

Exclusion of the public

Report 16.460

That the Council:

Excludes the public from the following part of the proceedings of this meeting namely:

- 1. Confirmation of the Council Public Excluded Minutes of 17 August 2016*
- 2. Confirmation of the Sustainable Transport Committee Public Excluded Minutes of 21 September 2016*
- 3. Ngāti Kahungunu Takaputao settlement redress*
- 4. Operator Training and Development Assets – Driving Simulator*
- 5. PTOM bus – transition arrangements*
- 6. Insurance arrangements for above ground property assets*
- 7. Property Agreements – Waikanae River*
- 8. Confirmation of the Council Restricted Public Excluded Minutes of 17 August 2016*
- 9. Confirmation of the Chief Executive Employment Review Committee Restricted Public Excluded Minutes of 9 August 2016*

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 (the Act) for the passing of this resolution are as follows:

<i>General subject of each matter to be considered:</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground under section 48(1) for the passing of this resolution</i>
--	---	---

- | | | |
|---|---|--|
| <i>1. Confirmation of the Council Public Excluded Minutes of 17 August 2016</i> | <i>The information contained in these minutes relates to negotiations on redress proposals from the Office of Treaty Settlements (OTS) in relation to Ngāti Kahungunu ki Wairarapa Tamaki Nui-ā-Rua and Rangitāne o Wairarapa. It also relates to the proposed budgets for negotiated variation rates for additional buses, and bus service operating kilometres and hours, releasing these figures to the market would be detrimental to the forthcoming PTOM bus service tenders. Having this part of the</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 Act (ie to enable Greater Wellington Regional Council (GWRC) to carry on, without prejudice or disadvantage, negotiations).</i> |
|---|---|--|

meeting open to the public would disadvantage GWRC if further negotiations were to take place as it would reveal the GWRC's stance. GWRC 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.

2. *Confirmation of the Sustainable Transport Committee Public Excluded Minutes of 21 September 2016*

The information contained in these minutes relates to the proposed budgets for negotiated variation rates for additional buses, and bus service operating kilometres and hours. It also relates to proposed school bus changes from 2018 as a result of PTOM unit allocations. Releasing these figures to the market would be detrimental to the forthcoming PTOM bus service tenders. GWRC 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 Act (i.e. to enable GWRC to carry on, without prejudice or disadvantage, negotiations).
3. *Ngāti Kahungunu Takaputao settlement redress*

The information contained in this report relates to negotiations on redress proposals from the Office of Treaty Settlements (OTS) in relation to Ngāti Kahungunu. 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 stance. GWRC 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 Act (i.e. to enable GWRC to carry on, without prejudice or disadvantage, negotiations).

4. *Operator Training and Development Assets – Driving Simulator* *The information contained in this report relates to a proposed purchase of Simulator using an international tender process. Releasing the budget and business case to the market would be detrimental to the tender process. GWRC 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 Act (i.e. to enable GWRC to carry on, without prejudice or disadvantage, negotiations).*
5. *PTOM bus transition arrangements* *Certain information contained in this report relates to information which subject to a confidentiality agreement between GWRC and NZ Bus. Release of this information by GWRC would be a breach of the confidentiality agreement. GWRC 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 need to withhold the information.* *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)(c)(ii) of the Act (i.e. to maintain an obligation of confidence).*
6. *Insurance arrangements for above ground property assets* *The report contains information provided by insurance providers relating to pricing for the renewal of GWRC's insurance. Release of this information would likely prejudice the insurers' commercial position as it would reveal their pricing. GWRC 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 to the insurers' commercial position.* *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)(b)(ii) of the Act (i.e. to protect information where the making available of that information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information).*

7. *Property Agreements – Waikanae River* *The information contained in this report relates to proposed offers to acquire property interests required for execution of the Jim Cooke Park Stopbank Project. The report outlines terms of the proposed acquisitions which is still subject to negotiation and acceptance. Having this part of the meeting open to the public would disadvantage GWRC if further negotiations were to take place as it would reveal GWRC’s negotiation strategy. GWRC 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 Act (i.e to enable GWRC to carry out without prejudice or disadvantage, negotiations).*
8. *Confirmation of the Council Restricted Public Excluded Minutes of 17 August 2016* *The information contained in these minutes addresses matters relating to the Council’s Code of Conduct for Elected Members. Releasing this information would likely prejudice the protection of personal privacy, legal professional privilege, and maintenance of an obligation of confidence. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meetings 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)(a) of the Act (i.e to protect the privacy of natural persons), section 7(2)(c)(i) of the Act (i.e to maintain an obligation of confidence), and section 7(2)(g) of the Act (i.e to protect legal professional privilege).*
- These minutes also relate to the Chief Executive’s performance review. Release of this information would prejudice the Chief Executive’s privacy by disclosing details of his performance review. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings* *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 Act (i.e to protect the privacy of natural*

*of the meeting that would override persons).
his privacy.*

9. *Confirmation of the Chief Executive Employment Review Committee Restricted Public Excluded Minutes of 9 August 2016* *These minutes contain information relating to the current Chief Executive's performance review. Release of this information would prejudice the privacy of Greg Campbell, Chief Executive, by disclosing information pertaining to the employment relationship between the Chief Executive and the Council. GWRC 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 sections 7(2)(a) of the Act (i.e to protect the privacy of natural persons).*

This resolution is made in reliance on section 48(1) of the Act 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.