



25 March 2024

OIAD-952

9(2)a

Tēnā koe 9(2)a,

Thank you for your email of 12 February 2024 to the Ministry for the Environment (the Ministry) on behalf of 9(2)a requesting the following under the Official Information Act 1982 (the Act):

Could I please request the following documents, as noted in a reply to a written parliamentary question:

- 29/11/23 - BRF-3951 - Delivering your resource management priorities: repealing the NBA and SPA.
- 29/11/23 - CAB-371 - Draft Cabinet Paper - Repealing the NBA and SPA and introducing a fast-track infrastructure consenting regime
- 1/12/23 - BRF-3972 - Talking points for CAB 371
- 10/12/23 - BRF-3971 - Cabinet Legislation paper - Natural and Built Environment and Spatial Planning Repeal Bill
- 13/12/23 - BRF-4026 - Information pack and House material for the Natural and Built Environment and Spatial Planning Repeal Bill
- 14/12/23 - BRF-4025 - Cabinet Legislation paper for lodgement - Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill: Approval for Introduction
- 14/12/23 - BRF-4030 - Talking points: Lodgement - Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill
- 14/12/23 - CAB-372 - Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill: Approval for Introduction
- 14/12/23 - Legislative Statement Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill
- 14/12/23 - Q & A for Repeal Bill Lodgement - 15/12/23 - BRF-3993 - Resource Management (Fast-track consenting and other matters) Amendment Bill
- 17/12/23 - Aide memoire: Agreement to propose a draft Amendment Paper to the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Fast-track Consenting) Bill
- 18/12/23 - BRF-4052 - Talking Points - Fast Track Consenting
- 12/1/24 - BRF-4073 - Fast-track consenting Draft Cabinet Paper

- 16/1/24 - CAB-379 - A permanent fast-track consenting regime for regional and national projects of significance
- 16/1/24 - Ministerial letters on Development of fast-track consenting legislation
- 19/1/24 - BRF-4098 - Talking points - A permanent fast-track consenting regime for regional and national projects of significance
- 5/2/24 - BRF-4115 - Fast-track legislation delegated decisions Paper #1

On 1 March 2024, the Ministry contacted you to advise that the timeframe for our response to your request was being extended by 20 working days under section 15A(1)(b) of the Act, as the consultations necessary to make a decision on the request were such that a proper response could not reasonably be made within the original timeframe.

On 8 March 2024, the Ministry advised that your request was being partially transferred to the office of Hon Chris Bishop, as '16/1/24 - Ministerial letters on Development of fast-track consenting legislation' was believed to be more closely connected with the functions of Minister Bishop's office.

The Ministry is releasing four documents to you in full, as per the attached document schedule.

The Ministry is releasing five documents to you in part, with some information withheld under the following sections of the Act:

- 9(2)(b)(ii) – to protect information where the making available of the information would be 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 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; and
- 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).

The Ministry is refusing eight documents in full as they are either publicly available or will soon be publicly available on the Ministry's website.

'BRF-3951- Delivering your resource management priorities: repealing the NBA and SPA' is publicly available here: [Combined PDF - sample.pdf \(environment.govt.nz\)](#).

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 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,

A handwritten signature in black ink, appearing to read 'Jo Gascoigne', with a long horizontal flourish extending to the right.

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

Document schedule

Doc no.	Document date	Content	Decisions	OIA sections applied
1	29-Nov-23	BRF-3951- Delivering your resource management priorities: repealing the NBA and SPA.	Refused in full	18(d)
2	29-Nov-23	CAB-371 - Draft Cabinet Paper - Repealing the NBA and SPA and introducing a fast-track infrastructure consenting regime	Released in part	9(2)(g)(i)
3	1-Dec-23	BRF-3972 - Talking points for CAB 371	Released in part	9(2)(b)(ii)
4	10-Dec-23	BRF-3971 - Cabinet Legislation paper - Natural and Built Environment and Spatial Planning Repeal Bill	Released in part	9(2)(h)
5	13-Dec-23	BRF-4026 - Information pack and House material for the Natural and Built Environment and Spatial Planning Repeal Bill	Released in full	N/A
6	14/12/2023	BRF-4025 - Cabinet Legislation paper for lodgement - Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill: Approval for Introduction	Released in part	18(d)
7	14/12/2023	BRF-4030 - Talking points: Lodgement - Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill	Released in full	N/A
8	14/12/2023	CAB-372 - Natural and Built Environment and Spatial Planning Repeal and Interim	Refused in full	18(d)

		Arrangements Bill: Approval for Introduction		
9	14/12/2023	Legislative Statement Natural and Built Environment and Spatial Planning Repeal and Interim Arrangements Bill	Released in full	N/A
10	14/12/2023	Q & A for Repeal Bill Lodgement	Released in full	N/A
11	15/12/2023	BRF-3993 - Resource Management (Fast-track consenting and other matters) Amendment Bill	Refused in full	18(d)
12	17/12/2023	Aide memoire: Agreement to propose a draft Amendment Paper to the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Fast-track Consenting) Bill	Released in part	9(2)(j); 9(2)(g)(i)
13	18/12/2023	BRF-4052 - Talking Points - Fast Track Consenting	Refused in full	18(d)
14	12/01/2024	BRF-4073 - Fast-track consenting Draft Cabinet Paper	Refused in full	18(d)
15	16/01/2024	CAB-379 - A permanent fast-track consenting regime for regional and national projects of significance	Refused in full	18(d)
16	19/01/2024	BRF-4098 - Talking points - A permanent fast-track consenting regime for regional and national projects of significance	Refused in full	18(d)
17	5/02/2024	BRF-4115 - Fast-track legislation delegated decisions Paper #1	Refused in full	18(d)