



9(2)a

[Redacted]

Dear 9(2)a

Thank you for your email of 19 December 2023 requesting the following under the Official Information Act 1982 (the Act):

Could I please request all advice provided by MfE to the Minister of the Environment, Minister of Resource Management Act Reform and the Parliamentary Under-Secretary for Resource Management Act Reform, on the NBEA legislation, the repeal of the NBEA, and the Resource Management Act, since October 14, 2023. If you could please provide this information in word search-able PDF format, and if any information is withheld, please clearly indicate under what grounds it is withheld.

The Ministry for the Environment (the Ministry) has identified 18 documents, in total, in scope of your request, as listed in the attached document schedule. This includes 12 substantive documents, and six associated appendices.

However, two of these appendices are duplicates for two of the substantive documents which are also identified in scope of your request. Therefore, the Ministry has removed these two duplicate appendices and 16 documents in total (12 substantive documents and 4 associated appendices) have been considered for release.

Of these 16 documents:

- Seven documents are being released in full.
- Seven documents are being released in part, with some information within these documents has been withheld under the following sections of the Act:

9(2)(a) to protect the privacy of natural persons.

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)(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 or officers and employees of any public service agency or organisation in the course of their duty.

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

- Two documents are being refused under section 18(d) of the Act, as the information is soon to be publicly available.

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. More information 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.

Yours sincerely

Electronically approved by Jo Gascoigne

Jo Gascoigne

General Manager – Resource Management System
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

| Document no. | Document date | Content | Decisions | OIA sections applied |
|--------------|------------------|--|------------------|-----------------------|
| 1 | 11 December 2023 | BRF-3971 Cabinet Legislation paper - Natural and Built Environment and Spatial Planning Repeal Bill | Released in part | 9(2)(h) |
| 2 | 30 November 2023 | BRF-3960 Draft letter to PSGEs, other Māori representative groups and local government notifying of intention to repeal the NBA and SPA | Released in full | N/A |
| 3 | 14 December 2023 | BRF-4026 Information pack and House material for the Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill | Released in part | 9(2)(f)(iv) |
| 4 | 14 December 2023 | BRF-4030 Talking points for lodging NBA and SPA Bill | Released in full | N/A |
| 5 | 30 November 2023 | BRF-3963 Cabinet paper for lodgement – Repealing the Natural and Built Environment Act and Spatial Planning Act | Released in full | N/A |
| 5.1 | 30 November 2023 | BRF-3963 Appendix 1 - NBA amendments to other legislation proposed to be retained through repeal | Released in full | N/A |
| 6 | 14 December 2023 | CAB-372 Cabinet Paper Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill Approval for Introduction | Refused | 18(d) |
| 7 | 1 December 2023 | BRF-3972 Minister - Talking points for CAB 317 | Released in part | 9(2)(b)(ii) |
| 8 | 29 November 2023 | Briefing 3951: Delivering your resource management priorities: repeal of the NBA and SPA | Released in part | 9(2)(h) |
| 9 | 15 December 2023 | BRF-3982 23-B-0496 Supporting the Government's renewable electricity priorities through the resource management system | Released in part | 9(2)(a) & 9(2)(f)(iv) |
| 10 | 15 December 2023 | BRF-4010 Resource Management System - Key Partners and Stakeholders and 2024 Event Calendar | Released in full | N/A |

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| 10.1 | 15 December 2023 | BRF-4010 Appendix One - Key RM Stakeholders Dec 2023 | Released in part | 9(2)(a) |
| 10.2 | 15 December 2023 | BRF-4010 Appendix Two - 2024 Calendar of Events | Released in full | N/A |
| 10.3 | 15 December 2023 | BRF-4010 Appendix Three - MfE key regular partner and stakeholder meetings | Released in full | N/A |
| 11 | 1 December 2023 | CAB-371 Draft Cabinet paper - Repealing the NBA and SPA | Released in part | 9(2)(g)(i) |
| 12 | 6 December 2023 | BRF-3991 Secondary briefing to the incoming Ministers - built environment | Refused | 18(d) |