

12 July 2024

Wayne Scott

Sent via email to [fyi-request-27192-1fa06507@requests.fyi.org.nz](mailto:fyi-request-27192-1fa06507@requests.fyi.org.nz)

Dear Wayne,

### Request for official information – PARTIAL RELEASE OF INFORMATION

Thank you for your request for official information dated 9 June 2024. You requested the following information from Queenstown Lakes District Council (QLDC / Council):

- Could you please provide a copy of any dining licences in place for the Arrowtown village green on Buckingham St.
- Could you please provide a copy of all inspection reports undertaken since 2009.
- Could you please provide confirmation that any dining licence is compliant with your policies and compliant with any legislation including the reserves act.
- Could you please provide a copy of any correspondence with any licence holder and the council and/or their agents.
- Could you please provide a copy of any permissions granted for private works on the village green.

### QLDC Response

Please see our response below:

- *Could you please provide a copy of any dining licences in place for the Arrowtown village green on Buckingham St.*

Please see the attached link for the copy of the dining licenses.

[Buckingham street](#)

- *Could you please provide a copy of all inspection reports undertaken since 2009.*

To address this part of your request our property team have searched the data and have advised that there are no records of inspection reports for this part of your request.

- *Could you please provide confirmation that any dining licence is compliant with your policies and compliant with any legislation including the reserves act.*

Yes, we can confirm that the issued licenses would have been compliant with the table and chairs licence and the Reserves Act.

- *Could you please provide a copy of any correspondence with any licence holder and the council and/or their agents.*

No correspondence has been found in relation to the license between the license holder and QLDC staff.

- *Could you please provide a copy of any permissions granted for private works on the village green.*

We have looked into the above and can confirm that there are no records of private works permits for Buckingham Green.

### **Decision to withhold information requested.**

We have good grounds under the LGOIMA for withholding/refusing some of the original information requested. We consider it is necessary to withhold/refuse certain information on the basis of the following grounds:

- s 7(2)(a) – to protect the privacy of natural persons.
- s 7(2)(b)(ii) – to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- s17(e) - that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

Section 7(2)(a) of the LGOIMA provides that there is a good reason for withholding official information when the withholding of information is necessary to protect the privacy of natural persons. In this case, the files shared with you contain some personal contact details of the license holders which we have considered to be private.

Section 17(e) of the LGOIMA provides that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found. In this case, we were unable to find any correspondence, private work permits, inspection reports as there were no records found in the archives.

Section 7(2)(b)(ii) of the LGOIMA states to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. In this case, we have performed minor redactions to the copies of the license to protect the commercial position of the license holder.

We trust this response satisfactorily answers your request

### **Public interest considerations**

We consider the interests of the public when making decisions to withhold requested information, including considerations in favour of release, whether the disclosure of the information would promote those considerations, and whether those considerations outweighed 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”. Where possible, we have favoured the release of information.

However, we do not believe there to be any public interest in releasing any commercial details of the license holder engaging with the council.

We conclude that the important section 7 withholding interest identified (e.g. privacy and commercial sensitivity), which relates to a subset of the information within the scope of your request, is not outweighed by a countervailing public interest requiring release.

### **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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

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

Kind Regards,



Poonam Sethi

Governance and Official Information Advisor