

1. 3. 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 12, 13 and 14 and that the Crown Observer, Kerry Marshall, be permitted to remain in the room for the consideration of these items.

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
12. CONFIRMATION OF PUBLIC EXCLUDED MINUTES - COUNCIL MEETING OF 16.2.2012) GOOD REASON TO WITHHOLD EXISTS UNDER SECTION 7	SECTION 48(1)(a)
13. REPORT OF A MEETING OF THE COMMUNICATIONS COMMITTEE – MEETING OF 20.2.2012		
14. AUDIT AND REVIEW OF COMMUNICATIONS		

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
12.	To protect information which is subject to an obligation of confidence where if it was made available, would be likely to prejudice the supply of similar information and; To enable the Council to carry on negotiations, without prejudice or disadvantage. Protection of Privacy of Natural Persons	Sec. 7(2)(c)(i) and Sec. 7(2)(i) Sec. 7(2)(a)	Information provided by CERA in the course of negotiations with the Council is to remain confidential until such time as the outcome is confirmed by the Government. To enable Council to consider nominations in a manner that does not prejudice any party and to ensure that nominees are communicated any decision ahead of the public.	Once the matter is completed and CERA approves the release. Once successful nominees have been confirmed and are informed of the outcome.
13.	Maintain legal professional privilege	Sec. 7(2)(g)	To enable the Council to discuss legal advice.	-
14.	Maintain legal professional privilege	Sec. 7(2)(g)	The report contains legal advice.	-

Chairperson's

Recommendation: That the foregoing motion be adopted.

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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.”