



TE KAUNIHERA Ā-ROHE O
ŌTOROHANGA
DISTRICT COUNCIL

Ōtorohanga District Council

Open Agenda

Date: Tuesday, 9 June 2026

Time: 1.00pm

Location: Council Chambers, 17 Maniapoto Street, Ōtorohanga

Meeting type: Extra-Ordinary

An extraordinary meeting of Ōtorohanga District Council will be held in Waikōwhitiwhiti, Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga, on Tuesday, 9 June 2026 at 1.00pm.

Tanya Winter, Chief Executive

3 June 2026

Ōtorohanga District Council membership

Chairperson	Mayor Rodney Dow
Deputy Chairperson/Ōtorohanga Councillor	Deputy Mayor Katrina Christison
Kāwhia Tihiroa Councillor	Jo Butcher
Kāwhia Tihiroa Councillor	Kit Jeffries
Kio Kio Korakonui Councillor	Andrew Barker
Ōtorohanga Councillor	Tayla Barclay
Rangiātea Councillor	Tennille Kete
Rangiātea Councillor	Jaimee Tamaki
Waipā Councillor	Michael Woodward
Wharepūhanga Councillor	Shane Carr

Release of agenda

This agenda is made publicly available as soon as practicable in accordance with the Local Government Official Information and Meetings Act 1987. Reports included in this agenda contain recommendations only. They do not represent Council decisions unless adopted by resolution at the meeting. Only business stated in the notice of meeting may be considered, unless otherwise permitted by law.

Legislative Assurance Statement

It is confirmed that this agenda and associated reports have been prepared in accordance with the Local Government Official Information and Meetings Act 1987, the Local Government Act 2002, the Public Records Act 2005, and the Privacy Act 2020, and comply with the applicable statutory requirements and Standing Orders of Ōtorohanga District Council for an extraordinary meeting.

Reasonable steps have been taken to ensure that:

- notice of the extraordinary meeting has been given as soon as practicable in accordance with the Local Government Official Information and Meetings Act 1987
- the business to be transacted is limited to the matters specified for the extraordinary meeting, except as otherwise permitted by law
- information is managed in accordance with privacy and official information obligations
- records will be maintained in accordance with the Public Records Act 2005.

Prepared by: Manager Governance

Approved by: Chief Executive

Date: 3 June 2026

Opening formalities**Ngā tikanga mihimihi**

Opening prayer/reflection/words of wisdom

4

Apologies

4

Declaration of conflict of interest

4

Decision reports**Ngā pūrongo whakatau**

There are no reports.

Information reports**Ngā pūrongo whakamōhio**

There are no reports.

Public excluded**Take matatapu**

Item 46 Resolution to exclude the public for Item 6: Flood Affected Properties

6

Closing formalities**Ngā tikanga whakakapi**

Closing prayer/reflection/words of wisdom

Karakia/huritao/whakataukī

10

Commencement of extraordinary meeting

The Chairperson will confirm the meeting is quorate, advise whether the meeting is being livestreamed or recorded, state that this is an extraordinary meeting, and declare the meeting open.

Opening prayer/reflection/words of wisdom**Karakia/huitao/whakataukī**

The Chairperson will invite a member to provide opening words and/or prayer/karakia.

Apologies**Ngā hōnea**

Members may submit apologies for absence. The meeting will resolve whether to accept them.

Should an apology be received, staff recommend that: *Ōtorohanga District Council receive and accept the apology from [member name(s)] for [absence/non-attendance/early departure/late arrival], and grant leave of absence where required under standing orders.*

Late items**Ngā take tōmuri**

Business at an extraordinary meeting is limited to the matters stated in the notice of meeting, unless otherwise permitted by law. If an additional item is raised, the Chairperson must ensure it is lawfully dealt with under the Local Government Official Information and Meetings Act 1987.

If an additional item must be considered, the resolution and reasons for doing so should be clearly recorded in accordance with the Local Government Official Information and Meetings Act 1987.

Declaration of conflict of interest**Te whakapuakanga pānga taharua**

Members must declare any actual, potential, or perceived conflicts of interest. A member with a conflict must not participate in the item unless permitted under law or standing orders.

If a conflict is declared, use wording such as: *That Ōtorohanga District Council receive the declaration of interest from [member name] in relation to item [x], note that [member name] [will remain / will not participate / will leave the table] for that item, and record the declaration in the conflicts register.*

Decision reports

Ngā pūrongo whakatau

There are no reports.

Information reports

Ngā pūrongo whakamōhio

There are no reports.

Public excluded

Take matatapu

Public excluded items must be supported by a resolution in accordance with section 48 of the Local Government Official Information and Meetings Act 1987.

Information considered in public excluded must be reviewed for release as soon as practicable in accordance with the Local Government Official Information and Meetings Act 1987.

Item 46 Resolution to exclude the public for Item PE6

To Ōtorohanga District Council

From Kaia Penwarden, Manager Governance

Type **DECISION REPORT**

Date 9 June 2026



1. Purpose | Te kaupapa

1.1. To exclude the public from consideration of Item PE6: Flood Affected Properties in order to maintain legal professional privilege in accordance with section 48(1)(a) and section 7(2)(g) of the Local Government Official Information and Meetings Act 1987.

2. Executive summary | Whakarāpopoto matua

2.1. Meetings of ŌDC are generally open to the public. Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 permits the public to be excluded where there is good reason to withhold official information under section 7 of that Act. For Item PE6, the ground relied on is section 7(2)(g), to maintain legal professional privilege. The resolution must be passed while the meeting is open to the public and must clearly state the general subject matter, the reason for the resolution, and the statutory ground relied on.

3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council exclude the public from the following parts of the proceedings of this meeting confirming:

- a) This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act where a risk of prejudice is minimised by the holding of the whole or the relevant part of the proceedings of the meeting in public; and
- b) The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter and the specific grounds for the passing of this resolution are as follows:

General subject of each matter to be considered	Ground(s) under section 48(1) for the passing of this resolution	Interest
Item PE6: Flood Affected Properties	Section 7(2)(g)	To maintain legal professional privilege.

4. Context | Horopaki

- 4.1. The Ōtorohanga District Council (ŌDC) is required under the Local Government Official Information and Meetings Act 1987 (LGOIMA) to conduct its meetings in an open and transparent manner, except where there is a lawful basis to exclude the public. Section 48(1)(a) of LGOIMA permits the exclusion of the public from parts of a meeting where there is good reason to withhold official information under section 7. For Item PE6: Flood Affected Properties, the relevant ground is section 7(2)(g), to maintain legal professional privilege.
- 4.2. Public excluded agendas and minutes are not available to the public while the withholding ground applies. Where it is lawful and appropriate to do so, ŌDC may subsequently release information that is not privileged or otherwise protected. This approach supports transparency while preserving the confidentiality required to protect privileged legal advice and communications.

5. Discussion | He kōrerorero

- 5.1. ŌDC must ensure that any decision to exclude the public is made transparently and with clear reference to the relevant legislative grounds. Where legal advice or privileged communications are to be considered, exclusion may be necessary to avoid waiver of privilege and to protect ŌDC's legal position. For this item, the resolution therefore relies on section 48(1)(a) and section 7(2)(g) of LGOIMA. Any information that is not privileged should be considered for release when it is lawful and appropriate to do so.

6. Strategic Considerations | Ngā whai whakaarotanga

Significance and engagement

- 6.1. Although exclusion of the public is a procedural matter, the reasons for exclusion should be clearly stated and any information that is not privileged should be made available as soon as practicable where lawful and appropriate. This approach supports public confidence in ŌDC's decision-making processes and is consistent with the principles of transparency and accountability under the Local Government Act 2002.

Mana whenua / Māori

- 6.2. ŌDC acknowledges its obligations to engage with mana whenua and Māori in decision-making processes. The subject matter of this report is procedural and does not require consultative or informative discussions with mana whenua/Māori.

Strategic alignment

- 6.3. This decision supports ŌDC's strategic objectives by ensuring governance processes are legally robust, compliant, and defensible. Excluding the public in this instance protects privileged legal advice and supports sound decision-making by enabling Council to consider legal issues in a confidential setting where required by law.

Legal

6.4. The recommendation is made in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, relying on section 7(2)(g) to maintain legal professional privilege. The report has also been prepared having regard to the decision-making requirements of the Local Government Act 2002.

Financial

6.5. There are no direct financial implications arising from the procedural decision to exclude the public.

Risk analysis

6.6. Excluding the public for this item reduces the risk of disclosing privileged legal advice or communications and helps avoid waiver of legal professional privilege. There is also a reputational risk if exclusion is not clearly justified or is perceived as unnecessary. That risk is mitigated by relying on the correct statutory ground, clearly recording the reasons for exclusion, and releasing any non-privileged information where lawful and appropriate.

7. Options analysis | Tātari Kōwhiringa

Options summary of considerations

	Option 1: Exclude the public for the entire item	Option 2: Exclude the public for part of the item	Option 3: Do not exclude the public
Summary	Full exclusion to maintain legal professional privilege.	Partial exclusion, with some discussion in public.	All discussion held in public.
Advantages	Provides the strongest protection against disclosure of privileged legal advice or communications and supports compliance with LGOIMA.	Balances transparency by allowing any non-privileged matters to be discussed publicly.	Maximum transparency.
Disadvantages	Limits public oversight of the discussion and may be perceived as reducing transparency. Care is still required to ensure any information released later does not disclose privileged content.	There is a risk that privileged legal advice may be inadvertently disclosed if the discussion is not tightly managed. Separating privileged and non-privileged content can be difficult in practice and may increase the risk of error.	Creates a risk of waiving legal professional privilege and may prejudice ŌDC’s legal position. May expose privileged information to public disclosure, creating legal and reputational risk.

Recommended option and rationale

- 7.1. Staff recommend Option 1: Exclude the public for the entire item. This provides the strongest protection for privileged legal advice and communications, supports compliance with section 48(1)(a) of LGOIMA, and reduces the risk of waiver of legal professional privilege. Although this limits immediate transparency, ŌDC can consider releasing any non-privileged information after the meeting where it is lawful and appropriate to do so.
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8. Appendices | Ngā āpitihanga

No appendices.

Closing prayer/reflection/words of wisdom

Karakia/huritao/whakatauki

The Chairperson will invite a Member to provide the closing words and/or prayer/karakia.

Meeting closure

Katinga o te hui

The Chairperson will declare the meeting closed.
