



18 October 2024

OIAD-1271

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your email of 22 September 2024 to the Ministry for the Environment (the Ministry) urgently requesting the following under the Official Information Act 1982 (the Act):

On 12 September 2024, the Minister for the Environment and the Minister of Agriculture met with the leadership of the Otago Regional Council to discuss the progress of that council's draft land and water plan.

An extraordinary meeting of that Otago council was then held in Dunedin on Friday 20 September to discuss the contents of the above meeting, and a paper was prepared that outlined the nature of that discussion with the two ministers.

I am a member of that regional council and have reason to believe that the reporting of Otago staff - to the governance team - was not wholly accurate and may have been purposefully misleading.

Given the imminence of a final decision on the ORC's draft land and water regional plan, I am urgently requesting the MfE's briefing notes provided to Minister Simmonds prior to the above meeting at The Beehive, and any minutes/notes made by Ms Simmonds' staff or ministry officials in connection with that meeting.

On 26 September 2024, the Ministry advised that part of your request had been transferred to the office of Minister for the Environment Hon Penny Simmonds because your request for "any minutes/notes made by Ms Simmonds' staff" was believed to be more closely connected with the functions of Minister Simmonds' office.

The Ministry has identified one briefing and two sets of notes made by Ministry officials in scope of your request, as per the attached document schedule. I am releasing all three documents to you in full.

I attended the meeting between Minister Simmonds and Otago Regional Council representatives on 12 September 2024 in my capacity as the Ministry's Deputy Secretary for Partnerships/Investments and Enablement. I would like to offer the following recollections of that meeting in order to assist you with your request.

- Minister Simmonds asked the council representatives questions about its position. She made it clear she did not agree they should proceed to notification and was particularly concerned about the impact on farmers. Minister Simmonds used fencing rules as an example.
- The council representatives talked about the rationale – how notifying would allow any future direction to drop in through the planning process; how they were behind in terms of regional planning etc; the challenge with short term consents.

- Minister McClay expressed to council that there was no need for them to feel they needed to go first. Minister McClay noted that the challenge the council finds itself in is not fair to them, and that it may be that national direction will provide an easier way through for them.
- I noted an action to provide more information to the council regarding timeframes as Ministers extended an offer to work more closely together as national direction changes become clearer.

I would like to provide some context to “Doc 2 – Notes” for the sake of clarity. The name Edward refers to Edward Elison, who was the only one of the group I had not met in person previously. The note “McClay + Simmonds PR to Fleur” was a reminder for me to send a previous press release regarding NPSFM changes to Fleur at the Otago Regional Council, as this was referenced in passing at the meeting.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decisions 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 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.

Nāku noa, nā,



Sara Clarke

General Manager, System Enablement and Oversight
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Doc no.	Document date	Content	Decisions	OIA sections applied
1	9 September 2024	BRF-5263 - Event note: Minister Simmonds' meeting with Otago Regional Council	Released in full	N/A
2	12 September 2024	Notes	Released in full	N/A
3	12 September 2024	Notes	Released in full	N/A