

21 December 2023

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your request to the Department of Conservation (DOC), received on 28 September 2023, in which you asked for:

all reports, briefings, and advice relating to plans to establish a network of marine reserves and marine protected areas along the south-east coast of the South Island, dating from 01 May 2022.

any correspondence from, or to the agency, from commercial fishing companies or industry bodies, or their representatives, and to/from Ngāi Tahu relating to plans to establish a network of marine reserves and marine protected areas along the south-east coast of the South Island, dating from August 2020.

Please include all documents, not just the parts deemed in scope. I look forward to your response by Oct 27th.

We have considered your request under the Official Information Act 1982.

On 2 November 2023 we advised of our decision to refuse that part of your request that related to correspondence with Ngāi Tahu under section 18(f), because the information requested conservatively included at least 1,600 emails and could not be made available without substantial research and collation.

On 14 December 2023 we sent you our decision letter which summarised our engagement with you regarding refining your request and advised of our decision to grant your request, with the exception of that part relating to correspondence with Ngāi Tahu referred to in the paragraph above. We noted that because of the large quantity of information (over 1,200 pages) we were not yet able to release the information to you, and that we expected to provide you with the final response no later than 22 December 2023.

I have decided to release the relevant parts of the documents listed in Table 1, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:



- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- 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,
- 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,
- free and frank expression under section 9(2)(g)(i) – to maintain the effective conduct of public affairs,
- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege,
- confidential information, under section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice.

I have decided to withhold in full the content of one document listed in Table 1, based on feedback received during consultation with Fisheries New Zealand. This is Item 7, under section 18(a) by virtue of section 9(2)(g)(i) of the Official Information Act.

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

Please note that this letter (with your personal details removed) and attached documents may be published on the DOC website.

If you would like to discuss this response with us, please contact Sanjay Thakur, Marine Protection Advisor, by email to sathakur@doc.govt.nz.

Nāku noa, nā

A handwritten signature in black ink that reads "Anna Cameron".

Anna Cameron
Senior Manager, Regulatory Strategy and Design
Department of Conservation
Te Papa Atawhai



Table 1 - Schedule of documents

Item	Date	Document description	Decision	Decision detail
1	10 July 2023	23-B-0199 - MOC Briefing - SEMP final decisions 2023	Released in part	Redacted under 9(2)(a), 9(2)(g)(i), 9(2)(h), 9(2)(j)
2	10 July 2023	DOC advice to Minister of Conservation on proposed marine reserves - Southeast Marine Protection - Volume 1 (Attachment to Item 1)	Released in part	Redacted under 9(2)(a), 9(2)(b)(ii), 9(2)(j)
3	10 July 2023	DOC advice to Minister of Conservation on proposed marine reserves - Southeast Marine Protection - Volume 2 (Attachment to Item 1)	Released in part	Redacted under 9(2)(a), 9(2)(b)(ii), 9(2)(f)(iv), 9(2)(g)(i)
4	10 July 2023	DOC advice to Minister of Conservation on proposed marine reserves - Southeast Marine Protection - Volume 3 (Attachment to Item 1)	Released in part	Redacted under 9(2)(a), 9(2)(f)(iv)
SEMP briefing bundle				
5	4 November 2022	22-B-0669 - Briefing - Budget shortfall for priority marine initiatives	Released in part	Redacted under 9(2)(a), 9(2)(f)(iv), 9(2)(g)(i)
6	10 March 2023	23-B-0049 - Briefing – Reprioritisation decisions for funding Revitalising the Gulf marine protection and the Southeast Marine Protection Initiative	Released in part	Redacted under 9(2)(a), 9(2)(g)(i)
7	13 June 2023	23-B-0232 - Oceans Secretariat Briefing: South East Marine Protection (SEMP): funding requirements and timing of decisions	Withheld in full	Under 18(a) by virtue of section 9(2)(g)(i)



8	20 June 2023	23-B-0282 - Email - Advice to support marine protection discussions with Minister Parker	Released in part	Redacted under 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h)
9	22 June 2023	23-M-0080 - Memo – Oceans and Marine Ministers Group meeting, 26 June 2023: Marine protection discussion	Released in part	Redacted under 9(2)(a), 9(2)(g)(i)
10	10 July 2023	23-B-0299 - Briefing - Funding options for Southeast Marine Protection	Released in part	Redacted under 9(2)(a), 9(2)(g)(i), 9(2)(h)
11	21 July 2023	23-M-0094 Oceans Secretariat Memo – Meeting with Kāi Tahu on Southeast Marine Protection – 5pm to 6pm 25 July 2023, via Zoom	Released in part	Redacted under 9(2)(a), 9(2)(g)(i), 9(2)(h), 9(2)(j)
12	2 August 2023	23-B-0335 - Briefing - Reallocation of Vote Conservation for Southeast Marine Protection	Released in part	Redacted under 9(2)(a), 9(2)(g)(i), 9(2)(h)
13	9 August 2023	23-B-0363 - Briefing - Reallocation of Vote Conservation Predator Free 2050 funding for Southeast Marine Protection	Released in part	Redacted under 9(2)(a), 9(2)(g)(i), 9(2)(h)
SEMP formal letters to and from Ngāi Tahu bundle				
14	20 August 2020	DOC/FNZ letter to Kāi Tahu	Released in part	Redacted under 9(2)(a)
15	10 September 2021	Kāi Tahu letter to MOC/MFOF	Released in part	Redacted under 9(2)(a)
16	27 October 2021	MOC/MFOF letter to Kāi Tahu (CORM-489)	Released in part	Redacted under 9(2)(a)
17	17 November 2021	MOC/MFOF letter to Kāi Tahu (CORM-550)	Released in part	Redacted under 9(2)(a)



18	25 November 2021	Kāi Tahu letter to MOC/MFOF	Released in part	Redacted under 9(2)(a)
19	21 December 2022	DOC letter to Kāi Tahu	Released in part	Redacted under 9(2)(a)
20	4 August 2023	MOC/MFOF letter to Kāi Tahu (CORM-1009)	Released in part	Redacted under 9(2)(a)
21	15 August 2023	Kāi Tahu letter to MOC/MFOF	Released in part	Redacted under 9(2)(a), 9(2)(g)(i)
22	30 August 2023	Kāi Tahu letter to MFOF, cc-ed to MOC	Released in part	Redacted under 9(2)(a)
23	18 September 2023	MOC/MFOF letter to Kāi Tahu (CORM-1079)	Released in part	Redacted under 9(2)(a)
24	19 September 2023	MOC/MFOF letter to Kāi Tahu (23-B-0421)	Released in part	Redacted under 9(2)(a)
Emails with fishery stakeholders bundle				
25	3 August 2020	Email from Otago Rock Lobster Industry Association to DOC SEMP email address	Released in part	Redacted under 9(2)(a)
26	16 October 2020	Email from DOC SEMP email address to all submitters on the 2020 public consultation	Released in full	
27	14 December 2020	Email from Otago Rock Lobster Industry Council to DOC staff member	Released in part	Redacted under 9(2)(a)
28	12 January 2021	Email from Otago Rock Lobster Industry Council to DOC staff member	Released in part	Redacted under 9(2)(a), 9(2)(b)(ii)
29	12 January 2021	Email from Otago Rock Lobster Industry Council to DOC staff member	Released in part	Redacted under 9(2)(a)



30	8 March 2022	Email from DOC staff member to Otago Rock Lobster Industry Council	Released in part	Redacted under 9(2)(a), 9(2)(b)(ii)
31	10 March 2022	Email from New Zealand Rock Lobster Industry Council to DOC staff member	Released in part	Redacted under 9(2)(a), 9(2)(b)(ii)
32	3 October 2022	Email from CRA7 to DOC staff member	Released in part	Redacted under 9(2)(a)
33	26 September 2023	Email from DOC staff member to former SEMP forum members	Released in part	Redacted under 9(2)(a)
34	27 September 2023	Email from a former SEMP forum member to DOC staff member	Released in part	Redacted under 9(2)(a)
35	28 September 2023	Email from DOC staff member to a former SEMP forum member	Released in part	Redacted under 9(2)(a)
36	28 September 2023	Email from DOC staff member to a former SEMP forum member	Released in part	Redacted under 9(2)(a)
37	28 September 2023	Email from DOC staff member to a former SEMP forum member	Released in part	Redacted under 9(2)(a)
38	28 September 2023	Email from a fishing stakeholder to a DOC staff member	Released in part	Redacted under 9(2)(a)