

DOIA22/153

27 July 2022

9(2)(a)

Tēnā koe

I refer to your request received on 6 July 2022 for the following information:

Can I please have any reports, briefings, memos, aide memories, or other documents by title and date provided to Rt Hon Jacinda Ardern (Associate Minister) or the Minister Hon Carmel Sepuloni from 1 May 2022 until 16 July 2022 in relation to the establishment of the National Erebus Memorial.

Information being released

Please find enclosed the following documents, subject to redactions noted below:

Item	Date provided to Ministers' Office	Document Description
1	10 June 2022	AM:2022/385: National Erebus Memorial – Mediation Update
2	7 July 2022	BR2022/349 Arts, Culture and Heritage Status Report for fortnight beginning 11 July 2022 (excerpt)
4	27 May 2022	BR2022/246 Arts, Culture and Heritage Status Report for fortnight beginning 30 May 2022 (excerpt)
5	13 May 2022	BR2022/224 Arts, Culture and Heritage Status Report for fortnight beginning 16 May 2022 (excerpt)
6	29 April 2022	BR2022/193 Arts, Culture and Heritage Status Report for fortnight beginning 2 May 2022 (excerpt)

I have decided to release the documents listed above, subject to information being withheld under one or more of the following sections of the Official Information Act 1982 (OIA), as applicable:

- section 9(2)(a) – to protect the privacy of natural persons.
- 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.
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions.
- 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).

Finally, within scope of your request is a letter drafted by the Ministry and provided to the Associate Minister for Arts, Culture and Heritage which was supplied to her Office on 21 June 2022 and subsequently supplied to the Minister. However, this draft is withheld in full under section 9(2)(g)(i) of the OIA as previously defined. We consider that the release of such advice may prejudice the freedom of Ministers to determine the manner in which their correspondence should be answered.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA. I do not consider these considerations outweigh the need to withhold the information. If you wish to discuss this decision with us, please feel free to contact uia@mch.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision.

Nāku noa, nā

9(2)(a)

Brodie Stubbs
Manager, Te Pae Mahara

PROACTIVELY RELEASED