
NEW PLYMOUTH DISTRICT COUNCIL LGOIMA POLICY

How to request official information (LGOIMA)

1. You can request information held by New Plymouth District Council (NPDC) using the procedures and timeframes set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA).

What information is available?

2. There are two types of information you can request:
 - a) Information held by NPDC (a LGOIMA request)
 - b) Information that we hold about you (a Privacy Act request). You can make a request to view and correct any information we hold.

Please refer to our [Privacy Statement](#) for information on how to request your own personal information.

3. NPDC is committed to conducting our day-to-day business openly and making decision-making processes and information available and accessible.
4. Much of the information held by NPDC is available on our [website](#). This includes [meeting minutes and agendas](#) and [consultation documents](#).

How to request information

5. You can:
 - a) Email us at enquiries@npdc.govt.nz
 - b) Ask in person at one of our [Customer Service Centres](#)
 - c) Call us on (06) 759 6060
 - d) Write to us (Private Bag 2025, New Plymouth 4310).
6. Please be as specific as you can be in making your request; it helps us to find the information quickly for you. If we are unclear about the scope or nature of your request we will contact you to clarify what information you're seeking. If your request is complex it may require staff to research documents and records.

7. Make sure you provide us either an email or postal address so we can provide you with a response. A contact phone number is also helpful.
8. Email enquiries@npdc.govt.nz if you have any questions about official information requests (LGOIMA).

How long it takes to process a request

9. We will acknowledge your request and endeavour to make a decision as soon as practicable but within 20 working days after we receive your request. You can use the calculator from the [Office of the Ombudsman website](#) to determine when the 20 working days expire.
10. Occasionally we may need to extend the timeframe. This happens when:
 - a) You are requesting a large quantity of information needing time for research and collation;
 - b) Your request is complex; and/or
 - c) We need to consult with a third party, and need to extend the timeframe.

We will let you know if this is the case before the original due date.

11. Sometimes we may need to transfer your request to another organisation. This happens when that organisation holds the information. If we transfer your request, we will let you know within 10 days of receiving your request.
12. You may ask that NPDC treat your request as urgent. We require you to provide a suitable reason if this is the case. We will try and process urgent requests as soon as possible.

Response process and use of personal details

13. When we receive a LGOIMA request we ask relevant staff to gather the information required. NPDC will share the details of the request and the identity of the requester with staff involved, except where the request is of a particularly sensitive nature and/or the requester has specifically asked that their details are not shared. The Privacy Act's provisions about the use and disclosure of personal information will guide our process.

14. In some cases we will need to consult with a third party in order to respond to a request. In these circumstances we withhold all personal details, or consult with the affected parties before releasing any personal details.

Costs

15. Our approach is that NPDC’s information is generally a public good and unless these are special reasons it is not appropriate to charge for providing it. Based on this policy it is rare for NPDC to charge for the supply of official information.
16. However, in some circumstances charging may be appropriate. These circumstances include:
- a) Where there is limited public good from the release of the information,
 - b) Where there is a clear private good from the release of the information;
 - c) Where a large amount of staff or consultant time will be required to collate the information.
17. We may aggregate, for charging purposes, repeated requests from the same source in respect of a common subject over intervals of up to eight weeks.
18. If NPDC are going to charge you, we will advise you of the cost of processing your request before we begin working on it. You can then decide if you want to continue, withdraw or refine your request. We may ask you to pay some or all of the cost in advance.
19. The charges for LGOIMA requests are set out in Council’s Fees and Charges Schedule. For 2022/23 the costs are:

Research fee for property information	\$30.00
LGOIMA research charges – photocopying additional	\$38.00 per half hour or part thereof
Additional photocopying	\$0.20 per copy

20. Council has delegated, to specified Council managers, the authority to decide whether or not Council will impose a charge. Some Council managers have sub-delegated the authority to make a decision on a request and whether or not to impose a charge to specified Council Officers.

Withholding information

21. The principle of the LGOIMA legislation is that information should be made available unless there are good reasons for withholding it. The LGOIMA provides statutory reasons for withholding information or refusing a request. NPDC is entitled to consider withholding information if it would:
- a) prejudice the maintenance of the law
 - b) endanger the safety of any person
 - c) breach the privacy of any natural person (including a deceased person)
 - d) disclose confidential or commercially sensitive information
 - e) cause serious offence to Tikanga Māori or disclose the location of Waahi Tapu
 - f) breach an obligation of confidence
 - g) prejudice: public health or safety; free and frank opinions necessary for the effective conduct of public affairs; NPDC's right to legal professional privilege; the commercial activities of NPDC; or negotiations being carried out by NPDC.
22. Clauses 21a) – b) above provide conclusive reasons for withholding information. Before deciding to withhold information under clauses 21c) – f) above, NPDC will assess whether or not the public interest in disclosure outweighs the need to withhold the information.
23. NPDC can also refuse a request for the following administrative reasons:
- a) making the information available would be contrary to an enactment (e.g., Dog Control Act)
 - b) making the information available would constitute contempt of Court or of the House of Representatives
 - c) the information is, or will soon be, publicly available
 - d) the request is made by or on behalf of a defendant, for information that could be sought under the Criminal Disclosure Act 2008
 - e) the document does not exist or cannot be found, despite reasonable efforts to locate it

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- f) the information cannot be made available without substantial collation or research
 - g) the information is not held by NPDC, and there are no grounds to believe the information is held by another agency or more closely connected with the functions of another agency
 - h) the request is frivolous or vexatious, or the information requested is trivial
 - i) NPDC can also neither confirm nor deny the existence or non-existence of information
24. If we withhold or refuse to give information, we will explain the reason why.
25. There is no charge for Privacy Act requests unless the Privacy Commissioner has authorised NPDC to impose a charge.

Not satisfied?

26. If you are not satisfied with the outcome of your request made under the LGOIMA, you can contact the [Office of the Ombudsman](#) and request a review.
27. If you are not happy with the outcome of your request made under the Privacy Act you can contact the [Office of the Privacy Commissioner](#).

Common sources of Council information

28. NPDC promotes good governance and encourages transparency in decision-making through increasing the availability of its information to the community on the NPDC website. Often information that is requested can be found in public documents or records, such as the following:
- a) [Annual Reports](#)
 - b) [Long Term Plan](#)
 - c) [Council meetings, agendas and minutes](#)
 - d) [Strategies, plans and policies](#)
 - e) [Consultation documents](#)