



Ref: s.7(2)(a) -
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12 July 2021

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nelson.govt.nz

s.7(2)(a) -
protect the
privacy of
natural persons
including dcs'd

Dear s.7(2)(a)
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OFFICIAL INFORMATION REQUEST FOR THE REPORT "BUSINESS ADVISER REPORT ON BROOK WAIMARAMA SANCTUARY TRUST"

I refer to your official information request dated 15 June 2021 for the Business Adviser Report on the Brook Sanctuary that was presented at the Environment and Climate committee on 10 June 2021.

We have decided to refuse your request under section 7(2) (c) (i) of the Local Government Official Information and Meetings Act. Those reasons assessed for withholding at the 10 June meeting still apply to the report which are "...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 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...".

Inherent in the Business Advisor's work is the need to identify strategic, operational and financial risks and to suggest solutions to improve processes and practices in order to mitigate these. To provide effective advice, the Advisor must be free to offer frank opinions, propose options, make comment on observations and generally be candid in all matters affecting the business. It is critically important that he do so without fear of public scrutiny. To remove the protection of confidentiality between the parties is highly likely to prejudice the quality, completeness and consequently the usefulness of reports in the future.

There is a special purpose behind his engagement, rather than a 'business as usual' relationship, and a shared understanding between the parties that the information would remain confidential and must do so, in order to implement the advice and ultimately achieve better outcomes for the Brook Waimarama Sanctuary Trust in the future. Better efficiencies and outcomes for the Trust are undoubtedly in the public's best interest.

At the meeting of 10 June 2021, there was a recognition of the high level of public interest in the Brook Waimarama Sanctuary Trust. This was reflected in the resolution that was carried. Consequently the covering staff report was released and is available on Council's website : <http://www.nelson.govt.nz/council/council-structure/council-meetings/decisions-released-from-confidential-sessions> The Business Advisor's report has not been released, for reasons stated above.

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You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact me at rosie.bartlett@ncc.govt.nz

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rosie Bartlett', with a large, stylized initial 'R' and 'B'.

Rosie Bartlett
Manager Parks and Facilities