



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 27 June 2012

Time: 9.00am

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

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

In Attendance: A Newman – Chief Executive
M Mohi – Chairman – Maori Committee
L Hooper – Governance and Corporate Administration Manager
EA Lambert – Group Manager External Relations
P Drury – Group Manager Corporate Services
C Gilbertson – Transport Manager
M Adye – Group Manager Asset Management & Biosecurity
I Maxwell – Group Manager Resource Management
B Lawrence – Manager Compliance & Harbours

1. WELCOME/PRAYER/APOLOGIES/NOTICES

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

Resolution

RC33/12 That Mr Mohi's apology for late arrival be accepted.

**McGregor/Scott
CARRIED**

Councillor Rose advised that he would be absent from 1.00 pm in order to attend a Dairy Liaison Committee meeting.

Councillor Dick advised that he received a letter in relation to the future of the Napier-Gisborne rail line and would elaborate on its contents during discussion on item 8 Adoption of the Regional Land Transport Strategy incorporating the Regional Land Transport Programme.

Councillor Dick advised that a Dominion Post article this morning relating to the Ruataniwha Plains water storage project and the Regional Transport Strategy contained inaccurate information that, in his opinion, should be corrected with the author of the article.

2. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

3. Confirmation of the Minutes of the Environmental Management Committee meeting held 6 June 2012

RC34/12 Minutes of the Environmental Management Committee meeting held on Wednesday, 6 June 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**von Dadelszen/McGregor
CARRIED**

There were no matters arising from the minutes of the 6 June Environmental Management Committee meeting.

Confirmation of the Minutes of the Regional Council meeting held on 30 May 2012

RC35/12 Minutes of the Regional Council meeting held on Wednesday 30 May 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Von Dadelszen/Scott
CARRIED**

There were no matters arising from the minutes of the 30 May Regional Council meeting.

19. Confirmation of Public Excluded Minutes of the Regional Council Meeting Held on 30 May 2012

RC36/12 Resolution

1. That Council excludes the public from this section of the meeting, being Agenda Item 19 Confirmation of Public Excluded Minutes of the Meeting Held on 30 May 2012 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
Confirmation of Public Excluded Minutes of the Meeting Held on 30 May 2012	<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.

**Kirton/von Dadelszen
CARRIED**

RC37/12

Resolution

1. Public Excluded Minutes of the Regional Council meeting held on Wednesday 30 May 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Kirton/McGregor
CARRIED**

There were no matters arising from the Public Excluded minutes of the 30 May Regional Council meeting.

Resolution

- RC38/12 1. That the Council moves out of Public Excluded Session.

**von Dadelszen/McGregor
CARRIED**

The meeting went into public excluded session at 09.10am and out of public excluded session at 09.15am

3. **Confirmation of the Minutes of the Asset Management and Biosecurity Committee meeting held 9 May 2012**

- RC39/12 Minutes of the Asset Management & Biosecurity Committee meeting held on Wednesday, 9 May 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Rose/Gilbertson
CARRIED**

There were no matters arising from the minutes of the 9 May Asset Management and Biosecurity Committee meeting.

5. Action Items from Previous Regional Council Meetings

Mr Newman updated the council on the status of the Ruataniwha water storage feasibility study, with BNZ having been appointed to carry out the financial feasibility study.

Several environmental studies have been and are being carried out as part of the Ruataniwha pre-feasibility and feasibility.

RC40/12

Resolution

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

**Rose/von Dadelszen
CARRIED**

6. CALL FOR GENERAL BUSINESS ITEMS

Remmerswaal – Council staff visit to Taranaki in January

Remmerswaal – Council involvement in petroleum seminar

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 458 DP 2451 CT P4/587 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3370 3396	25 May 2012 7 June 2012
	1.1.2 Lot 29 DP 13693 CT F2/1291 - Transfer	3371	25 May 2012
	1.1.3 Lot 40 DP 6391 CT E2/1454 - Transfer	3372	28 May 2012
	1.1.4 Lot 158 DP 6598 CT C2/359 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3373 3403	28 May 2012 12 June 2012
	1.1.5 Lot 132 DP 11103 CT B2/1278 - Agreement for Sale and Purchase (discount 10% landlord) - Transfer	3374 3415	28 May 2012 21 June 2012

1.1.6	Lot 277 DP 107765 CT 211860 - Transfer	3375	30 May 2012
1.1.7	Lot 78 DP 13096 CT E3/518 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3376 3418	30 May 2012 21 June 2012
1.1.8	Lot 4 DP 11626 CT C2/598 - Transfer	3377	30 May 2012
1.1.9	Lot 3 DP 14665 CT G3/320 - Transfer	3378	30 May 2012
1.1.10	Lot 1 DP 11826 CT L2/1118 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3379 3380	30 May 2012 30 May 2012
1.1.11	Lot 42 DP 7201 CT B4/943 - Agreement for Sale and Purchase (cross-lease 1 x 10% discount landlord and 1 x 17.5% discount resides at property) - Transfer	3381 3382	30 May 2012 30 May 2012
1.1.12	Lot 40 DP 14224 CT F4/1487 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3383 3384	30 May 2012 30 May 2012
1.1.13	Lot 180 DP 6598 CT C2/366 - Agreement for Sale and Purchase (cross-lease 1 x 10% discount landlord and 1 x 17.5% discount resides at property) - Transfer	3385 3409	30 May 2012 14 June 2012
1.1.14	Lot 107 DP 13039 CT E2/1250 - Agreement for Sale and Purchase (discount 10% landlord)	3386	30 May 2012

1.1.15	Lot 62 DP 10477 CT E2/397 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3388 3406	31 May 2012 13 June 2012
1.1.16	Lot 7 DP 14447 CT G2/653 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3389 3417	31 May 2012 21 June 2012
1.1.17	Lot 1 DP 14614 CT G2/1407 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3390 3402	31 May 2012 12 June 2012
1.1.18	Lot 2 DP 11321 CT B4/336 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3391 3419	5 June 2012 21 June 2012
1.1.19	Lot 84 DP 12780 CT E1/746 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3392 3413	5 June 2012 14 June 2012
1.1.20	Lot 178 DP 10912 CT D4/929 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3393	5 June 2012
1.1.21	Lot 196 DP 8434 CT C2/631 - Agreement for Sale and Purchase (cross-lease 1 x 10% discount landlord and 2 x 17.5% discount resides at property)	3394	5 June 2012
1.1.22	Lot 144 DP 2172 CT 55/192 - Transfer	3395	7 June 2012
1.1.23	Lot 1 DP 18973 CT L2/234 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3397	8 June 2012

1.1.24	Lot 161 DP 13096 CT E3/533 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3398	8 June 2012
1.1.25	Lot 133 DP 13096 CT E3/529 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3399	11 June 2012
1.1.26	Lot 33 DP 10513 CT D2/1140 - Transfer	3400	12 June 2012
1.1.27	Lot 71 DP 2172 CT 56/251 - Transfer	3401	12 June 2012
1.1.28	Lot 10 DP 9950 CT 178/33 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3404	13 June 2012
1.1.29	Lot 10 DP 4221 CT C2/403 - Transfer	3405	12 June 2012
1.1.30	Lot 44 DP 14448 CT G2/680 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3407	13 June 2012
1.1.31	Lot 16 DP 1311 CT E3/556 - Agreement for Sale and Purchase (cross-lease 1 x 10% discount landlord and 2 x 17.5% discount resides at property)	3408	14 June 2012
1.1.32	Lot 2 DP 15804 CT H3/322 - Agreement for Sale and Purchase (discount 17.5% resides at property) - Transfer	3410 3411	14 June 2012 14 June 2012
1.1.33	Lot 140 DP 6598 CT C2/322 - Transfer	3412	14 June 2012
1.1.34	Lot 110 DP 13039 CT E2/1251 - Transfer	3414	18 June 2012

	1.1.35 Lot 17 DP 12780 CT E1/739 - Transfer	3416	21 June 2012
	1.1.36 Lot 127 DP 14452 CT G2/763 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3420	21 June 2012
1.2	Proposal Submission for PS103 County Pumping Station Renewal of Pumphouse Building Contract No: 12-10-4326	3387	30 May 2012

RC41/12

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.

**Rose/Scott
CARRIED**

8. Adoption of the Regional Land Transport Strategy, Incorporating the Regional Land Transport Programme

Councillor Dick advised that the strategy has been in development for well over 12 months and is a full review providing real solutions to the issues in the Region.

Mrs Gilbertson noted that the Regional Transport Committee adopted the Strategy and programme at the meeting held 22 June, and Audit approval received.

There were 30 submissions received, with most supportive of the programme. HPUDS provided some certainty, to the extent and direction of urban expansion, for the modelling of traffic and freight on the Heretaunga Plains. The Programme encapsulates what will happen in the next 3 years and what finding is available.

RC42/12

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. Adopts, on the recommendation of the Regional Transport Committee, the Regional Land Transport Strategy 2012-2042, incorporating the Regional Land Transport Programme 2012-15, and notes that the RLTP will be submitted to NZTA by 30 June 2012.

**von Dadelszen/McGregor
CARRIED**

9. ADOPTION OF KAIRAKAU COMMUNITY SCHEME

Mr Adye advised that the scheme proposal came out of discussions between HBRC staff and the Kairakau community. All submissions received had been in favour of the scheme, with one suggesting a higher (\$200) rate be applied to speed up recovery works.

Mr Mohi arrived at 10.20am

RC43/12 Resolutions

That Council:

1. Notes that a special consultative process has been followed as part of the process in bringing this proposal to Council.
2. Agrees to establish the scheme as set out in the Statement of Proposal.
3. Instructs staff to proceed to negotiate a Memorandum of Understanding in conjunction with a Kairakau Community/Liaison Group which could be Kairakau Development Society (KDS).
4. Levies a targeted rate of \$100 + GST per annum on all residential ratepayers within the Kairakau Beach Community commencing in the 2012/13 year.

**Scott/von Dadelszen
CARRIED**

10. Additional Funding for Prosperity Study

Ms Lambert provided Council with the rationale for the request for additional \$60,000 funding to provide for completion of the Prosperity Study, which is now to be funded entirely by HBRC.

Peter Winder will be engaged to complete the study as per the Study Proposal provided. Findings report expected to be presented to Leaders group by the end of September and will be brought to Council following that.

RC44/12 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 provision of \$60,000 in the 2012/13 to fund the completion of the Study on Improving the Social and Economic Performance of Hawke's Bay.
3. Approves the Study Proposal, as detailed in the letter from the consultants dated 1 June 2012.
4. The completed report will be brought back to Council for consideration of resulting actions to be pursued.

**Scott/Rose
For: Dick, Remmerswaal, McGregor, Scott, Rose, von Dadelszen, Wilson
Against: Gilbertson, Kirton
CARRIED**

The meeting adjourned at 10.40am and reconvened at 11.05am

Item 12 was considered at this time.

Item 13 was considered at this time.

Item 15 was considered at this time.

Item 16 Work Plan Looking Forward was considered at this time.

Item 14 was considered at this time.

3. Confirmation of the Minutes of the Regional Council meeting held on 11, 12, 13 and 14 June 2012

RC45/12 Minutes of the Regional Council meeting held on Monday 11 June, Tuesday 12 June, Wednesday 13 June and Thursday 14 June 2012 a copy having been circulated prior to the meeting, were confirmed as a true and accurate record as amended.

**Wilson/McGregor
CARRIED**

4. Matters Arising From Minutes of the Regional Council meeting Held on Monday 11 June, Tuesday 12 June, Wednesday 13 June and Thursday 14 June 2012

Clarity on the process for listing and selling the Wellington leasehold land was provided by Mr Drury.

Implementation of the Biodiversity Strategy will be financed once it has been determined how much and the type of the work necessary to achieve the outcomes of the Strategy.

There were no further matters arising.

11. ADOPTION OF THE 2012-22 LONG TERM PLAN

Mr Drury provided an overview of the process to adopt the LTP.

It was queried whether an alternative source of funding for the loan repayments for Community Facilities funding would need to be found once Council's leasehold land portfolio had been sold and it was noted that there was a statement in the Right Debate section of the LTP that there will not be any future funding grants from that Fund.

It was suggested that in order to bring Council's decision in relation to making provision for an equity stake in the Ruataniwha water storage project through to the LTP some amendment of the statements in part 2.8 was required.

The meeting adjourned at 12.30pm and reconvened at 1.10pm, with Councillor McGregor assuming the Chair in Councillor Wilson's absence.

As part of the LTP decision on the Ruataniwha water storage project, Council included words to the effect that the project must "clearly meet the Council's environmental objectives".

It was suggested that these words be included as an additional resolution for the Adoption of the LTP, however it was decided that it was not appropriate to single out one outcome without including them all, i.e. commercial, financial.

Councillor Wilson returned to the meeting at 1.40pm.

RC46/12 Resolutions

That Council:

1. Agrees the decision is to be made under Section 93 of the Act which specifies the adoption of the Long Term Plan, and also under sections 83 & 84 requiring a special consultative process which includes consideration of submissions on the Plan from members of the community, and that this process has been undertaken.
2. Agrees to fund the underlying deficits in the years where the deficits are shown in the Plan, from cash operating balances which are estimated to be at a level which is sufficient to provide such funding.
3. Adopts the following resolutions pursuant to Section 12 of the Local Government Act 2002:
 - 3.1. Council raises a loan or loans or facilitates loan funding through banks to fund the borrowing set out in the 2012-22 LTP for the purposes of funding clean heat/ insulation/solar hot water advances to householders, flood and drainage schemes, public good capital assets, systems integration programme, building extensions and investment assets. These loans to be drawn down when required to fund the approved capital programmes.
 - 3.2. Council delegates to the Chief Executive, authority to negotiate and agree on the terms of the loan including:
 - 3.2.1. Any future financing needs within the overall terms of borrowing, the interest rate payable by Council.
 - 3.2.2. The frequency of interest payments.
 - 3.2.3. The timing of drawdown.
 - 3.2.4. The institution(s) who will provide the loans.
 - 3.2.5. The number of loans which will make up the borrowing.
 - 3.2.6. All other terms and conditions of such loans and facilities as may be necessary in obtaining such loans and facilities in accordance with the Council's Liability Management policy to execute any agreements, documents, and certificates in respect of such loans and facilities on behalf of Council.
 - 3.3. Adopts the audited 2012-22 LTP, in accordance with Section 93 of the Local Government Act 2002, being the audited draft LTP issued for public consultation and amended:
 - 3.3.1. By Council at the meetings held on 11, 12, 13 & 14 June 2012.
 - 3.3.2. By Council at its meeting on 27 June 2012.
 - 3.4. Approves, in accordance with sections 83 and 150 of the Local Government Act 2002, the resource consent and user charges as adopted in Part 4 on pages 51 - 60 of the draft LTP issued for public consultation and amended by Council at its meetings on 11, 12, 13 & 14 June 2012, and today, 27 June 2012.
 - 3.5. Instructs staff to make any necessary final amendments to the LTP 2012-22 to reflect the changes agreed at the meetings on 11, 12, 13 & 14 June 2012, and today, 27 June 2012, and then to issue the published Plan in its final form.
 - 3.6. Amends the Policy Handbook, Section 1.1.2 – Long Term Planning to read:

“That the Council adopt the 2012-22 Long Term Plan being the draft Long Term Plan issued for public consultation and as amended:

- By Council at the meetings held on 11, 12, 13 & 14 June 2012.

- *By Council at its meeting on 27 June 2012.*"

- 3.7. Amends the wording of the LTP Part 2.8, page 26 to reflect the decision of Council to read "funding required for an equity stake in the proposed subsidiary company".

Scott/Dick

Councillor Kirton moved an amendment to 3.7, which was seconded by Councillor Remmerswaal, being:

- 3.7. Amends the wording of the LTP Part 2.8, page 26 under both the Ruataniwha Water Harvesting and Ngaruroro Water Harvesting headings, to reflect the decision of Council to read "funding required for an equity stake that clearly meets the Council's environmental objectives".

For 3

Against: 5

The motion, when put was LOST

The substantive motion then became:

That Council:

1. Agrees the decision is to be made under Section 93 of the Act which specifies the adoption of the Long Term Plan, and also under sections 83 & 84 requiring a special consultative process which includes consideration of submissions on the Plan from members of the community, and that this process has been undertaken.

Scott/Dick

For: Dick, Scott, Gilbertson, Rose, von Dadelszen, Kirton, McGregor

Against: Remmerswaal

CARRIED

2. Agrees to fund the underlying deficits in the years where the deficits are shown in the Plan, from cash operating balances which are estimated to be at a level which is sufficient to provide such funding.

Scott/Dick

For: Dick, Scott, Gilbertson, Rose, von Dadelszen, Kirton, McGregor

Against: Remmerswaal

CARRIED

3. Adopts the following resolutions pursuant to Section 12 of the Local Government Act 2002:

- 3.1. Council raises a loan or loans or facilitates loan funding through banks to fund the borrowing set out in the 2012-22 LTP for the purposes of funding clean heat/ insulation/solar hot water advances to householders, flood and drainage schemes, public good capital assets, systems integration programme, building extensions and investment assets. These loans to be drawn down when required to fund the approved capital programmes.

Scott/Dick

CARRIED

- 3.2. Council delegates to the Chief Executive, authority to negotiate and agree on the terms of the loan including:

- 3.2.1. Any future financing needs within the overall terms of borrowing, the interest rate payable by Council.

- 3.2.2. The frequency of interest payments.

- 3.2.3. The timing of drawdown.

- 3.2.4. The institution(s) who will provide the loans.

- 3.2.5. The number of loans which will make up the borrowing.
- 3.2.6. All other terms and conditions of such loans and facilities as may be necessary in obtaining such loans and facilities in accordance with the Council's Liability Management policy to execute any agreements, documents, and certificates in respect of such loans and facilities on behalf of Council.

**Scott/Dick
CARRIED**

- 3.3. Adopts the audited 2012-22 LTP, in accordance with Section 93 of the Local Government Act 2002, being the audited draft LTP issued for public consultation and amended:

3.3.1. by Council at the meetings held on 11, 12, 13 and 14 June 2012.

3.3.2. by Council at its meeting on 27 June 2012.

**Scott/Dick
CARRIED**

- 3.4. Approves, in accordance with sections 83 and 150 of the Local Government Act 2002, the resource consent and user charges as adopted in Part 4 on pages 51 - 60 of the draft LTP issued for public consultation and amended by Council at its meetings on 11, 12, 13 & 14 June 2012, and today, 27 June 2012.

**Scott/Dick
CARRIED**

- 3.5. Instructs staff to make any necessary final amendments to the LTP 2012-22 to reflect the changes agreed at the meetings on 11, 12, 13 & 14 June 2012, and today, 27 June 2012, and then to issue the published Plan in its final form.

**Scott/Dick
CARRIED**

- 3.6. Amends the Policy Handbook, Section 1.1.2 – Long Term Planning to read:

“That the Council adopts the 2012-22 Long Term Plan being the draft Long Term Plan issued for public consultation and as amended:

- *By Council at the meetings held on 11, 12, 13 & 14 June 2012.*
- *By Council at its meeting on 27 June 2012.”*

**Scott/Dick
CARRIED**

- 3.7. Amends the wording of the LTP Part 2.8, page 26 to reflect the decision of Council to read “funding required for an equity stake in the proposed subsidiary company”.

**Scott/Dick
CARRIED**

12. Makara Dam

Mr Adye advised that Makara Dam repairs are being carried out and that a temporary spillway has now been completed. Issues related to corrosion and siltation behind the dam. No heavy rain recently meant that safety had not been compromised, however the sooner repairs were completed the better and a high rainfall event could cause significant problems, and possibly flooding for communities downstream of the dam.

RC47/12 **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 expenditure committed to date and the development of options for a long term solution for the ratepayers to the Upper Makara Scheme.

**Scott/Rose
CARRIED**

13. Recommendations From the Environmental Management Committee

Mrs Lambert advised that the Consent Order for the Regional Coastal Environment Plan was expected to come to Council from the Environment Court by August or early September.

RC48/12 **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.

Delegations for Appeals on Resource Consents

2. Authorises staff, and all necessary technical experts, to attend mediation on behalf of the Regional Council for all Environment Court appeals.
3. Delegates to the Group Manager Resource Management the authority to sign any mediated agreement on behalf of Council that upholds substantive decisions of the Hearings Panel.
4. Acknowledges that staff (and all necessary technical experts) who attend Environment Court hearings must adopt a position that is supported by the evidence that the Regional Council's experts have prepared.

Regional Coastal Environment Plan Adoption and Referral

5. Agrees to refer the matter directly to the next scheduled Council meeting following the Environment Court issuing a Consent Order settling all remaining appeals on the proposed Regional Coastal Environment Plan and Change 1 to the Regional Resource Management Plan.

**Rose/von Dadelszen
CARRIED**

14. Submission to the Regulations Proposed Under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Bill

Mr Lawrence sought Council's endorsement of the submission to the regulations proposed to manage environmental effects of activities in the Exclusive Economic Zone (EEZ). The point was made that the majority of the issues in the document impact stakeholders in the EEZ (beyond the 12 nautical mile limit), with little to no impact on Hawke's Bay Regional Council functions.

The submission asks that a national unit be set up within the Environmental Protection

Authority (EPA) to manage regulation of the oil and gas industry to ensure a consistently high standard of delivery, a nationally consistent regulation of the industry, and to set national standards. The submission also asks that the regulations provide the EPA with the same enforcement tools available under the Resource Management Act, not just enforcement orders.

Mr Lawrence noted that the submission deadline for the HSE (Petroleum Exploration and Extraction) Regulations 1999 had been extended to 27 July and so staff now intended to bring a submission to the 25 July meeting for Council's approval.

RC49/12 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. Lodges the submission as amended subsequent to this meeting.

**Scott/Remmerswaal
CARRIED**

15. Financial Report for the 11 Months Ended 31 May 2012

Mr Drury advised that at 11 months of the current financial year, Council had a \$1.8M surplus against the forecast break even. It was noted that Council's costs incurred for resolution of Environment Court appeals was not recoverable from the appellants and so just had to be absorbed by Council.

RC50/12 Resolution

1. That Council receives the Annual Plan Progress Report for the first 11 months of the 2011/12 Financial Year.

**Scott/McGregor
CARRIED**

16. June 2012 Work Plan - Looking Forward

Mr Adye clarified the progress of cycleways under development in Taradale.

Mr Newman advised that although Asset Management staff would not be providing assistance to CHB in taking the application for their 'new' wastewater treatment system, if a request for assistance was made in the future, Council staff would assist where appropriate.

Mr Newman advised that an overall report that integrates the various Ruataniwha feasibility study reports is being developed and will be made available to Councillors when completed. This would be provided in addition to the individual study reports.

It was noted that the 'Embracing Futures Thinking' work had underpinned development of the Long Term Plan and the Land and Water Management Strategy.

Using technology at Council meetings instead of paper will be the subject of a paper to be brought to the 25 July Council meeting for consideration.

RC51/12 Resolution

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

**Gilbertson/Kirton
CARRIED**

Councillor Rose was excused the meeting at 2.00pm to attend the Dairy Liaison Meeting on behalf of Council.

17. Local Government Act Amendment Bill Submission

Mrs Lambert sought Councillors views on what they might like to have included in a submission to the proposed Bill. Because the deadline for submissions has been extended, staff will prepare a draft submission for Council’s consideration at the 18 July Corporate and Strategic Committee meeting and then adoption of the final submission at the 25 July Regional Council meeting.

RC52/12 Resolution

1. That Council receives the report on the Local Government Act Amendment Bill and provides feedback on points of consideration for a draft submission.

**Kirton/Gilbertson
CARRIED**

18. Chairman’s Report

The Chairman tabled his report and elaborated on discussions at the Local Government Act Amendment Bill and the timelines to enact the first four amendments by November 2012.

Resolution

- RC53/12** 1. That Council receives the Chairman’s report.

**Gilbertson/McGregor
CARRIED**

19 Verbal Report from the Maori Committee

Mr Mohi noted that the Taiwhenua’s draft Cultural Index report had been discussed at the meeting, and that staff had made presentations in relation to afforestation and gravel extraction.

Resolution

- RC54/12** 1. That Peter Paku and Dr Benita Wakefield be appointed as the Maori Committee representatives on the Environment and Services Committee.

**Scott/Gilbertson
CARRIED**

19. GENERAL BUSINESS

ITEM	TOPIC	COUNCILLOR / STAFF
1.	Taranaki Regional Council visit in January – feedback sought from staff who visited	Cr Remmerswaal
2.	Petroleum Summit in September – the content of a presentation by staff was sought and Mr Newman advised that the presentation would cover the Regional Council functions and regulations in relation to the Industry.	Cr Remmerswaal

Closure:

There being no further business the Chairman declared the meeting closed at 2.50pm on Wednesday, 27 June 2012.

Signed as a true and correct record.

DATE:

CHAIRMAN: