

16 March 2022



Dear 

**LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Requests: 2022-07, 2022-08, 2022-09.**

Thank you for your emails of 17, 18 and 19 February 2022 to the Carterton District Council, attached as **Appendix A, B and C.**

Your requests have been considered under the Local Government Official Information and Meeting Act 1987 (the Act).

My response to your requests is provided, attached as **Appendix D.**

Where the information has been withheld under section 7(2), I have considered, as required under section 7(1) of the Act, the public interest considerations favouring its release. I have identified no public interest considerations which outweigh the need to withhold the information at this time.

Please note, the Council now proactively publishes LGOIMA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in black ink that reads "Geoff Hamilton". The signature is written in a cursive style with a horizontal line at the end.

Geoff Hamilton  
Chief Executive  
Carterton District Council

RELEASED UNDER LGOIMA

## Appendix A

**From:** [LGOIMA Requests](#)  
**To:** [REDACTED]  
**Subject:** RE: Request for information - Millenium Park  
**Date:** Monday, 21 February 2022 12:05:00 pm  
**Attachments:** [image001.png](#)

---

Kia ora [REDACTED]

### LGOIMA Request: 2022-07

Thank you for your email request of 17 February 2022 for the following:

*"...Can you please provide me with the following information regarding Millenium Park, corner of Belvedere Rd and High St North.  
What are the annual maintenance costs associated with maintaining the park?  
When the deck was built, what was the total cost of landscaping works, including building the deck?  
What was the total cost of the more recent concrete path linking High St to the deck area?  
Were these costs paid fully by Council?  
Is there any rental agreement in regards to businesses utilising the park for commercial benefit? (eg Wild Oats seating)  
If so what is the annual rent paid to Council?"*

Your request is being handled under the provisions of the Local Government Official Information and Meeting Act (1987). You can expect a reply no later than 17 March 2022, which is 20 working days from the date we received your request.

Ngā mihi,



LGOIMA Requests | **CARTERTON DISTRICT COUNCIL**

Email: [lgoima@cdc.govt.nz](mailto:lgoima@cdc.govt.nz)

Phone: (06) 3794030 | PO Box 9 Carterton 5743 | 28 Holloway Street Carterton 5713 | Website:

[www.cdc.govt.nz](http://www.cdc.govt.nz)

---

**From:** [REDACTED]  
**Sent:** Thursday, 17 February 2022 9:38 pm  
**To:** LGOIMA Requests <lgoima@cdc.govt.nz>  
**Subject:** Request for information - Millenium Park

Hi,

Can you please provide me with the following information regarding Millenium Park, corner of

Belvedere Rd and High St North.

What are the annual maintenance costs associated with maintaining the park?

When the deck was built, what was the total cost of landscaping works, including building the deck?

What was the total cost of the more recent concrete path linking High St to the deck area?

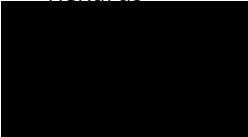
Were these costs paid fully by Council?

Is there any rental agreement in regards to businesses utilising the park for commercial benefit?  
(eg Wild Oats seating)

If so what is the annual rent paid to Council?

Thanks for your help,

Regards



## Appendix B

**From:** [LGOIMA Requests](#)  
**To:** [REDACTED]  
**Subject:** RE: request for information - business engagement  
**Date:** Monday, 21 February 2022 12:18:00 pm  
**Attachments:** [image001.png](#)

---

Kia ora [REDACTED]

Correction to your LGOIMA reference below should be: **LGOIMA reference is 2022-08.**

Ngā mihi,



LGOIMA Requests | **CARTERTON DISTRICT COUNCIL**

Email: [lgoima@cdc.govt.nz](mailto:lgoima@cdc.govt.nz)

Phone: (06) 3794030 | PO Box 9 Carterton 5743 | 28 Holloway Street Carterton 5713 | Website:

[www.cdc.govt.nz](http://www.cdc.govt.nz)

---

**From:** LGOIMA Requests <lgoima@cdc.govt.nz>  
**Sent:** Monday, 21 February 2022 12:15 pm  
**To:** [REDACTED]  
**Subject:** RE: request for information - business engagement

Kia ora [REDACTED]

**LGOIMA Request: 2022-07**

Thank you for your email request of 18 February 2022 for the following:

*"In an email from Geoff Hamilton dated 16/2/22 Geoff stated "We are engaging with all businesses regarding tables on the footpath to balance the business needs against those of the public."*

*Can you please tell me -*

*What engagement has already been undertaken? (including total number of businesses engaged with)*

*What is the plan for engaging with businesses not yet contacted?*

*What is the anticipated time frame for finalising this engagement?*

*When are Council looking at replacing the repealed bylaw regarding footpaths?"*

Your request is being handled under the provisions of the Local Government Official Information

and Meeting Act (1987). You can expect a reply no later than 18 March 2022, which is 20 working days from the date we received your request.

Ngā mihi,



LGOIMA Requests | **CARTERTON DISTRICT COUNCIL**

Email: [lgoima@cdc.govt.nz](mailto:lgoima@cdc.govt.nz)

Phone: (06) 3794030 | PO Box 9 Carterton 5743 | 28 Holloway Street Carterton 5713 | Website:

[www.cdc.govt.nz](http://www.cdc.govt.nz)

---

**From:** [REDACTED]  
**Sent:** Friday, 18 February 2022 11:06 am  
**To:** LGOIMA Requests <[lgoima@cdc.govt.nz](mailto:lgoima@cdc.govt.nz)>  
**Subject:** request for information - business engagement

Morena,

In an email from Geoff Hamilton dated 16/2/22 Geoff stated "We are engaging with all businesses regarding tables on the footpath to balance the business needs against those of the public."

Can you please tell me -

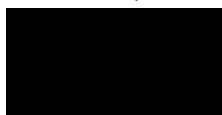
What engagement has already been undertaken? (including total number of businesses engaged with)

What is the plan for engaging with businesses not yet contacted?

What is the anticipated time frame for finalising this engagement?

When are Council looking at replacing the repealed bylaw regarding footpaths?

Thanks,



## Appendix C

**From:** [LGOIMA Requests](#)  
**To:** [REDACTED]  
**Subject:** RE: Doc 138502 request for information  
**Date:** Monday, 21 February 2022 12:33:00 pm  
**Attachments:** [image001.png](#)

---

Kia ora [REDACTED]

### LGOIMA Request: 2022-09

Thank you for your email request we received on Saturday 19 February 2022 for the following:

*"I have heard that Council spent \$46,000 on clearing the site where the shops burned down on the corner of High St and Holloway St.*

*Can you please confirm the actual amount spent on clearing the site after the fires?*

*Can you tell me the total cost (including labour) of the planter boxes Council have put on the site?*

*Can you confirm if Council has put anything in place to recover these costs, and if so what has been put in place?"*

Your request is being handled under the provisions of the Local Government Official Information and Meeting Act (1987). You can expect a reply no later than 21 March 2022, which is 20 working days from the date we received your request.

Ngā mihi,



LGOIMA Requests | **CARTERTON DISTRICT COUNCIL**

Email: [lgoima@cdc.govt.nz](mailto:lgoima@cdc.govt.nz)

Phone: (06) 3794030 | PO Box 9 Carterton 5743 | 28 Holloway Street Carterton 5713 | Website:

[www.cdc.govt.nz](http://www.cdc.govt.nz)

---

**From:** [REDACTED]  
**Sent:** Saturday, 19 February 2022 7:17 am  
**To:** LGOIMA Requests <lgoima@cdc.govt.nz>  
**Subject:** Doc 138502 request for information

Hi,

I have heard that Council spent \$46,000 on clearing the site where the shops burned down on the corner of High St and Holloway St.

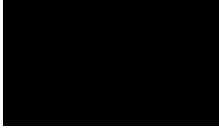
Can you please confirm the actual amount spent on clearing the site after the fires?

Can you tell me the total cost (including labour) of the planter boxes Council have put on the

site?

Can you confirm if Council has put anything in place to recover these costs, and if so what has been put in place?

Thanks,





## Appendix D – Response to your LGOIMA requests

### LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Requests: 2022-07

Referring to your request of 17 February 2022, attached as Appendix A, my response to your request is provided in the order of your questions below.

#### ***What are the annual maintenance costs associated with maintaining the park?***

We have a general maintenance cost for all reserves. The maintenance cost is not broken down into individual reserves. Therefore, we are unable to disclose annual maintenance costs for this specific park.

I am therefore refusing the disclosure of the annual maintenance costs for the specific park of your request under section 17(e) of the Act, as the disclosure of the annual maintenance costs for the specific park does not exist for the reason that the maintenance cost is not broken down into individual reserves.

#### ***When the deck was built, what was the total cost of landscaping works, including building the deck?***

The work on the deck was undertaken in 2010-2012, was part of the Central Business District (CBD) upgrade not just specifically Millennium Reserve. As the information that you are seeking regarding 'the total cost of landscaping works, including building the deck' was undertaken in 2010-2012 is an historical one, the information you are seeking cannot be made without substantial collation or research.

I am therefore refusing the information you are requesting for the total cost of landscaping works, including the deck under section 17(f) of the Act, as the information requested cannot be made available without substantial collation or research.

#### ***What was the total cost of the more recent concrete path linking High St to the deck area? Were these costs paid fully by Council?***

For improved accessibility, the recent concrete path linking to High Street to the deck area was fully paid by Council. The total cost was \$1400.

#### ***Is there any rental agreement in regards to businesses utilising the park for commercial benefit? (eg Wild Oats seating). If so what is the annual rent paid to Council?***

With regards to businesses utilising the park for commercial benefit, the rental agreement that relates to the businesses is commercially sensitive. Therefore, the annual rent paid to the Council that you are seeking is withheld under section 7(2)(b)(ii) of the Act, to protect information where the making of the information available of the information would likely unreasonably prejudice the commercial position of the person who supplied or who supplied or who is the subject to the information.

## Appendix D – Response to your LGOIMA requests

### LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Requests: 2022-08

Referring to your request of 18 February 2022, attached as Appendix B, my response to your request is provided in the order of your questions below.

***What engagement has already been undertaken? (including total number of businesses engaged with). What is the plan for engaging with businesses not yet contacted?***

Previously engagement has occurred with businesses annually when licences are issued, Council officers check the use of footpaths to ensure safe pedestrian access while also supporting business to be able to operate to the best of their ability. We also engage with businesses on a reactive basis when we receive complaints or other feedback. This includes but is not limited to all business in our District that require an annual food or alcohol licence.

***What is the anticipated time frame for finalising this engagement?***

At present, the Council does not need to finalise anything, as mentioned above this happens either yearly or when complaints are received, if there is no issue with how a business is operating then generally speaking the business will not be aware that Council has assessed the impact of the tables on the safe pedestrian/mobility passage.

***When are Council looking at replacing the repealed bylaw regarding footpaths?***

The Council alone does not have a bylaw regarding footpaths. However, Carterton District Council combined with Masterton, and South Wairarapa District Councils adopted the Wairarapa Consolidated Bylaw in 2019. Occupation of footpaths falls under Part 2 of the consolidated bylaws. The bylaws came into force for all the three districts on 8 July 2019. The local Government Act provides that a review of a bylaw must commence within 5 years of the bylaw being adopted (July 2024) then at 10-year intervals unless revoked sooner. We have not yet confirmed exactly when this will be.

## Appendix D – Response to your LGOIMA requests

### LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Requests: 2022-09

Referring to your request of 19 February 2022, attached as Appendix C, my response to your request is provided in the order of your questions below.

*"I have heard that Council spent \$46,000 on clearing the site where the shops burned down on the corner of High St and Holloway St. Can you please confirm the actual amount spent on clearing the site after the fires?"*

The actual amount that the Council spent on cleaning the site where the shops burned down on the corner of High St and Holloway St was \$42,316 (GST excl).

*Can you tell me the total cost (including labour) of the planter boxes Council have put on the site?"*

The cost that including labour of the planer boxes, stain, flowers, potting mix and other materials was between \$4,500 - \$5,000.

*Can you confirm if Council has put anything in place to recover these costs, and if so what has been put in place?"*

The Council does have an agreement in place; however, the specifics of the agreement are commercially sensitive. The Council also plan to be able to reuse the planter boxes.

Since the specifics of the agreement is commercially sensitive, this information is withheld under section 7(2)(b)(ii) of the Act, to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

RELEASED UNDER LGOIMA