



## 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.

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.

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 <b>damage the public interest</b> .	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 <b>improper gain or improper advantage</b> .	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 <b>carry out, without prejudice or disadvantage, negotiations</b> (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	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.  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.	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 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) s7(2)(j) Excluding the public is necessary to prevent the disclosure or use of official information for improper gain or improper advantage
Regional Deals - Expression of Interest for Hawke's Bay	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.  The information is still the subject of further negotiations both regionally and with the Crown.	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 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)

**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:** by HBRC resolution on 30 April 2025

**Chair:** Hinewai Ormsby

**Attachment 1 item 10 slides**



**Hawke's Bay Regional Council  
26 March 2025**

## **Agenda**

- Our kaupapa
- The journey so far
- Progressing Option 1C
- Refinement process
- Option 1C+
- Comparing Option 1C and 1C+
- Whenua Māori owner engagement
- Next steps



## Our kaupapa

Since Cyclone Gabrielle in February 2023, the Tripartite partners – Wairoa District Council, Tātau Tātau o Te Wairoa Trust and Hawke's Bay Regional Council – have been working together with the community to find solutions to help protect Wairoa from future flood events.

Our focus remains on finding a way forward with the **best possible technically viable solution** that **minimises negative impacts on whānau, their land and homes** and **protects marae, urupā and cultural taonga** in the process.

## The journey so far

- Cyclone Gabrielle – *February 2023*
- Community kōrero commence – *June 2023*
- Crown funding confirmed, including \$70m for Wairoa – *August 2023*
- Wairoa Flood Mitigation Stakeholder Group established – *October 2023*
- Long list of flood mitigation options refined – *October 2023 to September 2024*
- June flooding event – *June 2024*
- Crown Manager appointed – *August 2024*
- Engagement direct with mana whenua, potentially impacted whānau and Wairoa community – *from October 2024*
- Option 1C, with refinements, agreed for progression – *February 2025*

## Progressing Option 1C

On 13 February, HBRC agreed to progress Option 1C as the preferred flood mitigation solution for North Clyde, subject to land accessibility. Benefits of Option 1C include:

**Cultural impact:** impacts fewer parcels of whenua Māori, avoids sites of cultural significance

**Hydraulic efficiency:** most direct overland path, aligns with historical flood patterns, best hydraulic solution

**Reduced upstream impact:** fewer negative upstream impacts, significantly smaller footprint

**Social considerations:** including number of impacted homes and whenua



## Refinement process

At the time, it was agreed the next step for the project was to **further refine** Option 1C with a specific focus on:

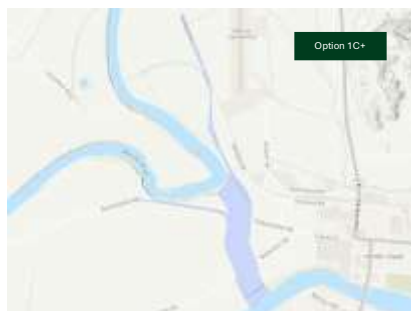
- 1) Minimising potential impacts to owners of whenua Māori, whānau, home and landowners whilst simultaneously
- 2) Maintaining the hydraulic integrity of the proposed flood mitigation solution.

**Over the last four weeks, we have been working at pace to consider changes to the profile and alignment of Option 1C.**

## Option 1C+

Option 1C+ is very similar to Option 1C:

- Floodway that crosses close to the most direct overland path and aligns with historical flood patterns
- Similar levels of secondary mitigation works required on the southern side of the river
- Similar overall construction costs
- Likely to significantly reduce impacts to whenua Māori and houses
- Still subject to final HBRC endorsement



## Option 1C+



## Comparing Option 1C and 1C+

Option comparison	Option 1C+	Option 1C
Number of impacted houses	8	16
Area of impacted whenua Māori	2 ha.	6 ha.
Area of impacted general title land	29 ha.	18 ha.
<b>Total footprint / total area of land impacted</b>	<b>31 ha.</b>	<b>24 ha.</b>
Area of protected whenua Māori	49 ha.	46 ha.
Area of protected general title land	302 ha.	298 ha.
<b>Total area of protected land</b>	<b>351 ha.</b>	<b>344 ha.</b>

*NB: Option 1C+ numbers are indicative only, as the Option is still at early concept stage and will require more detailed design.*

## Whenua Māori owner engagement

Over the last month, we have been directly engaging whenua Māori owners that may be affected by the footprint of the project, and this engagement is ongoing:

- Judicial conference held by the Māori Land Court– *27 February*
- First hui of potentially impacted whenua Māori owners at Kihitu Marae– *22 March*
- Further hui for owners of impacted whenua Māori– *ongoing*
- Further judicial conferences and hearings held by the Māori Land Court– *ongoing*

There are still a number of whenua Māori owners with unknown details. A list of is available online for whanau to update.

## Next steps

- Further cultural assessment activity to ensure Option 1C+ continues to protect marae, urupā and cultural taonga– *underway*
- PDP submitted to the Crown based on Option 1C+– *Friday, 21 March*
- Whenua Māori information hui– *Saturday, 22 March*
- HBRC meeting to endorse Option 1C+– *26 March*
- Direct engagement with potentially impacted whānau, home and landowners– *ongoing*
- Ski club stopbank on ground surveying to commence– *late March*
- Next community wānanga– *early April*
- Broader community kōrero, including longer-term solutions for the bar – *ongoing*