

21 November 2024

Sent via email to [REDACTED]

RE: LG24-0272 - Caravan Parks

Dear [REDACTED],

REQUEST FOR OFFICIAL INFORMATION – PARTIAL RELEASE OF INFORMATION

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 12 November 2024 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

- 1. Has the QLDC made a request to caravan parks in the Queenstown Lakes District asking them to make occupants move caravans parked for more than 20 to 30 days?**
- 2. Can I have copies of the emails sent with in the last 18 months from Council to all caravan parks related to requesting caravan parks to make occupants move there caravans every 20 to 30?**
- 3. How many people have QLDC accused of breaching the freedom camping act or any other related council bylaws with the last 12 months?**

QLDC RESPONSE

Partial release of information

To address your request, we consulted with the QLDC Rates Team, who assisted in providing the following response:

- 1. Has the QLDC made a request to caravan parks in the Queenstown Lakes District asking them to make occupants move caravans parked for more than 20 to 30 days?**

No, the Council has not made a specific request to caravan parks in the district to require occupants to move parked caravans after 20 to 30 days.

- 2. Can I have copies of the emails sent with in the last 18 months from Council to all caravan parks related to requesting caravan parks to make occupants move there caravans every 20 to 30?**

To address your request, we completed a search of our email archives between QLDC staff and key contacts for each campground within the last 18 months. While we did not identify any emails directly within the scope of your request, we have located [one email](#) that we believe is the most relevant, which we have released with minor redactions. We have detailed our grounds for withholding the redacted information below.

Please note that the enclosed link will expire on 21 December 2024, 9:28 AM.

3. How many people have QLDC accused of breaching the freedom camping act or any other related council bylaws with the last 12 months?

In the last 12 months (November 2023 until October 2024) QLDC has issued 1,128 infringement penalties for breaches of the Freedom Camping Act or 2021 Freedom Camping Bylaw. To note, no penalties under 2021 Freedom Camping Bylaw have been issued since 20 September 2024 following the High Court ruling.

Decision to withhold information

We have good reason under section 7(2)(a) and section 7(2)(b)(ii) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) for withholding some of the information requested. We consider it is necessary to withhold the requested information on the basis of the following ground:

- Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.
- Section 7(2)(b) - the withholding of the information is necessary to protect information where the making available of the information—
 - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Section 7(2)(a) of the LGOIMA is designed to protect the privacy of individuals by allowing for the withholding of information that could infringe on personal privacy, or in a way that could cause harm or distress. The purpose of this provision is to balance the need for transparency with the importance of safeguarding individual privacy, respecting the privacy of individuals and preventing potential misuse of personal information.

In this case, the withheld information is the personal information of natural persons. The Privacy Act 2020 protects an individual's right to privacy of personal information and ensures that natural persons know when their personal information is being collected and how their personal information is being used and shared. If the information requested were released, it may intrude to an unreasonable extent upon the personal affairs of the individual concerned.

In this case, protecting the privacy of natural persons outweighs the public interest in the information being made available.

Section 7(2)(b)(ii) of the LGOIMA is designed to safeguard information whose release could unreasonably prejudice the commercial position of natural persons or entities involved. This provision acknowledges the importance of protecting sensitive commercial data, which is vital for maintaining competitive advantages and fostering a healthy business environment.

In this case, the information withheld involves sensitive details, the disclosure of which could undermine the integrity of commercial operations of the entity involved. Sharing this data could disrupt the competitive environment, which is critical for maintaining fairness and securing the best possible outcomes for the business.

The need to preserve the commercial interests of the entity involved outweighs any public interest in transparency regarding this information.

Public interest considerations

We consider the interests of the public when making decisions to withhold requested information, including considerations in favour of release, whether the disclosure of the information would promote those considerations, and whether those considerations outweighed the need to withhold the information.

Promoting the accountability and transparency of local authority members and officials is in the public interest, as is the public interest in “good government”. Where possible, we have favoured the release of information. However, in this case we consider that protecting the privacy of natural persons and protecting the integrity of commercial operations of the entity involved, are considerations not outweighed by the public interest in favour of its release.

We conclude that the important section 7 withholding interests identified - to protect the privacy of a natural persons; and to protect the integrity of commercial operations of the entity involved - which relate to the information within the scope of your request, are considerations not outweighed by a countervailing public interest requiring release.

Right to review the above decision

Note that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about this process is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact Naell.Crosby-Roe@qldc.govt.nz (Stakeholder and Democracy Services Manager).

Kind regards,

██████

Democracy Services team

Queenstown Lakes District Council

P: +64 3 441 0499

E: information.request@qldc.govt.nz

From: [REDACTED]
Sent: Fri, 23 Aug 2024 14:02:23 +1300
To: [REDACTED]
Cc: [REDACTED]
Subject: Occupancy camping timeframes Albert Town Campground

Hi [REDACTED],

As requested please see the relevant information regarding camping regulations and timeframes below:

The Albert Town Campground is subject to the **Albert Town Recreation Reserve Management Plan** – Full doc can be downloaded here <https://www.qldc.govt.nz/your-council/council-documents/reserve-management-plans/>

Relevant clause from this plan is below:

Policy 17 – Camping

17.1 Continue to operate a camp ground at the Albert Town Recreation Reserve.

17.2 Consider the consolidation of all camp facilities at the Hawea side of the reserve retaining the Clutha/Mata-Au side as a day use area only.

17.3 Retain the low key nature of the camp ground but provide additional facilities for the safe and hygienic use of the camp ground as demand dictates.

17.4 Permit the occupation of the reserve by the Council's appointed camp manager.

17.5 Issue camping permits to occupy the reserve for the purpose of camping up to a maximum 50 nights per calendar year per person with no single continuous occupation exceeding 28 days.

Explanation

The Albert Town camp ground is a low key camp ground that provides basic facilities for budget travelers and those who prefer a simple camping holiday. Many campers return to the site each and every year. It is important to retain the simple character of the camp ground whilst providing a level of facility provision that meets the needs of campers and ensures a safe and healthy environment.

As a recreation reserve the camp ground should only be occupied by genuine holiday makers and should not be occupied with semi-permanent residents. The period for continuous and total occupation of the reserve by campers is defined in the Queenstown Lakes District Council Motor Park Bylaw 1992.

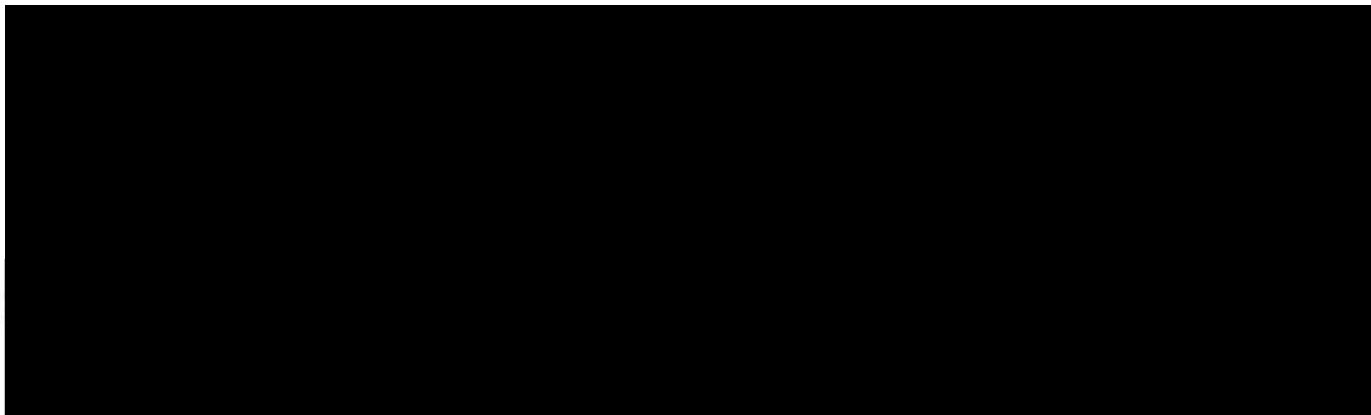
The Clutha/Mata-Au camp site is highly visible from the State Highway and adjoining residential area. Consideration should be given to the relocation of camping to the Hawea side only prior to any significant redevelopment of the camp.

Implementation

Consider proposals for development of the camping facilities as demand and resources dictate.

CCR / Hampshire Lease agreement with QLDC

Relevant clauses below:



Camping-Ground Regulations 1985

<https://www.legislation.govt.nz/regulation/public/1985/0261/latest/whole.html>

Under the Camping Ground Regulations, a cabin, caravan, vehicle tent or other building or structure intended for human habitation must not exceed 50 day in any continuous term of occupancy.

Hope this info helps, any other queries, let me know.

Regards



██████████ | Parks Property Planner | Community Services

Queenstown Lakes District Council

P: ██████████

E: ██████████

