



9 June 2023

Micky Turner
fyi-request-19992-610769bc@requests.fyi.org.nz

Tēnā koe Micky

Your Official Information Act request, reference OIA2223-0064

Thank you for your email of 22 July 2022 to the Department of Internal Affairs (the Department), requesting the following information under the Official Information Act 1982 (the Act):

“1. All written communication between DIA & Deloitte regarding Three Waters.

Of particular interest is communication regarding this report:

[https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme/\\$file/deloitte-report-industry-development-study-&-economic-impact-assessment.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme/$file/deloitte-report-industry-development-study-&-economic-impact-assessment.pdf)”

On 5 August 2022, you refined your request to be for the following;

“[https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme/\\$file/deloitte-report-industry-development-study-&-economic-impact-assessment.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme/$file/deloitte-report-industry-development-study-&-economic-impact-assessment.pdf)”

On 2 September 2022 we extended the time to respond to your request by 20 working days to 30 September 2022, under section 15A(1)(b) of the Act.

On 3 October 2022, we advised you that under section 15(1) of the Act the decision had been made to grant your request. We advised that a formal response would be provided to you on or before 14 November 2022 and, in accordance with section 16(e) of the Act, it would contain a summary of the correspondence you had requested.

On 12 December 2022, after further evaluation of your request, we decided that the initial decision that was communicated to you on 3 October 2022 was not sufficient to satisfy your request and that a response including the correspondence between the Department and Deloitte was required.

We again apologise for the unacceptable delay in your request being responded to fully.

In our letter of 12 December 2022, we set out a timeline of events relating to correspondence between Deloitte and the Department. Taking that timeline, we have interpreted your request to be for information from when Deloitte commenced work on the *Industry Development Study & Economic Impact Assessment* report (Deloitte Report) until when the report was completed.

We have identified more than 300 emails (with attachments) in scope of the request. As advised, we are releasing these emails to you in tranches. Attached is Tranche Two which includes correspondence and draft material exchanged between the Department, Deloitte and other key organisations who provided input and data.

In Tranche Two, please find the second of four parts of the requested information. As detailed in the attached **Appendix A** and throughout all email correspondence, it has been necessary to withhold information under the following sections of the Act:

- Section 9(2)(a) – *to protect the privacy of natural persons, including that of deceased natural persons,*
- Section 9(2)(b)(ii) – *to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information,*
- Section 9(2)(ba)(i) – *to protect information which is subject to an obligation of confidence or any person has been or could be compelled to provide under the authority of any enactment, where making available of the information would likely to prejudice the supply of similar information, or information from the same source, and it is the public interest that such information should continue to be supplied; and*
- Section 9(2)(g)(i) – *maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.*

In accordance with section 9(1) of the Act, we do not consider the withholding of information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

The Department supports providing information which is of public interest. However, in doing so there runs the risk of information being taken out of the context in which it has been provided. Therefore, the emails and attachments in this tranche and all other tranches are intended to be read as a whole.

We are currently working on finalising our decision on Tranche Three and anticipate releasing this to you on or before 23 June 2023.

You have the right, under section 28(3) of the Act, to make a complaint to the Ombudsman and seek an investigation and review of my decision on your request. The contact address is: Office of the Ombudsman, PO Box 10152, Wellington 6143. Alternatively, you can phone 0800 802 602 or email info@ombudsman.parliament.nz.

Nāku noa, nā



Rashad Saedi
Manager, Ministerial Services
Waters Services Reform Programme