



## MINUTES OF A MEETING OF THE REGIONAL COUNCIL

**Date:** Wednesday 21 March 2012

**Time:** 9.00am

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

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

**In Attendance:** A Newman – Chief Executive  
M Mohi – Chairman – Maori Committee  
EA Lambert – Group Manager External Relations  
P Drury – Group Manager Corporate Services  
H Codlin – Group Manager Strategic Development  
L Hooper – Governance and Corporate Administration Manager  
M Adye – Group Manager Asset Management  
R Thomas – LTP Project Manager  
J Peacock – Corporate Accountant

## 1. Welcome/ Prayer/ Apologies/ Notices

The Chairman welcomed everyone to the meeting, and Councillor McGregor offered the prayer.

### Resolution

RC3/12 1. That the apologies for lateness from Councillor Rose and absence from Councillor Gilbertson be received.

**von Dadelszen/McGregor  
CARRIED**

The Chairman then requested Council consider adding a late item to the agenda under Standing Orders 3.7.5. The late item "Request for Proposal (RFP) for Commercial Feasibility Assessment, Asset Procurement and Capital Raising Services: Revision of Feasibility Costs" needed to be dealt with at this meeting in order to meet timeframes for RFP respondents.

### Resolution

RC4/12 1. That the late item "Request for Proposal (RFP) for Commercial Feasibility Assessment, Asset Procurement and Capital Raising Services: Revision of Feasibility Costs" be added, as agenda item 21, to the agenda under standing orders 3.7.5.

2. That Council waives the requirement of Standing Order 2.12.4, "an agenda detailing the business to be brought before that meeting together with relevant attachments must be received by every member not less than two clear working days before the day appointed for the meeting" in order to consider the item at the meeting today.

**Wilson/von Dadelszen  
CARRIED 5:3**

## 2. Conflict of Interest Declarations

There were no conflict of interest declarations.

## 3. Confirmation of Minutes of the Regional Council Meeting Held on 29 February 2012

### Resolution

RC5/12 That this item be left to lie on the table pending amendments from Mr Mohi.

**Von Dadelszen/Scott  
CARRIED**

## 5. Action Items From Previous Regional Council Meetings

Mr Newman advised that a workshop scheduled for this afternoon would be addressing the feasibility studies underway for the Ruataniwha Water Storage project.

It was noted that the Leasehold Land action item was scheduled for consideration at the 18 April Council meeting.

RC6/12

### Resolution

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

**Scott/McGregor  
CARRIED**

#### 14. **Petition to Hawke's Bay Regional Council**

The Chairman welcomed Pauline Elliott and Greg Hart, speaking on behalf of 'Don't Frack the Bay' in lodging their petition with Council.

The petition states that: "We, the undersigned, request that Hawke's Bay Regional Council agree to make hydraulic fracturing (fracking) for petroleum (oil & gas) a prohibited activity in the Hawke's Bay Region until the Parliamentary Commissioner for the Environment reports to Parliament the findings of an inquiry into the practice of hydraulic fracturing in New Zealand."

The group believes that oil/gas production creates division and conflict within communities, and reduced land values. Further the 'possible' economic benefits would only be short term, and that numerous scientific studies confirm environmental contamination resulting from hydraulic fracturing.

The group recognises that Council's functions are limited in this regard, however believe that there are sufficient grounds for any application to drill for oil/gas exploration to be publicly notified.

There was a query as to whether there was any provision for staff to defer applications or refuse to accept or process consent applications. Mr Maxwell, Group Manager Resource Management confirmed that resource consent applications can only be deferred for insufficient information being provided by the applicant, and not for any other reasons.

A request has been made to the Parliamentary Commissioner for the Environment (PCE) for her office to undertake an independent study into the risks and benefits of the processes involved in oil/gas exploration and production, the scope of which is entirely at the PCE's discretion.

#### ***Councillor Rose arrived at 10.00am.***

Councillor Remmerswaal moved additional recommendations, seconded (pro forma) by Councillor Dick, being:

2. Council suggests that HBRC staff consider the following when processing resource consent applications:
  - 2.1 That any new drilling sites have:
    - a) Baseline testing prior to being constructed to determine the quality of existing water sources,
    - b) Real time monitoring onsite to detect any problem as they arise.
3. That Council use best practice national regulations in dealing with the applications.
4. That HBRC requests that an appropriate independent health authority investigate the safety of the oil company practices from the point of view of impacts on human and stock health due to possible water and soil contamination.

The additional recommendations, when put, were **LOST**  
**For: Dick, Remmerswaal, Kirton**  
**Against: McGregor, Scott, von Dadelszen, Wilson**

It was noted that under s92(2) RMA where the authority considers that an activity may have significant effects on the environment it may, after advising the applicant, commission a report from any person on any aspect of the application including a review of any information. Section 88C has the effect of 'stopping the clock' while this further information/report is received. Under s95c if the applicant refuses to agree to the commissioning of the report public notification must occur.

RC7/12

**Resolution**

1. That Council formally receives the petition.

**McGregor/von Dadelszen**  
**Councillor Rose was absent during debate and so Did Not Vote**  
**CARRIED**

**6. Call For General Business Items**

- Correspondence (Dick)
- Leave of Absence (von Dadelszen)
- 4 wheel motor bike frames (McGregor)
- Meeting with Fonterra (Rose)

**7. Affixing Of Common Seal**

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.

		<b>Seal No.</b>	<b>Date</b>
1.1	<b>Leasehold Land Sales</b>		
1.1.1	Lot 235 DP 6421 CT E2/1427 - Transfer (discount 17.5% resides at property)	3235	24 February 2012
1.1.2	Lot 110 DP 12692 CT E1/69 - Agreement for Sale and Purchase (cross-lease 10% landlord and 17.5% resides at property) - Transfer	3236 3237	27 February 2012 27 February 2012
1.1.3	Lot 200 DP 6598 CT C2/394 - Transfer	3238	27 February 2012
1.1.4	Lot 98 DP 6481 CT C2/422 - Transfer	3239	28 February 2012
1.1.5	Lot 108 DP 2172 CT P3/1244 - Agreement for Sale and Purchase (cross-lease 1x 10% landlord and 3 x 17.5% resides at property)	3240	28 February 2012
1.1.6	Lot 373 DP 11103 CT B2/1282		

	- Transfer	3241	28 February 2012
1.1.7	Lot 13 DP 11027 CT B3/1374 - Transfer	3242	2 March 2012
1.1.8	Lot 188 DP 11149 CT B1/1217 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3243	5 March 2012
1.1.9	Lot 88 DP 13696 CT F2/1337 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3244	5 March 2012
1.1.10	Lot 22 DP 14228 CT G1/44 - Agreement for Sale and Purchase (discount 10% overseas landlord)	3245	5 March 2012
1.1.11	Lot 29 DP 6391 CT E2/144 - Agreement for Sale and Purchase (discount 10% landlord)	3250	7 March 2012
	- Transfer	3251	7 March 2012
1.1.12	Lot 455 DP 11559 CT C1/1463 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3252	7 March 2012
1.1.13	Lot 43 DP 12692 CT E1/59 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3254	13 March 2012
1.1.14	Lot 485 DP 2451 CT 55/117 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3255	13 March 2012
1.1.15	Lot 66 DP12309 CT HB D2/510 - Transfer	3256	14 March 2012
1.1.15	Lot 107 DP 6598 CT C2/379 - Transfer	3257	15 March 2012

	<p>1.1.15 Lot 1 DP13384 CT F1/1022 - Agreement for Sale and Purchase (cross-lease 1x 10% landlord and 3 x 17.5% resides at property)</p> <p>1.1.15 Lot 22 DP 6391 CT D4/1432 - Agreement for Sale and Purchase (cross-lease 1x 10% landlord and 1 x 17.5% resides at property)</p>	<p>3258</p> <p>3259</p>	<p>15 March 2012</p> <p>15 March 2012</p>
1.2	<p><b>Specification for:</b> Awanui Stream Stopbank Reconstruction Upstream Crystal Road Stage 4 Contract No: 11-03-4275C</p>	3253	10 March 2012
1.3	<p><b>Staff Warrants</b></p> <p>1.3.1 N. Heath L. Sadeghi J. Powrie (Delegations under Resource Management Act 1991; Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908 and Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</p> <p>1.3.2 A. McNatty (Delegations under Biosecurity Act 1993; Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</p>	<p>3246</p> <p>3247</p> <p>3248</p> <p>3249</p>	<p>5 March 2012</p> <p>5 March 2012</p> <p>5 March 2012</p> <p>5 March 2012</p>

RC8/12

## Resolutions

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. Confirms the action to affix the Common Seal.

**Dick/Rose  
CARRIED**

## 8. Audited Draft Long Term Plan 2012-22 Adoption for Consultation

Mr Drury provided an overview of the processes undertaken in development of the draft, audited LTP being considered for adoption today.

Mr Drury then took Council through the supplementary additions and amendments requested by the Auditor General, which had been actioned by staff and had since been reviewed by the Auditor again, and approved.

***The meeting adjourned at 1030 and reconvened at 1048am.***

Mr Drury continued to take Council through the changes requested by the Auditor, and actioned by staff.

Councillor Kirton requested attention to some formatting issues in the document, and detailed them for staff for amendment. Ms Thomas noted and actioned amendments throughout the document as they were agreed through discussion.

Councillor von Dadelszen drew staff's attention to the wording of part 4.10, page 51 Resource Management Charges relating to the footnote numbering needing to reference directly back to the tables.

Councillor Kirton requested that an additional section be added to the Right Debate, in relation to the Regional Planning Committee. Ms Lambert clarified that establishment of the Committee had been through the debate and discussion processes of Council, with establishment being resolved by Council at its April 2011 meeting. Further, the Terms of Reference of that Committee had been adopted by Council at their December 2011 meeting. The purpose of the Right Debate section is to encourage comment from the Public and focus consultation, so it was agreed that a paragraph noting the establishment of the RPC as a milestone achievement would be added into the Chairman and Chief Executive's Introduction. It was noted that there was information about the Committee in Part 6 of the document as well.

Councillor Kirton requested that the addition of a paragraph relating to cost control measures be included under the Fit for Purpose Organisation heading. Through discussion it was noted that there are rigorous Council budgeting processes in place, and that the type of process could be enhanced internally to provide additional clarity to Council. It was suggested that Council already performs the role of the proposed Panel through the reporting and Annual Plan/LTP budget development processes, as well as the Corporate and Strategic Committee.

Councillor Kirton requested that an additional table to report staff, consultant, contractor and legal costs on a per Council Group of Activity basis. Mr Peacock advised that the financial model Council uses currently would require re-design in order to provide these figures in the proposed format. It was agreed that staff would investigate how this type of report could be developed for future use to provide clarity and transparency around this expenditure.

In relation to part 3.6 Emergency Management, Councillor Kirton raised his concern about equity of using a UAC and not a rate based on land value.

Amendments were noted by staff throughout the discussions and would be actioned, as agreed, prior to the document being published.

RC9/12

## **Resolutions**

That Council:

1. Confirms the decisions recommended in this paper are not able to be implemented until the effects of these decisions are included in the Long Term Plan 2012-22 and that the audited draft LTP be subjected to a special consultative procedure as required by section 93(2) of the Act.
2. Agrees to fund the underlying deficits in the years where the deficits are shown in the LTP, from cash operating balances which are estimated to be at a level which are sufficient to provide such funding.
3. Adopts the proposed scale and schedule of charges set out in the "Resource Management Charges" included in Part 4 of the audited draft Long Term Plan 2012-22, and submits to the special consultative procedure as set out in Section 83 of the Local Government Act 2002 (in conjunction with the draft LTP) and is part of the overall Statement of Proposal in accordance with Sections 36(2) of the Resource Management Act 1991.

4. Adopts the audited draft Long Term Plan 2012-22 incorporating the changes initiated by the Council at Council workshops on 12 September 2011, 10 November 2011, 31 January 2012 and 14 February 2012, and any changes made by the Council at their meeting held 21 March 2012, and changes resulting from the Office of the Controller and Auditor General's review, under Sections 83 and 93 of the Local Government Act 2002 for the purposes of initiating the special consultative procedure and the audited draft Long Term Plan 2012-22 as adopted be part of the Statement of Proposal.
5. Agrees that where the special consultative procedure is required for any significant decisions that are included in the audited draft Long Term Plan 2012-22, the Statement of Proposal as required under Section 83 (1)(a)(i) of the Local Government Act 2002 is the audited draft Long Term Plan 2012-22, the proposed amendments to the Investment Policy, Liability Management Policy and the Revenue and Financing Policy and further, the policies set out in Part 4 of the LTP (excluding accounting policies) being open for review and public comment in line with Council's own policy to review, through a special consultative procedure, these policies every three years.
6. Agrees that the Summary of Information as required by Section 83 (1)(a)(ii) and Section 89 will be in the form of the draft Long Term Plan 2012-22 summary which will be included in the April issue of the Our Place.
7. Gives public notice pursuant to Section 83 (e), (f), and (g) of the Local Government Act 2002, to notify the adoption of the audited draft Long Term Plan 2012-22 with a closing date of submissions on 16 May 2012.

**Scott/von Dadelszen  
CARRIED**

## **9. Draft Long Term Plan 2012-22 Consultation Plan**

Ms Lambert and Mr Broadley outlined the planned consultation programme for the 2012-22 Draft Long Term Plan.

It was suggested that staff approach Bay FM and Radio Kahungunu in relation to radio advertising.

It was noted that a parallel consultation process would be run for the Regional Land Transport Strategy.

## **RC10/12 Resolutions**

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. Endorses the proposed promotion and community engagement programme for the Draft Long Term Plan 2012-2022.

**Scott/McGregor  
CARRIED**

## **10. Recommendations from the Environmental Management Committee**

The paper was taken as read.



RC11/12 **Resolutions**

The Environmental Management Committee recommends 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.

**Update on Appeal Costs**

2. Receives the further information about the specific costs of appeals and uses this to inform the discussion about the inclusion in the 2012-2013 Long Term Plan of budget for costs associated with appeals.
3. Instructs staff to use the criteria within the guidelines 1 or 2 and in exceptional circumstances 3 identified in this paper to guide decisions about whether or not a cost application is lodged with the Environment Court.
4. Agrees that the delegation for decisions regarding whether or not a cost application is lodged with the Environment Court is maintained at a Staff level.

**Taharua Mohaka Update**

5. Funds the Science work that enables the scope of the Taharua plan change to extend to the whole of Mohaka Catchment by way of a combination of:
  - 5.1 Section 36 charges where appropriate, and
  - 5.2 Approving a carry forward in June of any under-expenditure identified as a result of the April reforecasting exercise; and
  - 5.3 Approving an increase to the Year 2012-13 deficit of up to \$75,000 in the Draft Long Term Plan.

**Canadian Petrochemical Fact Finding Tour Report**

6. Receives the Canadian Petrochemical Fact Finding Tour report.
7. Contributes to a gap analysis of all regulations managing all of the aspects of the oil/gas industry to avoid a disjointed approach to this industry.
8. Agrees that New Zealand regulatory agencies should consider adopting overseas standards, where applicable, to ensure consistent regulations rather than develop our own standards
9. Notes that the British Columbia Oil and Gas Commission (BCOGC), Energy Resources Conservation Board (ERCB) and National Energy Board (NEB) have all offered ongoing support to assist the East Coast Councils and New Zealand as a whole, for development of policy, regulations and technical support.

**Scott/von Dadelszen  
CARRIED**

**11. Recommendations from Corporate and Strategic Committee**

The paper was taken as read.

RC12/12 **Resolutions**

The Corporate and Strategic Committee recommends 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.

**Environmental Awards**

2. Approves the proposal to continue partnerships with the Hawke's Bay Environmental Action Awards, the Westpac Chamber of Commerce Business Awards, the East Coast Ballance Farm Awards and the Eastern Horticultural Field Day.

**Kairakau Community Scheme**

3. Adopts the Statement of Proposal for the establishment of the Kairakau Community Scheme, subject to any changes Council may wish to make, for the purpose of distribution to the Kairakau Community and the special consultative process.
4. Requests that the Hearings Committee appoints a Hearing Panel to hear and consider all submissions received and report its decisions back to Council.
5. Instructs staff to liaise with the Hearing Panel members as appointed to set a date for hearing of submissions in accordance with the Local Government Act 2002.

**Rose/von Dadelszen  
CARRIED**

**12. Formal Appointment of Regional Planning Committee Members**

Ms Lambert advised that the principle of equal representation on this Committee would be put into practice over the first few months as new Treaty settlements were finalised and representatives appointed, and that the Treaty Claimant Group representatives who have joined to date have agreed to the total number of councillors being appointed at the outset.

Minister for Treaty of Waitangi Negotiations, the Hon. Christopher Finlayson, has confirmed that he will be attending the inaugural meeting of the RPC on 10 April and the Minister of Māori Affairs, the Hon. Dr Pita Sharples, has been invited but has not yet indicated whether he is able to attend.

The inaugural meeting will comprise of about an hour of formalities followed by training in the afternoon.

Crown contribution is aimed at funding for representatives whose groups are still a ways from settlement and therefore not self funding.

Committee Chair – the initial expectation was that the Council chairman would fulfil that role however it is not clear whether that is still the expectation.

RC13/12 **Resolutions**

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. Appoints all councillors to the Regional Planning Committee.
3. Appoints Chairman Fenton Wilson as Chairman of the Regional Planning Committee.
4. Appoints the following persons as members of the Regional Planning Committee:
  - 4.1. Walter Wilson, representing Te Whakaemi o te Wairoa
  - 4.2. Nicky Kirikiri, representing Ruapani ki Waikaremoana
  - 4.3. Toro Waaka, representing Ngati Pahauwera Development Trust
  - 4.4. Karauna Brown, representing Ngati Hineuri Iwi Incorporated
  - 4.5. Tania Hopmans, representing Maungahururu-Tangitu Iwi Incorporated
  - 4.6. Rangi Spooner, representing Mana Ahuriri Incorporated
  - 4.7. Colin Rangi, representing Ngati Tuwharetoa Hapu Forum.
5. Agrees that the matter of appointing the Deputy Chairman for the Regional Planning Committee does lie on the table.
6. Agrees that the matter of voting processes for Councillors does lie on the table.

**Rose/McGregor  
CARRIED**

***The meeting adjourned at 1248pm and reconvened at 1:20pm***

## **20. Port of Napier Limited Briefing**

### **RC14/12 Resolution**

That Council excludes the public from this section of the meeting, being Agenda Item 20 Port of Napier Limited Briefing 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:

<b>GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION</b>	<b>FOUNDATIONS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION</b>
Port of Napier Limited Briefing	<p>7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information 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>7(2)(j) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	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 moved into Public Excluded at 1:20pm**

**17. Confirmation of the Minutes of The Public Excluded Meeting Held on 29 February 2012**

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Confirmation of the Public Excluded Minutes of the Regional Council Meeting held 29 February 2012	7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**18. Matters Arising From Public Excluded Minutes of Meeting Held on 29 February 2012**

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Matters Arising from the Public Excluded Minutes of the Regional Council Meeting held 29 February 2012	7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**19. Recommendations from Corporate and Strategic Committee**

That Council excludes the public from this section of the meeting, being Agenda Item 19 Recommendations from Corporate and Strategic Committee 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	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Recommendations from Corporate and Strategic Committee	7(2)(b)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary 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.

**21. Request For Proposal (RFP) For Commercial Feasibility Assessment, Asset Procurement And Capital Raising Services: Revision Of Feasibility Costs**

That Council excludes the public from this section of the meeting, being Agenda Item 21 Request for Proposal (RFP) for Commercial Feasibility Assessment, Asset Procurement and Capital Raising Services: Revision of Feasibility Costs 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	FOUNDATIONS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Request for Proposal (RFP) for Commercial Feasibility Assessment, Asset Procurement and Capital Raising Services: Revision of Feasibility Costs	7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

***The meeting moved out of public excluded at 2.40pm***

**29 February 2012**

**RC15/12 Resolution**

Minutes of the Regional Council Meeting held on Wednesday, 29 February 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record as amended.

**von Dadelszen/Scott  
CARRIED**

**4. Matters Arising From Minutes of the Regional Council Meeting Held on Wednesday 29 February 2012**

There were no matters arising from the minutes.

**13. Directors' and Officers' Insurance for HBRIC**

The paper was taken as read.

**RC16/12 Resolutions**

That Council:

1. Notes that the decision is required under the Companies Act 1993 and HBRIC's constitution.
2. Approves HBRIC effecting directors' and officers' insurance to cover potential liabilities arising from indemnities given by HBRIC to its directors in accordance with its Constitution, on terms and conditions satisfactory to HBRIC.

**McGregor/Rose  
CARRIED**

**15. March 2012 Work Plan - Looking Forward**

A councillor asked for an update on the Mahia wastewater scheme.

It was noted that an appeal had been received on the Regional Pest Management Strategy and so the 'making' of that strategy would be delayed. The Regional Phytosanitary Pest Management Strategy would still go to the 18 April Council meeting for making.

RC17/12 **Resolution**

1. That Council receives the March 2012 Work Plan Looking Forward report.

**Scott/McGregor  
CARRIED**

**16. Chairman's Monthly Report (to be Tabled)**

The Chairman had not been able to prepare a report.

RC18/12 **Resolution**

1. That Council agrees that the Chairman's monthly report does lie on the table.

**Wilson/Remmerswaal  
CARRIED**

**17. General Business**

ITEM	TOPIC	COUNCILLOR / STAFF
1.	A personal email from Councillor Dick was leaked to the press, and Councillor Dick had since reconsidered the wording of the email and apologised to the recipients. Further, Councillor Dick apologised to his Council colleagues and expressed regret.	AJ Dick
2.	Leave of Absence for the 10 April Regional Planning committee meeting	E von Dadelszen
3.	Safety frames on 4 wheel motorbikes - it was suggested that staff safety policies relating to the use of 4 wheel motorbikes be examined to be sure adequate safety measures were in place.	E McGregor
4.	Meeting with Fonterra – Councillor Rose attended a meeting this morning, at which there was a glowing outlook given, with potential growth of 6% to China and 10% into India. Environmental concerns and the company's programmes for improving the environmental performance of dairy farms were also discussed.	K Rose

**Closure:**

There being no further business the Chairman declared the meeting closed at 3.00pm on Wednesday, 21 March 2012.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....