

1 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, in which you asked for:

“I would like to be provided with DOC internal and external correspondence covering the decision by DOC to vote as a creditor at the RAL watershed meeting.

I would also expect this to include, but not be limited to, advice received by Penny Nelson referenced in her email to Treasury 15 June.”

On 24 January we asked for you to clarify your request because as previously framed it would have likely required substantial collation and research to the extent that we were considering refusing your request under section 18(f) of the Official Information Act.

On 24 January you clarified your request to:

“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).

This letter is to advise you that I have decided to grant your request, subject to information being withheld from the documents listed below under one or more of the following sections of the OIA. We are in the final stages of preparing these documents for release and will send them to you no later than 5 March 2024, earlier if possible. Thank you for your patience while this process is concluded.

The applicable OIA grounds are:

- 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), s9(2)(h), 9(2)(i). Note, some material in this briefing does not relate to the decision to vote as a creditor, and will be 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.

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



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