

THURSDAY 22 MARCH 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 23, 24, 25, 26 and 27, 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
23. Confirmation of Minutes: 23.2.2012 and 8.3.2012	)	
24. Noble Investment Village Briefing	)	
25. Chairpersons Report of a Meeting of the Hagley/Ferrymead Community Board: Meeting of 14 March 2012	)	
26. Plan Change 32: Waimakariri River Stopbank Floodbank Land Use Controls – Commissioner's Report and Recommendation	) GOOD REASON TO WITHHOLD EXISTS) UNDER SECTION 7	SECTION 48(1)(a)
27. CEO Performance Review and Remuneration Subcommittee: Meeting of 7 March 2012	)	

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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:

<b>ITEM</b>	<b>REASON UNDER ACT</b>	<b>SECTION</b>	<b>PLAIN ENGLISH REASON</b>	<b>WHEN REPORT CAN BE RELEASED</b>
23.	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.
23.	Protection of the privacy of individuals	7(2)(a)	The Board need to discuss specific individuals for inclusion or exclusion form the Joint Advisory Group.	After the Board reaches its decision, and the potential appointees have been advised.
23.	Protection of the privacy of individuals	7(2)(a)	The report contains financially sensitive information which, if released, can affect the course of negotiations with the vendor.	The report can be released following settlement of the land purchase
24.	Maintain Legal Professional Privilege	7(2)(g)	To enable the Council to receive legal advice	Not known at this time
25.	To Protect the Privacy of Natural Persons	7(2)(a)	Caterpillar Tours Limited have provided commercially sensitive accounting information.	12 months after consideration by Council – an earlier release may adversely effect the liquidation process.
25.	Protection information likely to prejudice the commercial position	7(2)(b)(ii)	Caterpillar Tours Limited have provided information which could have a bearing on prospective sale.	12 months after consideration by Council – an earlier release may adversely effect the liquidation process.
26.	To enable the Council to deliberate in private on a recommendation where a right of appeal to a Court against the Council's decision exists.	48(1)(d) and 48(2)((a)(i)	To enable the Council to consider its Commissioners' 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.
27.	Maintain legal professional privilege	7(2)(g)	To enable the Council to receive legal advise.	

**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.”