



Meeting of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Date: Thursday 10 March 2016
Time: 10.00 am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

ITEM	SUBJECT	PAGE
1.	Welcome / Apologies	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee held on 27 November 2015	
4.	Matters Arising from Minutes of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee held on 27 November 2015	
5.	Endorse Final Draft T&T Reports for Consultation	3
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8.	Update of Protection Works at Whakarire Avenue	17
9.	Other Matters for discussion	

Subject: ENDORSE FINAL DRAFT T&T REPORTS FOR CONSULTATION

Reason for Report

1. Tonkin & Taylor have now substantially completed the coastal hazards and risk assessments, which collectively form the key outputs from Stage 1 of the Clifton to Tangoio Coastal Hazards Strategy 2120.
2. This report seeks a resolution from the Joint Committee to endorse the two assessment reports as drafts for consultation purposes.

Discussion

3. The Tonkin & Taylor assessment is presented in two reports; Coastal Risk Assessment and Coastal Hazard Assessment.
4. Prior to these reports being accepted as final and received as formal information, the Technical Advisory Group (TAG) wish to ground truth and test the assessments with key stakeholders, being Iwi, Asset Managers, Councillors and key staff from the partner Councils, and representative resident groups.
5. As part of the consultation process, feedback will be sought from these key stakeholders. When the final Tonkin & Taylor reports are presented for adoption at the next Joint Committee meeting on 2 May 2016, an accompanying report will be presented outlining all feedback received, responses to that feedback, and any resultant changes to the Tonkin & Taylor assessments.
6. Joint Committee members have received a link via email to download both reports.
7. Richard Reinen-Hamill from Tonkin & Taylor will be available to address both reports at the meeting.

Recommendation

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee endorse the following Tonkin & Taylor reports as drafts for stakeholder consultation:
 - 1.1. Coastal Hazard Assessment; and
 - 1.2. Coastal Risk Assessment.

Simon Bendall
PROJECT MANAGER

Attachment/s

There are no attachments for this report.

Subject: TERMS OF REFERENCE

Reason for Report

1. At the last Joint Committee meeting there were discussions around the ongoing role of the Joint Committee as Stage 1 draws to a close and we commence work on Stage 2.
2. As a result of this discussion, there was agreement that the Joint Committee had an important role to fill in future stages, but that this role may evolve over time.
3. In response, TAG have reviewed the current Terms of Reference for the Joint Committee, to consider whether or not any variations are required to provide for this ongoing role.
4. The current Terms of Reference for the Joint Committee are attached to this report for reference.
5. This paper provides an opportunity for TAG to discuss this review, and to confirm any changes with the Joint Committee.
6. It is noted that changes to the Terms of Reference may be made by a member of the Joint Committee putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee (Clause 16.1).

Discussion

7. While TAG consider that general provisions relating to functional matters are sufficient, the key elements for consideration are considered to be Clause 8.1 and Appendix 1.
8. It is TAG's view that these clauses are sufficiently broad that no changes are required to the Terms of Reference to enable the Joint Committee's ongoing role in the development of Stages 2 and 3 of the Clifton to Tangoio Coastal Hazards Strategy 2120.

Recommendation

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the report ***Terms of Reference***.

Simon Bendall
PROJECT MANAGER

Attachment/s

- 1 Terms of Reference

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

As at 6 March 2015

1. Definitions

For the purpose of these Terms of Reference:

- “**Act**” means the Local Government Act 2002.
- “**Administering Authority**” means Hawke’s Bay Regional Council.
- “**Coastal Hazards Strategy**” means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio¹.
- “**Council Member**” means an elected representative appointed by a Partner Council.
- “**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.
- “**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.
- “**Member**” in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- “**Partner Council**” means one of the following local authorities: Hastings District Council, Napier City Council and Hawke’s Bay Regional Council.
- “**Tangata Whenua Appointer**” means:
 - The trustees of the Maugaharuru-Tangitu Trust, on behalf of the Maugaharuru-Tangitu Hapu;
 - Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapu;
 - He Toa Takitini, on behalf of the hapu of Heretaunga and Tamatea.
- “**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.

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

2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

3. Partner Council Members

3.1 Each Partner Council shall appoint two Council Members and alternates to the Joint Committee. 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.

3.2 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:

6.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.

6.1.2 Provide for the administrative arrangements of the Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

6. Meetings

6.1 Members, or their confirmed alternates, will attend all Joint Committee meetings.

7. Delegated authority

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

- Considering and recommending a draft strategy to each of the Partner Councils for public notification;

- Considering comments and submissions on scenarios and the draft strategy and making appropriate recommendations to the Partner Councils;
- Considering and recommending a final strategy to each of the Partner Councils for approval.

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8. Powers not delegated

- 8.1 The following powers are not delegated to the Joint Committee:
- Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
 - The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Coastal Hazards Strategy.

9. Remuneration

- 9.1 Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the cost of those persons' participation in the Joint Committee.
- 9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua Members.

Attachment 1

10. Meetings

- 10.1 The New Zealand Standard for model standing orders (NZS 9202:2003), or any New Zealand Standard substituted for that standard, will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer 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 well in advance in writing to all Joint Committee Members, and not later than one month prior to the meeting.
- 10.4 The quorum shall be 5 Members.

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 this Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.
- 11.2 Where voting is required, all Members of the Joint Committee have full speaking rights.
- 11.3 Each Member has one vote.
- 11.4 Best endeavours will be made to achieve decisions on a consensus basis.

11.5 Standing Orders 2.5.1(2) and 3.14.2 which state: The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, also has a casting vote” do not apply to the Joint Committee.

12. Election of Chairperson and Deputy Chairperson

12.1 On the formation of the Joint Committee the members shall elect a Joint Committee Chairperson and may elect up to two Deputy Chairpersons. The Chairperson is to be selected from the group of Council Members.

12.2 The mandate of the appointed Chairperson or 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 Group² or from the Committee Chairperson.

13.2 Following each meeting of the Joint Committee, the Project Manager shall prepare a summary report of the business of the meeting and circulate that report, for information to each Member following each meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to Joint Committee representatives.

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 these 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.

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

16. Adopted by

16.1 The Coastal Hazards Strategy Joint Committee made up of the following:

Napier City Council

represented by

**Cr T Jeffery
Cr F White**

Refer to Council paper 21 May 2014

Refer to Council paper 17 December 2014

Hastings District Council

represented by

**Cr T Kerr
Cr G Lyons**

Refer (HDC 14/510) of Planning & Regulatory Committee paper 19 June 2014

Hawke's Bay Regional Council

represented by
Cr C Scott

Cr P Beaven

Refer to Council paper 30 April 2014

**Maungaharuru-Tangitū Trust (MTT)
Hopmans**

represented by

Mrs T

Mana Ahuriri Inc

represented by

Mr P Prentice

He Toa Takitini

represented by

Mr P Paku

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Attachment 1

Appendix 1 – Project Background

Project Goal

A Clifton to Tangoio Coastal Hazards Strategy will be developed in co-operation with the Hastings District Council (HDC), the Hawke's Bay Regional Council (HBRC), the Napier City Council (NCC), and groups representing Mana Whenua and/or Tangata Whenua. This strategy will be developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the next 105 years from 2015 to 2120.

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.

Project Assumptions

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

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

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 is expected to include:

- An assessment of the risk from natural hazards with the potential to impact on the coastal environment. This may include a range of return periods for each hazard and a determination of acceptable risk to the community for various return period events.
- Sea level rise and increased storminess predicted to occur as a result of climate change and a determination of acceptable risk to the community for various scenarios.
- Identification of areas of community risk and/or specific community risks and opportunities for improving community resilience. This may include a protocol for assessing community consequences and comparing and prioritising mitigation approaches.
- Approaches to quantify the potential impacts including computer modelling and specific underlying parameters and assumptions that are used in the development of those models.
- Stakeholder involvement and participation.
- Protocols for expert advice and peer review.
- An action plan of ongoing activity assigned to various Members.

The Strategy will:

- Describe a broad vision for the coast in 2120, and how the Hawke's Bay community could respond to a range of possible scenarios which have the potential to impact the coast by 2120.
- Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:
 - Regional Policy Statement
 - District Plans
 - Council long-term plans
 - Infrastructure Development Planning (including both policy and social infrastructure networks).

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Attachment 1

Appendix 2 - Administering Authority and Servicing

The administering authority for the Coastal Hazards Strategy Joint Committee is Hawke's Bay Regional Council.

The administrative and related services referred to in clause 16.1 of the conduct of the joint standing committee under clause 30 Schedule 7 of the Local Government Act 2002 apply.

Until otherwise agreed, Hawke's Bay Regional Council will cover the full administrative costs of servicing the Coastal Hazards Strategy Joint Committee.

A technical advisory group (TAG) will service the Coastal Hazards Strategy Joint Committee.

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.

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.

Functions of the TAG include:

- Providing technical oversight for the study.
- Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
- Ensuring council inputs are integrated.

Thursday 10 March 2016

Subject: PROJECT MANAGER UPDATE

Reason for Report

1. In accordance with instructions from the Joint Committee, this report is provided in place of the written report required from the Project Manager in accordance with the Terms of Reference for the Joint Committee.
2. It provides an opportunity for the Project Manager to present a verbal update to the Committee and answer any questions on general project matters including tracking against timeframes, milestone achievements and project risks. The Project Manager will provide a verbal update at the meeting.

Recommendation

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the ***Project Manager Update*** report.

Simon Bendall
PROJECT MANAGER

Attachment/s

There are no attachments for this report.

CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

Thursday 10 March 2016

Item 8

Subject: UPDATE OF PROTECTION WORKS AT WHAKARIRE AVENUE

1. This report provides an opportunity for Napier City Council staff to update the Joint Committee on progress with the protection works at Whakarire Avenue.
2. Napier City Council staff will provide a verbal update at the meeting.

Recommendation

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the *verbal **Update of Protection Works at Whakarire Avenue*** report.

Simon Bendall
PROJECT MANAGER

Attachment/s

There are no attachments for this report.