



OIAD-1176

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 23 July 2024 requesting the following under the Official Information Act 1982 (the Act):

*...in relation to the period between November 2023 and the present date for all information and documents relating to the proposed amendments to First Emissions Reduction Plan released as part of the Second Emissions Reduction Plan consultation Discussion Document on 17 July 2024.*

*I also note the sentence in the ERP2 Discussion Document that states: "The interim projections reflect the impact of ERP1 policy changes that can be modelled" (emphasis added). I am also requesting a breakdown of which ERP1 policy changes have been modelled, and which have not.*

The Ministry for the Environment has interpreted your request for 'information and documents' to refer to finalised advice. Three documents have been identified in scope of your request, as listed in the attached table.

I am refusing one document under section 18(d) of the Act, as the information requested will soon be made publicly available. The Ministry is preparing a proactive release of Emissions Reduction Plan advice, policy changes from the first Emissions Reduction Plan which have been modelled are outlined in this release. This material is expected to be available on the Ministry's website by the end of August, noting that some material will likely be withheld in accordance with section 9 of the Act.

I am withholding one document in full under section 9(2)(h), to maintain professional legal privilege.

The remaining paper is being released to you in part, with some information withheld under the following sections of the Act:

6(a) to not prejudice the international relations of the Government of New Zealand.

9(2)(a) to protect the privacy of natural persons, including that of deceased 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)(h) to maintain legal professional privilege.

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

A handwritten signature in black ink, appearing to read 'Lisa Daniell', written in a cursive style.

Lisa Daniell  
**Executive Director**  
**Climate Change Interdepartmental Executive Board Unit**

### Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	14 June 2024	BRF-4840 Status of the first emissions reduction plan and emissions budget 1	Refused in full	18(d)
2	29 Feb 2024	BRF-4311 Draft Cabinet paper – New Zealand’s Climate goals and obligations	Release in part	6(a), 9(2)(a), 9(2)(f)(iv), 9(2)(h)
3	3 July 2024	Crown Law Letter of Advice: Second Emissions Reduction Plan Consultation and Discussion Document	Withhold in full	9(2)(h)