

Can I request my information be withheld?

Yes - if you have a protection order. The Privacy Officer will handle your request. LGOIMA also allows some building plans to be confidential.

Why does Council not hand property files to the requestor?

We have four main reasons:

- LGOIMA
- The Privacy Act
- The request may be in lieu of a Land Information Memorandum (LIM) and could lead to liability by Council
- We have had a file taken from our offices

With regards to LGOIMA and the Privacy Act:

All information relating to land and its ownership is filed according to the valuation number on the property file. Some of that information could be commercial or perhaps give details of the owner's financial hardship.

If I want specific information, is it possible to obtain it?

Yes - if it can be quickly accessed and there is no reason to withhold it. The officer will check and photocopy the documentation requested.



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GUIDE TO INFORMATION REQUESTS

COUNCIL INFORMATION

Information
we hold



Franklin
DISTRICT COUNCIL



Franklin District Council holds a variety of information. The information we hold covers not only the Franklin District Council, but also its predecessors - Pukekohe, Tuakau and Waiuku Borough Councils, Franklin County and some Raglan County records.

Access to information

In 1987 Government passed the Local Government Official Information and Meetings Act. The Act is based on the principle that official information is to be made available unless there is a good reason to withhold it. It can only be withheld for reasons set down in the Act.

Most information you seek is available from our Customer Services Officers. Just ask, and they will help you obtain this information immediately. Sometimes you may need a lot of information, it may not be readily available or there may be reasons to withhold some or all of it. In that case we will work with you on applying for it under the appropriate Act. If your request for information does not relate to us (i.e. another Council, government department or state owned enterprise) we are happy to transfer your request on to the appropriate agency.

Can I access personal information about myself?

If you want to access information about yourself then a similar process applies. A written request can be made on a Request for Access to Personal Information form held by our Customer Services team, or you can write to the Privacy Officer, Franklin District Council, Private Bag 5, Pukekohe.

What information does Council hold?

- Agendas and minutes of meetings
- NZ Gazettes
- Property Valuation slips showing legal description & valuations on all property within Franklin District
- Property files containing material relevant to each property
- Microfilm of building plans
- Roading files
- Subdivision, Scheme plans and Deposited plans
- Legal documents relevant to individual properties, principally Deeds, Bonds & Encumbrances related to Council
- Drainage agreements
- Parliamentary Acts, Bills and Regulations
- Rating records and account vouchers
- Building permit specifications (for a period of 5 years)
- Various maps - roading, topographical, cadastral, valuation and aerial
- District Plans covering most areas of NZ
- Plans of water, sewerage and stormwater systems
- Public registers e.g. rates records and general correspondence

Can anyone get access to this information?

Most of it - yes. However, the release of information is governed by two pieces of law: the Local Government Official Information and Meetings Act (LGOIMA), and the Privacy Act. Both Acts require Council to withhold information in certain circumstances. If you want information about yourself then it is subject to the Privacy Act. All other information is subject to LGOIMA.

How can I access this information?

Phone, fax, in person, e-mail or by letter, depending on the amount and accessibility of the information you want. A form is available or you can write to us if your request is substantial or complicated. Your request needs to be specific e.g. information covering a specific time. We need to answer your request within 20 working days, so we need a contact name, address and telephone number. If your request is urgent please let us know so we can do everything possible to get it to you in time. For personal information we will need proof of your identity to ensure we do not accidentally give your information to someone else.

Is there a charge for this information?

There is no charge for personal information under the Privacy Act, but sometimes there may be a charge if you are requesting information under LGOIMA. A scale of fees is set out in our Fees and Charges schedule.

Is Council likely to withhold information?

Sometimes Council does withhold information, and we will tell you why and how you can contact the Ombudsman's Office or Privacy Commissioner if you are not happy with the decision. We will then work with that Office to resolve the matter.

