

3 August 2022

Rebecca Soper
Acting Senior Investigator
Office of the Ombudsman
info@ombudsman.parliament.nz

Re: Investigation of official information complaint Request from Mrs Emily Ireland for the report about a proposed shortlist for options for Featherston's wastewater.

Your ref 582427 (Complaint grounds: 582428 & 584834)

Dear Rebecca

Thank you for your letter dated 14 June 2022 regarding the above referenced complaint.

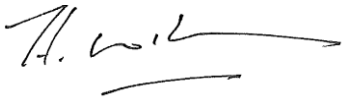
Regarding the first issue of our response time, the Council acknowledges that the response to Ms Ireland was due on 21 April but that we did not respond until 27 April. We did not seek an extension of time under s14. We had a change in administrative staff at that time and when Ms Ireland on 26 April alerted us to the fact the response was not to hand we advised that same day that a response would be sent the following day. We sincerely apologise for that 7 day delay in our response.

Regarding our decision to withhold the report requested under the free and frank provisions, the Council notes the following in relation to our decision:

- The report requested from Council is material to the ongoing provision of advice to our elected members. It is a private document examining options to be eventually presented to Councillors between Council management and Wellington Water Limited.
- The report requested has not been seen by Councillors as the provision of advice on the topic of the Featherston Wastewater Treatment Plant is ongoing.
- It is completely inappropriate for Council management to release information to the media that is being used to construct advice to Councillors before Councillors have seen this material. To do so would undermine our ability to provide free and frank advice to our local politicians.
- If the Ombudsman's advice is that Council management must release private correspondence of this nature to media outlets prior to it being provided to elected members, and prior to Council decision, this would have a detrimental impact on the democratic functioning of local government and would create a dangerous precedent across the motu for the effective administration of local government.
- There is strong public interest in protecting the ability of Council management to shape and finalise free and frank advice to Councillors in confidence, and then Councillors considering that advice and making decisions in a public setting.

We attach the report in question for your information and look forward to your response.

Yours sincerely



Harry Wilson
Chief Executive Officer