



Ref. No. DOIA 2223-0130

28 September 2022

Felix Lee

fyi-request-19972-2048db7b@requests.fyi.org.nz

Dear Felix,

Thank you for your email of 20 July 2022 to the Ministry of Business, Innovation & Employment (MBIE), requesting the following under the Official Information Act 1982 (the Act):

“This is an OIA request regarding the NZ Battery Project Technical Reference Group.

Can I please request the following in regards to TRG:

- * Documents provided to the group*
- * Presentations made to the group*
- * Agenda of meetings*
- * Minutes of meetings”*

On 10 August 2022, the timeframe of your request was extended under section 15A(1)(b) of the Act, as consultations were necessary to finalise MBIE’s response for your request.

35 documents have been identified in scope of your request, as detailed in the attached Document Schedule. Some information within these documents has been redacted as out of scope, or withheld or refused, in part or in full, under the following sections of the Act:

- 9(2)(a) in order to protect the privacy of natural persons;
- 9(2)(b)(ii) as the release of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- 9(2)(ba)(i) to protect information which is subject to an obligation of confidence, 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;
- 9(2)(f)(iv) in order to maintain the confidentiality of advice tendered by Ministers of the Crown and officials;
- 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

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- of an organisation or officers and employees of any public service agency or organisation in the course of their duty;
- 9(2)(i) 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;
- 9(2)(j) in order 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); and
- 18(d) that the information requested is or will soon be publicly available.

The two documents refused under section 18(d) of the Act have been proactively released on the MBIE website. Links below for your reference.

Update on the New Zealand Battery Project

<https://www.mbie.govt.nz/dmsdocument/23346-update-on-the-new-zealand-battery-project-proactiverelease-pdf>

Technical Reference Group – Terms of Reference

<https://www.mbie.govt.nz/assets/nz-battery-project-draft-terms-of-reference.pdf>

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 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 at: www.ombudsman.parliament.nz.

Yours sincerely



David Darby
Manager, Energy Projects and Programmes
Energy and Resource Markets