

OIR: 2324/859

16 April 2024

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED],

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **25 March 2024** requesting the following information:

- 1. I would like to request a copy the minutes Mr Nixon mentioned sending "the invitation to CRU" including the names of the panel members present at the meeting***

As the meeting referred to in your request was an independent CAP meeting, I understand that Council was not involved in nor holds any minutes from that meeting.

For completeness, I asked the CAP for a more fulsome response which includes the following:

"There are no minutes. After discussion between members of CAP following the OIA request from CRU it was verbally agreed that it would be good to set up a direct line of communication with CRU or other parties. The simplest way was to set up a CAP email address as the CAP members did not want invitations and correspondence going to and from their personal email addresses. This would keep all direct CAP correspondence in one place for simplicity."

On that basis I must decline this part of your request as the documents alleged to contain the information requested does not exist, section 17(e) of the LGOIMA refers.

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

2. The definition of the term "dummy email address"

Following on from the response to Question 1, on request, the CAP has advised that their definition for the term "dummy email address" is as follows:

"The reference to 'dummy' simply meant an email address for the purposes of correspondence direct from CAP. i.e. it was not a formal KCDC based address."

3. Documentation held by either the Council and/or CAP members - including emails, text messages, memos etc related to setting up a "dummy email account"

Beside the attachment which you received in response to the previous OIR response 2324-817, there is no further documentation held by Council related to the "dummy email account". CAP have confirmed that they hold no other documentation.

On that basis I must decline this part of your request as the documents alleged to contain the information requested does not exist, section 17(e) of the LGOIMA refers.

4. Documentation held by either the Council and/or CAP members informing the CEO or any other Council staff member of CAP's intention to "set up a dummy email address"

It is my understanding that no Council staff, including the Chief Executive, were informed of CAP's intention to set up a dummy email address. I can confirm that Council staff only became aware of the dummy email address during the response to OIR 2324-817.

For completeness, I asked the CAP for a more fulsome response which includes the following:

"CAP has not received any correspondence from CRU via the email address. The only use of the address has been an invitation to CRU to meet with CAP."

Therefore, there is no documentation held by Council relevant to your query. On that basis I must decline this part of your request as the documents alleged to contain the information requested does not exist, section 17(e) of the LGOIMA refers.

5. Documentation held by either the Council and/or CAP members registering the "dummy email address" with Council

As outlined in responses to questions 3 and 4 Council were not made aware of the dummy email address until responding to OIR 2324-817.

For completeness, I asked the CAP for a more fulsome response. CAP have advised there is no documentation relating to "registering" the dummy email address.

Therefore, there is no further documentation held by Council. On that basis I must decline this part of your request as the documents alleged to contain the information requested does not exist, section 17(e) of the LGOIMA refers.

6. *The number of dummy email addresses that CAP has "set up" since it was established*

I understand that this is the only 'dummy email' address 'set up' by CAP.

For completeness, I asked the CAP for a more fulsome response. CAP confirmed that the email address you refer to is the only such email address it set up.

7. *A copy of the legal advice obtained by CAP members in reference to setting up "a dummy email address" in communicating with community groups and members of the public*

I understand that CAP did not obtain formal legal advice on this matter.

For completeness, I asked the CAP for a more fulsome response. CAP have confirmed that no such legal advice has been obtained.

On that basis I must decline this part of your request as the documents alleged to contain the information requested does not exist, section 17(e) of the LGOIMA refers.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi,



Kris Pervan

Group Manager Strategy and Growth

Te Kaihautū Rautaki me te Tupu

Te Kaiwhakahaere Ratonga Kāwanatanga me te Ture