

29 January 2026

██████████  
Sent via email to ██████████

## Request for Official Information LG25-0361 – Lakefront Trading

Dear ██████,

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 22 December 2025 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

1. We are writing to formally request access to any footage recorded by Queenstown Lakes District Council, or its contractors, showing individuals or licence holders trading on the Queenstown lakefront on 22 December 2025. Specifically, I request copies of, or access to, any video, audio monitoring, recorder by enforcement officers, on that date which depicts trading activity, compliance checks, or enforcement actions.
2. In addition, I respectfully request clear and concise written guidance on the available options for continuing to trade on the lakefront pending the High Court decision or Council determination anticipated in March. This includes, but is not limited to:
  - a. Any interim permissions, temporary licences, or discretionary approvals available.
  - b. Conditions under which trading may lawfully continue during this period.
  - c. Enforcement expectations while the matter remains unresolved.
  - d. Relevant timeframes and decision-making processes.
3. Are you also able to advise if the current high court case regarding this matter has a stay put in place or not, please?

### QLDC RESPONSE

In response to your request, we consulted with the QLDC Monitoring and Enforcement Team.

### Decision to release information

2. In addition, I respectfully request clear and concise written guidance on the available options for continuing to trade on the lakefront pending the High Court decision or Council determination anticipated in March. This includes, but is not limited to:
  - a. Any interim permissions, temporary licences, or discretionary approvals available.

Traders may continue to register or apply for a permit to trade in permitted areas within the CBD, including Beach Street and The Mall. Traders who register must comply with clause 12.1 of the [Activities in Public Places Bylaw 2023](#).

**b. Conditions under which trading may lawfully continue during this period.**

Trading may lawfully continue only in areas where it is permitted under the [Activities in Public Places Bylaw 2023](#) and where the trader holds a valid registration or permit. The conditions applicable to activities in public places are available on Council's website [here](#).

**c. Enforcement expectations while the matter remains unresolved.**

Council's Monitoring and Enforcement Team will continue to undertake any enforcement action in accordance with QLDC's [Enforcement Strategy and Prosecution Policy](#).

**d. Relevant timeframes and decision-making processes.**

Council staff will further discuss the lakefront trading prohibition and trading within the CBD at a Council Workshop scheduled for 10 February 2026. This will be followed by consideration at a Full Council meeting on 19 March 2026, at which Council will consider the future of trading in these locations.

**3. Are you also able to advise if the current high court case regarding this matter has a stay put in place or not, please?**

Pop-up stall trading on the Queenstown lakefront is prohibited for a period of one year from 17 April 2025 unless the trader holds a valid permit or registration that remains in force. An application for interim injunction was refused by the Court. Council is entitled to act to enforce the [Activities in Public Places Bylaw 2023](#) and prohibition along the lakefront. Judicial Review proceedings in respect of the legality of the Bylaw are still before the Court.

**Decision to withhold information**

- 1. We are writing to formally request access to any footage recorded by Queenstown Lakes District Council, or its contractors, showing individuals or licence holders trading on the Queenstown lakefront on 22 December 2025. Specifically, I request copies of, or access to, any video, audio monitoring, recorder by enforcement officers, on that date which depicts trading activity, compliance checks, or enforcement actions.**

We have good reason under section 7(2)(a) of the LGOIMA. 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)(a) of the LGOIMA is intended to protect the privacy of individuals by allowing information to be withheld where its release would involve the unreasonable disclosure of personal information or could cause harm or distress. This provision seeks to balance the public's right to access official information with the need to respect individual privacy and prevent the misuse of personal information.

In this instance, the information is being withheld because it relates to identifiable natural persons. The Privacy Act 2020 protects individuals' rights regarding the collection, use, and disclosure of their

personal information. In this case, the requester (Mr Hagley) was advised in person that the body-worn camera had been used for a single interaction, which did not involve the requestor. For this reason, it would be inappropriate to release footage of an interaction with another customer, as doing so could constitute an unreasonable intrusion into the personal affairs of the individual concerned.

In this case, the need to protect the privacy of natural person outweighs any public interest in the release of the information. Accordingly, the decision to withhold the information is justified and consistent with the provisions of both LGOIMA and the Privacy Act.

### **Public interest considerations**

In assessing whether to withhold information, QLDC carefully evaluates the public interest—particularly whether disclosure would enhance transparency, accountability, or informed public engagement. This assessment includes weighing those benefits against the potential harm that could result from releasing the information.

QLDC recognises the public interest in transparency and accountability in local authority decision-making, as well as the broader interest in good governance. We are committed to releasing information wherever possible. However, in this instance, QLDC considers that the public interest in disclosure is outweighed by the need to protect the privacy of individuals. Release of the information could reasonably be expected to unreasonably intrude into the personal affairs of the individual concerned.

Accordingly, QLDC has determined that section 7(2)(a) of the LGOIMA applies. No overriding public interest has been identified that would justify release of the withheld information.

### **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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact [Rebecca.Pitts@qldc.govt.nz](mailto:Rebecca.Pitts@qldc.govt.nz) (Engagement and Communications Team Leader).

We trust that the above information satisfactorily answers your request.

Kind regards,

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