

From: Grace Ockwell
To: [Lee Vandervis](#)
Cc: [Sue Bidrose](#)
Bcc: [Sandy Graham](#)
Subject: LGOIMA request - Legal Opinion - Legality of having voting rights removed
Date: Wednesday, 3 June 2015 09:41:16 a.m.

Good morning Councillor Vandervis,

I refer to your email of 26 May 2015 sent to the Dunedin City Council CEO Dr Bidrose which has been forwarded to me to process pursuant to the provisions of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

First, I would correct your assertion that Dr Bidrose claimed in the Otago Daily Times to have a solid legal opinion regarding the legality of having the entitlement to your Committee vote removed. Dr Bidrose did not "claim to have a solid legal opinion" regarding the legality of having your Committee voting entitlement being removed as a sanction. As indicated in the newspaper, when asked if she was comfortable that the Council's legal position was solid Dr Bidrose responded in the affirmative. Dr Bidrose was not asked, nor did she comment on, whether Council had received a legal opinion. Secondly, the Dunedin City Council did receive legal advice on this matter. This legal advice is withheld in order to preserve legal professional privilege (section 7(2)(g) LGOIMA). The public interest does not outweigh the withholding ground in this case, particularly because you have stated you will commence legal proceedings against the Council on this issue.

You have the right pursuant to section 27 of LGOIMA to have our decision to withhold information reviewed by the Office of the Ombudsman.

Yours sincerely

Grace Ockwell

Governance Support Officer

Dunedin City Council

50 The Octagon, Dunedin; PO Box 5045, Moray Place, Dunedin 9058, New Zealand

Telephone: 03 474 3487, Fax: 03 474 3594

Email: grace.ockwell@dcc.govt.nz; www.dunedin.govt.nz



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