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10 August 2017

Dr Tony Enright

By email: [fyi-request-6206-13c24e13@requests.fyi.org.nz](mailto:fyi-request-6206-13c24e13@requests.fyi.org.nz)

Dear Tony

**Information Request – Building consent application B/2016/10829/2 and Determination 2943**

I am writing in relation to your information request dated 13 July 2017 regarding the Customs Residential development, in which you asked for 'all internal and external communications including minutes of any meetings, in relation to the proposed development for the period from Saturday 22 April 2017 to Thursday 13 July 2017 inclusive'.

With the exception of filenotes for two internal meetings, the relevant communications held by Fire and Emergency New Zealand (**Fire and Emergency**) are all emails. They fall into two classes:

1. Documents exchanged with the Ministry of Business, Innovation and Employment, which have generally also been sent or copied to the other parties to the determination, including you.
2. Internal documents between Fire and Emergency personnel in relation to the determination process and Fire and Emergency's associated submission (this includes the two filenotes referred to above).

Your request has been assessed in accordance with the Official Information Act 1982 (**OIA**) and a decision made to release information to you. I *attach* a PDF document of relevant communications accordingly. Please note that:

- Documents referred at (1) above that you are either the sender or a recipient of (either directly or in the 'cc' field) have not been included.
- Some documents, or parts of documents, have been withheld in order to:
  - (i) avoid prejudice to the maintenance of the law, in accordance with section 6(c) of the OIA;
  - (ii) maintain the effective conduct of public affairs through the free and frank expression of opinions by or between Fire and Emergency personnel, in accordance with section 9(2)(g)(i) of the OIA; and to
  - (iii) maintain legal professional privilege, in accordance with section 9(2)(h) of the OIA.

In addition to these matters, three documents have been withheld in accordance with section 18(h) of the OIA, on the basis that the information they contain is trivial (namely: an email noting that an earlier message had been sent without an attachment, and emails relating to the mechanics of adding an electronic signature to a document).

Fire and Emergency New Zealand does not consider that, in the circumstances of this particular case, the withholding of this information subject to sections 9(2)(g)(i) or 9(2)(h) is outweighed by other considerations which render it desirable, in the public interest, to make the information available.

You have the right 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 freephone 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L Deuchars', written in a cursive style.

Leigh Deuchars  
Director, Office of the Chief Executive

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