



12 June 2023

Tim Jones

By email: fyi-request-22781-f2c54947@requests.fyi.org.nz

Dear Tim

I refer to your information request dated 12 May 2023 made under the Official Information Act 1982 (the Act) relating to the “sculpture” between the Water of Leith and St David Lecture Theatre. Specifically, you have requested:

“I request, under the Official Information Act, in relation to the new sculpture located between the Water of Leith and St David St Lecture Theatre, for the period 1 May 2022 to present:

- 1a) copies of internal email correspondence*
- 1b) copies of internal memos*
- 2) copies of external email correspondence, incoming and outgoing*
- 3) copies of text messages and chats (including but not limited to, for example, SMS, Microsoft Teams, Zoom and similar) made by or to staff in their official capacity*
- 4) a copy of internal communications messaging (e.g. emails, posters, notices, memos, Yammer, Workplace, intranet articles)”.*

Please note that the “sculpture” is a pou whenua.

Given the size of the University, we have consulted the specific areas of the University that are most likely to hold information within scope of your request. On this basis we have consulted with the Vice-Chancellor, Office of Māori Development, and the Office of the Registrar.

- 1a) copies of internal email correspondence**
- 1b) copies of internal memos**
- 2) copies of external email correspondence, incoming and outgoing**

Subject to the following comments, we attach copies of the information we hold within scope of your request:

Having given careful attention to public interest considerations in accordance with section 9(1) of the Act, we have redacted some parts of the attached documents where we consider that good reasons exist for withholding information. These redactions include:

- the name and contact details of the supplier that provided the scaffolding surrounding the pou whenua, as well as the pricing for the scaffolding. This information is commercially sensitive. We withhold this information pursuant to section 9(2)(i) and (j) of the Act to enable

the University to carry out, without prejudice or disadvantage, commercial activities and negotiations.

- pursuant to section 9(2)(ba) of the Act to protect information which is subject to an obligation of confidence between the University and Ngāi Tahu, and the making available of this information would likely prejudice the supply of similar information; and
- pursuant to section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expressions of opinions between the University's Senior Leadership Team, the Office of Māori Development and Ngāi Tahu in the course of their work.

In case this is helpful, we note that the pou whenua as it stands has not been completed. It will be revealed to the public once the remaining work and the appropriate tikanga Māori measures have been completed. The project is a joint project between the University of Otago and mana whenua and one which we will be very proud to unveil at the appropriate time.

- 3) copies of text messages and chats (including but not limited to, for example, SMS, Microsoft Teams, Zoom and similar) made by or to staff in their official capacity**
- 4) a copy of internal communications messaging (e.g. emails, posters, notices, memos, Yammer, Workplace, intranet articles)**

We decline providing the information requested pursuant to section 18(g) of the Act as:

- we do not hold the information requested; and
- we have no grounds for believing that the information is held by another organisation or is more closely connected with the functions of another organisation.

If you are not satisfied with our response to your information request, section 28(3) provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.

Ngā mihi



Jenny Shaw
Official Information and Compliance Coordinator
Office of the Registrar