

SOUTH WAIRARAPA DISTRICT COUNCIL

21 NOVEMBER 2018

AGENDA ITEM B4

ALTERATION OF RESOLUTION DC2018/159

Purpose of Report

To recommend an alteration to resolution DC2018/159 to accurately reflect the intent of the 24 October 2018 ordinary Council meeting.

Recommendations

Officers recommend that the Council:

1. *Receive the alteration of resolution report.*
2. *Alter resolution DC 2018/159 **from** 'Council resolved (DC 2018/159) that the public excluded minutes of the Council meeting held on 19 September 2018 are a true and correct record.*

(Moved Cr Craig/Seconded Cr Jephson)

Carried

*Cr Carter against
Cr Vickery against
Cr Maynard against*

To

COUNCIL RESOLVED (DC2018/159) that the public excluded minutes of the Council meeting held on 19 September 2018 are a true and correct record subject to the following changes:

-Delete 'Members noted' and replace with 'Points discussed included'.

-Delete the bullet point and add 'Notwithstanding the points above, members considered' prior to 'that purchasing the Featherston Golf Club land kept all options open and provided future proofing possibilities with excess land able to be sold at a later date.'

3. *That the minutes of the 19 September 2018 meeting be updated to reflect the DC2018/159 resolution change.*

1. Executive Summary

Council made resolution DC2018/159 on the 24 October 2018 when considering the public excluded minutes from the 19 September 2018.

The resolution that was carried did not accurately reflect the intent of Council, which was to approve the minutes subject to changes. Standing Orders make provision for resolution alterations to be made at the same

meeting and the Local Government Act 2002 (LGA 2002) makes provision for alterations to occur at subsequent meetings.

Council officers recommend that the recommendation to alter the resolution is adopted as it was clearly Council's intent to approve the minutes with the changes as indicated.

2. Discussion

Resolutions can be amended in one of the two following ways. The recommendation complies with clause 30(6) Schedule 7, LGA 2002 and Council's Standing Orders (paragraph 23.6).

2.1 Alteration of a resolution at the meeting it was made

Standing Orders (paragraph 23.5) states the following about revocation or alteration of a resolution at the same meeting.

'A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.'

2.2 Revocation or alteration by recommendation in report

Schedule 7 of the LGA 2002 provides for the local authority, on a recommendation in a report by the chairperson, chief executive, or any committee or subcommittee, local or community board, to revoke or alter all or part of a resolution passed by a previous meeting.

The legislation is mirrored in Council's Standing Orders, paragraph 23.6.

3. Options

3.1 Not to change the resolution

If the resolution is not changed, then the approved minutes will be as they were presented to the 24 October 2018 meeting.

3.2 Change the resolution

If the resolution is changed, then the public excluded minutes of the 19 September 2018 will be altered to reflect the changes that are shown in the recommendation.

4. Conclusion

Council officers recommend that the proposed recommendation is adopted as it reflects the intent of the 24 October 2018 Council discussion on the correctness of the 19 September 2019 public excluded minutes.

Contact Officer: Suzanne Clark, Committee Secretary

Reviewed By: Paul Crimp, Chief Executive