



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 24 November 2010

Time: 9.00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: F Wilson - Chairman
N Kirton
E McGregor
L Remmerswaal
K Rose
C Scott
E von Dadelszen
A J Dick

In Attendance: A Newman – Chief Executive
H Codlin – Group Manager Strategic Development
P Drury – Group Manager Corporate Services
L Lambert – Group Manager External Relations
M Mohi – Chairman – Maori Committee
C Gilbertson – Governance and Public Transport Manager

1. WELCOME/PRAYER/APOLOGIES/NOTICES

The Chairman welcomed everyone to the meeting and called upon Councillor McGregor to deliver the prayer. The Chairman advised that an apology had been received from Councillor Gilbertson.

Resolution:

That the apology from Councillor Gilbertson be accepted and leave of absence from the meeting be granted.

**Scott/von Dadelszen
CARRIED**

2. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations made.

OCTOBER 2010

Resolution:

Minutes of the Regional Council Meeting held on Wednesday, 27 October 2010, a copy having been circulated prior to the meeting, were taken as read and confirmed, following amendment.

**Scott/Rose
CARRIED**

CONFIRMATION OF MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON 3 NOVEMBER 2010

Resolution:

Minutes of the Regional Council Meeting held on Wednesday, 3 November 2010, a copy having been circulated prior to the meeting, were taken as read and confirmed, following amendment.

**McGregor/von Dadelszen
CARRIED**

4. MATTERS ARISING FROM MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON 27 OCTOBER 2010

The Chairman of the Maori Committee, Mr Mike Mohi advised that the Maori Committee was not holding a meeting on 14 December.

There was a request that Councillors be notified when meetings of the Ruataniwha Stakeholders Liaison Group were being held.

MATTERS ARISING FROM MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON 3 NOVEMBER 2010

Councillor Scott noted that a deputy chair needed to be appointed to the Hearings Committee. The Chairman advised that as the Hearing Committee's Terms of Reference was left to lie on the table, he had held a meeting with members of that Committee and a further Terms of Reference would be brought back to Council in early 2011 which would also include the appointment of a deputy chair.

5. ACTION ITEMS FROM COUNCIL MEETINGS

Recording of Council meetings or Events to play back on BayFM

The Chief Executive advised that he would bring a short paper to the 15 December Council meeting on this matter.

Resolution:

That the Council receives the report "Action Items from Council Meetings".

**Scott/Rose
CARRIED**

6. CONSIDERATION OF GENERAL BUSINESS ITEMS

1. Pike River Mine
2. PSA Outbreaks
3. Christmas Function
4. Update on Twyford Consents
5. New Council Technology

7. AFFIXING OF COMMON SEAL

1. The Common Seal of the Council has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

		Seal No.	Date
1.1	Leasehold Land Sales 1.1.1 Lot 10 DP 6391 CT D4/1420 - Agreement for Sale and Purchase - Transfer 1.1.2 Lot 360 DP 11329 CT B3/1323 - Agreement for Sale and Purchase	2999 3001 3004	15 September 2010 27 September 2010 8 November 2010
1.2	Easement Agreement Pukahu 33F Block CT 90/120 (Awanui Stream Flood Protection)	3000	27 September 2010
1.3	Specification for Westshore Beach Nourishment 2010 Contract No: 10-06-4218c	3002	1 October 2010
1.4	Acquisition of Land Under Public Works Act 1981 Part Lot 1 DP 431741 CT 522394	3003	1 October 2010

Resolution:

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion

under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.

2. Confirm the action to affix the Common Seal.

Rose/McGregor
CARRIED

8. RECOMMENDATION FROM REGIONAL TRANSPORT COMMITTEE

Ms Codlin advised that the Draft Regional Transport Programme and the Regional Land Transport Strategy Annual Report for 2009/10 was considered by the Regional Transport Committee on Thursday, 23 September 2010 and was presented to Council for adoption.

The Council thanked Ms Codlin for the report and said it was concise and well structured and showed good progress being made by roading authorities. Issues of note were that road safety has been highlighted as needing ongoing effort; the report highlights significant work that is going on in the region; and it was also good to see that total mobility scheme is making good progress reinforcing why Council is involved with this very worthwhile scheme.

Resolution:

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Adopts the Regional Land Transport Programme and the Regional Land Transport Strategy 2009/10 Annual Report.

Dick/Remmerswaal
CARRIED

9. RECOMMENDATIONS FROM ASSET MANAGEMENT AND BIOSECURITY MEETING LAND MANAGEMENT WORK PROGRAMMES 2010/2011

A concern was raised about the land management work programme for 2010/2011 that there should be a stronger focus on land management and that the programme, as it was outlined in the report, might need to be amended. There was a view expressed that Council hasn't achieved enough on land management issues to date and needs to do a lot more in this area, than has been done in the past. While this view was given it was noted that this was not intended as a criticism of the land management team who will, and are performing their business as usual, but it was considered there needed to be a lot more focus in this area. It was also noted that the work done to date by the land management team has been excellent but would benefit from more resource being put into this area. The Chief Executive replied that comments would be taken on board and further work would be done on this.

Resolution:

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance

of the issue to be considered and decided.

2. Receives the report Land Management Work Programmes 2010/2011.

LEFT TO LIE ON THE TABLE

3. That recommendations 1 and 2 be left to lie on the table until the 15th of December Council meeting.

**Kirton/Dick
CARRIED**

Resolution:

HUATOKITOKI COMMUNITY CATCHMENT PROJECT

The Chief Executive noted that additional resource had been put into this project but was externally funded. It was also noted that one of the farmers had won a Marks & Spencer's international award for this project and a press release was going out about the success of this project.

That Council:

3. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
4. Receives the report Huatokitoki Community Catchment Project.

**Rose/Scott
CARRIED**

Resolution:

REGIONAL PEST MANAGEMENT STRATEGY REVIEW

That Council:

5. Note that Council's current Regional Pest Management Strategy expires in December 2011, and agree the proposed review process and timeline set out in this briefing paper.
6. Note the key items staff proposes to highlight for public input through a discussion document.

**Rose/Scott
CARRIED**

Resolution:

BIOSECURITY ANNUAL REPORT - 2009/2010 - ANIMAL AND PLANT PEST ANNUAL REPORTS

That Council:

7. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
8. Receives the report Biosecurity Annual Report – 2001/2010 – Animal and Plant Pest Annual Reports.

**Rose/Scott
CARRIED**

Resolution:

TUTIRA CARBON SEQUESTRATION PROPERTY - RECREATION OPPORTUNITY

That Council:

9. Give priority to the Tutira Recreation Opportunity Scoping Study recommendations that relate to the investment property, Tutira Country Park and the Tangoio Soil Conservation Reserve.
10. Instruct staff to:
 - 10.1 Undertake a baseline survey of visitors to Council open spaces in this area as the basis for understanding visitor needs and behaviour.
 - 10.2 Develop the investment property to include recreational opportunities.
 - 10.3 Draft a public use plan for the investment property that will overlay and integrate into the current management framework for investment and research planting and establishment of a "future forest", that:
 - 10.3.1 Takes into account the landscape, historical/cultural and recreational values of the property.
 - 10.3.2 Proposed public access and facilities appropriate to the identified recreational use of the property.
 - 10.3.3 Proposes a design and detailed track plan showing all existing and future recreational tracks and linkage pathways, highlighting intended use.
 - 10.3.4 Establishes timeframes for making the property publicly accessible and budget for developing the recreational infrastructure.
 - 10.3.5 Recommend a name for the property.
 - 10.3.6 Investigate options for linking the Tangoio Soil Conservation Reserve, Investment Property and Tutira Country Park.
 - 10.3.7 Continue investigating opportunities through the wider Tutira area and build on existing stakeholder partnerships through continuing to lead the Tutira Maungaharuru Visionary Group.
11. Approve expenditure of \$15,000 for the development of a public use plan and associated baseline survey for Council's properties within the Tutira area, with that funding to be sourced from the existing \$1,000,000 provision for open space opportunities within Council's Open Space Project.

**Rose/Scott
CARRIED**

Resolution:

2009/2010 FLOOD CONTROL AND DRAINAGE SCHEMES - ANNUAL REPORTS

That Council:

12. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
13. Receive the Flood Control and Drainage Scheme reports for activities undertaken during the 2009/10 financial year.

**Rose/Scott
CARRIED**

Resolution:

GRAVEL RESOURCE REVIEW

That Council:

14. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
15. Confirms their support for the River Bed Gravel Review project.
16. Instructs staff to investigate and consult with gravel extractors a funding source for the work and present this to Council for inclusion in the draft 2011/12 Annual Plan.

**Rose/Scott
CARRIED**

Resolution:

NGARURORO RIVER FLOOD PROTECTION SCHEME - ECOLOGICAL MANAGEMENT AND ENHANCEMENT PLAN

That Council:

17. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
18. Accepts the findings review and endorses the Ngaruroro Ecological and Enhancement Plan (EMEP) for use in future river management.
19. Instruct staff to prepare a report on management of the native vegetation outside the current scheme area including costs and funding source.
20. Instruct staff to prepare a report on managing the plant pest issue associated with the braided river bed and the effect on the ecology (and gravel transport) together with a funding strategy, if required to manage the problem.

**Rose/Scott
CARRIED**

10. RECOMMENDATIONS FROM ENVIRONMENTAL MANAGEMENT COMMITTEE

Resolution:

Review of Compliance Monitoring Programme for Domestic On-site Wastewater Treatment Systems

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Agrees that staff shall develop the details of the accredited installer procedure, approved system procedure and 'lower risk' criteria, through consultation with the waste

water industry and report back to Council via the Annual Plan process for 2011/12.

3. Agrees that staff will assess if the Annual plan will need to set a nominal annual fixed charge to cover the cost of information returns associated with administering the proposed new consenting process.
4. Agrees that the consent and compliance procedures and policy be amended to implement the:
 - 4.1 Cessation of routine inspections for accredited installers and systems
 - 4.2 Introduction of accredited installers
 - 4.3 Introduction of a more formal accredited systems process
 - 4.4 Introduction of random audits of approved installations
 - 4.5 Creation of a two tiered consenting process
 - 4.6 Contribution of \$5,000 per year to the OSET trials
 - 4.7 Redirection of some of the cost savings to monitoring higher risk systems and communities as a whole.

Introduction of National Water Meter Regulations and Implications for Council

That Council:

5. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
6. Requires that water permits for the taking of water which are subject to minimum flow restrictions in rivers and streams set out in Table 9 of the RRMP, and takes from sensitive groundwater areas, record their water use on a daily basis.
7. Allows takes from other less sensitive areas to record their water use on a weekly basis.

**von Dadelszen/Scott
CARRIED**

11. RECOMMENDATIONS FROM STRATEGIC PLANNING AND FINANCE COMMITTEE MEETING HELD 17 NOVEMBER 2010

There was discussion on the Venture Hawke's Bay item from this Committee. Councillor Remmerswaal moved an amendment to the recommendation to let the matter lie on the table. This was seconded by Councillor Kirton and when the recommendation was put, it was lost 2/6. Councillors wished to avoid further delay as it would create uncertainties for staff, it was noted that the business case will be on the Council agenda for 15 December Council meeting.

RECOMMENDATIONS:

1. OPTIONS FOR THE FUTURE MANAGEMENT AND GOVERNANCE OF VENTURE HAWKE'S BAY (VHB)

That Council:

- 1.1 Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue after consulting with industry and

Territorial Local Authorities.

- 1.2 That Council opts, in principle and subject to a final business case, to create an unincorporated joint venture with the tourism industry as represented by the Wine Country Tourism Organisation.
 - 1.2.1 This business case and joint venture agreement to be presented to Council for final adopted at its 15 December meeting
 - 1.2.2 With respect to the joint venture option, it is proposed that this structure be reviewed by Audit New Zealand.

Scott/von Dadelszen

Councillor L Remmerswaal moved an amendment to original Recommendation 1.2 – 1.2.2, which was seconded by Councillor N Kirton, the motion when put was LOST 2/6.

1.2 That recommendation 1.2 be left to lie on the table.

**Remmerswaal/Kirton
LOST 2/6**

The original motion 1.2 – 1.2.2 was then put and was **CARRIED** and hence became the substantive motion.

Resolutions:

That Council:

- 1.1 Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue after consulting with industry and Territorial Local Authorities.
- 1.2 That Council opts, in principle and subject to a final business case, to create an unincorporated joint venture with the tourism industry as represented by the Wine Country Tourism Organisation.
 - 1.2.1 This business case and joint venture agreement to be presented to Council for final adopted at its 15 December meeting
 - 1.2.2 With respect to the joint venture option, it is proposed that this structure be reviewed by Audit New Zealand.

**Scott/von Dadelszen
CARRIED**

2. FUTURE SCENARIOS UPDATE

That Council:

- 2.1 Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
- 2.2 Receives the Final draft Scenario Report with the working title of Hawke's Bay Scenarios for the future.
- 2.3 Note that staff will develop a utilisation plan for the Hawke's Bay Futures Scenarios titled "*HB2050 What's the Story?*" setting out the purpose and value proposition of the report.

**Scott/von Dadelszen
CARRIED**

19. RECOMMENDATIONS FROM THE MAORI COMMITTEE

Mr Mike Mohi, Chairman of the Maori Committee gave a verbal report from the meeting held on Tuesday, 23 November 2010. He had been reappointed as Chairman of the Committee.

The Committee also discussed the submission on the Marine Coastal Area Bill and Ngati Kahungunu Iwi Inc had presented a submission to the Maori Committee, Mr Mohi recommended that the Councillors read this. The submission had been endorsed by the Maori Committee and would be attached as an addendum to the Regional Council's submission, previously sent.

Mrs Lambert advised that the Chairman and the Chief Executive would be verbally presenting their submission on Thursday, 25 November in Wellington and have advised the select committee that they support the NIKI submission and will again do this verbally at the presentation to make it clear that the addendum is supported by the Maori Committee and not by Council. It was noted that the timing of closing of submissions and the local body elections had made it very difficult to respond to this Bill.

Addendum to Minutes

Membership of Council Committees by Tangata Whenua nominated members of the Maori Committee were:

Environmental Committee – Mr Morry Black and Mr Peter Paku

Asset Management and Biosecurity Committee – Mr Adrian Manuel and Mr Marei Apatu

Strategic Planning and Finance Committee – Mr Mike Mohi and Mrs J Aspinall

Mr Mohi also advised that following agreement by the Chief Executive and Chairman of Council, Mrs Arapera Riki would act as a 'back up' for any of the four members on the Environmental management or Asset Management and Biosecurity Committees should any of the four not be able to attend their respective meeting.

The meeting adjourned at 10.45am and reconvened at 11.00am

Resolution:

Appointment of Tangata Whenua Representatives to the Maori Committee

That Council confirms the decision that:

1. Pat Hohipa, Fred McRoberts, and Adrian Manuel representing the Wairoa area; Heitia Hiha, Arapera Riki, Jan Aspinall representing the Ahuriri area; Haami Hilton, Peter Paku and Marei Apatu, representing the Heretaunga area; Mike Mohi, Liz Graham and Morry Black representing the Tamatea area, be appointed as members of the Maori Committee of the Hawke's Bay Regional Council.
2. Miriama Hammond (Wairoa) be nominated as short term replacement member of the Committee.

Election of Chairman of the Maori Committee

1. That Council confirms the decision that Mr Mike Mohi be appointed as Chairman of the Maori Committee.

Submission on Marine and Coastal Area (Takutai Moana) Bill

That Council:

1. Supports the decision of the Maori Committee to support the NIKI submission on the Marine and Coastal Area (Takutai Moana) Bill which has been lodged.
2. Request that the decision be attached as an addendum to the original submission on the Bill prepared by Hawke's Bay Regional Council.

Scott/McGregor

14. TAHARUA UPDATE

The Chairman advised that Taharua update was now being discussed at 11.00am not 11.30am and that those invited to the meeting had been made aware of this fact. Mr Brendan Powell and Mr Chris Reed, HBRC staff, Mr Denis Collins, Dairy NZ, Mr Neil Grant, DOC and Mr Kevin Mitchell HB Federated Farmers were in attendance to present and answer questions on this item.

Mr Powell advised that this was a further update on work done on Council's Taharua Policy Development Strategy to address water quality issues in the Taharua and upper Mohaka rivers. He said that the Taharua Stakeholder Group (TSG) were an important part of the move forward in this process and members of that group said that they were very happy to be involved and supportive of the route that Council was taking and enjoyed being part of the process. In response to a question about the Sustainable Farming Fund and the application that has been made by the TSG, Mr Powell said he will send a copy of that to Councillors as it outlines what the application covers. He also advised that the Stakeholder Group is working towards the Plan Change that needs to be put in place.

In response to a question about whether the Group is working with staff from Bay of Plenty, Mr Powell advised they were but Bay of Plenty were behind this regional council in terms of trends and monitoring.

Councillors said they were very pleased to receive this update and to see the collaborative approach, which is the correct approach. They note substantial work has already been done in the Taharua in relation to fencing etc. Council would like to receive regular updates on this. It was noted that it is important for the group to keep on with the statutory planning route that they are on.

The Chairman also suggested Council may like to undertake a site visit to this area at some future stage. The Chairman thanked the TSG representatives for attending the meeting.

Resolution:

1. That Council receives the report titled "Taharua Update".

**Rose/McGregor
CARRIED**

12. DRAFT WORK PLAN FOR COUNCIL

Ms Codlin advised that this item was to provide Councillors with an indicative work plan for the next two to three years and highlighted important strategic and governance activities that Council needs to consider. It was noted that the timing for Taharua project needs to be adjusted.

Resolution:

1. That Council receives the report titled '*Draft Work Plan for Council*'.

**von Dadelszen/Rose
CARRIED**

13. MONTHLY WORK PLAN LOOKING FORWARD

Resolution:

1. That Council receives the Monthly Work Plan Looking Forward report.

**Dick/Rose
CARRIED**

15. CHAIRMAN'S MONTHLY REPORT

Chairman Wilson tabled his report for the period 27 October to 24 November 2010. He asked for feedback from Council as to whether they thought this was a worthwhile report to continue coming to the Council. They agreed that it was and requested that this be continued.

Resolution:

1. That the Chairman's report for 27 October to 24 November 2010 be received.

**Kirton/McGregor
CARRIED**

16. GENERAL BUSINESS

1. Pike River Mine

Councillor Rose asked whether the Chief Executive contacted the West Coast Regional Council following the tragedy at the Pike River mine. The Chief Executive said he would be sending a letter to his counterpart at West Coast Regional Council and this will be copied to Councillors.

2. PSA Outbreak

Councillor Rose said five HBRC staff were assisting Bay of Plenty Regional Council with the response to the PSA outbreaks.

3. Christmas Function

Councillor Kirton said that in his view staff and councillors should hold a joint function and could be held at the Works Group instead of the planned dinner for councillors. Councillor Wilson said that Councillor Kirton had already raised this idea with him but he stood by his invitation and the current dinner arrangement this year.

4. Update on Twyford Consents

Councillor Scott advised the first of the Twyford consents were due to be sent out following a considerable amount of work in producing them, the remainder of the consents would be sent out once changes have been made following the decisions.

5. New Council Technology

Councillor Remmerswaal questioned what the screens in the Council Chambers were for and was advised by the Chief Executive they were for Civil Defence purposes. Councillor Remmerswaal asked if they could be used as a conferencing facility. The Chief Executive replied that he would follow this up to see whether that was possible.

17. PORT OF NAPIER LIMITED - 22ND ANNUAL GENERAL MEETING 2010 (PONL MANAGEMENT WILL JOIN THE MEETING AT 1.00PM)

Resolution:

That the Council exclude the public from this section of the meeting being Agenda Item 17 Port of Napier Limited - 22nd Annual General Meeting 2010 (PONL Management will join the meeting at 1.00pm) 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 being as follows:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED

Port of Napier Limited - 22nd Annual General Meeting 2010 (PONL Management will join the meeting at 1.00pm)

REASON FOR PASSING THIS RESOLUTION

7(2)(b)(ii) To protect information which otherwise would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject

GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION

The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

of the information.

Permit the Chairman of the Board and Chief Executive of the Port of Napier Limited to be in attendance for agenda items 17. and 18. after the public has been excluded, because of the information and knowledge they have of the Port of Napier and its operations.

**Scott/von Dadelszen
CARRIED**

18. PORT OF NAPIER LIMITED (PONL) - STATEMENT OF CORPORATE INTENT 2011-2013

Resolution:

That the Council exclude the public from this section of the meeting being Agenda Item 18 Port of Napier Limited (PONL) - Statement of Corporate Intent 2011-2013 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 being as follows:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Port of Napier Limited (PONL) - Statement of Corporate Intent 2011-2013	7(2)(b)(ii) 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.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Scott/von Dadelszen
CARRIED**

The meeting went into public excluded session at 12.10pm and out of public excluded session at 2.50pm.

Closure:

There being no further business the Chairman declared the meeting closed at 2.50pm on Wednesday, 24 November 2010.

Signed as a true and correct record.

DATE:

CHAIRMAN: