

**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 7A: Chief Executive's Report – Settlement Agreement and Variation of Development Agreement with Kingston Village Limited (KVL)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
<p>7A. Chief Executive's Report – Settlement Agreement and Variation of Development Agreement with Kingston Village Ltd</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> g) protect legal professional privilege</p> <p><i>Reason for recommendation</i> The report contains legal advice in relation to the settlement of a dispute between Council and a developer about the operation of a development agreement. The legal advice includes content which is relevant to the strengths and weaknesses of Council's legal position. The agreement is ongoing and keeping Council's legal advice confidential is necessary to protect Council from the risk of its legal advice being used in evidence against it in a future dispute, whether by the developer or another party. Waiver of Council's legal professional privilege in this instance may also expose Council to an obligation to disclose other related legal advice that is even more sensitive in nature. Separately to this legal advice, Council is providing the community with publicly available information including updates on the project. For these reasons the public interest considerations for disclosure are outweighed by the need to preserve legal professional privilege.</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.**