

4 March 2024

Stephen Prendergast
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Tēnā koe Stephen

Thank you for your request to the Department of Conservation, received on 13 January 2024. This letter is further to the decision letter sent to you on 1 March, concerning your clarified request for:

“I would like to be provided all substantive correspondence associated with the Departments decision to partake in the vote as a creditor.”

I have considered your request under the Official Information Act 1982 (OIA). As previously advised, I have decided to release the relevant parts of the documents listed below, subject to information being withheld under the following sections of the OIA:

- section 9(2)(a) – to protect the privacy of natural persons;
- section 9(2)(b)(ii) – to protect the commercial position of the person who supplied the information, or who is the subject of the information;
- section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials;
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs;
- section 9(2)(h) - to maintain legal professional privilege;
- section 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities; and
- section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice.

Item	Date	Document description	Decision
1	19 - 20 June 2023	Email correspondence - confirmation on financial approach	Released in part – section 9(2)(a), 9(2)(b)(ii), 9(2)(j)
2	19 June 2023	Email correspondence – upcoming watershed meeting	Released in part – section 9(2)(f)(iv), 9(2)(b)(ii), 9(2)(j), 9(2)(h), 9(2)(i)
3	16 June 2023	Memo for decision on DOC to act as creditor at RAL watershed meeting	Released in part – section 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h), 9(2)(i). Note, some material in this briefing does not relate to the decision to vote as a creditor, and has been marked out of scope.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA and determined there are no public interests that outweigh the grounds for withholding.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the OIA.

Please note that this letter (with your personal details removed) and attached documents may be published on the Department's website.

If you would like to discuss this response with us, please contact Vicki Crosbie, National Permissions Advisor by email to vcrosbie@doc.govt.nz.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'Rachael Jordan', with a long horizontal line extending to the right.

Rachael Jordan
Principal Advisor, Regulatory Services
Department of Conservation
Te Papa Atawhai