

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 Information and Meetings Act 1987 for the passing of this resolution is as follows:

Public Excluded Agenda Items:

Item 3: Update on negotiation progress

Item 4: Legal Advice: Confidentiality

Item 3: Update on negotiation progress	<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> <ul style="list-style-type: none">• enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). <p><i>Reason for recommendation</i></p> <p>The agreement of City and Regional Deal for Otago Central Lakes is in the public interest as it is premised on delivering improved economic, environmental and social outcomes for the community. Premature release of information could result in public commentary about ongoing negotiations that disadvantages the councils in that negotiating process. This could include the termination of the negotiation process resulting in no City and Regional Deal being agreed for the Otago Central Lakes. This information needs to be withheld to protect the ability to agree a City and Regional Deal and achieve these outcomes for the community.</p> <p>While there is public interest in the development of a Regional Deal, this is outweighed by the interest in holding these discussions with the public excluded to ensure that the councils' position is not disadvantaged and to protect the integrity of the negotiations.</p>	Section 7(2)(i)
--	---	-----------------

<p>Item 4: Legal Advice: Confidentiality</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> <ul style="list-style-type: none"> • to maintain legal professional privilege <p><i>Reason for recommendation</i> The agreement of City and Regional Deal for Otago Central Lakes is in the public interest as it is premised on delivering improved economic, environmental and social outcome for the community. While the Act includes a public interest test, the threshold to override privilege is very high. The legal advice does not reveal misconduct or urgent public risk and releasing it could undermine trust and future negotiations. Therefore, the public interest in disclosure does not clearly outweigh the need to protect privileged legal communications.</p>	<p>Section 7(2)(g)</p>
--	--	------------------------

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.