

THURSDAY 25 AUGUST 2011

COUNCIL

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 17, 8, 19, 20, 21 and 22.

The general subject of each matter to be considered while the public is 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 this resolution are as follows:

	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
17.	Confirmation of Minutes - Council Meeting of 11.8.2011)	
18.	Purchase of Land for Owaka Supplementary Treatment Basin and Public Open Space Network)	
19.	Canterbury Water Management Strategy – Zone Committee Membership) GOOD REASON TO) WITHHOLD EXISTS) UNDER SECTION 7)	SECTION 48(1)(a)
20.	Oxidation Pond Tender)	
21.	Housing Supply Intervention and Action Programme)	
22.	Plan Change 19 (Islington Park Ltd) – Rezoning of land at Islington – Report and Recommended of Commissioner Ken Lawn)	

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 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM	REASON UNDER ACT	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
17.	Commercial activities	7(2)(h)		
17.	Right of appeal	48(2)(a)	To enable Council to consider legal and technical advice (in making a decision), on matters which are subject to appeal in the Environment Court, in a manner that does not prejudice any party, and to ensure that applicants and submitters are communicated any decision ahead of the general public.	Full report upon submitters being advised
17.	Conduct of negotiations	7(2)(i)	To enable Council to reach a position before discussing with other parties.	After discussions concluded and decisions made
18.	To enable negotiations to carry on without prejudice or disadvantage negotiations.	7(2)(i)	The agreement is still subject to the Companies Board approval and Council approval before it becomes unconditional.	Until the sale is confirmed the financial details cannot be released .
19.	To enable negotiations to carry on without prejudice or disadvantage negotiations.	7(2)(i)	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Full report on applicants being advised.

25. 8. 2011

ITEM	REASON UNDER ACT	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
19.	Protection of privacy of natural persons	7(2)(a)	To give the Council the opportunity to consider the recommended selected zone committee community members for the two committees, prior to all committee member applicants being advised of the outcome of the selection process.	Full report on applicants being advised.
20.	Prejudice commercial position	7(2)(b)(ii)	The tender contains sensitive commercial information related to each tender and contingencies made by Council that should not be disclosed to the successful tenderer.	After the successful and unsuccessful tenderers have been advised, the tender prices can be made public
21.	To enable negotiations to carry on without prejudice or disadvantage negotiations.	7(2)(i)	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including discussion with the Minister of the Canterbury Earthquake Recovery Authority)	The Minister will determine when appropriate
22.	Protection from improper pressure or harassment	7(2)(f)(ii)	To enable the Council to issue its decision to the parties prior to its being released publicly.	It can be released on the Monday following the Council meeting

Chairman's

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”