



EXTRAORDINARY COUNCIL MINUTES

MINUTES OF AN EXTRAORDINARY MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 1 AUGUST 2019 COMMENCING AT 4.00 PM

PRESENT

Chairperson:	His Worship the Mayor	
Members:	Cr Martin (Deputy)	Cr Lash (Deputy)
	Cr Eatwell	Cr Neale
	Cr Routhan	Cr Olson
	Cr Havill ONZM	Cr Carruthers
	Kw Tumahai	

His Worship the Mayor advised that two specialists from Local Government New Zealand (LGNZ) will be joining the Extraordinary Council Meeting via Zoom who are Malcolm Alexander, Chief Executive and Dr Mike Reid, Principal Policy Advisor and they will be participating in the meeting, including the Public Excluded Section.

1. NGĀ WHAKAPAAHA APOLOGIES

Nil.

ABSENT

Kw Rasmussen

STAFF PRESENT

S.R. Bastion, Chief Executive; L.A. Crichton, Group Manager: Corporate Services; T.A. Cook, Regulatory Services Manager; K. Hibbs, People and Capability Manager; D. Inwood, Group Manager: District Assets; F. Scadden, Planning and Customer Services Manager; D.M. Maitland, Executive Assistant and Council Secretary.

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register was circulated and no amendments were noted.

3. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC

Cr Eatwell sought clarification why the Report to Council – Minister of Local Government’s response to procurement and decision-making would be discussed in Public Excluded with the reason stated on the Extraordinary Council Agenda stated as to “Maintain legal professional privilege (Schedule 7(2)(g))” and sought clarification regarding this matter. The Chief Executive advised that this would be related to Elected Members. Cr Eatwell then asked that Elected Members have the opportunity to have legal representation.

Dr Mike Reid, LGNZ then spoke to this item and advised that the following clause is also able to be used to discuss the matter in Public Excluded as it relates to considering a communication from a Minister of the Crown and could create potential disadvantage to the public:

Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations (Schedule 7(2)(i)).

Moved Cr Carruthers, seconded Cr Havill and **Resolved** that:

- a) Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 4.15 pm; and
- b) Under Section 17.2 of Westland District Council’s Standing Orders, Malcolm Alexander, Chief Executive and Dr Mike Reid, Principal Policy Advisor for LGNZ be permitted to remain in the meeting as they are assisting Council with their professional expertise in relation to the matter to be discussed, and will therefore be integral in providing guidance to Council on the way forward and LGNZ are assisting Council with legal advice regarding this matter.

Deputy Mayor Lash, Cr Neale, Cr Routhan, Cr Eatwell recorded their votes against the motion to move into Public Excluded.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Report to Council – Minister of Local Government’s response to procurement and decision-making	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a) and (d)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1	Maintain legal professional privilege (Schedule 7(2)(g))
1	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations (Schedule 7(2)(i)).

Moved Cr Havill, seconded Cr Carruthers and **Resolved** that Council the business conducted in the 'Public Excluded Section' be confirmed, and accordingly the meeting went back to the open part of the meeting at 5.34 pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 22 AUGUST 2019
ARAHURA MARAE, 1 OLD CHRISTCHURCH ROAD, ARAHURA
THE MEETING CLOSED AT 5.34 PM.**

Confirmed by:

Mayor Bruce Smith
Mayor

Date