

Report To: Council



Meeting Date: 9 October 2025
Subject: Motion to Exclude the Public
Type: Decision Required
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1. Purpose of Report

- 1.1. The purpose of this business paper is to enable Council to consider whether or not the public should be excluded from the consideration of Council business.

Note: It is Council's choice whether to consider any of the business listed below in the public or public excluded portion of the meeting.

2. Suggested Resolutions

- 2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter, as specified by Section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

General Subject	Reason for passing this resolution	Section 48(1) grounds for the passing of this resolution
1. Waitomo District Council Proposed District Plan	Section 7(2) (g) To maintain legal professional privilege.	Section 48(1) (d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.
2. Proposed Lease of Recreation Reserve Land	Section 7(2) (i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1) (d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

General Subject	Reason for passing this resolution	Section 48(1) grounds for the passing of this resolution
3. Inframax Construction Ltd: Financial Statements for the year ended 30 June 2025	<p>Section 7(2)</p> <p>(c) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information —</p> <p>(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;</p>	<p>Section 48(1)</p> <p>(d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p>
4. Valuation of Investment in Inframax Construction Ltd at 30 June 2025	<p>Section 7(2)</p> <p>(c) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information —</p> <p>(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;</p>	<p>Section 48(1)</p> <p>(d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p>
5. Proposed Sale of Property – Te Kuiti	<p>Section 7(2)</p> <p>(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(1)</p> <p>(d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p>
6. Update - Performance of Recently Installed Three Waters Infrastructure	<p>Section 7(2)</p> <p>(g) To maintain legal professional privilege. <u>and</u></p> <p>(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(1)</p> <p>(d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p>

General Subject	Reason for passing this resolution	Section 48(1) grounds for the passing of this resolution
7. Awarding of Waste Services Contract (Contract No. 500/25/023)	Section 7(2) (i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1) (d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.
8. Chief Executive's Annual Performance Review – Setting of Remuneration for 2025/2026	Section 7(2) (a) To protect the privacy of natural persons, including that of deceased natural persons	Section 48(1) (d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

- 3 Council agree the following staff, having relevant knowledge to assist in the consideration of the items of business to be public excluded, remain in attendance to assist the Council with its decision making:

Staff Member	Reason for Remaining in Attendance
Chief Executive	Chief Executive
Manager – Governance Support	Committee Secretary
General Manager – Strategy and Environment	Portfolio Holder
Chief Financial Officer	Portfolio Holder
General Manager – Infrastructure Services	Portfolio Holder
Manager Three Waters	Portfolio Holder
Property and Facilities Manager	Portfolio Holder

- 4 This resolution 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 which would be prejudiced by the holding of the whole, or relevant part, of the proceedings of the meeting in the public.

3. Commentary

- 3.1 Section 48 of the Local Government Official Information and Meetings Act 1987 gives Council the right, by resolution, to exclude the public from the whole or any part of the proceedings of any meeting, only on one or more of the grounds contained within that Section.