

## 18. Exclusion of the Public

Report 09.596

*That the Council*

*Exclude the public from the following part of the proceedings of this meeting namely:*

1. *Public excluded minutes of Council, 18 August 2009*
2. *Proposal to acquire land at Tauanui for flood mitigation purposes*
3. *Appointment of non-Councillor member to the Natural Resource Management Plan Development Committee*
4. *Chief Executive's Report to Chair and Councillor for the year ended 30 June 2009 (Restricted Public Excluded)*

*The general subject of each matter to be considered while the public is excluded, the reasons 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:*

<b><i>General subject of each matter to be considered:</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
1. <i>Public excluded minutes of Council, 18 August 2009</i>	<i>The information contained in these minutes relates to Greater Wellington entering into a land purchase agreement for a piece of land. The agreement has not yet been entered into. The report outlines terms of the proposed purchase which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council if further negotiations were to take place as it would reveal the Council's negotiation strategy. The Council has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.</i>	<i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to enable Greater Wellington to carry on without prejudice or disadvantage negotiations).</i>

- 2 *Proposal to acquire land at Tauanui for flood mitigation purposes* *A without prejudice agreement has been entered into relating to Council's proposal to acquire a portion of the property at Tauanui. Until such time as the proposal becomes unconditional in all respects, release of the information contained in this report could disadvantage the Council if further negotiations are required with the property owner as it would reveal the Council's price expectation and the amount the Council was prepared to pay. Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.* *That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to enable Greater Wellington to carry on without prejudice or disadvantage negotiations).*
3. *Appointment of non-Councillor member to the Natural Resource Management Plan Development Committee* *The information contained in this report relates to the proposed appointment of a member to the Natural Resource Management Plan Development Committee. Release of this information would prejudice the proposed member's privacy by disclosing the fact that they have expressed interest in becoming a member of the Natural Resource Management Plan Development Committee and are being considered for appointment. Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the privacy of the individual concerned..* *That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons)*

4. *Chief Executive's Report to Chair and Councillor for the year ended 30 June 2009* *The information contained in this report contains information relating to the Chief Executive's performance agreement. Release of this information would prejudice David Benham's privacy by disclosing details of his performance agreement with the Council. Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override his privacy.* *That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons)*

*This resolution is made in reliance on section 48(1) 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 the relevant part of the proceedings of the meeting in public are as specified above.*