

LGOIMA reference - 2022/855
Your reference - 22-04-27 - 1

23 May 2022

[REDACTED]

Email [REDACTED]

Dear [REDACTED],

Response - Official Information Request

I refer to your request for information received on 27/04/2022. Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and I provide the following information.

Horowhenua District Council makes available live streams of Council and committee meetings in the interests of making its decision-making process transparent and accessible. Later, the live broadcast is made available on the Council's YouTube website.

You have asked a number of questions in relation to the Council's live stream recording. We have set out your questions and our responses below.

1. **What HDC policy allows for redactions in the audio and transcript when the live Council meetings are rebroadcast as YouTube recordings? One of several examples of redaction is provided below.**

There is no specific policy for redactions in the audio and transcript when the live Council meetings are rebroadcast as YouTube recordings, other than those provided under the Local Government (Official Information and Meetings) Act 1987 (LGOIMA). More information on LGOIMA can be found here: <https://www.legislation.govt.nz/act/public/1987/0174/latest/DLM122242.html>, and here: <https://www.ombudsman.parliament.nz/sites/default/files/2019-08/The%20LGOIMA%20for%20agencies%20August%202019.pdf>

We have reviewed the example you have provided and confirm that the live stream recording for the Council Meeting of 13 April 2022 has not been edited or 'redacted'. The pause in the audio for the meeting, for a total of 11 seconds, was due to a technical issue and during this time there was no audible sound coming through the microphone. At the beginning of this particular meeting, His Worship the Mayor Bernie Wanden mentioned "*we are having a couple of technical difficulties but we will continue so please bear with me if I have to shift or turn heads etc.*" These technical difficulties

were most likely the cause of the audio outage. There was no intervention either at the time or prior to the uploading of the video to Council's YouTube channel to remove the audio.

2. Please provide the legal grounds cited in the Local Government Act, or other, which provide for redactions such as this.

As noted, redactions were not made and the loss of sound was a result of technical difficulties. We therefore cannot provide the information that you have requested.

3. Do these redactions make HDC's decision-making process fully transparent and accessible after the live broadcast? If so, how so? If not, why not?

As noted, redactions were not made and the loss of sound was a result of technical difficulties.

The LGOIMA enables people to request official information from the Council. However, the LGOIMA only applies to information that is already held by the Council. There is no obligation on the Council to create information in order to respond to a request.

The information you are seeking in this case is not held by the Council. Your request is asking for an opinion about a set of circumstances.

I am therefore refusing your request under section 17(g) of the LGOIMA, because the Council does not hold any official information.

4. Who specifically benefits from these redactions, who specifically is adversely impacted by redactions?

As noted, redactions were not made and the loss of sound was a result of technical difficulties.

The LGOIMA enables people to request official information from the Council. However, the LGOIMA only applies to information that is already held by the Council. There is no obligation on the Council to create information in order to respond to a request.

The information you are seeking in this case is not held by the Council. Your request is asking us to form an opinion about a set of circumstances.

I am therefore refusing your request under section 17(g) of the LGOIMA, because the Council does not hold any official information.

5. Please provide a transcript of this and all other redactions in the recording of this meeting.

As noted, redactions were not made and the loss of sound was a result of technical difficulties. As there is no audio recorded for the specific time requested, unfortunately there is nothing that can be transcribed. We therefore cannot provide the information that you have requested as it does not

exist. We are refusing this request under section 17(e) *“that the document alleged to contain the information requested does not exist...”*

You are entitled to seek a review by the Office of the Ombudsman regarding the withheld information. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you have any queries regarding this information, please contact the LGOIMA Officer on 06 366 0999 or email - LGOIMAOfficer@horowhenua.govt.nz

Yours sincerely,



Lisa Slade
Executive Sponsor - LGOIMA