

## 23. Exclusion of the Public

Report 09.701

*That the Council*

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

1. *Pakuratahi Forest – Proposal to dispose of land for road*
2. *Minutes from the restricted public excluded part of the Council meeting on 29 September 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>Pakuratahi Forest – Proposal to dispose of land for road</i>	<i>The information contained in this report relates to Greater Wellington entering into an agreement with the New Zealand Transport Authority for the disposal of Council land for the purpose of legal road. The agreement has not yet been entered into. The report outlines terms of the proposed agreement 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. 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 out, without prejudice or disadvantage, negotiations).</i>
2. <i>Minutes - Chief Executive's Report to Chair and Councillor</i>	<i>The information contained in this report contains information relating to the Chief Executive's performance agreement. Release</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</i>

*for the year ended 30 June 2009 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.*

*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.*