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21 December 2020

OIA Reference #: OIA2020102501

John Jenkinson

Email: [fyi-request-14032-1a28bbda@requests.fyi.org.nz](mailto:fyi-request-14032-1a28bbda@requests.fyi.org.nz)

Tēnā koe John

**Official Information Act 1982 (OIA) – Response – OIA2020102501**

Thank you for your official information request regarding information relating to the possible sale of 29 Everton Terrace, which was received by the Capital & Coast District Health Board (CCDHB) on 25 October 2020. You requested the following information:

*“I would like copies of all of the emails, documents and reports relating to the sale of 29 Everton Terrace in Kelburn. This will include the periods of 2009, 2015, and 2018-2020. I can forward the specific email accounts in a more secure channel.”*

On 23 November 2020, we notified you that you could expect a response from us on or by 21 December 2020.

Our response to your request is outlined below.

**Response**

Please find attached as an appendix the information you have requested. Please note that we have excluded correspondence to and from yourself on the basis that you already hold that information.

Please also note that information regarding third parties has been withheld under sections 9(2)(a) and 9(2)(b) of the OIA, to protect the privacy of those individuals and protect information that would be likely unreasonably to prejudice the commercial position of the person who supplied or is subject of the information.

Additionally, information referring to and constituting advice from our solicitors has been withheld to maintain legal professional privilege under section 9(2)(h) of the OIA.

Information has also been withheld under section 9(2)(j) of the OIA to enable CCDHB to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

We consider the interests protected by withholding information concerning the privacy and commercial interests of third parties who were interested in purchasing the property, the interest in protecting legal professional privilege between CCDHB and its solicitors, and the interest in enabling CCDHB to carry on commercial negotiations are not outweighed by other interests supporting disclosure for the purposes of section 9(1) of the OIA. There is no particular public interest that would override the interests protected by the OIA.

I trust this information fulfils your request. You have the right, under section 28 of the OIA, to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or you can free phone 0800 802 602.

Ngā mihi



**Fionnagh Dougan**

*Āpiha Whakahaere Mātāmua | Chief Executive*

Encl.

1. OIA2020102501 Appendix 1 of 1 – Info re 29 Everton Tce