

Reference: 20240547



TE TAI ŌHANGA  
THE TREASURY

29 July 2024

Dan Moskovitz  
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Dear Dan

Thank you for your Official Information Act request, transferred from the office of Hon Simeon Brown on 17 July 2024. You requested the following:

*all official advice from Treasury received by Minister Brown during his term in office regarding the Interislander ferry service*

### Information publicly available

The following information is covered by your request and is / will soon be publicly available on the Treasury website:

Item	Date	Document Description	Website Address
1.	29 November 2023	Treasury Report T2023/1904: Project iReX – information and upcoming decisions	<a href="#">Official Information Regarding KiwiRail's Project iReX - Phase 1   The Treasury New Zealand</a>
2.	11 December 2023	Cabinet Paper CAB-23-SUB-0487: Crown support for KiwiRail's Project iReX	<a href="#">Official Information Regarding KiwiRail's Project iReX - Phase 1   The Treasury New Zealand</a>
3.	20 December 2023	Joint Report T2023/2175: Next steps to ensure Cook Strait services	Will soon be publicly available at: <a href="#">Information releases   The Treasury New Zealand</a>
4.	20 December 2023	Treasury Report T2023/2191: Project iReX – advice from AECOM	Will soon be publicly available at: <a href="#">Information releases   The Treasury New Zealand</a>
5.	20 December 2023	Treasury Report T2023/2176: KiwiRail – drawdown of funding for Project iReX	Will soon be publicly available at: <a href="#">Information releases   The Treasury New Zealand</a>
6.	31 January 2024	Treasury Report T2024/74: Ministerial Advisory Group on KiwiRail's Inter-island Ferry Service	Will soon be publicly available at: <a href="#">Information releases   The Treasury New Zealand</a>

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Accordingly, I have refused your request for the documents listed in the above table under section 18(d) of the Official Information Act – the information requested is or will soon be publicly available.

Some relevant information has been removed from documents listed in the above table and should continue to be withheld under the Official Information Act, on the grounds described in the documents.

### Information to be withheld

The documents listed in the table below and one additional document are covered by your request. I have decided to withhold these documents in full, and to withhold the title of the one additional document, under the following sections of the Official Information Act, as applicable:

- commercially sensitive information, under 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)(ba)(i) – to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied,
- advice still under consideration, section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials,
- section 9(2)(h) – to maintain legal professional privilege,
- section 9(2)(i) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities, and
- section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Item	Date	Document Description	Decision
7.	19 April 2024	Treasury Report T2024/1073: Cook Strait ferry services - roadmap for key decisions	Withhold in full under s9(2)(b)(ii), s9(2)(ba)(i), & s9(2)(f)(iv)
8.	30 January 2024	Treasury Report T2024/94: KiwiRail - resolving Project iReX obligations	Withhold in full under s9(2)(b)(ii), s9(2)(ba)(i), s9(2)(f)(iv), s9(2)(h), s9(2)(i) & s9(2)(j)

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act.

Please note that this letter (with your personal details removed) may be published on the Treasury website.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely

Juston Anderson  
**Acting Manager, Commercial and Institutional Performance**