



[19-E-0245 – OIA Request – Cameron; DOC-5937730]

21 May 2019

James Cameron

fyi-request-9045-7c335acf@requests.fyi.org.nz

Dear James

OFFICIAL INFORMATION REQUEST

Thank you for your emailed Official Information Act request to the Department of Conservation, dated 18 April 2019, about the introducing of a different rate for staying in huts for residents and non-residents. You requested the following:

- 1) *Did the department take into account those effected pay tax via GST?*
- 2) *How was the rate for non-residents calculated?*
- 3) *Can I please have documents, email minutes of meetings relating to the checking of the policy against the NZ Bill of Rights and the Human Rights Acts? (sic)*

We note that this request follows on from your earlier request (reference -18-E-1055).

Your questions and our responses are listed below:

1) *Did the department take into account those affected pay tax via GST?*

The Department recognises that non-residents pay GST on both the accommodation fees for Great Walks and on other expenditure when in New Zealand.

The Department did not take GST paid into account when setting the differential rate.

2) *How was the rate for non-residents calculated?*

The determination of the differential rate was a matter of judgement rather than a calculation. It was set following a review of differential rates in use internationally and of potential revenue streams from several differential rate options.

3) *Can I please have documents, email minutes of meetings relating to the checking of the policy against the NZ Bill of Rights and the Human Rights Acts?*

While the Department has advice relating to checking of the policy against the NZ Bill of Rights and the Human Rights Acts, that advice, and any supporting emails or notes and minutes from meetings, is being withheld to maintain legal professional privilege (section 9(2)(h) Official Information Act refers).

The Cabinet Paper on differential pricing refers to the decision-making process. The information you seek from the Cabinet Paper is withheld under section 9(2)(h) Official Information Act.

In the circumstances of this case, the withholding of the information under section 9(2)(h) is not outweighed by other considerations which would render it desirable, in the public interest, to make it available.

No other documents were found to be within the scope of your current request.

The withholding of that information is not outweighed by other considerations which would render it desirable, in the public interest, to make it available.

You are entitled to seek an investigation and review of my decisions by writing to an Ombudsman as provided by section 28(3) of the Official Information Act.

Yours sincerely,

LWhite

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