

THURSDAY 23 FEBRUARY 2012

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 19 and 20.

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
19. Confirmation of Minutes - Council Meeting of 15.12.2011)	
20. Plan Change 58 - 98 Wrights Road - Addington Raceway - Recommended Decision) GOOD REASON TO WITHHOLD EXISTS) UNDER SECTION)	SECTION 48(1)(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 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
19.	Commercial Activities	7(2)(h)	Contractual pricing is commercially sensitive. Paragraphs 6 to 12 inclusive are Public Excluded	Report can be released on signing of contract extension.
19.	Prejudice Commercial Position	7(2)(b)(iii)	Commercial negotiations yet to be finalised. Sensitivities still exist around the resolution of the insurance position.	Outcome of report can be released after commercial discussions finalised with contractor.
20.	To enable the Council to deliberate in private on a recommendation where a right of appeal to a Court against Council's decision exists.	48(1)(d) and 48(2)(a)(i)	To enable the Council to consider its Planning Officer's report in private without influence from the media or any party to the proceedings. To enable the Council to notify its decision to the parties to the plan change before the matter is reported in the media.	The report can be released following the period in which parties to the proceedings will receive notification of the Council's decision in the ordinary course of the post.

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.”