

9 April 2026

AGK Donaldson

Sent via email to [fyi-request-34183-8e5a861a@requests.fyi.org.nz](mailto:fyi-request-34183-8e5a861a@requests.fyi.org.nz)

## **Request for Official Information LG26-0078 - Cougar Security Services**

Dear AGK,

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 20 March 2026 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

- 1. The extent of QLDC's involvement with what appears to be preparation for development on the property 126240 LOT 10 DP 554564 - 43.559300 Ha CT- 964350 - 24 River Quartz Terrace, Wānaka 9382. While I can see relevant Environment Court material (Resource Consent RM160814, Environment Court Consent Order ENV-2017-CHC-047 and RM210471) from some time ago, I do not see any recent applications for development, subdivision or change of zoning, currently Rural - General. I believe the named property has recently been purchased by Red Stag Farm Limited (9337477), one of whose directors is Richard John Diver and I would like to know of the extent of communications between the Council, its staff and the company or either of its directors.**

### **QLDC RESPONSE**

In response to your request, the QLDC Resource Consents Team was consulted.

### **Decision to withhold information**

QLDC has not received any resource consent applications relating to the property at 24 River Quartz Terrace, Wānaka.

QLDC records indicate that a pre-application meeting was requested in September 2025. Pre-application processes allow prospective applicants to discuss potential development proposals with QLDC prior to lodging a formal application. These discussions are informal and do not necessarily result in a resource consent application being submitted. Information relating to pre-application meetings is confidential, as it may involve preliminary information.

In relation to communications between QLDC, its staff, the property owner and/or associated parties, any relevant information held by QLDC relates to the pre-application process.

QLDC has good reason under sections 7(2)(c)(i), 7(2)(c)(ii) and 7(2)(f)(i) of the LGOIMA for refusing your request. QLDC considers it is necessary to refuse the requested information on the basis of the following grounds:

- Section 7(2)(c) - 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.
  - (ii) would be likely otherwise to damage the public interest.
- Section 7(2)(f) – the withholding of the information is necessary to maintain the effective conduct of public affairs through—
  - (i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty.

**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 agreements.

In this instance, pre-application discussions are undertaken on a confidential basis to allow applicants to engage openly with Council. Releasing this information would be likely to discourage future applicants from participating fully and candidly in this process, which would negatively impact the efficiency and effectiveness of Council's regulatory functions.

The public interest often depends on the continued availability of information from confidential information. 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.

**Section 7(2)(c)(ii)** of the LGOIMA allows for the withholding of information where its release would be likely to damage the public interest by undermining the continued supply of similar information in future.

Maintaining confidentiality at the pre-application stage supports a robust and efficient consenting process. If such information were routinely disclosed, it could reduce the quality and completeness of information provided to QLDC, potentially leading to less informed decision-making and increased costs and delays.

While there is a public interest in transparency, QLDC considers that this is outweighed by the need to preserve the integrity and effectiveness of the pre-application process. Once a formal application is lodged, the process becomes public, and relevant information is made available via [eDocs](#).

**Section 7(2)(f)(i)** of the LGOIMA is intended to uphold the effective conduct of public affairs by ensuring that members, officers, and employees of local authorities can express their opinions freely and frankly in the course of their duties. This provision recognises that open communication is essential for informed decision-making and effective governance.

In this instance, pre-application meetings involve preliminary and exploratory discussions. Releasing this information could inhibit the willingness of both QLDC staff and applicants to engage openly in future, thereby undermining the effectiveness of this process.

The need to maintain an environment where officials can express their views without fear of public scrutiny is paramount. Thus, the rationale for withholding the requested information is to protect the integrity of the decision-making process and ensure that public affairs are conducted effectively.

### **Decision to refuse information**

QLDC has good reason under section 17(e) of the LGOIMA for refusing your request. QLDC considers it is necessary to refuse the requested information on the basis of the following grounds:

- Section 17(e) – that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

**Section 17(e)** of the LGOIMA clarifies that a local authority is not required to provide information that it does not hold, or that cannot be located despite reasonable efforts. This ensures that agencies are not required to create new information in order to respond to a request.

In addition, to the extent that your request seeks communications beyond the pre-application process, QLDC does not hold any such information.

As a local authority, QLDC is committed to providing access to information that it holds. However, pursuant to section 17(e) of the LGOIMA, QLDC is unable to provide the requested information because this information is not recorded.

### **Public interest considerations**

In assessing whether to withhold information, QLDC carefully evaluates the public interest—particularly whether disclosure would enhance transparency, accountability, or informed public engagement. This assessment includes weighing those benefits against the potential harm that could result from releasing the information.

QLDC acknowledges the public interest in transparency, accountability, and good governance in local authority decision-making, and is committed to releasing information wherever possible. However, in this case, QLDC considers that the public interest in disclosure is outweighed by the need to protect information which is subject to an obligation of confidence and to protect free and frank expression.

Accordingly, QLDC has determined that sections 7(2)(c)(i), 7(2)(c)(ii) and 7(2)(f)(i) of the LGOIMA apply. No overriding public interest has been identified that would justify release of the withheld 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](http://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](mailto:Naell.Crosby-Roe@qldc.govt.nz) (Director Democracy Services).

QLDC trusts that the above information satisfactorily answers your request.

Kind regards,  
Larissa

Democracy Services Team  
Corporate Services | Queenstown Lakes District Council  
P: +64 3 441 0499  
E: [informationrequest@qldc.govt.nz](mailto:informationrequest@qldc.govt.nz)