



22 October 2024

OIAD-1249

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 5 September 2024 requesting the following under the Official Information Act 1982 (the Act):

All documents and correspondence between 1 October 2023 and now - including but not limited to emails, briefings, aide memoire, file notes, minutes, and letters - held, created or received by the Ministry relating to specific proposed Waste-to-Energy projects (including but not limited to the projects proposed for Kaipara or Waimate) or Waste-to-Energy plants in general.

On 13 September 2024, the Ministry contacted you to clarify the scope of the request as we wanted to assist you with finding the specific information you were seeking. On 24 September 2024, you clarified that you were seeking the following information regarding your request:

I am particularly looking for information or advice that has been prepared for Ministers about the potential for waste-to-energy projects (generally, and also about any specific projects), or that has been offered to or prepared for other agencies to use in advice or information for ministers.

The Ministry for the Environment has identified 31 documents in scope of your request, as listed in the attached table.

Sixteen documents are being refused in full under section 18(d) of the Act, as these are publicly available, here: [Global Contracting Solutions application for resource consent to build a waste incinerator | Ministry for the Environment](#)

Additionally, there are seven documents which are being released to you in full.

Eight documents are being released to you in part, with some information within these documents withheld under the following sections of the Act:

- 6(a) making available of the information would likely to prejudice the security or defence of New Zealand
- 9(2)(b)(ii) to protect information where the making available of the information would likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions

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

A handwritten signature in blue ink, appearing to read 'M Barbati-Ross', with a stylized flourish at the end.

Matthew Barbati-Ross

Manager – RM Systems

Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1.	13/7//2023	BRF-2399: Waimate waste to energy proposal	Released in part	9(2)(g)(i)
2.	27/7/2023	BRF-3677: Aide memoire: Statutory tests for calling in the Waimate waste to energy proposal	Released in full	N/A
3.	1/8/2023	Email: RE: Application received/consultation requested	Released in part	9(2)(b)(ii)
4.	10/8/2023	BRF-3749: Aide memoire: Next steps for calling in the Waimate waste to energy proposal following EPA Advice	Released in part	9(2)(g)(i) 18(d)
5.	7/9/2023	Email: RE: Questions on the RMA/EC process – SIRRL (South Island Resource Recovery Limited)	Released in full	N/A
6.	3/11/2023	Email: RE: MfE comment sought	Released in part	9(2)(b)(ii)
7.	29/11/2023	Email: RE: MfE comment sought	Released in part	9(2)(b)(ii)
8.	20/12/2023	Email: RE: South Island Resource Recovery Limited	Released in full	N/A
9.	18/1/2024	Email: RE: SIRRL Report – for comment after 8 Jan	Released in part	9(2)(b)(ii)
10.	26/1/2024	Email: RE: MfE comment on draft conditions for SIRRL transaction	Released in full	N/A
11.	2/2/2024	Email: SIRRL- comment requested	Released in part	9(2)(b)(ii)

		re approved feedstock		
12.	8/2/2024	Email: Draft clause	Released in full	N/A
13.	18/3/024	Email: RE:case 202300376	Released in full	N/A
14.	17/4/2024	Email: RE: Strictly confidential – redaction requests by 5pm Wednesday 17 April	Released in full	N/A
15.	26/6/2024	Email: Release of SIRRL's NI report in coming weeks	Released in part	6(a)