



5 April 2024

9(2)a

Tēnā koe 9(2)a

Thank you for your email of 6 March 2024 requesting the following under the Official Information Act 1982 (the Act):

I write to request any advice provided by your Ministry to ministers on work or proposals to enact a replacement Waste Minimisation Act and the Litter Act as noted on your Ministry website.

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

In-scope information within one document is being released to you as an excerpt, as provided for under section 16(1)(e) of the Act.

Three documents are withheld in full under section 9(2)(h) of the Act, to maintain legal professional privilege.

One document is refused in full under section 18(d) of the Act, as the information is publicly available. This document is available, here: <https://environment.govt.nz/assets/publications/MfE-Briefing-for-the-Incoming-Ministers-2023.pdf>. Information relevant to your request can be found on page 15 of the document.

As you may be aware, the Ministry's website has seven Cabinet papers available that outline policy decisions for the new Act replacing the Waste Minimisation Act 2008 and the Litter Act 1979. You can find these Cabinet papers, here: <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/cabinet-papers-seeking-policy-decisions-on-the-content-of-new-waste-legislation/>

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.

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,

Glenn Wigley

General Manager – Waste & HSNO Policy
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA applied sections
1.	4 December 2023	BRF-3966 Secondary Briefing to the Incoming Minister: Waste and resource efficiency programme	Released in part	16(1)(e)
2.		[Title withheld]	Withheld in full (including title)	9(2)(h)
3.		[Title withheld]	Withheld in full (including title)	9(2)(h)
4.		[Title withheld]	Withheld in full (including title)	9(2)(h)
5.	November 2023	Briefing for Incoming Ministers: Environment, Climate Change and RMA Reform	Refused in full	18(d)