

LGOIMA RESPONSE OIR-25-082

Regarding your LGOIMA request dated 14 July 2025. The information you have requested is below.

Please provide all of the documentation that was supplied to councillors to make their decision on deciding to implement the categorisation of property across HB. Please provide minutes of the meetings where this was decided.

As previously explained, the “Future of Severely Affected Land” (**FOSAL**) Framework was a Government initiative that included a programme of land categorisation, which was to inform decisions on the future of severely flood-affected land following Cyclone Gabrielle.

On 1 May 2023, the Government released its initial risk categories and associated definitions to guide local authorities’ decision-making in respect of the risk categorisation of affected properties.

Hawke’s Bay Regional Council (**HBRC**) was the lead agency in the Hawke’s Bay for undertaking flood hazard risk assessment for the FOSAL Framework developed by the Government. As with any natural hazard identification process, this is viewed as an operational matter that is completed at a staff level by those with the relevant technical expertise. Councillors are not involved in the approval of any hazard identification exercise at HBRC.

HBRC developed a process and technical framework, which was focused on impacts at a community scale rather than impacts to discrete/individual residential properties. The process and framework enabled HBRC to assess the future risk to life from flooding in the Hawke’s Bay region which resulted in the categorisation of land.

The natural hazard identification and mapping completed through the land categorisation process will be used to inform future planning processes and may impact on how building consents and resource consents are assessed and processed. Regional councils have statutory obligations to provide natural hazard information to territorial authorities, including known information as well as information about potential natural hazards.

Additionally, land categorisation was a requirement to enable access to Government funding for:

- The delivery of flood mitigation works, for areas identified as Category 2C; and
- A voluntary buy-out scheme for residential properties within areas identified as Category 3.

An integrated package of funding was negotiated by Hawke’s Bay Councils and the Government. The funding package was intended to enable final decisions to be made on land categorisation, delivery of flood protection and mitigation works, and implementation of a buy-out scheme.

Accordingly, the Hawke’s Bay Councils entered into a Funding Agreement with the Government which required HBRC to undertake land categorisation in accordance with HBRC’s Land Categorisation Process and Framework. The Process and Framework was annexed to the Funding

Agreement and signed off by all parties to that agreement. Acceptance of the terms of the Funding Agreement for the FOSAL programme of works was a decision of Full Council.

In relation to these matters, the following meetings of Council were held:

- 1 Councillor Briefing on 29 May 2023 – Land categorisation (Public excluded);
- 2 Extraordinary Meeting of Council on 2 August 2023 – Cost-share Agreement with Central Government (Public excluded); and
- 3 Meeting of Council on 13 December 2023 – Land Categorisation update (Public).

Attached are the [Agenda and Minutes](#) of the meeting on 13 December 2023.

Documents relating to the public excluded meetings are withheld on the following grounds under the Local Government Official Information and Meetings Act:

- section 7(2)(f)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions;
- section 7(2)(h) – to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; and
- section 7(2)(i) - to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.