

7 February 2023

Wayne Scott

Sent via email to fyi-request-19047-7b869af9@requests.fyi.org.nz

Dear Wayne,

REQUEST FOR OFFICIAL INFORMATION – RELEASE OF INFORMATION

We refer to your official information request dated 4 December 2022. You requested the following information from the Queenstown Lakes District Council (QLDC):

- Copy of all correspondence relating to the privately occupied hut on Pigeon Island since 1 August 2022. This includes all email attachments and any meeting/telephone recollections

QLDC response

Decision to partially release information requested

QLDC has decided to grant your request for information in part. The information requested is provided below.

To address your above request, we conducted an email archive search using some of the key words you provided in your request. The searches were conducted in a way that ensured the number of emails produced for our review were at a manageable number (e.g. fewer than 200 emails). In each search we also excluded all emails that included the informationrequest@qldc.govt.nz email address.

Below is a summary of the email archive searches we conducted for your request:

- Date range – 1 August 2022 to 4 December 2022
- The subject line of the email had to include the following “Pigeon Island”
- Emails produced – 500

The above search produced 500 emails. Out of these our system capture around 326 emails which were in relation to the bookings that were made by the members of public. We considered these out of scope and therefore we have not included these in our response.

After removing duplicate emails, any out of office emails and emails that were related to your previous requests, this left us with 29 emails. These emails were then checked as to whether any of the Local Government Official Information and Meetings Act 1987 (LGOIMA) withholding grounds applied. Some withholding grounds did apply to some emails. Our findings from the review of all emails are addressed below.

We have decided to withhold 8 emails under legal privilege. Our rationale for these withholding grounds has been provided later in this response. In addition, this left us with 21 emails to release.

The below links contains 21 emails & attachments that covers your request:

- [Emails](#)

We trust this response satisfactorily answers your request.

Decision to withhold remaining information requested

Legal privilege

We have decided to withhold 8 legally privileged emails in its entirety under section 7(2)(g) of the Local Government Official Information and Meetings Act 1987 (LGOIMA). Section 7(2)(g) of the LGOIMA provides that information can be withheld if the withholding of the information is necessary to maintain legal professional privilege. In this case, the emails we withheld contained information that included general legal advice from our internal and external legal teams and therefore we have decided that these emails should be entirely withheld.

Public interest considerations

We have considered the interests of the public when making decisions to withhold information, including considerations in favour of release, whether the disclosure of the information would promote those considerations, and whether those considerations outweigh the need to withhold the information.

Promoting the accountability and transparency of local authority members and officials is in the public interest, as is the general public interest in “good government”. However, we consider that these public interest considerations favouring disclosure do not outweigh the withholding grounds in this case.

We have considered the interests of the public when making the decision to withhold the legally privileged correspondence. We have determined that it is important that QLDC is able to seek legal advice, to ensure that QLDC is acting in accordance with the law, without risk of disclosure. Doing so promotes accountability. Consequently, we do not consider that the public interest in the release of these emails outweighs the considerations in favour of withholding the information.

Right to review the above decision

Note that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about this process is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact Naell.Crosby-Roe@qldc.govt.nz (Governance & Stakeholder Services Manager).

Kind regards,

A handwritten signature in black ink, appearing to read 'Poonam Sethi', with a horizontal line underneath.

Poonam Sethi
Governance and official Information Advisor