



14 August 2024

OIAD-1163

9(2)(a)

Dear 9(2)(a)

Thank you for your emails of 17 July 2024 requesting the following under the Official Information Act 1982 (the Act):

*Could I please request, under the Official Information Act, the following documents in fully searchable format?*

- *BRF-4921 Meeting with the Climate Change Commission 24 June 2024 (21/6/24)*
- *BRF-4955 2024/25 Work Programme prioritisation - initial advice (21/6/24)*
- *BRF-4946 ERP2: Cabinet paper and discussion document - summary of feedback and approval to lodge (26/6/24)*
- *BRF4958 New Zealand's Nationally Determined Contribution; International update and next steps (27/6/24)*
- *BRF-4944 The use of high-end climate scenarios in New Zealand's regulatory framework (2/7/24)*

*Sorry I should have noted that request was for those documents delivered to the Climate Change Minister. I'd also like to request the following documents delivered to the Environment Minister:*

- *BRF-4748 Application Decisions Briefing - Waste Investments (June 2024)*
- *BRF-4917 Proposed ERA Amendments: Detailed Policy Decisions*

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

One document is being released to you in full.

The document titled *BRF-4946 ERP2: Cabinet paper and discussion document - summary of feedback and approval to lodge* is being refused under section 18(d), as the information will be publicly available on the Ministry's website by 16 August 2024, here: [Cabinet papers and regulatory impact statements | Ministry for the Environment](#) Some information within the document is likely to be withheld under the following sections of the Act:

- 9(2)(h) to maintain legal professional privilege
- 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.

One document is being withheld in full under the following sections of the Act:

- 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)(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.)

Four documents are being released to you in part, with some information 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.
- 6(b)(i) releasing would likely prejudice the entrusting of information to the NZ Government on a basis of confidence by a government of another country.
- 9(2)(a) to protect the privacy of natural persons
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect 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 of an organisation.

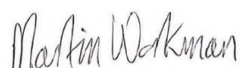
Please note that Appendix 1 of the document titled *BRF-4921 Meeting with the Climate Change Commission* is refused under section 18(d) of the Act, as the requested information is publicly available here: [Statement of Performance Expectations » Climate Change Commission \(climatecommission.govt.nz\)](#)

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](http://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](mailto:ministerials@mfe.govt.nz).

Yours sincerely



**Martin Workman**

Chief of Staff – Office of the Chief Executive  
Ministry for the Environment | Manatū Mō Te Taiao

## Document schedule

Doc no.	Document date	Content	Decisions	OIA sections applied
1.	21/6/2024	BRF-4921 Meeting with the Climate Change Commission	Released in part	9(2)(a) 18(d)
2.	21/6/2024	BRF-4955 2024/25 Work Programme prioritisation - initial advice	Released in part	9(2)(f)(iv)
3.	26/6/2024	BRF-4946 ERP2: Cabinet paper and discussion document - summary of feedback and approval to lodge	Refused in full	18(d)
4.	26/6/2024	BRF4958 New Zealand's Nationally Determined Contribution; International update and next steps	Released in part	6(a) 6(b)(i) 9(2)(f)(iv)
5.	27/6/2024	BRF-4944 The use of high-end climate scenarios in New Zealand's regulatory framework	Released in full	n/a
6.	27/6/2024	BRF-4748 Application Decisions Briefing - Waste Investments	Withheld in full	9(2)(b)(ii) 9(2)(j)
7.	27/6/2024	BRF-4917 Proposed ERA Amendments: Detailed Policy Decisions	Released in part	9(2)(a) 9(2)(f)(iv) 9(2)(g)(i)