

3. **Exclusion of the Public**

**Report 07.607**

*That the Committee*

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

*Purchase of new Electric Multiple Units*

*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</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
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*To recommend to Council the purchase of new EMUs, and to request that officers enter negotiations with the preferred supplier.*

*The information contained in this report relates to Greater Wellington Rail Limited entering into a contract for the purchase of new EMUs. The preferred supplier has been chosen but the contracts have not yet been entered into. The report outlines terms of the proposed contracts which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council and Greater Wellington Rail Limited if further negotiations were to take place as it would reveal Greater Wellington Rail Limited's negotiation strategy.*

*The report also contains information provided by the tenderer in their tender documents. This information is subject to a mutually understood obligation of confidentiality. Release of information from tender documents would prohibit future tenderers from tendering if they were aware that such information would be made public. It is in the*

*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 sections 7(2)(c) and 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to protect information which is subject to an obligation of confidence which, if released, would be likely prejudice the supply of similar information and its in the public interest that such information should continue to be supplied, and to enable Greater Wellington to carry on without prejudice or disadvantage negotiations).*

*public interest that Greater Wellington receives tenders to ensure that Greater Wellington is able to attract the best possible tenderers.*

*The Council has not been able to identify a public interest favouring disclosure of this particular information to public proceedings for the meeting that would override these prejudices.*

*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.*