

RECOMMENDATION TO EXCLUDE THE PUBLIC

It is recommended that the public be excluded from the following parts of the meeting:

The general subject of each matter to be considered whilst the public is excluded, the reason 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:

Agenda items

Item 6: GA260003 New Class 4 Gambling Application for The Luggate Hotel – Seeking Territorial Authority Consent

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
Item 6: GA260003 New Class 4 Gambling Application for The Luggate Hotel – Seeking Territorial Authority Consent	<p>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 where the withholding of information is necessary to:</p> <p><i>Section and Grounds</i> 7(2)(g) to maintain legal professional privilege</p> <p>Legal privilege protects communications between a lawyer and a client which have been made for the purposes of giving and receiving legal advice. The discussion between Council and its lawyers have legal privilege in respect of any matters contained in in the report upon which the Council needs to obtain legal advice or that relate to legal proceedings</p> <p><i>Public Interest Statement</i> Withholding the contents of legal advice from the public enables the Council to obtain confidential legal advice about its position on legal issues without the risk of that advice being disclosed to another party and disadvantaging its position.</p>	Section 7(2)(g)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
	Therefore, whilst there may be public interest in the discussion, this is outweighed by the importance of keeping the Council's position private.	
<p>Item 13: Chief Executive's Report (Attachment C: Deed of Lease between QLDC and Meteor Properties Limited; Attachment D: Legal Memo outlining commercial terms re Meteor Properties Limited</p>	<p>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 where the withholding of information is necessary to:</p> <p><i>Section and Grounds</i></p> <p>7(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Attachment C to this report contains commercial leasing information relating to the lease and sub-lease of the property on the recreation reserve at Marine Parade, Queenstown known as 'The Bathhouse'. Withholding this information is necessary to protect the commercial positions of the lessee and sub-lessee. Attachment D should remain public excluded to maintain legal professional privilege.</p> <p><i>Public Interest Statement</i></p> <p>There has been no public interest in these commercial figures through the public notification process of the proposed lease. Additionally, Attachment D contains privileged legal information and advice for QLDC relating to this matter.</p>	7(2)(b)(ii)
Item 14: Appointment of Directors for the Board	That the public conduct of the whole or the relevant part of the	

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
of the Water Services Council Controlled Organisation	<p>proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary:</p> <p><i>Section and Grounds</i> 7(2)(a) to enable Council to protect the privacy of natural persons, including that of deceased natural persons</p> <p>To ensure the best possible outcome from the recruitment process and future governance oversight of the QLDC 3Waters council-controlled organisation, candidates must be able to apply confidentially, particularly in the case of candidates that are not successful.</p> <p><i>Public Interest Statement</i> While there is public interest in the outcome, especially given the high interest in water services, ensuring high quality candidates are not deterred from applying outweighs this public interest.</p>	Section 7(2)(a)

This recommendation 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 or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.