



9(2)a

Tēnā koe 9(2)a

Thank you for your email of 14 November 2023 requesting the following under the Official Information Act 1982 (the Act):

Kia ora: With respect, can MfE please provide all reports/briefings/notes/meeting minutes/communications to and from Nadeine Dommissé regarding Environment Court proceedings related to the Rakaia River water conservation order. This information should include, but not be limited to, emails with ECan staff. This information is in the public interest as the court proceedings could set a precedent for the management of WCOs, and Dommissé is a former ECan chief operating officer.

The Ministry for the Environment (the Ministry) has identified 27 email chains, and 11 email attachments, in scope of your request, as listed in the attached document schedule. 12 items have been released in full. You will find that correspondence was signed off by Sara Clarke, General Manager, due to Nadeine Dommissé's previous role.

26 items have been released in part, with some information redacted as out of scope of your request and withheld under the following sections of the Act:

- 9(2)(a) To protect the privacy of natural persons.
- 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 is in the public interest that such information should continue to be supplied.
- 9(2)(g)(i) To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.
- 9(2)(h) To maintain legal privilege.
- 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).

Information within seven documents have been provided to you as excerpts, in line with section 16(e) of the Act. The remaining information contained within these documents is out of scope of your request and has therefore not been provided.

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 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.

Ngā mihi



Terrena Kelly

Acting General Manager – System Enablement
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	17 February 2023	Email <i>'Notice of Application for Declarations on behalf of the Canterbury Regional Council - Rakaia WCO - Early summary and next steps'</i>	Released in part	9(2)(a) & 9(2)(h)
1.1	15 February 2023	Email attachment <i>'Service Cover Letter to Minister for the Environment - dated 15 February 2023'</i>	Released in full	N/A
1.2	15 February 2023	Email attachment <i>'Notice of Application for Declarations - Minister for the Environment- dated 15 February 2023'</i>	Released in full	N/A
1.3	15 February 2023	Email attachment <i>'Application for Declarations dated 15 February 2023'</i>	Released in part	9(2)(a)
1.4	14 February 2023	Email attachment <i>'Affidavit of Richard Purdon on behalf of CRC in support of Application for Declarations dated 14 February 2023'</i>	Released in full	N/A
1.5	15 February 2023	Email attachment <i>'Memorandum of Counsel in support of Application for Declaration on behalf of CRC dated 15 February 2023'</i>	Released in full	N/A
2	27 March 2023	Email <i>'BRF-2948 Further advice on Rakaia WCO declarations - Signed DP'</i>	Released in part	9(2)(a)
2.1	24 March 2023	Email attachment <i>'BRF-2948 Further advice on Rakaia WCO Declarations - decision to join signed DP'</i>	Released in part	9(2)(a) & 9(2)(h) & 9(2)(g)(i)

2.2	27 March 2023	Email attachment <i>'Meeting Advice - MfE Legal and Crown Law re Rakaia proceedings'</i>	Released in full	N/A
3	14 November 2023	Email <i>'Commerce Commission clears Sealord takeover, Man, 70, charged over drugs found hidden in luggage, Alcohol sales ban for Tauranga Countdown and Much More...'</i>	Released in full	N/A
4	21 July 2023	Email <i>'Estimates - Environment, Freshwater responses'</i>	Released in part	9(2)(a)
5	10 July 2023	Excerpt from <i>'Final Environment Weekly Update week of 10 July 2023'</i>	Released in part	Out of scope information redacted
6	21 August 2023	Excerpt from <i>'Final Environment Weekly Update week of 21 August 2023'</i>	Released in part	Out of scope information redacted & 9(2)(ba)(i)
7	28 August 2023	Excerpt from <i>'Final Environment Weekly Update week of 28 August 2023'</i>	Released in part	Out of scope information redacted & 9(2)(ba)(i)
8	13-14 November 2023	Email <i>'FW_ Newsroom query'</i>	Released in part	9(2)(a) & 9(2)(h)
9	9-12 May 2023	Email <i>'FW_ BRF-3141 aide memoire'</i>	Released in full	N/A
9.1	9 May 2023	Email attachment <i>'BRF-3141 Aide Memoire (002)'</i>	Released in part	9(2)(a) & 9(2)(h) & Out of scope information redacted.

10	1 March 2023	Email <i>'FW_ Rakaia WCO Declaration'</i>	Released in part	9(2)(h) & 9(2)(g)(i)
11	1 March 2023	Email <i>'FW_ Rakaia WCO Declaration'</i>	Released in part	9(2)(h) & 9(2)(g)(i)
12	6-9 November 2023	Email <i>'FW_ Update on Rakaia WCO proceedings'</i>	Released in part	9(2)(a) & 9(2)(h)
13	13-14 November 2023	Email <i>'FW_ Newsroom query Rakaia WCO'</i>	Released in full	N/A
13.1	29 August – 13 November 2023	Email attachment <i>'FW_ENV-2023-CHC-7 CRC v EDS & Others directions [WW-ACTIVE.FID542440] [BS-SAGA.FID9387] [CLO-DOCS.ENV006.494.FID475228]'</i>	Released in part	9(2)(a) & 9(2)(h)
14	16 February 2023	Email <i>'FW_ Notice of Application for Declarations on behalf of the Canterbury Regional Council - Rakaia WCO [WW-ACTIVE.FID542440]'</i>	Released in part	9(2)(a)
15	1 March 2023	Email <i>'Looking for Direction - Ministers next week'</i>	Released in full	N/A
16	27 February 2023	Email <i>'Mfe Media Radar - Rāhina 27 Hui-tanguru'</i>	Released in full	N/A
16.1	27 February 2023	Email attachment <i>'Ministry for the Environment Daily Media'</i>	Released in full	N/A
17	13-14 November 2023	Email <i>'RE_ FW_ Newsroom query'</i>	Released in part	9(2)(a)
18	17-20 February 2023	Email <i>'RE_ Notice of Application for Declarations on behalf of the Canterbury Regional Council - Rakaia WCO - Early summary and next steps'</i>	Released in part	9(2)(a) & 9(2)(h)

19	16 February 2023	Email <i>'RE_ Notice of Application for Declarations on behalf of the Canterbury Regional Council - Rakaia WCO [WW-ACTIVE.FID542440]'</i>	Released in part	9(2)(a)
20	16 February 2023	Email <i>'RE_ Notice of Application for Declarations on behalf of the Canterbury Regional Council - Rakaia WCO [WW-ACTIVE.FID542440]'</i>	Released in part	9(2)(a)
21	23 March 2023	Email <i>'RE_ Rakaia Briefing - urgent - to go tomorrow.'</i>	Released in full	N/A
21.1	24 March 2023	Email attachment <i>'BRF-2948 Briefing Note'</i>	Released in part	9(2)(a) & 9(2)(g)(i) & 9(2)(h)
22	14-15 August 2023	Email <i>'RE_ Short update on Rakaia River declaratory proceedings'</i>	Released in part	9(2)(g)(i) & 9(2)(h) & 9(2)(j) & 9(2)(ba)(i)
23	10-11 July 2023	Email <i>'Request for MFE to activate it's oversight responsibilities for the Rakaia River WCO'</i>	Released in part	9(2)(a) & Out of scope information redacted.
24	13 July 2023	Excerpt from <i>'202300713 - Weekly Situational Report - PID Implementation Programmes (1)'</i>	Released in part	Out of scope information redacted.
25	1 September 2023	Excerpt from <i>'20230901 - Weekly Situational Report - PID Implementation Programmes (1)'</i>	Released in part	Out of scope information redacted. & 9(2)(ba)(i)

26	20 October 2023	Excerpt from <i>'20231020 - Weekly Situational Report - PID Implementation Programmes (1)'</i>	Released in part	Out of scope information redacted. & 9(2)(a)
27	22 March 2023	Excerpt from <i>'PID Update to Dep Sec 230322 (1)'</i>	Released in part	Out of scope information redacted. & 9(2)(g)(i)