



**COUNCIL 24. 5. 2012**

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>
12.	Necessary to enable, without prejudice or disadvantage, negotiations to take place	7 (2)(i)	Disclosure may prejudice contract negotiations with the supplier.	12 months time.
12.	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.
12.	Maintain legal privilege	7(2)(g)	Confidentiality of legal advice to the Council about litigation.	When the litigation is concluded.
12.	Commercial activities	7(2)(b)(ii) and 7(2)(h)	On the basis that the contract is not yet signed, publicly disclosing the information could unreasonably prejudice the commercial position of those contractors involved.	When the contracts are signed and the unsuccessful contractors have been informed.
13.	Prejudice commercial position	7(2)(b)(ii)	Need to discuss a range of options with potential impact on commercial position	Following June Council Meeting
14.	Protect the privacy of natural persons	7(2)(a) LGOIMA	The report refers to the remuneration of a named individual.	
15.	Prejudice commercial position	7(2)(b)(1)	Tuohy Associates are in the process of confidential negotiations with sponsors, public scrutiny of their position will severely disadvantage them and potentially jeopardise these negotiations.  Other Cities/venues may wish to secure this event, public notification of Councils consideration may undermine Christchurch's current competitive advantage.	Upon execution of signed contract with Tuohy Associates or immediately if recommendations not supported.
16.	Commercial activities	7(2)(h)	Withholding the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.	
17.	Official Information Act (1982)	9(2)(b)(ii)	Commercially sensitive information during RFP process	

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18.	Commercial Activities	7(2)(h)	Contains confidential settlement details	
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**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.”