



OIAD-520

S9(2)(a)

Dear S9(2)(a)

Thank you for your email of 22 December 2022 to the Office of the Minister for the Environment, Hon David Parker, requesting the following under the Official Information Act 1982 (the Act):

...a copy of the following documents referred to in Reply 45880

- *The draft report that the Ministry for the Environment received on the 1st of December.*
- *A copy of the comment the Ministry provided to the Public Service Commission on the 7th of December.*
- *A copy of the further draft the Ministry received on the 7th of December.*
- *A copy of the comment the Ministry provided the Public Service Commission on the 8th of December.*

On 15 January 2023, the Office of Hon David Parker transferred your request to the Ministry for the Environment (the Ministry) under section 14 of the Act, as the information to which your request relates was believed to be held by the Ministry.

The Ministry notes that the dates referred to in points three and four of your request do not align with the dates listed in reply to written parliamentary question (WPQ) 45880. The Ministry has interpreted points three and four of your request to be for the following documents referred to in reply to WPQ 45880:

- a further draft of the report from PSC on 8 December 2022
- Ministry comment on the second draft report on 9 December 2022.

The Ministry has identified six documents in scope of your request, as listed in the attached document schedule.

These six documents are being withheld in full under section 9(2)(ba)(ii) of the Act 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.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at:

www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: ministerials@mfe.govt.nz.

Yours sincerely



Raymond Hall
Director – Operations, Organisational Performance

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	1 December 2022	Draft Conflicts of interest – review of agency practices memorandum	Withhold in full	S9(2)(ba)(ii)
2	1 December 2022	Draft Ministry for the Environment agency findings	Withhold in full	S9(2)(ba)(ii)
3	7 December 2022	Ministry for the Environment response to PSC draft memorandum: Conflicts of interest – review of agency practices	Withhold in full	S9(2)(ba)(ii)
4	8 December 2022	Draft Conflicts of interest – review of agency practices memorandum	Withhold in full	S9(2)(ba)(ii)
5	8 December 2022	Draft Ministry for the Environment agency findings	Withhold in full	S9(2)(ba)(ii)
6	9 December 2022	Ministry for the Environment additional feedback 9/12/2022	Withhold in full	S9(2)(ba)(ii)