ITEMS NOT ON THE AGENDA

#### Reason for Report

1. This item provides the means for councillors to raise minor matters relating to the general business of the meeting 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

3. That Council accepts the following *Minor items not on the Agenda* for discussion as Item ...

Topic	Raised by

Leeanne Hooper  
Governance Team Leader

Desiree Cull  
Strategy & Governance Manager



**Subject: DRAFT REVENUE AND FINANCING POLICY FOR CONSULTATION**

**Reason for Report**

1. In its 2021-2031 Long Term Plan, the Council signalled its intention to review its Revenue and Financing Policy.
2. Following an extensive 18-month review, this report asks Council to adopt its Draft Revenue and Financing Policy and related documents for consultation. The scope of the review (step one and step two) is outlined in the section entitled *Prescribed process*.

**Officers' recommendations**

3. Staff recommend that council adopts the following documents for consultation:
  - 3.1. Draft Revenue and Financing Policy
  - 3.2. Draft Rates Remission and Postponement policies
  - 3.3. Your Community Your Rates – Consultation Document
  - 3.4. Supporting information document including:
    - 3.4.1. sample properties for comparison of rates
    - 3.4.2. maps of proposed changes to the rating areas
    - 3.4.3. explanation of rating methods.

**Executive Summary**

4. Under the Local Government Act 2002 (LGA), Council must have a Revenue and Financing Policy (R&F Policy). The Council's policy is overdue for review, and it has signalled to ratepayers that a review will be undertaken before the next long-term plan.
5. The objectives of the review are to:
  - 5.1. improve transparency for who pays what
  - 5.2. ensure legal compliance and good practice, and
  - 5.3. simplify the policy.
6. The review process must follow the requirement of the two steps set out in the LGA including formal consultation.
7. On 28 September 2022, the Council adopted the step one funding needs analysis. This was the culmination of five workshops held between 1 June and 24 August 2022, to assess each of the separately identified activities against the requirements in step one.
8. Between 31 May and 11 October 2023, the newly elected Council considered the step one outcomes and went on to apply the step two tests for each activity culminating in the attached proposed Revenue and Financing Policy for consultation. It also considered changes to its Rates Remission and Postponement policies resulting from the review.
9. To support an informed community debate, a consultation document (CD) entitled *Your Community Your Rates* has been drafted which spells out in simple words what the major changes mean for ratepayers, with further information such as rates for sample properties and maps showing changes to rating footprints being available in a Supporting Information document.

10. It is proposed that the Council adopts the draft policies and the consultation material today and consults on this for 8-weeks from 1 December 2023 to 28 January 2024. An engagement campaign including targeted letters to the most affected ratepayers, supported by normal channels - social media, etc, - will be implemented to encourage a wide range of views to support final rating changes. Public hearings are scheduled to be held on 13-14 February 2024 followed by a final decision on 28 February 2024.

### **Background**

11. In order to provide predictability and certainty about sources and levels of funding, Council is required to have a Revenue and Financing Policy (as well as other funding and financial policies) and it must consult on major changes to the policy.
12. The policy is important because it underpins the various funding mechanisms that Council uses to fund its activities. By defining the various rates, it enables Council to set the rates and collect its rates revenues each year.
13. Sector advice states it is good practice to review revenue and financing policies approximately every ten years on a first principles basis. This is because over time, ad hoc changes can result in the overall policy not delivering the optimum outcome for Council and the community.
14. The Council's current policy has evolved over time with a number of small changes made over the last four long term plans but without a review of all components (and the relativity between activities).
15. The council signalled in its most recent long-term plan that it would be reviewing its Revenue and Financing Policy. A specific undertaking was given to review the Upper Tukituki targeted rates.

### *Scope of the review*

16. The review is not an assessment of the adequacy of current spend or the existing levels of service, nor is it a review of Council's Financial Strategy which describes Council's broad funding principles and sets debt and rates limits.
17. The review is confined to how existing activities and levels of services are funded. This includes rates, fees and charges and rates remission and postponement policies.
18. Potential future activities, such as coastal hazard implementation, are also out of the scope of this review.
19. The objectives of the review are to:
  - 19.1. improve transparency for who pays what
  - 19.2. ensure legal compliance and good practice
  - 19.3. simplify the policy.
20. The current policy is administratively complex – there are 117 rating factors in the 2023-24 FY, with 82 of these relating to flood, drainage and rivers and stream maintenance schemes. Through this review, we have managed to reduce the number of rating factors to 48. Of the 48, 23 are unchanged and 25 have been simplified.

### *Timing of the review*

21. A first principles rating review generally takes 12-18 months due to its complexity and the volume of technical material to cover. The review was timed to fall between long term plans (LTPs) to enable ratepayers to distinguish between impacts from the policy change, versus impacts from level of service or cost changes. In addition, rating reviews can be controversial because changing the way rates are assessed always means there are winners and losers which can up-stage the LTP consultation.
22. It was agreed by Council to complete step one before the local government elections in October

2022. The new Council was tasked with reviewing the step one analysis and either reconfirming or amending it, and then completing step two with the aim to consult on the policy, together with any new or amended rates in October 2023.

23. Despite cyclone disruption, the project has been delivered largely on schedule, with consultation two months later than planned, but still in time to land prior to consultation on the 2024-2027 Long Term Plan.

#### *Prescribed process*

24. The process to review the policy is prescribed in the LGA. Section 101(3) LGA requires the Council to develop the policy in two steps. In the first step, it must consider in relation to each activity to be funded the following:
- 24.1. Community outcomes to which the activity primarily contributes
  - 24.2. Distribution of benefits – who gets the benefit the whole/part of community or individuals?
  - 24.3. The period the benefits are expected to occur
  - 24.4. Extent that actions or inactions contribute to the need to undertake the activity (exacerbators)
  - 24.5. Costs and benefits of funding the activity separately from other activities.
25. The process of working through the step one assessment is an iterative one and the rationale for the choices made must be documented. This rationale is captured in the Step One: Funding Needs Assessment (see the Appendix to the R&F Policy).
26. Step two of the R&F Policy review requires the Council to consider the results of step one and (if required) modify the allocation of tools that were identified in step one based on the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental, and cultural wellbeing of the community. This involved modelling the cumulative impact of step one outcomes overlaid with direction on Targeted Rate and/or General Rate differentials, choice of rating system for the General Rate (Land Value vs Capital Value) and agreeing how to set the UAGC.
27. An important philosophy throughout the review has been that nothing is agreed until everything is agreed.
28. The table below summarises the robust review process.

Date	Content covered	Activities covered
1 June 2022	This was an introduction to the project including scope and timeline. It covered the reasons for the review including issues with the current policy, an overview of the legal requirements under s101-103 of the LGA, mandatory process steps, an introduction to terminology, economic concepts and tools to be used throughout 18-months review. It applied the activity template to the first of 34 sub-activities.	<b>Step 1 outcomes discussed for:</b> 1. Hawke's Bay CDEM Group
15 June 2022	This workshop and the next three followed the same pattern as the first, to complete the activity template for Step 1, starting with the 2022-23 FY opex and capex for context.  The activity template included: • What is the Activity? e.g. HBRC	<b>Step 1 outcomes discussed for:</b> 2. HBRC Emergency Management 3. Consents 4. Community Representation & Leadership 5. Tangata whenua partnerships 6. Community Sustainability

Date	Content covered	Activities covered
6 July 2022	<p>Emergency Management</p> <ul style="list-style-type: none"> <li>Which Community Outcome does it primarily contribute to?</li> <li>Who Benefits? (Community as whole, part or individuals)</li> <li>What is the Period of Benefit?</li> <li>Whose actions create a need? (action or inaction)</li> <li>Are there benefits from funding the activity separately?</li> </ul>	<p><b>Step 1 outcomes discussed for:</b></p> <ol style="list-style-type: none"> <li>Environmental Information</li> <li>Environmental Science</li> <li>Catchment Management</li> <li>Soil Conservation Nursery</li> <li>Erosion Control Scheme\Land for Life</li> <li>FEMPS</li> <li>Biodiversity</li> <li>Primary Production Pests</li> </ol>
10 Aug 2022	<ul style="list-style-type: none"> <li>What is the rationale for an allocation of funding? (between individuals, part or all of the community)</li> <li>What proportion is paid by who? (rough % as a starting point)</li> <li>What are the potential funding sources for operational expenditure?</li> <li>What are the potential funding sources for capital expenditure?</li> </ul>	<p><b>Step 1 outcomes discussed for:</b></p> <ol style="list-style-type: none"> <li>Open Spaces</li> <li>Regional Water Security</li> <li>Coastal Hazards</li> <li>Westshore Beach Erosion</li> <li>Compliance</li> <li>Policy Planning &amp; Implementation</li> <li>River management, investigations and public advisory services</li> <li>Flood Risk Assessment and Warning</li> <li>Forestry</li> </ol>
24 Aug 2022		<p><b>Step 1 outcomes discussed for:</b></p> <ol style="list-style-type: none"> <li>Gravel Management</li> <li>Flood Protection and control works</li> <li>Drainage (flood pumping &amp; gravity)</li> <li>River &amp; Stream Maintenance</li> <li>Pollution response</li> <li>Maritime Safety</li> <li>Sustainable Homes</li> <li>Regional Economic Development</li> <li>Transport Planning and Road Safety</li> <li>Passenger Transport</li> </ol> <p>Also looped back on consents to discuss how to fund non-recoverable work.</p>
28 Sep 2022	Council meeting to debate and agree Step 1.	Funding Needs Assessment adopted by Council
31 May 2023	Recap of Step 1 to introduce new councillors to the R&F Policy work and outcomes to date (Step 1 as above). The Step 2 process was described.	

Date	Content covered	Activities covered
7 June 2023	<p>The purpose of this workshop was to</p> <ul style="list-style-type: none"> <li>• Understand the differences between land and capital values</li> <li>• Options for setting the Uniform Annual General Charge (UAGC)</li> <li>• Introduction of the requirements for using and setting Targeted Rates</li> <li>• Using Passenger Transport and Regional Economic Development, create two new targeted rates (example only) identifying matters and factors</li> <li>• Limitations of UAGC and uniform targeted rates – 30% cap</li> <li>• Consider the principles of Capital Value (CV) versus Land Value (LV)</li> <li>• Summary of what still is to be done</li> </ul>	Ensured that councillors were comfortable with the terms being used and the options available.
28 June 2023	<p>This workshop and the following two looked at specific targeted rates by activity and discussed the rating tool options.</p>	<p><b>Step 2 outcomes discussed for:</b></p> <ul style="list-style-type: none"> <li>• Sustainable Homes / Clean Heat</li> <li>• Economic Development Subsidised Transport</li> </ul>
26 July 2023	<p>For each activity, we:</p> <ul style="list-style-type: none"> <li>• Recapped existing rating approach (from current RFP)</li> <li>• Recapped direction set in Step 1</li> <li>• Discussed new scenarios and impacts including consistency of percentage splits, CV or LV for targeted rates, and combining classes to simplify.</li> </ul>	<ul style="list-style-type: none"> <li>• Rivers &amp; Streams</li> <li>• CDEM/HBRC EM</li> <li>• Regional Economic Development</li> </ul>
9 Aug 2023	<p>Modelled impacts were shown as averages for urban, commercial and rural by local HB Council area and for the sample properties used in annual plans. Outliers were also shown.</p>	<ul style="list-style-type: none"> <li>• Flood Protection schemes</li> </ul>
30 Aug 2023	Final wash up of activities and non-s36 RMA Fees & Charges.	<ul style="list-style-type: none"> <li>☐ Sustainable Land Management and Biodiversity, including pest control with biodiversity benefits.</li> <li>☐ Primary Production Pests</li> <li>☐ Consents, Compliance &amp; Maritime Safety</li> </ul>
13 Sep 2023	<p>Discussed the cumulative modelled impact (excluding fees and charges)</p> <p>It also proposed minor changes to existing rates remission/ postponement policies and discussed the introduction of two new ones:</p> <ul style="list-style-type: none"> <li>☐ Hardship as a result of changes to the rating system</li> <li>☐ Sustainable Homes debt recovery</li> </ul>	
20 Sep 2023	Discussed methodology for s36 charges for Environmental Information and Science	
27 Sep 2023	Next iteration of the cumulative modelled impact (including fees and charges).	
11 Oct 2023	Reviewed early draft R&F Policy and Rates Remission policies and consultation material	
15 Nov 2023	Reviewed draft policies (post-independent legal review) and consultation material.	

## Principles

29. As noted on page 2 of the R&F Policy, the following principles applied throughout the review:

- 29.1. Clear and fair – so ratepayers can understand how the source of funding was chosen and who it applies to.
  - 29.2. Simple – for a rates invoice that is easy for ratepayers to understand as well as administratively efficient for Council staff to implement. This saves costs for the community and reduces the risk of errors.
  - 29.3. Consistent – a policy that treats like for like to give the community confidence they are being treated fairly.
  - 29.4. Flexible – a fit for purpose policy that is robust enough to avoid regular amendment but flexible enough to adapt to future changes.
  - 29.5. Overall impact – the council considers the overall impact on the current and future social, economic, environmental, and cultural wellbeing of the community and community outcomes.
30. In addition to the matters above, Section 102(3A) of the Local Government Act 2002 requires that the Revenue and Financing Policy also supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993, including:
- 30.1. the special relationship between the Māori people and the Crown.
  - 30.2. the spirit of the exchange of kāwanatanga for the protection of rangatiratanga embodied in the Treaty of Waitangi be reaffirmed.
  - 30.3. recognition that land is a taonga tuku iho of special significance to Māori people.
  - 30.4. promotion of the retention of that land in the hands of its owners, their whānau, and their hapū, and to protect wahi tapu.
  - 30.5. facilitation the occupation, development, and utilisation of that land for the benefit of its owners, their whānau, and their hapū.

### **Proposed Revenue and Financing Policy**

- 31. Attached to this document is the draft R&F Policy. Its format and the content are significantly different to the existing policy. The format of the draft policy closely follows the legal requirements set out in the LGA and has been restructured to be more readable, understandable and useable.
- 32. Changes to the content of the policy are highlighted for consultation purposes using text boxes. Red boxes for major changes that feature as a consultation topic in *Your Community Your Rates* consultation document, and green text boxes for other changes.

### **Key changes**

- 33. There are five key consultation topics featured in *Your Community Your Rates* consultation document with associated tick boxes in the submission form. However, the whole policy is open to feedback. The five key topics are:
  - 33.1. The proposal to move from land value to capital value for the general rate
  - 33.2. Regional economic development rate proposal
  - 33.3. Flood protection and drainage schemes proposal
  - 33.4. Passenger transport rate proposal
  - 33.5. Freshwater science charges and new targeted rate proposal
  - 33.6. sustainable land management and biodiversity and biosecurity proposal.
- 34. The consultation document uses tables, graphs, and examples to describe the impact of each proposal, and the cumulative impact. The consultation document also describes advantages and disadvantages of the proposed changes.

## Supporting information

35. Further information on the cumulative impacts and key consultation topics is available to the public in the Supporting Information document. This includes:
  - 35.1. Sample properties for comparison of rates – these cover a range of categories across the region including commercial/industrial, residential, and rural. These properties are included in the Annual Plan, however, for the purpose of this review we have extended the number of properties from 21 to 27 to broaden the sample of rural properties. The tables show a ‘current’ and ‘proposed’ total rates based on 2023-2024 budgets.
  - 35.2. Maps of proposed changes to the rating areas – where changes have been made to the rating ‘footprint’, or rating classes with differential rates have been simplified, the existing and proposed areas have been presented with an explanation of the proposed changes.
  - 35.3. Explanation of rating methods – as per the Long-Term Plan and Annual Plan, the explanation of rating methods has been included. This only explains the changes to the rating methods. For comparison with the full suite of current rating methods, these are outlined in pages 44 to 52 of the 2023-2024 Annual Plan.

## Rates remission and postponement policies

36. As a result of the review of the R&F Policy, minor improvements have been made to our existing rates remissions and postponement policies and two new ones are proposed for:
  - 36.1. Hardship resulting from changes to the rating system
  - 36.2. Postponement of Sustainable Homes Voluntary Targeted Rate (to enable full debt recovery)
37. *The Draft Rates Remissions and Postponement Policies* is a separate document open for consultation concurrently with the Draft R&F Policy. The proposed changes and the reasons for the changes are covered on page 20 of Your Community Your Rates consultation document.

## Communications and Engagement Plan for consultation

38. Consultation will run for eight weeks from Friday 1 December 2023 to Sunday 28 January 2024.
39. A full communication and engagement plan has been developed. This includes:
  - 39.1. Key objectives and key messages
  - 39.2. Target audience is all ratepayers and the marketing and communication channels have been planned to be as broad as possible, while also being cost-effective. They are:
    - 39.2.1. Traditional media – media releases, print advertising community papers, poster boxes
    - 39.2.2. Digital media – social media, digital advertising, email, website, online submission form, QR code
  - 39.3. Key groups of ratepayers have been identified to receive a targeted communication – either by email or mailed letter. These include:
    - 39.3.1. Sector organisations such as Federated Farmers, Beef & Lamb etc
    - 39.3.2. Treaty partners
    - 39.3.3. Freshwater science consent holders
    - 39.3.4. Individual ratepayers identified by staff as being amongst the most impacted (around 900 in total).
40. The consultation site will be available on [hbrc.govt.nz](https://hbrc.govt.nz), search: #haveyoursay. It will also include Frequently Asked Questions and a telephone number to call for further information if required.
41. Hearings are planned for 13-14 February 2024.

## Strategic Fit

42. The Revenue and Financing Policy sets out how Council proposes to fund its activities. It underpins the values of accountability and transparency in Council's Strategic Plan 2020-25, namely:
  - 42.1. Accountability – we hold ourselves accountable to deliver results, be responsive to community expectations, and the best use of ratepayers' funds and assets.
  - 42.2. Transparency – we report on what we do and the value this delivers to our community.
43. It is important that this policy is reviewed on a regular basis to ensure we practice these values.

## Significance and Engagement Policy Assessment

44. Staff have assessed this the changes proposed to our Revenue and Financing Policy against the Council's Significance and Engagement Policy and have concluded that they are significant and warrant consultation.

## Financial and resource implications

45. The LTP provides a budgetary provision to support the Revenue and Financing Policy review including consultation. Consultation is expected to cost \$15,000. This is within existing budgets.

## Legal implications

46. Section 102 (2) (a) LGA requires the Council to have a Revenue and Financing Policy.
47. Section 101 (3) LGA sets out the process on how a local authority should decide who should pay including specifying the two-step process.
48. Section 103 details disclosure requirements of a Revenue and Financing Policy.

## Decision-making process

49. 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:
  - 49.1. The decision is significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 49.2. The decision does not significantly alter the service provision or affect a strategic asset.
  - 49.3. The use of a consultation process is required by legislation under s102(4).
  - 49.4. The decision to consult is not inconsistent with an existing policy or plan. If Council decides to adopt the changes proposed in the draft policy, it will replace the existing policy.
  - 49.5. The persons directly affected by this decision are all of the Hawke's Bay community.

## Recommendation

That Hawke's Bay Regional Council:

1. Receives and notes the *Draft Revenue and Financing Policy for consultation* staff report.
2. Adopts the following documents for public consultation for eight weeks from 1 December 2023 to 28 January 2024:
  - 2.1. Draft Revenue and Financing Policy
  - 2.2. Draft Rates Remission and Postponement policies
  - 2.3. Your Community Your Rates – Consultation Document
  - 2.4. Supporting Information document including:

- 2.4.1. sample properties for comparison of rates
- 2.4.2. maps of proposed changes to the rating areas
- 2.4.3. explanation of rating methods.
- 3. Delegates to the Chief Financial Officer final approval of any further minor editorial changes to the draft policies, consultation document and supporting information prior to it being made available for public consultation.

**Authored by:**

**Desiree Cull**  
STRATEGY AND GOVERNANCE MANAGER

**Sarah Bell**  
TEAM LEADER STRATEGY AND PERFORMANCE





**Vanessa Fauth**  
FINANCE MANAGER

**Beth Postlewaigh**  
WORKSTREAM LEAD - PROPERTY & RATES  
PROJECT

**Approved by:**

**Chris Comber**  
CHIEF FINANCIAL OFFICER

**Attachment/s**

- |          |   |                      |
|----------|---|----------------------|
| <b>1</b> |  Draft Revenue and Financing Policy              | Under Separate Cover |
| <b>2</b> |  Draft Rates Remission and Postponement Policies | Under Separate Cover |
| <b>3</b> |  Your Community Your Rates Consultation Document | Under Separate Cover |
| <b>4</b> |  Supporting Information Document                 | Under Separate Cover |



**Subject: RECOMMENDATIONS FROM THE CYCLONE RECOVERY COMMITTEE**

**Reason for report**

1. The following matters were considered by the Cyclone Recovery Committee on 8 November 2023 and the recommendations to Council are now presented for the Council's consideration alongside any additional commentary the Committee Chair wishes to offer.

**Council decisions**

2. The Committee confirmed the transition back to the Environment and Integrated Catchments Committee, including proposed Terms of Reference, as part of the *Transition from recovery to business as usual* agenda item, resolving recommendations to Council being:
  - 2.1. Appoints the Environment and Integrated Catchments Committee (EICC) to replace the Cyclone Recovery Committee, under Clause 30 of Schedule 7 of the Local Government Act 2002.
  - 2.2. Adopts the Environment and Integrated Catchments Committee (EICC) Terms of Reference (as attached) with the added statement specifying quorum is a majority of members.
3. The Committee also received and noted the Biosecurity Annual Report 2022-2023 and Operational Plan 2023-2024 and resolved to recommend that the Regional Council:
  - 3.1. Adopts the Biosecurity Operational Plan for 2023-2024.

**Decision-making process**

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 not prescribed by legislation, nor is it significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 4.3. The items were specifically considered by the Cyclone Recovery Committee on 8 November 2023.
  - 4.4. Council is required to (LGA sch.7 cl.19(1)) hold the meetings that are necessary for the good government of its region.
  - 4.5. Council may appoint (LGA sch.7 cl. 30(1)(a)) the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate.
  - 4.6. Given the provisions above, Council can exercise its discretion and make these decisions without consulting directly with the community or others having an interest in the decision.

**Recommendation**

That Hawke's Bay Regional Council:

1. Receives and notes the *Recommendations from the Cyclone Recovery Committee*.
2. Appoints the Environment and Integrated Catchments Committee (EICC) to replace the Cyclone Recovery Committee, under Clause 30 of Schedule 7 of the Local Government Act 2002.
3. Adopts the Environment and Integrated Catchments Committee (EICC) Terms of Reference as attached.
4. Adopts the Biosecurity Operational Plan for 2023-2024.



**Authored by:**

**Allison Doak**  
**GOVERNANCE ADVISOR**

**Approved by:**

**Desiree Cull**  
**STRATEGY AND GOVERNANCE MANAGER**

**Attachment/s**

- 1   Environment & Integrated Catchments Committee Terms of Reference



## Environment and Integrated Catchments Committee

### Terms of Reference

*Adopted by resolution of Hawke's Bay Regional Council on 29 November 2023*

The purpose of the Environment and Integrated Catchments Committee (EICC) is to consider and recommend to Council:

#### 1. Policy

- 1.1 carbon reduction and climate change adaptation and mitigation policies and strategies developed to guide the establishment of work plans
- 1.2 policies with regard to Council responsibilities and involvement in flood protection and drainage
- 1.3 policies with regard to Council's responsibilities for biosecurity, biodiversity and pest management
- 1.4 policies, strategies, and by-laws and compliance and enforcement programs relating to maritime and navigational safety under the Maritime Transport Act.

#### 2. Environmental Monitoring and Research

- 2.1 environmental monitoring strategies and research and investigation programmes, including the State of the Environment Reports.
- 2.2 technical reports on the findings of research and investigations into the impact of activities on the receiving environments and recommend to Council the development of new policy frameworks based around such information.

#### 3. Implementation

- 3.1 management plans or any similar such documents for the effective implementation of environmental enhancement and improvement programmes of Council.
- 3.2 all other policy implementation issues of Council.
- 3.3 To periodically review the effectiveness of Council's non-regulatory resource management operational work programmes within the ambit of the Committee and make recommendations to Council for any changes.
- 3.4 To assist staff, where appropriate, in identifying a preferred option and/or funding mechanism for Council consideration of biosecurity/ biodiversity initiatives, proposals for new or expansion of existing open spaces and regional parks, and infrastructure asset construction or improvement work; and in promoting the preferred option to the beneficiaries/ community.

#### 4. Financial Authority

- 4.1 consideration of possible financial implications of specific initiatives.

## 5. Use of Delegated Powers for the Environment & Integrated Catchments Committee

- 5.1 This Committee may, without confirmation by the local authority that made the delegations, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them, provided that the decision deserves urgency and the decision to make the resolution a decision of Council is carried unanimously.

## 6. Quorum

The quorum at any meeting of the Committee shall be a majority of members.

<b>Members:</b>	<ul style="list-style-type: none"> <li>• All Councillors being: Hinewai Ormsby, Will Foley, Neil Kirton, Charles Lambert, Jerf van Beek, Martin Williams, Sophie Siers, Di Roadley, Thompson Hokianga, Jock Mackintosh</li> <li>• One appointed member of the Māori Committee, Katarina Kawana</li> <li>• One appointed member of the Regional Planning Committee, TBC</li> </ul>
<b>Chair:</b>	A member of the Committee as elected by the Council being: councillor Sophie Siers
<b>Deputy Chair:</b>	A member of the Committee as elected by the Council being: councillor Di Roadley
<b>Meeting Frequency:</b>	Quarterly
<b>Staff Executive:</b>	Group Manager Integrated Catchment Management Group Manager Asset Management

**Subject: REPORT AND RECOMMENDATIONS FROM THE CLIFTON TO TANGOIO COASTAL  
HAZARDS STRATEGY JOINT COMMITTEE**

**Reason for report**

1. The following matters were considered by the Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Joint Committee) on 10 November 2023 and are now presented for the Council's consideration and resolution, alongside any additional commentary the Joint Committee Chair wishes to offer.

**Council decision**

2. As the sole decision item, the Joint Committee confirmed a **Proposed Terms of Reference amendment** intended to clarify the current focus of the Strategy on coastal inundation and erosion hazards, and signal that future Strategy reviews would be able to consider additional hazards, including multi-hazard assessments. The Joint Committee resolved:
  - 2.1. Accepts the amended Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference Appendix 1 as proposed.
  - 2.2. Recommends the amended Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference Appendix 1 (following) to each of the Partner Councils for adoption.

**Summary of meeting discussions**

3. The remainder of the meeting provided updates on work programmes and information including:
  - 3.1. Confirming the reports '*Hawke's Bay climate change adaptation initiatives stocktake*' and '*Communications and Engagement Plan update*' that had been presented to the previous meeting but were not able to be confirmed due to a loss of a quorum.
  - 3.2. Receiving the project manager's report which confirmed the Strategy timeframe as the primary project risk and that a key focus is now on progressing the Mātauranga Māori workstream. Through discussion, it was confirmed that resolving and confirming a funding model for Strategy implementation is the most challenging issue to resolve in order to progress the Strategy to notification.
  - 3.3. Confirmation that the Joint Committee's submission on the Climate Adaptation Inquiry was finalised and lodged on 1 November 2023.
  - 3.4. Confirmation that the Joint Committee also wished to enter a submission on the proposed National Policy Statement for Natural Hazard Decision-making (NPS-NHD), which would be confirmed and lodged by the close of submissions on 20 November 2023.
  - 3.5. An update on coastal projects including Rangatira Revetment, Westshore renourishment and Te Awanga erosion.

**Decision-making process**

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 not prescribed by legislation, nor is it

significant under the criteria contained in Council's adopted Significance and Engagement Policy.

- 4.3. The item was specifically considered by the Clifton to Tangoio Coastal Hazards Strategy Joint Committee on 10 November 2023.
- 4.4. Council is required to (LGA sch.7 cl.19(1)) hold the meetings that are necessary for the good government of its region.
- 4.5. Council may appoint (LGA sch.7 cl. 30(1)(a)) the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate.
- 4.6. Given the provisions above, Council can exercise its discretion and make these decisions without consulting directly with the community or others having an interest in the decision.

### Recommendations

That Hawke's Bay Regional Council:

1. Receives and notes the *Report and recommendations from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*.
2. Adopts the amended Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference (attached) as proposed.



### Authored by:

**Simon Bendall**  
**COASTAL HAZARDS STRATEGY PROJECT**  
**MANAGER**

### Approved by:

**Chris Dolley**  
**GROUP MANAGER ASSET MANAGEMENT**

### Attachment/s

- 1  Proposed amended Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference 

## Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

*As adopted by resolution of:*

Hastings District Council, 10 August 2023

Napier City Council, 20 July 2023

Hawke's Bay Regional Council, 31 May 2023

### 1. Definitions

For the purpose of these Terms of Reference:

- 1.1 **Act** means the Local Government Act 2002
- 1.2 **Administering Authority** means Hawke's Bay Regional Council
- 1.3 **Coastal Hazards Strategy** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio<sup>1</sup>
- 1.4 **Council member** means an elected representative appointed by a Partner Council
- 1.5 **Hazards** means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunamis; and includes any change in these hazards as a result of sea level rise
- 1.6 **Joint Committee** means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.
- 1.7 **Member** in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- 1.8 **Partner Council** means one of the following local authorities: Hastings District Council, Napier City Council and Hawke's Bay Regional Council
- 1.9 **Tangata Whenua Appointer** means:
  - 1.9.1 The trustees of the Maungaharuru-Tangitū Trust, on behalf of the Maungaharuru-Tangitū Hapū
  - 1.9.2 Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapū
  - 1.9.3 Heretaunga Tamatea Settlement Trust, on behalf of the hapū of Heretaunga and Tamatea
- 1.10 **Tangata Whenua member** means a member of the Joint Committee appointed by a Tangata Whenua Appointer.

### 2. Name and status of Joint Committee

- 2.1 The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

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<sup>1</sup> The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.

3. Partner Council Members

- 3.1 Each Partner Council shall appoint three Council members and one alternate to the Joint Committee.
- 3.2 If not appointed directly as Council members, the Mayors of Hastings District Council and Napier City Council and the Chairperson of Hawke's Bay Regional Council are ex officio Council members.
- 3.3 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the member.

4. Tangata Whenua members

- 4.1 Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.
- 4.2 Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.
- 4.3 The Tangata Whenua members so appointed shall be entitled to vote.
- 4.4 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the member.

5. Purpose of Terms of Reference

- 5.1 The purpose of these Terms of Reference is to:
  - 5.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.
  - 5.1.2 Provide for the administrative arrangements of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

6. Delegated authority

The Joint Committee has the responsibility delegated by the Partner Councils for:

- 7.1 Guiding and providing oversight for the key components of the coastal hazards strategy including:
  - 7.1.1 The identification of coastal hazards extents and risks as informed by technical assessments
  - 7.1.2 A framework for making decisions about how to respond to those risks
  - 7.1.3 A model for determining how those responses shall be funded; and on a plan for implementing those responses when confirmed
- 7.2 Considering and recommending a draft strategy to the Hawke's Bay Regional Council for public notification and consultation
- 7.3 Advocating for and/or advancing the objectives of the Strategy by submitting on and participating in processes, including but not limited to:
  - 7.5.1 Council long term plans
  - 7.5.2 Council annual plans
  - 7.5.3 District and regional plan and policy changes
  - 7.5.4 Reserve management plans

- 7.5.5 Asset management plans
  - 7.5.6 Notified resource consent applications
  - 7.5.7 Central Government policy and legislation
- 7.6 Investigating and securing additional sources of funding to support strategy implementation.
- 7. Powers not delegated

The following powers are not delegated to the Joint Committee:

  - 8.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002
  - 8.2 The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Clifton to Tangoio Coastal Hazards Strategy.
- 8. Remuneration
  - 9.1 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.
  - 9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua members.
- 10. Meetings
  - 10.1 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.
  - 10.2 The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.
  - 10.3 Notice of meetings will be given as far in advance as possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act.
  - 10.4 Members, or their confirmed alternates, will attend all Joint Committee meetings.
  - 10.4 The quorum shall be 6 Members, provided that at least one Partner Council member is present from each Partner Council.
- 11. Voting
  - 11.1 In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.
  - 11.2 Where voting is required, each member has one vote.
  - 11.4 Best endeavours will be made to achieve decisions on a consensus basis.
  - 11.5 The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, may use a casting vote.
- 12. Chairperson and Deputy Chairperson
  - 12.1 The Chairperson of the Joint Committee will be one of the Hawke's Bay Regional Council members as elected and appointed by Hawke's Bay Regional Council.

- 12.2 At the first meeting of the Joint Committee the members shall elect up to two Deputy Chairpersons.
  - 12.2 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.
13. Reporting
  - 13.1 All reports to the Committee shall be presented via the Technical Advisory Group<sup>2</sup>.
  - 13.2 Following each meeting of the Joint Committee, the Project Manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information, to each member. Such reports will be in addition to any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee representatives.
  - 13.3 The Technical Advisory Group shall ensure that the summary report required by 13.2 is also provided to each Partner Council for inclusion in the Agenda for the next available Council meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions.
14. Good faith
  - 14.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.
15. Variations to the Terms of Reference
  - 15.1 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.
  - 15.2 Amendments to the Terms of Reference may only be made with the approval of all Members.
16. Recommended for Adoption
  - 16.1 The Clifton to Tangoio Coastal Hazards Strategy Joint Committee, made up of the following members, confirms this Terms of Reference for adoption to the three Partner Councils  
**Maungaharuru-Tangitū Trust (MTT)** represented by Ms Tania Hopmans  
**Hastings District Council** represented by councillors Alwyn Corban, Ann Redstone and Malcolm Dixon, and councillor Tania Kerr as alternate  
**Mana Ahuriri Trust** represented by Evelyn Ratima  
**Napier City Council** represented by councillors Nigel Simpson, Hayley Browne and Keith Price and councillor Annette Brosnan as alternate  
**Heretaunga Tamatea Settlement Trust** represented by Gilvrey Mohi  
**Hawke's Bay Regional Council** represented by councillors Jerf van Beek, Xan Harding and Charles Lambert, and Sophie Siers as alternate

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<sup>2</sup> A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.

## Appendix 1 – Project Background

### 1. Project Goal

- 1.1 A Clifton to Tangoio Coastal Hazards Strategy is being developed in cooperation with the Hastings District Council (HDC), the Hawke's Bay Regional Council (HBRC), the Napier City Council (NCC), and Maungaharuru-Tangitū Trust (MTT), Mana Ahuriri Trust and Heretaunga Tamatea Settlement Trust representing Mana Whenua. This strategy is being developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the 105 years from 2015 to 2120.
- 1.2 The long term vision for the strategy is that coastal communities, businesses and critical infrastructure from Tangoio to Clifton are resilient to the effects of coastal hazards.

### 2. Project Assumptions

The Coastal Hazards Strategy will be based on and influenced by:

- 2.1 The long term needs of the Hawke's Bay community
- 2.2 Existing policies and plans for the management of the coast embedded in regional and district council plans and strategies
- 2.3 Predictions for the impact of climate change
- 2.4 The National Coastal Policy Statement.

### 3. Project Scope

The Coastal Hazards Strategy is primarily a framework for determining options for the long term management of the coast between Clifton and Tangoio. This includes:

- 3.1 Taking into account sea level rise and the increased storminess predicted to occur as a result of climate change, an assessment of the risks posed by ~~the natural hazards at the coast of coastal erosion, coastal inundation and tsunami~~.
- 3.2 The development of a framework to guide decision making processes that will result in a range of planned responses to these risks.
- 3.3 The development of a funding model to guide the share of costs, and mechanisms to cover those costs, of the identified responses.
- 3.4 The development of an implementation plan to direct the implementation of the identified responses.
- 3.5 Stakeholder involvement and participation.
- 3.6 Protocols for expert advice and peer review.
- 3.7 An action plan of ongoing activity assigned to various Members.

### 4. The Strategy will:

- ~~4.1~~ Describe a broad vision for the coast in 2120
- ~~4.14.2~~ Initially focus on the priority coastal hazards of coastal erosion and coastal inundation, and through future reviews consider new information including additional coastal hazards and multi-hazard assessments.
- ~~4.24.3~~ Describe the possible effects of coastal hazards and sea level rise, and propose responses to those risks under a Dynamic Adaptive Policy Pathways (DAPP) framework.
- ~~4.34.4~~ Set out proposed funding principles based on the requirements of the Local Government Act 2002 and a proposed funding model for Strategy implementation that gives effect to those principles.

4.44.5 Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:

- 4.1.1 Regional Policy Statement
- 4.1.2 District Plans
- 4.1.3 Council long-term plans
- 4.1.4 Infrastructure Development Planning (including both policy and social infrastructure networks).

4.54.6 Describe how the Strategy will be implemented and a monitoring and review process.

## Appendix 2 - Administering Authority and Servicing

- 1 The administering authority for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee is Hawke's Bay Regional Council.
- 2 The administrative and related services referred to in clause 16.1 of the conduct of the Joint Committee under clause 30 Schedule 7 of the Local Government Act 2002 apply.
- 3 Until otherwise agreed, Hawke's Bay Regional Council will cover the full administrative costs of servicing the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 4 A technical advisory group (TAG) will service the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 5 The TAG will provide for the management of the project mainly through a Project Manager. TAG will be chaired by the Project Manager, and will comprise senior staff representatives from each of the participating councils and other parties as TAG deems appropriate from time to time. TAG will rely significantly on input from coastal consultants and experts.
- 6 The Project Manager and appropriate members of the TAG shall work with stakeholders. Stakeholders may also present to or discuss issues directly with the Joint Committee.
- 7 Functions of the TAG include:
  - 7.1 Providing technical oversight for the Strategy.
  - 7.2 Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
  - 7.3 Ensuring Council inputs are integrated.



**Subject: PROPOSED 2024 SCHEDULE OF MEETINGS**

**Reason for report**

1. This item proposes the schedule of meetings for Council and its committees for the upcoming year for Council's consideration for adoption.

**Background**

2. The proposed schedule incorporates meeting frequencies included in the Terms of Reference for committees as adopted, as well as:
  - 2.1. One Regional Council meeting scheduled on the last Wednesday of each month
  - 2.2. Corporate and Strategic Committee meetings scheduled quarterly aligned with organisational performance (including financial) reporting timeframes
  - 2.3. Māori Committee, Regional Planning Committee, Environment & Integrated Catchments Committee, and Risk & Audit Committee meetings scheduled quarterly
  - 2.4. Regional Transport Committee (RTC) meetings scheduled quarterly on a Friday
  - 2.5. Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Coast) meetings scheduled every second month on a Friday
  - 2.6. HB CDEM Group Joint Committee and Climate Action Joint Committee meetings coordinated to occur on the same Monday as Regional Leaders' Forum meetings, three to four times per year.
3. The proposed 2024 schedule of meetings (attached) has been developed taking the following additional factors into consideration.
  - 3.1. With the exception of CDEM, RTC and Joint Committee meetings, all meetings to be held on a Wednesday
  - 3.2. One week of each school holiday period is kept free of meetings
  - 3.3. The entire July school holidays kept free of meetings.

**Decision-making process**

4. Council is 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 Council is required to (LGA sch.7 cl.19(1)) hold the meetings that are necessary for the good government of its region.
  - 4.2. Adoption of a schedule of meetings is specifically provided for under Schedule 7, Part 1, Section 21.
  - 4.3. Given the provisions above, Council can exercise its discretion and make these decisions without consulting directly with the community or others having an interest in the decision.

**Recommendations**

That Hawke's Bay Regional Council:

1. Receives and considers the *2024 schedule of meetings for 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 consulting directly with the community or others likely to have an interest in the decision.
3. Adopts the *2024 schedule of meetings* as proposed, subject to change as required.



**Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

**Approved by:**

**Nic Peet**  
**CHIEF EXECUTIVE**

**Attachment/s**

- 1   proposed 2024 HBRC meetings schedule

2024 Meetings Schedule proposed 29 November 2023

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
SAT						1							SAT
SUN						2			1			1	SUN
MON	1			1 Easter Monday		3 King's B-day	1		2			2	MON
TUE	2			2		4	2		3	1		3	TUE
WED	3			3	1 RAC	5 Māori	3		4 Māori	2		4 EICC	WED
THU	4	1		4	2	6	4	1	5	3		5	THU
FRI	5	2 RTC (adpt RLTP 2 consult)	1	5 RTC + RLTP hearing	3 Coast	7 Transport	5 Coast	2	6 Transport	4	1	6 Transport	FRI
SAT	6	3	2	6	4	8	6	3	7	5	2	7	SAT
SUN	7	4	3	7	5	9	7	4	8	6	3	8	SUN
MON	8	5	4	8 RTC RLTP hearing 2	6	10	8	5	9	7	4	9	MON
TUE	9	6 Waitangi Day	5	9	7	11	9	6	10	8	5	10	TUE
WED	10	7 RAC	6 Māori	10	8	12 EICC	10	7 C&S	11 EICC	9	6 Māori	11	WED
THU	11	8	7	11	9	13	11	8	12	10	7	12	THU
FRI	12	9	8 Coast	12	10	14	12	9	13 Coast	11	8 Coast	13	FRI
SAT	13	10	9	13	11	15	13	10	14	12	9	14	SAT
SUN	14	11	10	14	12	16	14	11	15	13	10	15	SUN
MON	15	12	11	15	13	17	15	12	16	14	11	16	MON
TUE	16	13 R&FP hearings	12	16	14	18	16	13	17	15	12	17	TUE
WED	17	14 R&FP Hearing	13 EICC	17	15 C&S	19 RPC	17	14 Māori	18 RPC	16	13 C&S	18 Council	WED
THU	18	15	14	18	16	20	18	15	19	17	14	19	THU
FRI	19	16	15	19 RTC RLTP hearing 3	17	21	19	16	20	18	15	20	FRI
SAT	20	17	16	20	18	22	20	17	21	19	16	21	SAT
SUN	21	18	17	21	19	23	21	18	22	20	17	22	SUN
MON	22	19	18	22	20	24 CDEM CEG	22	19 Te Rāngai ā-Rohe	23	21 CDEM CEG	18 Climate	23	MON
TUE	23	20	19	23	21	25	23	20 RSG	24	22	19	24	TUE
WED	24	21 C&S	20 RPC	24 Council	22	26 Council	24 RAC	21 Te Rāngai ā-Rohe	25 Council	23 RAC	20 RPC	25 Christmas Day	WED
THU	25	22	21	25 Anzac Day	23	27	25	22 RSG	26	24	21	26 Boxing Day	THU
FRI	26	23	22	26	24	28 Matariki	26	23 Te Rāngai ā-Rohe	27	25 HB Ann	22	27	FRI
SAT	27	24	23	27	25	29	27	24	28	26	23	28	SAT
SUN	28	25	24	28	26	30	28	25	29	27	24	29	SUN
MON	29	26 CDEM CEG / Climate	25 HB CDEM JC	29	27 Climate		29 HB CDEM JC	26 Climate	30	28 Labour Day	25 HB CDEM JC	30	MON
TUE	30	27	26	30	28		30	27		29	26	31	TUE
WED	31 LTP w/s + Council	28 w/s + Council	27 Council		29 Council		31 Council	28 Council		30 Council	27 Council		WED
THU		29	28		30			29		31	28		THU
FRI			29 Good Friday		31			30			29		FRI
SAT			30					31			30		SAT
SUN			31										SUN
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	

Key:  
*red, italicised print = tentative ; blue, italicised print = extra info*  
Council - Hawke's Bay Regional Council  
Planning - Regional Planning Committee  
CDEM JC - HB Civil Defence Emergency Management Group Joint Committee  
C&S - Corporate & Strategic Committee  
w/s - Workshop  
AGF = All Governors Forum  
RAC - Risk & Audit Committee

Coast - Clifton to Tangoio Coastal Hazards Strategy Joint Committee  
Māori - Māori Committee  
Climate - Climate Action Joint Committee  
Transport - Regional Transport Committee  
EICC - Environment & Integrated Catchments Committee  
Reg Collab - Regional governors' collaboration day

School holidays, weekends & stat days  
(D)AP (Draft) Annual Plan  
(D)AR (Draft) Annual Report  
DLS Daylight Savings  
Fin Financials  
CD Consultation Document  
StrPln Strategic Plan  
Subs Submissions  
FT Field trip



**Subject: COUNCILLORS' REMUNERATION**

**Reason for Report**

1. This item provides the means for Council to resolve the remuneration of councillors for the period from 26 October 2023, for application to the Remuneration Authority for an amended determination for Hawke's Bay Regional Council.

**Officers' recommendations**

2. Council officers recommend that councillors consider whether the additional compensation for members with additional responsibilities is adequate in the new circumstances of there being six positions of additional responsibility (adding the HBRIC councillor director role) while retaining the base salary for councillors (four) at \$61,000 per year and resolve accordingly for application to the Remuneration Authority.

**Executive Summary**

3. With the election of a new Chair of the Corporate and Strategic Committee, it is necessary to apply to the Remuneration Authority for an amendment to the remuneration of HBRC councillors to include the role of HBRIC councillor director. This is due to the Council's *Policy on Appointment and Remuneration of Directors* (attached) which states:
  - 3.1. *Councillor directors are to be paid for their director duties only if they are not already remunerated for higher duties as Council committee chairs or Council Chairperson or Deputy, and in such event are to be paid for the difference between a base councillor salary and that of a Council committee Chair.*

**Background /Discussion**

4. This Council's remuneration levels for the 2023-2024 financial year, under the Local Government Elected Members' Determination 2023-24 were:
  - 4.1. Chairman's salary \$142,761 per annum adjusted for vehicle use (not included in the Remuneration Pool)
  - 4.2. \$61,000 per annum as the base salary for a councillor with no additional responsibilities; currently councillors Xan Harding, Thompson Hokianga, Charles Lambert, Jock Mackintosh, and Di Roadley
  - 4.3. The remainder of the pool (\$244,000) distributed evenly between positions of responsibility at \$67,860 per annum, currently being:
    - 4.3.1. Cr Will Foley – HBRC Deputy Chair
    - 4.3.2. Cr Sophie Siers – Chair, Cyclone Recovery Committee (CRC)
    - 4.3.3. Cr Neil Kirton – Chair, Corporate and Strategic Committee (C&S)
    - 4.3.4. Cr Martin Williams – Chair, Regional Transport Committee (RTC)
    - 4.3.5. Cr Jerf van Beek – Chair, Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Coastal JC).
5. With the election of Xan Harding to the role of Chair of the Corporate and Strategic Committee and to take account of the Appointment and Remuneration of Directors Policy, it is now proposed that an application is made to the Remuneration Authority to include HBRIC Councillor Director as a role with additional responsibilities necessitating higher remuneration.

## Options assessment

6. The options Council is able to consider include:
  - 6.1. retaining the base councillor salary at \$61,000 pa and splitting the remainder of the remuneration pool evenly between six positions of additional responsibility; representing an additional \$5,717pa each for those six roles.
  - 6.2. retaining the current \$6,860 pa difference for remuneration for six (was 5) positions of additional responsibility and reduce the base councillor salary to \$60,314.20 pa to allocate the total remuneration pool.

## Financial and resource implications

7. There are no financial implications for Council by amending the remuneration paid to councillors as the total pool is set by the Remuneration Authority and Council is required to allocate its entirety.
8. The financial implications are for the individual councillors and may, depending on which option is chosen, impact all councillors except the Chair (whose remuneration is set separately).

## Decision-making process

9. 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:
  - 9.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
  - 9.2. The use of the special consultative procedure is not prescribed by legislation.
  - 9.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 9.4. The persons affected by this decision are councillors.
  - 9.5. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

## Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the *Councillors' remuneration* 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. Submits an application to the Remuneration Authority for an amended Determination for HBRC that retains the \$61,000 per annum base councillor remuneration and six positions of additional responsibility (from 26 October 2023) paid an additional \$5,717 pa for:
  - 3.1. HBRC Deputy Chair (Will Foley)
  - 3.2. Chair, Corporate & Strategic Committee (Xan Harding)
  - 3.3. Chair, Environment & Integrated Catchments Committee (Sophie Siers)
  - 3.4. Chair, Regional Transport Committee (Martin Williams)
  - 3.5. Chair, Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Jerf van Beek)

3.6. HBRIC Ltd Councillor Director (Neil Kirton).







**Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

**Approved by:**

**Nic Peet**  
**CHIEF EXECUTIVE**

**Attachment/s**

- 1   2023 Councillor Rem calculator retain 61k base
- 2   2023 Councillor Rem calculator with lower base
- 3   HBRIC Ltd councillor director role description



## Proposed Remuneration for Councillors Following the 2022 Local Elections Using Dollar Amounts



Use this worksheet to calculate the proposed remuneration for positions with additional responsibilities and the proposed remuneration for councillors without additional responsibilities using DOLLAR amounts.

Before completing this worksheet, read the instructions sheet in the tab below for detailed guidance.

1) Enter the legal name of local authority, as listed in schedule 2 of the Local Government Act 2002:

Hawke's Bay Regional Council

2) Enter the date on which the official result of the 2022 election was declared for the local authority:

14 October 2022

3) Enter the number of elected members (excluding the mayor or regional council chair) on the council:

10

4) Enter local authority's governance remuneration pool as shown in the current local government members determination (\$):

644,302

5) Enter councillor minimum allowable remuneration as shown in the current determination (\$):

58,224

6) Enter proposed remuneration for a (base) councillor with no additional responsibility (\$):

61,000

7) Enter date of local authority's resolution proposing the remuneration for the position(s) of responsibility and/or base councillors:

25 October 2023

8) Enter title of proposed position <u>with additional</u> responsibilities (ie: the title that will be displayed in the amending determination)	9) Enter number of members per position	Effective Date*	Councillor with no additional responsibilities (\$)	10) Enter proposed additional remuneration (\$)	Proposed annual total remuneration per councillor (\$)	Total (\$)
Regional Council Deputy Chairman	1	26 October 2023	61,000	5,717	66,717	66,717
Corporate & Strategic Committee Chairman	1	26 October 2023	61,000	5,717	66,717	66,717
Environment & Integrated Catchments Committee Chairperson	1	26 October 2023	61,000	5,717	66,717	66,717
Regional Transport Committee Chairman	1	26 October 2023	61,000	5,717	66,717	66,717
Clifton to Tangoio Coastal Hazards Strategy Joint Committee Chairman	1	26 October 2023	61,000	5,717	66,717	66,717
HBRC councillor director	1	26 October 2023	61,000	5,717	66,717	66,717
Councillor with no additional responsibilities	4	15 October 2022	61,000	n/a	61,000	244,000

Grand total (\$):

644,302

\* = For positions with additional responsibilities the effective date is the day after the date of the local authority's resolution and for councillors with no additional responsibility the effective date is on and from the day after the date on which the official result of 2022 election of members for the council is declared.

Balance of pool (\$):

0

A brief description must be provided for each position of responsibility ie: specify the additional responsibilities over and above the base councillor role - covering duties, delegations, deputising and reporting obligations and the extra time involved in carrying out the additional responsibilities.

Return this completed worksheet together with a brief description of each position of responsibility to:

[info@remauthority.govt.nz](mailto:info@remauthority.govt.nz)

2022 Local Elections



## Proposed Remuneration for Councillors Following the 2022 Local Elections Using Dollar Amounts



Use this worksheet to calculate the proposed remuneration for positions with additional responsibilities and the proposed remuneration for councillors without additional responsibilities using DOLLAR amounts.

Before completing this worksheet, read the instructions sheet in the tab below for detailed guidance.

1) Enter the legal name of local authority, as listed in schedule 2 of the Local Government Act 2002:

Hawke's Bay Regional Council

2) Enter the date on which the official result of the 2022 election was declared for the local authority:

14 October 2022

3) Enter the number of elected members (excluding the mayor or regional council chair) on the council:

10

4) Enter local authority's governance remuneration pool as shown in the current local government members determination (\$):

644,302

5) Enter councillor minimum allowable remuneration as shown in the current determination (\$):

58,224

6) Enter proposed remuneration for a (base) councillor with no additional responsibility (\$):

60,314

7) Enter date of local authority's resolution proposing the remuneration for the position(s) of responsibility and/or base councillors:

25 October 2023

8) Enter title of proposed position <u>with additional</u> responsibilities (ie: the title that will be displayed in the amending determination)	9) Enter number of members per position	Effective Date*	Councillor with no additional responsibilities (\$)	10) Enter proposed additional remuneration (\$)	Proposed annual total remuneration per councillor (\$)	Total (\$)
Regional Council Deputy Chairman	1	26 October 2023	60,314	6,860	67,174	67,174
Corporate & Strategic Committee Chairman	1	26 October 2023	60,314	6,860	67,174	67,174
Environment & Integrated Catchments Committee Chairperson	1	26 October 2023	60,314	6,860	67,174	67,174
Regional Transport Committee Chairman	1	26 October 2023	60,314	6,860	67,174	67,174
Clifton to Tangoio Coastal Hazards Strategy Joint Committee Chairman	1	26 October 2023	60,314	6,860	67,174	67,174
HBRC councillor director	1	26 October 2023	60,314	6,860	67,174	67,174
Councillor with no additional responsibilities	4	15 October 2022	60,314	n/a	60,314	241,257

Grand total (\$):

644,302

\* = For positions with additional responsibilities the effective date is the day after the date of the local authority's resolution and for councillors with no additional responsibility the effective date is on and from the day after the date on which the official result of 2022 election of members for the council is declared.

Balance of pool (\$):

0

A brief description must be provided for each position of responsibility ie: specify the additional responsibilities over and above the base councillor role - covering duties, delegations, deputising and reporting obligations and the extra time involved in carrying out the additional responsibilities.

Return this completed worksheet together with a brief description of each position of responsibility to:

[info@remauthority.govt.nz](mailto:info@remauthority.govt.nz)

2022 Local Elections



## Hawke's Bay Regional Investment Company Ltd

### Councillor Director Role Description

#### Introduction

Hawke's Bay Regional Investment Company Ltd (HBRIC Ltd) is 100% owned by Hawke's Bay Regional Council (Council, HBRC) and, other than by exception, holds shares in the Council's CCTOs. It monitors the performance of these CCTOs and is the authorised decision maker for new director appointments for these organisations in accordance with this policy and, where appropriate, in consultation with Council.

#### HBRIC Ltd Director appointment process and Identification of required skills, knowledge and experience

The HBRIC Ltd constitution provides for a maximum of eight directors and it is Council's preference that it comprises a minimum of two independent directors to ensure a blend of commercial and HBRC councillor and executive directors to support integrated objectives setting and strategic alignment between Council and HBRIC Ltd, while incorporating independent perspectives and commercial skills.

Only a current Councillor may be appointed as a Council Director of HBRIC Ltd. It is important that the selected HBRIC Ltd Council directors will be able to gain the confidence of the Council and the subsidiary company boards, given the confidential and commercially sensitive nature of much of the business being considered.

#### Suitability criteria

- Intellectual ability
- Commercial experience
- Understanding of governance issues
- Sound judgement
- High standard of personal integrity
- Commitment to the principles of good corporate citizenship
- particular strengths in terms of understanding of the wider interests of the publicly-accountable shareholder
- Governance experience
- potential to quickly acquire business and financial skills.

#### Time commitment

The Hawke's Bay Regional Investment Company Ltd (HBRIC Ltd) Board of Directors meets on a monthly basis, and it is expected that the time dedicated to HBRIC business will be in the range of 10-15 hours per month.



**Subject: LOCAL GOVERNMENT NZ SPECIAL GENERAL MEETING - FUTURE OF LOCAL GOVERNMENT**

**Reason for Report**

1. This item seeks resolutions of Council to:
  - 1.1 Confirm which Councillor/s will attend the online Special General Meeting of Local Government New Zealand (LGNZ) at 4.30pm on Monday, 11 December 2023.
  - 1.2 Agree to delegate voting rights to the presiding delegate.

**Background /Discussion**

2. The National Council of LGNZ has called a Special General Meeting to vote on the position that will be developed through the *future by local government* consensus process, which will conclude in November. The National Council is the elected leadership of LGNZ.
3. The *future by local government* consensus process is the sector's response to the Future for Local Government Panel's *Final report*, [\*He piki tūranga, he piki kōtuku\*](#) released in June 2023.
4. Hawke's Bay Regional Council is entitled, as determined by the population of the region, to 3 votes and up to 3 delegates.
5. The Council must appoint one presiding delegate to vote on its behalf in order to participate and may appoint two additional delegates to attend, including an alternate for the presiding delegate.

**Remits**

6. LGNZ's position paper will be shared with member councils on Friday 24 November. As this is after the agenda due date for the Council meeting, staff propose that the Council delegates to the presiding delegate responsibility to vote on its behalf rather than resolving to support (or not) LGNZ's position at the Council meeting.

**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. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
  - 7.2. The use of the special consultative procedure is not prescribed by legislation.
  - 7.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 7.4. There are no persons affected by this decision as it relates to policies that have yet to be developed.

**Recommendations**

That Hawke's Bay Regional Council:

1. Receives and considers the *Local Government NZ Special General Meeting – Future of Local Government* 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. Confirms that Councillor/s \_\_\_\_\_ will attend the online Special General Meeting on 11 December 2023.
4. Agrees that Councillor \_\_\_\_\_ will exercise Council's votes at the Special General Meeting on 11 December 2023.

**Authored by:**

**Desiree Cull**  
**STRATEGY AND GOVERNANCE MANAGER**

**Approved by:**

**Nic Peet**  
**CHIEF EXECUTIVE**

**Attachment/s**

There are no attachments for this report.

# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 29 November 2023

## Subject: AFFIXING OF COMMON SEAL

Item 11

### Reason for Report

- 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	<b>Leasehold Land Sales</b>		
1.1.1	Lot 151 DP 6598 CT C2/353 - Agreement for Sale and Purchase	4575	17 November 2023
1.2	<b>Staff Warrants</b>		
1.2.1	J. Familton <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 (s.177))</i>	4572	30 October 2023
1.2.2	M. Goodall <i>(Delegations under Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908)</i>	4574	14 November 2023
1.2.3	S. Briggs <i>(Delegations under the Civil Defence Emergency Management Act 2002 (s.86-92 inclusive))</i>	4573	14 November 2023

- The Common Seal is used twice during a Leasehold Land Sale, once on the Sale and Purchase Agreement and once on the Land Transfer document. More often than not, there is a delay between the second issue (Land Transfer document) of the Common Seal per property. This delay could result in the second issue of the Seal not appearing until the following month.
- As a result of sales, the current numbers of Leasehold properties owned by Council are:
  - No cross-lease properties were sold, with 62 remaining on Council's books
  - No single leasehold property was sold, with 77 remaining on Council's books.

### Decision-making process

- Council is required to make every decision in accordance with the provisions of Sections 77, 78, 80, 81 and 82 of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within these sections of the Act in relation to this item and have concluded that:
  - Sections 97 and 88 of the Act do not apply.

- 4.2 Council can exercise its discretion under Section 79(1)(a) and 82(3) of the Act and make a decision on this issue without conferring directly with the community or others due to the nature and significance of the issue to be considered and decided.
- 4.3 That the decision to apply the Common Seal reflects previous policy or other decisions of Council which (where applicable) will have been subject to the Act's required decision-making process.

### **Recommendations**

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.

### **Authored by:**

**Diane Wisely**  
**EXECUTIVE ASSISTANT**

**Vanessa Fauth**  
**FINANCE MANAGER**

### **Approved by:**

**Nic Peet**  
**CHIEF EXECUTIVE**

### **Attachment/s**

There are no attachments for this report.

**Subject: REPORT FROM THE REGIONAL TRANSPORT COMMITTEE****Reason for Report**

1. The following decision items were considered by the Regional Transport Committee (RTC) at its meeting on 3 November 2023 and are now presented for Council's information alongside any additional commentary that the RTC Chair wishes to offer.

**Agenda items**

2. The **Prioritisation of the draft programme and Significance Policy for the Regional Land Transport Plan (RLTP) 2024-2027** item provided the Committee with the opportunity to consider and prioritise the proposed capital projects (those with a value of \$2m+) for inclusion in the draft RLTP.
3. The Transport Advisory Group (TAG) developed a prioritisation process and tool that had eight evaluation criteria with a possible score of 1 – 4 for each criteria. These criteria had a percentage weighting of importance allocated against them. The evaluation criteria were used to score each capital project.
4. The capital projects were developed and identified by TAG through the regular transport system programme development process. However, two late inclusions have not been ranked. The Committee considered the TAG-developed prioritisation process and tool, and the TAG rankings of the projects, and then endorsed the inclusion the late items; TAG will rank these using the approved mechanism. The projects were scored out of a possible 100 points, and are listed in the table below - the two late items are at the top, yet to be scored.

Project	Regional benefit	Strategic fit & Alignment	Total score
Future Form and Function review & PBC	#N/A	#N/A	#N/A
SIP SH2 Paki Paki to Napier - Median Barrier	#N/A	#N/A	#N/A
Waikare Gorge Implementation	45	48	92.5
SH2 4 Laning - Implementation incl. property, business case, etc	45	40	85.0
Tairāwhiti Wairoa Resilience - Rebuild (implementation)	43	40	82.5
HB Resilience - Rebuild (Implementation)	43	40	82.5
Mahia Connectivity	39	40	78.8
SH2 Waipawa Bridge shared path - Implementation	34	43	76.3
SH5 (incl. Safety) , pre - implementation, property Implementation	31	43	73.8
Te Mata - Waimarama roundabout	30	35	65.0
North Eastern Connector	29	33	61.3
SH2 Eskdale CVRSC	15	25	40.0

5. The inclusion and ranking of these capital projects in the RLTP is the first step in a funding process that will see them, after community consultation, being considered by Waka Kotahi along with similar projects from all regions across the country, ultimately forming the National Land Transport Plan.
6. The draft RLTP for public consultation is scheduled to be before the RTC on 2 February 2024 for consideration and endorsement. The Regional Council will be required to adopt the RLTP.
7. The **Transport emissions reduction actions** item enabled the Committee to consider endorsing the actions proposed in the Regional Emissions Reductions Plan (REMP). This Plan is overseen by the Climate Action Joint Committee, and it is also incorporated into the RLTP and Regional Public Transport Plan, both overseen by RTC. The Committee endorsed the 21 actions proposed in the REMF.

**Decision-making process**

8. 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 *Report from the Regional Transport Committee*.

**Authored by:**

**Bryce Cullen**  
**TRANSPORT STRATEGY & POLICY ANALYST**

**Mark Allan**  
**TRANSPORT MANAGER**

**Approved by:**

**Katrina Brunton**  
**GROUP MANAGER POLICY & REGULATION**

**Attachment/s**

There are no attachments for this report.

## Hawke's Bay Regional Council

Wednesday 29 November 2023

## Item 14

### Subject: Confirmation of Public Excluded Minutes

That Hawke's Bay Regional Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 14 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
Investment Strategy	<p>s7(2)(b)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary to protect information which otherwise would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) 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 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) 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 prevent the disclosure or use of official information for improper gain or improper advantage</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Application to obtain credit rating	s7(2)(i) 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 enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Sale of Raffles Street building	s7(2)(i) 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 enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Risk and Audit Committee Chair remuneration	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.
Confirmation of Public Excluded Minutes		The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

#### Authored by:

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

#### Approved by:

**Desiree Cull**  
**STRATEGY AND GOVERNANCE MANAGER**

