

26 November 2024

Jane Shearer

Sent via email to fyi-request-28955-820a2b04@requests.fyi.org.nz

RE: LG24-0261 - Correspondence with Town Planning Group regarding Gibbston Village

Dear Jane,

REQUEST FOR OFFICIAL INFORMATION – DECISION TO REFUSE INFORMATION

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 29 October 2024 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

- **Please supply any correspondence between the Council, Councillors and the Mayor with the Town Planning Group or any other entities in relation to the Gibbston Village Fast Track proposal.**

QLDC RESPONSE

Decision to refuse information

We have good reason under section 7(2)(c)(i) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) for withholding the information requested. We consider it is necessary to refuse the requested information on the basis of the following grounds:

- Section 7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information-
 - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

Section 7(2)(c)(i) of the LGOIMA aims to balance transparency with the protection of sensitive information. This provision is essential for maintaining trust in systems where information is shared under confidentiality.

In this case, the pre-app discussions around Gibbston Village are considered to be confidential and the proposal provided to Council was shared with the understanding of strict confidentiality. Disclosing this information could unreasonably prejudice the continued supply of similar or related information by harming the provider's professional reputation. Such harm may deter future engagement, thereby affecting the availability of information.

The public interest often depends on the continued availability of information from confidential sources. If making certain information public would hinder the willingness of sources to provide further valuable insights, the public interest is better served by keeping such information confidential.

In addition, MFE (Ministry for the Environment) have advised us that this information will be publicly available soon. Therefore, we have decided to refuse this information in accordance with s17(d) of the LGOIMA. Section 17(d) of the LGOIMA states that the information requested is or will soon be publicly available.

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 public interest in “good government”. Where possible, we have favoured the release of information. However, QLDC considers that withholding information necessary to preserve confidentiality is not outweighed by the public interest in favour of its release.

We conclude that the important section 7 withholding interests identified – to protect information which is subject to an obligation of confidence, 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 or freephone 0800 802 602.

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

We trust the above information satisfactorily answers your request.

Kind regards,
Poonam

Democracy Services team
Queenstown Lakes District Council
P: +64 3 441 0499
E: information.request@qldc.govt.nz