



HAWKE'S BAY REGIONAL COUNCIL

TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

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

Date: 28 May 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
T Hopmans (*online*)
Cr N Kirton
Cr C Lambert
Cr J Mackintosh
M Paku, Māori Committee Co-chair
Cr D Roadley
Cr S Siers (*online*)
Cr J van Beek
Cr M Williams

In Attendance: N Peet –Chief Executive
T Munro – Te Pou Whakarae
S Young – Group Manager Corporate Services
K Brunton – Group Manager Policy & Regulation
C Dolley – Group Manager Asset Management
R Wakelin – Acting Group Manager Integrated Catchment Management
C Comber – Chief Financial Officer
L Hooper – Team Leader Governance
D Cull – Strategy & Governance Manager
V Fauth – Finance Manager
B Baillie – Senior Consents Advisor
A Caseley – Manager Regional Projects / Programme Director IPMO

1. Welcome/Karakia/Apologies/Notices

The Chair welcomed everyone and the meeting was opened with a karakia.

Apologies for early departure from Councillor Thompson Hokianga were noted.

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Extraordinary Hawke's Bay Regional Council meeting held on 21 May 2025

RC28/25 **Resolution**

Minutes of the Extraordinary Hawke's Bay Regional Council meeting held on Wednesday, 21 May 2025, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Harding/Kirton
CARRIED**

4. Call for minor items not on the agenda

There were no items raised.

Tania Hopmans joined the meeting online at 1.35pm

5. Annual Plan 2025-26 deliberations - Introduction

Chris Comber introduced the item and provided an overview of the consultation undertaken.

Desiree Cull noted that the engagement had been targeted to those most affected by proposed changes.

RC29/25 **Resolution**

That Hawke's Bay Regional Council receives and notes the *Annual Plan 2025-26 deliberations – Introduction* staff report.

**Mackintosh/van Beek
CARRIED**

6. Setting a targeted rate for flood resilience work for Mangarau Stream

Nic Peet introduced the item, noting that the reason that the Regional Council is involved in this project is due to its being the signatory for flood works so-funding with central government and that Hastings District Council is the owner and manager of the scheme, carrying out the work.

Desiree Cull provided an overview of the information provided to the public, including direct communications with the affected HDC ratepayers, and the feedback received on the topic. Discussions covered:

- Council's preferred option for 3 years was based on it being a 'grant' over the time the delivery of the work would be carried out, and supported by 59% of those who submitted on this topic, whereas the longer 20 year term reflects a loan term and is aligned to how HDC would typically rate.
- HBRC will pay the 25% of central government approved eligible costs through to HDC upon invoice/claim as part of the NIWE programme.
- Ordinarily HBRC would not be involved at all and HDC would be liable for all the costs.
- The overall costs for a 20 year term would be \$1.23M, versus \$1.06M for the 3 year term.

Recommendation

4. Agrees to (Option B) collect a targeted rate over 20 years within Hastings District Council's

Differential Rating Area DRA1, for flood resilience work for Mangarau Stream.

van Beek/Foley

2 for: van Beek, Foley

9 against: Lambert, Williams, Mackintosh, Harding, Roadley, Hokianga, Kirton, Ormsby, Siers
LOST

Resolutions

RC30/25

That Hawke's Bay Regional Council:

1. Receives and considers the *Setting a targeted rate for flood resilience work for Mangarau Stream* staff report.
2. Agrees that the Council can exercise its discretion and make decisions on this issue, having undertaken the consultation process required under s82 of the Local Government Act 2002.
3. Agrees to (Option a) collect a targeted rate over 3 years within Hastings District Council's Differential Rating Area DRA1, for flood resilience work for Mangarau Stream.
4. Agrees to amend its Revenue and Financing Policy to implement the rating decision as per 3 above.

Harding/Mackintosh

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

7. Amending the Passenger Transport rate

Desiree Cull introduced the item, a key consultation topic which proposed a new rating method for passenger transport. Discussions covered:

- Of the 52 submissions received on that topic, 67% supported Council's preferred option of the new rating method.
- It was queried what if any unintended consequences there are for any ratepayers as the result of this change.
- Legislation sets the maximum that Council can charge on a uniform or fixed basis, e.g. fixed charge per SUIP and uniform targeted rate, at 30%. Currently 26.3% of Council's total rates is from uniform charges – all 3 years of this LTP.
- It was explained that moving \$2M to a uniform charge would bring the UAGC over the 30% cap.

Tania Hopmans left the meeting at 2.18pm

- Modelling the UAGC at 29.5% (\$1.6M) showed that 6 ratepayers would benefit with a reduction of 7.5% or more and around 2300 would see an increase of 7.5% or more (and change the variable portion of the general rate from 37% to 27.7%). And increase the UAGC from \$93 to \$110-115.
- Council's is able to use the UAGC as a general rates leveling tool as per the policy.
- Staff will provide some modelling to councillors ahead of the June meeting to enable Council to adopt the Annual Plan.

RC31/25

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Amending the Passenger Transport rate* staff report.
2. Agrees that the Council can exercise its discretion and make decisions on this issue, having undertaken the consultation process required under s82 of the Local Government Act 2002.

3. Agrees to change the Passenger Transport rate as per the proposal consulted on, to:
 - 3.1. Remove five valuation rolls from the direct rating footprint.
 - 3.2. Conduct an annual review of urbanisation on full rolls in the area to possibly amend the direct footprint.
 - 3.3. Split out 10% of the total rate to charge as an indirect charge to all ratepayers in Central Hawke's Bay, Hastings District, and Napier City based on capital value.
 - 3.4. Split the direct footprint on the remaining 90%
 - 3.4.1. 17.5% charging commercial/industrial ratepayers based on capital value.
 - 3.4.2. 72.5% on a fixed charge per SUIP.
4. Agrees to amend its Revenue and Financing Policy to implement this *Passenger Transport* rating decision as per 3. above.

Williams/Harding
CARRIED unanimously

8. Amending the Upper Tukituki Flood Resilience Scheme rate

Desiree Cull introduced the item, which is another remedial change, and provided an overview of the feedback received, 76% of which supported Council's preferred option. Discussions, assisted by Vanessa Fauth and Chris Comber, covered:

- The primary driver of the increase for Hastings ratepayers is the result of making the proportion the same as for the CHB ratepayers in the same band.
- It will be sensible to review the scheme's banding once the *reimagining flood resilience* work has been done.

RC32/25 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Amending the Upper Tukituki Flood Resilience Scheme rate* staff report.
2. Agrees that the Council can exercise its discretion and make decisions on this issue, having undertaken the consultation process required under s82 of the Local Government Act 2002.
3. Agrees to the proposed new rating method for the Upper Tukituki Flood Resilience Scheme as consulted on, including:
 - 3.1. An indirect portion totalling 10% of the rate to all ratepayers in Central Hawke's Bay and those ratepayers in the direct footprint within Hastings.
 - 3.2. The remaining 90% as a direct charge and adjusted proportions for Central Hawke's Bay Low, Hastings District Low, and Hastings District Medium.
4. Agrees to amend its Revenue and Financing Policy to implement the Upper Tukituki Flood Resilience Scheme decision as per 3 above.

Foley/van Beek
CARRIED unanimously

9. Policy changes consulted on and other feedback

Desiree Cull introduced the item. Discussions, assisted by Vanessa Fauth and Chris Comber, covered:

- In response to submissions expressing concern about cuts to biodiversity funding there was discussion around how to potentially tap into non-rates funding for Biodiversity HB.

Councillor Thompson Hokianga left the meeting at 2.58pm

- Council was reminded of previous decisions made to minimise the budget reductions in biodiversity activities and to enable greater focus on key priorities in recovering from Cyclone Gabrielle.

RC33/25

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Policy Changes consulted on and other feedback* staff report.
2. Agrees that the Council can exercise its discretion and make decisions on this issue, having undertaken the consultation process required under s82 of the Local Government Act 2002.
3. Agrees to adopt the proposed changes to the *Rates Remission and Postponement Policies* as consulted on, being:
 - 3.1. To remove the Significant Impact Remission resulting from changes to the Rating Policy.
 - 3.2. To remove the Postponement of Sustainable Homes Voluntary Targeted Rate.
 - 3.3. To adjust the wording of the Hardship Remission resulting from changes to the Rating Policy to clarify that a remission will only apply for one year in the first year a change is implemented, to assist ratepayers experiencing extreme financial hardship with budgeting.
4. Agrees, subject to confirmation of the UAGC settings, to adopt the proposed changes to the *Revenue and Financing Policy* as consulted on, being:
 - 4.1. To include a new rate for Mangarau Stream.
 - 4.2. To remove the range under the description for the UAGC (Uniform Annual General Charge) to allow for more flexibility in rate setting.
 - 4.3. To adjust the wording for the Regional Economic activity to reflect the Council decision to no longer fund tourism promotion.
 - 4.4. To amend the funding needs assessment for the Sustainable Land Management activity.
 - 4.5. To adjust the Upper Tukituki Flood Scheme rate.
 - 4.6. To adjust the Passenger Transport targeted rate.

Kirton/Williams
CARRIED unanimously

The meeting adjourned at 3.09pm and reconvened at 3.21pm

10. Commissioner delegations for Resource Consent applications

Katrina Brunton introduced the item and Brandon Baillie, Senior Consents Advisor, and the rationale for requesting additional delegations for commissioners to make decisions that include minor areas outside the Order in Council. Discussions covered:

Councillor Neil Kirton left the meeting at 3.25pm

- There is no submissions process for the streamlined OiC consents, only comments are considered
- Consultation with tangata whenua is being undertaken prior to the consent application being lodged with Council.

RC34/25

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the *Commissioner delegations for Resource Consent applications* 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. In relation to resource consent applications made under the RMA for flood protection works that are associated with proposed works applied for under the Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024, agrees to extend the existing delegations given on 26 June 2024 to also include the following duties, functions and powers:
 - 3.1. in relation to a resource consent for flood protection works:
 - 3.1.1. decision on notification of an application under sections 95A-95E
 - 3.1.2. consideration of an application under section 104 of the RMA
 - 3.2. decision to grant a resource consent under section 104A - D of the RMA:
 - 3.2.1. imposition of conditions on a resource consent
 - 3.2.2. giving of notice of its decision under section 114 of the RMA.
4. The delegations are to the following independent commissioners:
 - 4.1. Janeen Kydd-Smith (Sage Planning)
 - 4.2. Philip McKay (Mitchell Daysh Ltd)
 - 4.3. Alison Francis (Bay Planning Ltd)
 - 4.4. Rob van Voorthuysen (vVEnvironmental Limited).

Williams/Harding
CARRIED

11. Affixing of Common Seal

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	Leasehold Land Sales 1.1.1 Lot 26 DP 10556 CT E2/378 - Transfer	4608	21 May 2025
1.2	Staff Warrants 1.2.1 J. Southern H. Hargreaves (<i>Delegations under Resource Management Act 1991 (Sections 34A(1) and 38(1);</i>	4606 4607	16 April 2025 16 April 2025

RC35/25 Resolutions

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.

Ormsby/Foley
CARRIED

12. Update on the North Island Weather Events (NIWE) Flood Resilience Programme

Andrew Caseley introduced the item and provided an update by project that covered:

- Porangahau is the next project that will submit a consent application. There are some concerns in relation to costs with the engineering complexities and potentially high maintenance costs into the future.

Councillor Kirton re-joined the meeting at 3.31pm

- Ohiti will now go ahead with the original proposed design due to costs of the alternative being higher than the associated benefits. Relatively simple build.
- Pakowhai there's still a lot of work being done on the alignment and will be talking to property owners about a new alignment proposal. Complexities around land access (30% of the budget) and the community hall.
- Waiohiki is first off the block and will upload the first construction contract tomorrow. Received OiC resource consent for the project.
- Whirinaki will be delivered in 3 packages of residential, state highway and industrial, and received positive reactions at a meeting with 2C property owners last week.
- Wairoa project going through an OiC change process led by MfE. The big issue remains land access and starting the process without a guarantee of success. Current Project Manager Steve Fabish finishes 31 July 2025 and a suitably qualified (civil engineering expertise) will be appointed.
- Level of service upgrades will be carried out using material from within the footprint.
- Telemetry project is going very well and 3x pump station upgrade tenders are currently being assessed.
- Not aware of significant issues with the Havelock North streams project and HDC intends to go through a normal resource consent process rather than OiC.
- In the contracting environment weighting will be given to 'sustainability' and it's been made clear that Council is looking for competitive, not low-ball tenders.
- It is understood that when it was agreed that the Tangoio project wouldn't proceed, that the funding agreement was amendment and the money would be re-purposed to pay part towards Porangahau and the remainder to CHB for the Waipawa Waste Water project.
- Nic Peet advised that the picture of costs associated with the project should become clear in the next 3-4 months. The Cyclone Recovery Unit, headed up by Katrina Casey, comes to an end at the end of June and Council will write to thank the team for all they've done. It's likely the work will end up with DIA.
- It was noted that insurers are updated at regular meetings held every 3-4 months.

RC36/25

Resolution

That Hawke's Bay Regional Council receives and notes the *Update on the North Island Weather Events (NIWE) resilience programme* staff report.

van Beek/Williams
CARRIED

13. Discussion of minor items not on the Agenda

There were no items raised.

14. Confirmation of Public Excluded Minutes

Resolution

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:

RC37/25

Resolution

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	<p>s7(2)(c)(ii) Excluding the public is necessary to prevent disclosure of information which is subject to an obligation of confidence (or which any person has been or could be compelled to provide) and would damage the public interest.</p> <p>s7(2)(j) Excluding the public is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>s7(2)(i) Excluding the public is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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</p> <p>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.</p> <p>Ongoing negotiations to achieve favourable outcomes for HBRC ratepayers and communities could be jeopardised or unfairly influenced.</p>

van Beek/Mackintosh
CARRIED

15. Central Hawke's Bay Managed Aquifer Recharge Project

Resolution

That *Hawke's Bay Regional Council* excludes the public from this section of the meeting, being Agenda Item 14 Central Hawke's Bay Managed Aquifer Recharge Project 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:

RC38/25

General subject of the item to be considered	Grounds under section 48(1) for the passing of the resolution	Reasons for passing this resolution
Central Hawke's Bay Managed Aquifer Recharge Project	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.	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

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.

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.

2. That Amanda Langley be permitted to remain at this meeting, after the public has been excluded, because of her role and expertise in the Regional Water Security Programme and its delivery.

**van Beek/Mackintosh
CARRIED**

The meeting went into public excluded session at 4.02pm and out of public excluded session at 5.10pm

The group offered a karakia to close the meeting.

Closure:

There being no further business the Chair declared the meeting closed at 5.11pm on Wednesday, 28 May 2025.

Signed as a true and correct record.

Date: by HBRC resolution on 25 June 2025

Chair: Hinewai Ormsby