



s.7(2)(a) -
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1 July 2021

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privacy of

Dear s.7(2)(a) -
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I write in relation to your request of 30 June 2021, which was captured as follows:

"I now seek the data relating to work undertaken by Port Nelson during the period that Port Nelson owned 55 Queens Road Stepneyville, Nelson 7010. Particularly of note that I seek the Sound Engineers Reports prior and after, with the location of the Recording Meter in my house at each of the tests. Data relating to Sound Insolation works are most important, and costs of works. Seek full details, not a summary, showing building plans, drawings, sketches and comments..."

I confirm that Nelson City Council does not hold the information you refer to. Consequently, your request is refused on administrative grounds under s.17(g) of the Local Government Official Information and Meetings Act (LGOIMA) - *that the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either (i) held by another local authority or a department or Minister of the Crown or organisation; or (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation.*

Section 74(1) Local Government Act (LGA) provides that LGOIMA Parts 1 – 6 applies to Council Controlled Organisations (CCO). Port Nelson is specifically excluded - Section 6(4)(c) LGA: *The following entities are not council-controlled organisations: a port company or subsidiary of a port company within the meaning of the Port Companies Act 1988.*

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 Maxine Day on 03 546 0200.

Yours sincerely

Maxine Day
Environmental Planning Manager

Internal Document ID:A2696336