



Interim Local Government Official Information and Meetings Act 1987 (LGOIMA) Policy

For Tiaki Wai Establishment Team

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1 Purpose, scope and objective

1.1 Purpose

The purpose of this policy is to:

- ensure decision-making processes are transparent and information is available and accessible to the public and Tiaki Wai customers, during the establishment period through to 30 June 2026
- enable effective public participation in Tiaki Wai decision-making and promote the accountability of Tiaki Wai
- provide clear guidance for requesters of information and for Tiaki Wai when considering and responding to requests for information, and
- ensure official information held by Tiaki Wai is made available to the public in accordance with the purposes of, and its responsibilities under, LGOIMA.

The nominated email address for all requests and complaints is lgoima@metrowaterwellington.co.nz.

1.2 Scope

This policy applies to all requests from members of the public, businesses and organisations seeking official information held by Tiaki Wai, including information held by any officers, employees, directors and contractors (in their capacity as contractors of Tiaki Wai), in accordance with LGOIMA. The Tiaki Wai Establishment Team, while contracted through Porirua City Council, will be considered part of Tiaki Wai for the purposes of compliance with LGOIMA during the establishment phase. You can find a copy of LGOIMA [here](#).

For LGOIMA to apply, the information must be held by Tiaki Wai at the time it is requested, except when Tiaki Wai is providing a response to a request for a statement of reasons about a previous decision.

There is no obligation for Tiaki Wai to form an opinion or create information that it does not already hold to answer a request, although it may choose to assemble or compile information in a new or different format to respond to a request.

Information held by Tiaki Wai officers, employees, directors and contractors in their personal capacity is not official information unless it is subsequently used for official purposes.

This policy does not apply to requests by a natural person for information held by Tiaki Wai about them. Such requests will be dealt with, and responded to, in accordance with the Privacy Act 2020 and the Tiaki Wai Privacy Policy.

Tiaki Wai provides information to territorial authorities for the purposes of land information memoranda (LIMs) under Part 6A of LGOIMA but does not issue LIMs itself. The requirements for local authority meetings in Part 7 of LGOIMA do not apply to Tiaki Wai.

1.3 Objective

LGOIMA relevantly aims to:

- ensure that official information is available to the public, unless good reason for withholding exists, to enable more effective public participation in decisions and promote accountability of decision-makers
- provide for proper access by each person to official information relating to them, and
- protect official information to the extent consistent with the public interest and the preservation of personal privacy.

This policy supports these purposes. Its overarching objective is to contribute to public trust and confidence in Tiaki Wai by demonstrating appropriate transparency, through its establishment and transition phase and then on an ongoing basis.

This will be assisted by both proactively sharing relevant information and responding to questions and requests in a timely and respectful manner that is in accordance with LGOIMA.

The fundamental principle under LGOIMA is that official information will be made available unless there is a good reason for withholding it.

Official information means any information held by Tiaki Wai, with very limited exclusions. It includes information held by independent contractors to Tiaki Wai, to the extent they hold information in that capacity.

It is not limited to documentary material and includes material held in any format such as:

- written documents, reports, memoranda, letters, notes, emails and draft documents
- non-written documentary information such as material stored on or generated by computers, including databases and recordings
- information which is known to Tiaki Wai but has not been recorded in writing or otherwise. This includes knowledge of a particular matter held by an officer, employee, or director of Tiaki Wai in their official capacity, and any contractors or consultants while undertaking work for Tiaki Wai, and
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by Tiaki Wai.

2 Requests for information

2.1 Requests

Anyone can request specified official information from Tiaki Wai. Tiaki Wai must handle these requests in accordance with LGOIMA.

Requests can be made in any form and do not need to specify that they are a request for official information (or that they are made under LGOIMA). Possible forms for requests include via email, verbally, social media or in writing.

Requestors seeking official information will be given reasonable assistance to make their requests to the correct local authority or agency and, where that is Tiaki Wai, in a manner that is suitably specific.

To enable requests to be dealt with effectively, requests should be emailed to the nominated email address. All other requests received by Tiaki Wai officers, employees, directors or consultants for official information will be forwarded to the nominated email address, to enable timely responses in accordance with the requirements of LGOIMA.

Tiaki Wai may ask a person who makes an oral request to put that request in writing, where it is considered important to clarify the request made. If the requestor does not do so, Tiaki Wai will record its understanding of the request and provide a copy of that record to the requestor.

2.2 Timeframes for response

Tiaki Wai will respond as soon as reasonably practicable to all LGOIMA requests, and within the maximum of **20 working days** allowed under LGOIMA (unless that timeframe is extended for legitimate reasons).

Working day means any day that is not:

- a Saturday, a Sunday, Good Friday, Easter Monday, ANZAC Day, Labour Day, King's Birthday, Te Rā Aroki a Matariki/ Matariki Observance Day, Waitangi Day (including the following Monday if Waitangi Day or ANZAC Day fall on a Saturday or a Sunday); or
- Wellington Anniversary Day; or
- any day between 20 December and 10 January inclusive.

Day 1 is the first working day after the day the request is received.

Tiaki Wai is expected to cooperate with any person that makes a request, including seeking to clarify the request made where reasonably necessary. If Tiaki Wai seeks amendment or clarification of a request within 7 working days of the original request being made and it is consequently amended or clarified, the request will be treated as a new request and the timeframe for a response will begin from the date of the amendment or clarification.

If a request is made for information that is:

- not held by Tiaki Wai but is believed to be held by another agency, or
- held by Tiaki Wai but believed to be more closely connected with the functions of another agency

then Tiaki Wai will transfer the request to that other agency. This could include transfers to any Shareholding Council, or Wellington Water Limited (during the establishment phase up until 1 July 2026 when Wellington Water is to be amalgamated into Tiaki Wai).

Tiaki Wai will consider the need for, and where appropriate make any transfer of a request within 10 working days of receipt of the original request and will promptly inform the requestor of the transfer.

Where Tiaki Wai does not hold information or documentation relevant to a request and does not believe that it may be held by another agency, Tiaki Wai may refuse the request under sections 17(e) or (g) of LGOIMA on the basis that no documentation exists, or the information is not held by Tiaki Wai.

A decision may be made to extend the timeframe for responding to a request in accordance with section 14 of LGOIMA. Any decision to do so will be made within 20 working days after the receipt of the request, taking account of any amendment or clarification.

2.3 Urgency

A requester may ask for their request to be treated as urgent. Reasons for the urgency must be given. If Tiaki Wai is unable to meet the urgent timetable sought, or does not consider the request to be urgent, it will advise the requestor accordingly.

In the case of multiple requests for information, Tiaki Wai may ask that the requestor prioritise their requests so that it can focus on the information sought under urgency first, before considering the remaining information within the normal LGOIMA timeframes.

2.4 Responding to requests

When first receiving a request Tiaki Wai will confirm receipt to the requester via email, unless the requestor does not provide an email address.

In considering a request for official information Tiaki Wai may consult with third parties where appropriate.

The key principle that applies when deciding whether to disclose official information is that information must be made available unless there is good reason to withhold it.

Tiaki Wai may withhold official information where a conclusive reason to do so exists under section 6 of LGOIMA.

These reasons include where making information available could harm the security or defence of New Zealand or the international relations of the Government, harm maintenance of the law including the prevention, investigation and detection of offences and the right to a fair trial or endanger the safety of any person.

Tiaki Wai may also withhold official information where reason to do so exists under section 7 of LGOIMA.

The reasons under section 7 include but are not limited to situations where withholding information is necessary to (in summarised form):

- protect the privacy of natural people, commercially sensitive information, or obligations of confidence
- maintain effective conduct of public affairs or legal professional privilege, or
- prevent the disclosure or use of official information for improper gain or advantage.

Where Tiaki Wai determines that one of the withholding grounds under section 7 of LGOIMA applies, before deciding to withhold information and refuse a request it must consider whether withholding the information is outweighed by any public interest in disclosure. For further information on how the public interest is considered see the Ombudsman's guide [here](#).

Tiaki Wai may also withhold official information where any of the other grounds set out in sections 8 or 17 of LGOIMA are met.

For further information regarding the grounds available for withholding official information, see the guides offered by the Ombudsman's Office [here](#), including:

- Where the information is already, or soon to be, [publicly available](#).
- [Information not held](#).
- [Confidentiality](#).
- Where [substantial collation or research](#) is required.

2.5 Requests for personal information

A request by a natural person for their own personal information will be considered under the Privacy Act 2020 and the Tiaki Wai Privacy Policy.

A request by a legal person who is not a natural person (for example, a request on behalf of a limited liability company) for their own personal information will be considered under Part 4 of LGOIMA. Tiaki Wai will take reasonable steps to satisfy itself of the identity of the person making the request before releasing any information and will inform the requestor of their right to ask Tiaki Wai to correct the personal information if they think it is inaccurate or incomplete.

2.6 Requests for internal rules and reasons for decisions

A request by a person for internal documents or rules that guide Tiaki Wai decisions affecting the requestor, or for recommendations or decisions affecting the requestor, will be considered under sections 21 and 22 of LGOIMA.

This may involve the preparation of a written statement by Tiaki Wai, setting out findings on material issues of fact, references to information on which those findings were based, and the reasons for a recommendation or decision.

2.7 Complaints

If a requester is not satisfied with a decision or response they receive from Tiaki Wai in relation to their request, they can make a complaint to Tiaki Wai by sending an email to the nominated email address.

A requester also has the right to make a complaint to the Ombudsman under Part 5 of LGOIMA.

3 Proactive release of official information

In some circumstances Tiaki Wai may proactively release official information.

Tiaki Wai will consider the following when determining whether to proactively release official information:

- The level of public interest in the information.
- Whether public interest considerations such as transparency, participation, accountability, administration of justice and health and safety will be served by proactive release.
- In matters relating to personal information, the application of the Privacy Act 2020.
- Resources available to Tiaki Wai.
- Whether any grounds for withholding the information would exist under LGOIMA, if a request was made for the information under that Act.

Tiaki Wai may also decide to partially redact information that it does proactively release, including where grounds for withholding that information under LGOIMA would otherwise exist. If this occurs, Tiaki Wai will identify the ground that supports the withholding of the information.

4 Further resources

This policy should be read in conjunction with the following statutes:

- Local Government Official Information and Meetings Act 1987
- Privacy Act 2020
- Ombudsman Act 1975
- Public Records Act 2005
- Copyright Act 1994
- Local Government Act 2002
- Local Government (Water Services) Act 2025

For further guidance on Tiaki Wai's obligations under LGOIMA, please see guidance produced by the Ombudsman's Office [here](#).