



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 12 December 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: M Mohi – Chairman – Maori Committee
A Newman – Chief Executive
EA Lambert – Group Manager External Relations
P Drury – Group Manager Corporate Services
H Codlin – Group Manager Strategic Development
L Hooper – Governance & Corporate Administration Manager
M Adye – Group Manager Asset Management

1. Welcome/Prayer/Apologies/Notices

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

Councillor von Dadelszen advised that she would be applying for leave for February 2013.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Council Meeting Held on 28 November 2012

RC37/12 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 28 November 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/McGregor
CARRIED**

4. Matters Arising From Minutes of the Regional Council Meeting Held on Wednesday 28 November 2012

Chairman advised that, in relation to General Business – the Minister is withholding the HB Oil & Gas Exploration Economic Report until after Christmas.

Also in relation to General Business – Cr Gilbertson had yet to receive the section of the Air Quality Monitoring Strategy specifying or specifically related to the rotation of monitoring equipment to Waipawa.

There were no further matters arising from the minutes.

5. Update by the Maori Committee Chairman on the Meeting Held 4 December 2012

Mr Mohi advised that the meeting held at Kohupatiki Marae was well attended, with the main item being official receipt of the Ngati Hori Management Plan. Another highlight was the local hapu report on their Patiki (flounder) monitoring programme. Mr Mohi extended his thanks to staff from HBRC who had contributed to the meeting.

RC38/12 Resolution

1. That the report be received.

**Gilbertson/Remmerswaal
CARRIED**

6. Recommendations From the Regional Planning Committee

Mrs Lambert provided an overview of the amendments the Committee had made in endorsing Council's previous decision adopting the key approaches to the Tukituki Plan Change.

RC39/12 Resolution

1. That Council receives the Regional Planning Committee's endorsement of the key approaches for the development of the Tukituki Plan Change, those being:
 - 1.1 Setting water quality limits to maintain the mauri and life supporting capacity of freshwater bodies and associated ecosystems.
 - 1.2 Setting water allocation limits as generally outlined in the Tukituki choices discussion document.

- 1.3 Setting minimum flow limits based on 90% habitat protection for longfin eel for Waipawa River at SH 2 and Tukituki at Tapairu Rd, transitioning from current over a 3-5 year period.
- 1.4 Setting minimum flows for Tukituki at Red Bridge based on 90% habitat protection for trout, transitioning from current over a ten year period.
- 1.5 Allowing applications to be lodged to take water for community irrigation schemes over and above the core allocation limits.
- 1.6 Setting in stream phosphorus targets as a means of reducing periphyton growth.
- 1.7 Managing nitrogen for nitrate toxicity based on a 95% ANZECC protection threshold for zone 1, and the 90% ANZECC protection threshold for zones 2, 3 and 5. The 90% species protection level correspond to a very low risk of a minor effect on trout and a negligible risk of insignificant effect on native fish and invertebrate species and are thus considered environmentally conservative.
- 1.8 Setting nitrogen and phosphorus limits based on current in-stream nitrate and phosphorus levels for Zone 4.
- 1.9 Reviewing land management policies and practices and regulatory approaches.

**Scott/von Dadelszen
CARRIED**

7. Action Items From Previous Regional Council Meetings

The paper was taken as read.

RC40/12

Resolution

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

**Scott/von Dadelszen
CARRIED**

8. Call for General Business Items

RMLA conference (Cr Scott)

Business Hawke's Bay (Cr Scott)

Greetings from overseas (Cr Rose)

Guppy Road landscaping (Cr Dick)

Business Hawke's Bay (Cr Wilson)

9. 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 4 DP 10435 CT D4/788 - Agreement for Sale and Purchase (no discount valuation fee paid after 30 June 2012) - Transfer	3619 3632	26 November 2012 6 December 2012
1.1.2	Lot 2 DP 12533 CT D4/445 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3620	26 November 2012
1.1.3	Lots 3-4 DP 11332 CT B3/999 - Agreement for Sale and Purchase (3 x discount 17.5% resides at property and 2 x 10% discount landlord)	3621	26 November 2012
1.1.4	Lot 4 DP 5336 CT C2/472 - Agreement for Sale and Purchase (no discount valuation fee paid after 30 June 2012) - Transfer	3622 3631	26 November 2012 6 December 2012
1.1.5	Lot 90 DP 13696 CT F2/1338 - Transfer	3623	26 November 2012
1.1.6	Lot 221 DP 11194 CT B3/83 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3624	27 November 2012
1.1.7	Lot 35 DP 12517 CT D4/977 - Agreement for Sale and Purchase (discount 17.5% resides at property)	3625	28 November 2012
1.1.8	Lot 3 DP 12414 CT D3/342 - Transfer	3626	28 November 2012
1.1.9	Lot 222 DP 6598 CT C2/341 - Transfer	3627	3 December 2012

	1.1.10 Lot 480 DP 2451 CT 56/136		
	- Agreement for Sale and Purchase (discount 17.5% resides at property)	3628	3 December 2012
	- Transfer	3629	3 December 2012
	1.1.11 Lot 40 DP 13691 CT F2/1256		
	- Agreement for Sale and Purchase (discount 17.5% resides at property)	3630	3 December 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.

**Scott/von Dadelszen
CARRIED**

10.

Shared Services - Formation of Council Controlled Organisations

Mrs Lambert advised that this paper was to provide some more formal resolution to proceed with shared service arrangements as per earlier Council resolutions and decisions, and provided a brief overview of some of the 'shared services' being considered and investigated. In response to a query, Mrs Lambert noted that the CCO formed would need to report to shareholders as required by the Companies Act and the Local Government Act, however suggested that additional regular reports could also be provided by the CE to the Corporate and Strategic Committee if Councillors wished.

Further discussion traversed how to ensure the autonomy of some of Council's functions, the differences provided by forming a company versus agreements such as the Triennial Agreement, whether cost savings could mean that the entity would eventually be self funding, budgeting, how costs could potentially be shared between the participating councils and the 'term' of directorships.

Statement of Intent development will be initiated with formation of the company, and some issues raised may be able to be addressed through that document.

Particular concerns were raised in relation to the purpose of the CCO, shareholder protection, where responsibility lies for the evaluation of opportunities for sharing services, and lack of clarity around objectives for the Company.

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. Receives the report on “Shared Services – Formation of Council Controlled Organisation”.
3. Proceeds to participate as a shareholder in Hawke’s Bay LASS limited, a Council Controlled organisation.
4. Approves the Draft Constitution, in principle, with suggested amendments.
5. Authorises the Chief Executive to complete all documents and transactions as necessary to give effect to this decision, and that specifically authorise the establishment of the Council Controlled Organisation to be known as HB LASS Limited.

**Scott/Rose
CARRIED**

16. Representation Review Process Update

Mrs Hooper outlined the process should the Local Government Commission hold a Hearing as part of its decision making process on Council’s proposed representation arrangements.

RC43/12 **Resolution**

1. That Council receives the *Representation Review Process Update* report.

**Scott/Rose
CARRIED**

The meeting adjourned at 10.25am and reconvened at 10.45am

11. Resourcing for the Ruataniwha Water Storage Project

Mr Newman provided an overview of the proposed resourcing for the RWS and the related Council staffing implications as well as the rationale underlying the proposal.

Mr Newman noted that if HB LASS Board representation became an issue then he would rescind that delegation and assume responsibility for that role.

It was queried who would fulfil the role of critiquing the performance of HBRIC Ltd and reporting that to Council. Ms Codlin suggested that the role was potentially going to be fulfilled by the Team Leader Policy.

In response to a query, Mrs Lambert advised that legal advice had been sought from Simpson Grierson on the legality of the proposal and the verbal response received was that the solicitors were not aware of any legal precedence however had looked at any legal responsibilities relating to s42 and believed that those requirements would be covered by the CE delegating specific tasks to the GM Operations while remaining ultimately responsible.

There was a query as to the impacts on Council’s relationship to the CE as his employer. In response, Mr Newman expressed his understanding that he would attend all Council meetings and where issues had Council wide impacts he would be dealing with those.

Clarification was sought on the impacts on the GM External Relations role, which Mrs Lambert advised support for several aspects of that role were being distributed to other Council staff, particularly the Community Engagement and Communications Manager.

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. Adopts the following recommendations from the Board of HBRIC Ltd:
 - 2.1. Approves the secondment of the staff to HBRIC Ltd, the roles and accountabilities as per the table following.

Staff member	Role	RWS Accountabilities
Andrew Newman	CE HBRC MD HBRIC Ltd	<ul style="list-style-type: none"> • Accountable to HBRIC Ltd Board • Team leadership – including advisors – Financial and Legal • Investor relations • Oversight of ownership structures • Risk oversight • Transition management
Graeme Hansen	GM Water Initiatives HBRC Project Manager RWS	<ul style="list-style-type: none"> • Technical Project oversight and technical team lead • Budget management • Design and construction oversight • Optimisation oversight • MPI – IAF lead • Land owner liaison and procurement
Larissa Coubrough	Contracts and Planning	<ul style="list-style-type: none"> • Project planning focus • IAF admin • EPA document preparation • Land owner liaison
Michael Bassett-Foss	Economic Development Manager – HBRC Business Development – RWS	<ul style="list-style-type: none"> • Business development including: <ul style="list-style-type: none"> – Water uptake – Processors – Downstream BD – Pan Sector lead
Grant Pechey	Economic and Commercial Advisor – HBRC	<ul style="list-style-type: none"> • Oversight of commercial legal workstream incl. budget management • Uptake incentives and modelling • Economic optimisation (of infrastructure)
Monique Benson	Client advisor water	<ul style="list-style-type: none"> • Farmer uptake - support • Technical support - consenting

Heath Caldwell	Company Manager HBRIC Ltd Management Accountant – RWS	<ul style="list-style-type: none"> Budget management and financial reporting Cash flow management with HBRC
Staff member	Role	RWS Accountabilities
Stephen Daysh	Planning consultant	<ul style="list-style-type: none"> EPA Management Consent condition management including partner alignment RMA legal oversight
BNZ Advisory	Financial Advisor	<ul style="list-style-type: none"> Financial modelling Investor Consortium Ownership structure D&C procurement
Commercial Legal	Commercial legal advisor	<ul style="list-style-type: none"> SPV construction Water uptake contracts D&C contracts and risk General legal as required

- 2.2 Approves the charge rates and budgeted hours as outlined in table two and the proposed charging arrangement between HBRC and HBRIC Ltd, noting that a full budget and cash flow will be presented to the HBRIC Board at its 21 December 2012 meeting.

Staff member	Charge out rate (per hour)	Budgeted hours to be charged to RWS (to 31 Dec 2013)	% of time Available	Total cost
Andrew Newman	\$120	1,080	60%	\$129,600
Graeme Hansen	\$120	1,240	69%	\$148,800
Larissa Coubrough	\$90	1,150	64%	\$103,500
Michael Bassett-Foss	\$90	900	50%	\$81,000
Grant Pechey	\$ 90	1,020	57%	\$91,800
Monique Benson	\$65	1,200	67%	\$78,000
Heath Caldwell	\$90	400	22%	\$36,000
Total				\$668,700

- 2.3 Notes the financial implications of managing the Ruataniwha Water Storage project to 31 December 2013 and the proposed cash flow transfers from HBRC.
3. Notes the clarification of roles within HBRC around reporting and response to the Ruataniwha Water Storage Project.
4. Approves the following delegations by the Chief Executive to the General Manager (Operations) upon confirmation of the Simpson Grierson legal opinion:
- 4.1. The ability to enter into contractual commitments that are provided for in the Annual Plan budgets that cover:
- 4.1.1. Purchase of goods required by the Council; or
- 4.1.2. Engagement of services; or
- 4.1.3. Any purposes connected with the day-to-day administration or daily functions of Council.
- up to a maximum of \$200,000 as sole signatory, and up to \$400,000 with

the joint signature of the Group Manager, Corporate Services.

- 4.2. The Resource Management Act 1991 powers, duties and functions of the Chief Executive, as set out in the Delegations Register approved by Council on 18 April 2012.
- 4.3. The authority to represent the Hawke's Bay Regional Council with the standing of Chief Executive for the following purposes:
 - 4.3.1. As the Council's appointee on the Board of Directors of HB LASS Ltd
 - 4.3.2. As the Council's appointee on the Hawke's Bay Coordinating Executive Group on the Hawke's Bay Civil Defence and Emergency Management Group.
5. Instructs staff to develop a template for reporting HBRIC Ltd activities to the Corporate and Strategic Committee as a standing item, and presents the draft template to the 30 January 2012 Corporate and Strategic Committee meeting.

**Kirton/Scott
CARRIED**

12. Local Governance Statement 2012 Update

Mr Drury introduced the paper, which was in response to Council's resolution to update the Local Governance Statement each year in addition to the required update within 6 months of a triennial election. Councillors noted amendments required, which were recorded for inclusion in the Statement prior to its publication on the website.

RC45/12 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. Approves the Local Governance Statement 2012 Update for publication to the Regional Council website, including amendments noted at the meeting.

**Scott/Rose
CARRIED**

13. Recommendations From the Environment and Services Committee

Mr Adye, in response to a query, advised that the community was initially advised of the situation at Makara early in 2011. Mr Adye advised that staff had commenced investigating options prior to the storm event in 2011 that resulted in the failure.

Mr Adye advised that a special consultative process will be undertaken with the community in order to decide the course of action to be taken.

RC46/12 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.

Makara Scheme Review

2. Receives this report together with the tabled Philpott report.
3. Instructs staff to seek ratepayer feedback on specific options through a Special Consultative Process under the Local Government Act 2002, with a Hearing to be held early in 2013 to consider submissions.

**McGregor/Scott
CARRIED**

Regional Open Spaces

4. Endorses the Regional Parks Network Plan subject to any changes that the Committee may wish to make.
5. Notes that Part 2 (Policies & Objectives and Part 3 (Individual Park Plans) of the Regional Park Network Plan are yet to be completed and will be brought to Council for approval prior to adoption and implementation.

Intensive Land Use Approach – Pilot Implementation Plan

6. Endorses the Land Management intensive land use nutrient mitigation approach report.
7. Notes that the following reports were received by the Environment and Services Committee.
 - 7.1 Intensive Land Use Approach – Pilot Implementation Plan
 - 7.2 Lake Tutira Water Quality

**McGregor/Scott
CARRIED**

14. Draft Tukituki Plan Change

Ms Codlin introduced Mr Rob van Voorthuysen, planning consultant, engaged by Council to assist with the Tukituki Plan Change.

Ms Codlin then provided a review of the proposed approach as agreed by Council and endorsed by the Regional Planning Committee.

Chairman Wilson left the meeting at 12.10pm and Deputy Ewan McGregor assumed the Chair.

Changes cover: objectives and policies in new 5.9, rules in new 6.9, consequential amendments of chapters 5 and 6, and schedules- planning maps, methodology.

Chairman Wilson returned to the meeting at 12.20pm and resumed the Chair.

Ms Codlin provided an overview of the changes associated with surface and groundwater allocation limits and water quality management using nutrient limit setting.

Surface water allocation limits have been set based on current rates and seasonal allocation (as a proportion of current); high flow allocation limits have been set with a higher minimum flow cutoff to enable small scale harvesting; Community Irrigation Schemes (large scale) will be able to apply for water outside the allocation limits; and new allocation limits do not allow for any new water to be allocated, including no new 'permitted activity' surface water takes. Transition to the new allocation limits will be staged over several years.

The meeting adjourned at 12.45pm and reconvened at 1.15pm.

Intention is to bring the proposed Plan Change to the 30 January Regional Council meeting for Council's adoption for notification. Notification of the Plan Change will then be scheduled immediately prior to (day before) the RWS consent application being lodged to allow the Minister to call in both applications. Statutory submission timeframes will apply to the EPA processes, and be notified and managed by the EPA.

Discussion traversed the Freshwater Objectives and how those had been developed, the definition of intermittently flowing streams/ivers, stock exclusion from waterways, and the relationship between objectives and policies. Staff gave an undertaking that they will accept suggestions for additional amendments or answer further queries individually if Councillors wished to contact them.

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. Receives the report titled 'Draft Tukituki Plan Change'.
3. Endorses the draft Tukituki Plan Change as giving effect to the key approaches agreed to at the 31 October meeting.
4. Gives further direction to staff for the development of the final plan change to be adopted by Council as follows:
 - 4.1 exclude consents taking water from the tidal reach of the Tukituki River from being subject to the minimum flow at Red Bridge
 - 4.2 apply the minimum flow limit based on the 80% habitat protection for trout for consent holders downstream of Red Bridge from the transition date
 - 4.3 change the date at which the new minimum flow limits take effect to 30 June 2018 and 20 June 2023 for the 90% habitat protection limit at the Red Bridge flow management site to better align with the Ruataniwha Water Storage scheme should it proceed.
 - 4.4 make any changes necessary to improve clarity and quality of the Plan provisions.

**Scott/von Dadelszen
CARRIED**

15. Annual Plan Progress Report for the First Five Months of 2012/2013 From 1 July 2012 to 30 November 2012

Mr Drury introduced the item and Mr Manton Collings, Corporate Accountant, and provided a brief overview of the key comments contained within the report.

Mrs Lambert provided an update on the Environment Court appeal against the NCC wastewater consent, advising that settlement had been reached on 6 December with amendment of one of the consent conditions and NCC and HBRC agreeing to meet Mr and Mrs Church's costs to attend the final hearing.

Discussions traversed: the provision of funding to assist TLAs with wastewater treatment systems, the Science quality management (ISO) system, current status of Kopuawhara and Huatokitoki schemes, the review and update of the CDEM Group

Plan, and noted that consents had met statutory timeframes 100%.

RC48/12

Resolution

1. That Council receives the Annual Plan Progress Report for the first five months of the 2012/13 financial year.

**Rose/Gilbertson
CARRIED**

17.

Leasehold Land Issues

Concern was raised in relation to the 'fair annual ground rental' in current economic conditions with low interest rates, etc.

RC49/12

Resolution

1. That the Council receives the report.

**Rose/Kirton
CARRIED**

18.

Biodiversity Strategy Update

Mr Adye provided an update on progress made in the development of the Regional Biodiversity Strategy.

The Core Working Group is the technical group responsible for developing the strategy document while the steering group will provide project Governance.

RC50/12

Resolutions

1. That Council receives the update report on the Regional Biodiversity Strategy.
2. Confirms the names of Councillors who wish to participate in the Regional Biodiversity Strategy Steering Group process as Councillors Kirton, Remmerswaal, and McGregor.

**Scott/von Dadelszen
CARRIED**

19.

Chairman's Monthly Report

The Chairman provided detail additional to his brief tabled report. There was also discussion around the Remuneration Authority's review of councillors' remuneration currently under way.

RC51/12

Resolution

1. That the report be received.

**Rose/Scott
CARRIED**

20.

General Business

ITEM	TOPIC	COUNCILLOR / STAFF
1.	RMLA conference Cr Scott attended the conference and tabled a report which she had circulated to councillors via	Cr Scott

	email.	
2.	Business Hawke's Bay Noted an article recently announced that Business HB had appointed an 'external' representative to a Food Hub group.	Cr Scott
3.	Business Hawke's Bay Requested an update from Business HB but unfortunately HB Chamber of Commerce Chairman was not available to appear at this meeting, however it is hoped they will be able to present at the 30 January 2013 meeting.	Cr Wilson
4.	Greetings extended to Council from: Mayor Jim Allen of Wexford Borough Council - Republic of Ireland; Mayor Phelim Gildernew of Dungannon & South Tyrone Borough Council - Northern Ireland; and Kirsty Williams AM, Leader of the Welsh Liberal Democrats, Member for Brecon & Radnorshire - National Assembly of Wales	Cr Rose
5.	Guppy Road landscaping Suggested the CE and Operations Manager investigate some screen planting and a nice Council sign on the boundary between the operations yard and the motorway.	Cr Dick

21. Update on the Sale of Napier Leasehold Land Cash Flows

RC52/12 Resolution

That Council excludes the public from this section of the meeting, being Agenda Item 21 Update on the Sale of Napier Leasehold Land Cash Flows 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
Update on the Sale of Napier Leasehold Land Cash Flows	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.

**Scott/McGregor
CARRIED**

22. Ruataniwha Water Storage Project Asset Sale And Purchase Agreement

RC53/12 **Resolution**

That Council excludes the public from this section of the meeting, being Agenda Item 22 Ruataniwha Water Storage Project Asset Sale and Purchase Agreement 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
Ruataniwha Water Storage Project Asset Sale and Purchase Agreement	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 information is necessary to enable the local authority to carry out, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Scott/McGregor
CARRIED**

23. Confirmation of the Public Excluded Minutes of the Regional Council meeting held Wednesday 28 November 2012

Resolution

That Council excludes the public from this section of the meeting, being Agenda Item 23 Confirmation of the Public Excluded Minutes of the Regional Council meeting held Wednesday 28 November 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	FOUNDATIONS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Confirmation of the Public Excluded Minutes of the Regional Council meeting held Wednesday 28 November 2012	7(2)(a) 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 protect the privacy of natural persons.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Scott/McGregor
CARRIED**

The meeting went into public excluded session at 3.05pm and out of public excluded session at 3.45pm

Closure:

There being no further business the Chairman declared the meeting closed at 3.45pm on Wednesday, 12 December 2012.

Signed as a true and correct record.

DATE:

CHAIRMAN: