



OIAD-366

Tim
fyi-request-20195-d5701209@requests.fyi.org.nz

Dear Tim

Thank you for your email of 9 August 2022 requesting the following under the Official Information Act 1982 (the Act):

- 1. Could I please have all advice the Ministry has provided to the Minister relating to a National Maori Entity, in the last 12 months?*
- 2. I am specifically interested to understand what powers this new entity will have. If the new entity identifies an area where it believes the system is not giving effect to the principles of Te Tiriti, will it have an advisory role or will the Entity have the power to force other operators within the system to change decisions or plans? Does the Ministry have any internal documents analyzing such questions? Could these please be released to me?*
- 3. The speech also states that the Entity will be able input into the new National Planning Framework and have the ability to provide advice to anyone working in the system. What is the form of input the entity will have into the National Planning Framework? What is the process where the Minister and the Entity disagree? Do you have any internal documents assessing this question? Can these be released?*
- 4. What is the status of advice the Entity provides to "anyone working in the system"? Will this advice be binding, alternatively, will other parts of the system simply have to respond to this advice, or can they ignore it if they wish? Do you have internal documents assessing these questions? Can these be released?*

There are thirteen documents in scope of your request. Three of these documents are Ministerial Oversight Group (MOG) papers, which will soon be proactively released on the Ministry for the Environment's website. As such, these documents have been refused under section 18(d) of the Act, as they will soon be publicly available.

The remaining ten documents have been withheld under section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

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 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.

Yours sincerely

Electronically signed by Keita Kohere

Keita Kohere
Director – RM Te Ao Māori Policy

Document schedule

Document no.	Document date	Content	Decision	OIA sections applied
1	4 October 2021	RM Reform Ministerial Oversight Group Meeting #11 and #12 on 4 October 2021	Refused	18(d)
2	October 2021	MOG #17 Annex A	Refused	18(d)
3	October 2021	MOG #17 Paper 2 – Annex B	Refused	18(d)
4	9 May 2022	BRF-1567 Meeting with the Minister for the Public Service and Minister of Finance about the establishment of the National Māori Entity	Withheld in full	9(2)(f)(iv)
5	3 June 2022	BRF-1536 RM Reform 166 – Detailed decisions for system monitoring and oversight (NBA and SPA)	Withheld in full	9(2)(f)(iv)
6	12 July 2022	Aide Memoire: RM reform delegated decisions	Withheld in full	9(2)(f)(iv)
7	10 June 2022	BRF-1608 RM Reform 185 – Delegated decisions on further details about the National Māori Entity	Withheld in full	9(2)(f)(iv)
8	21 July 2022	Updated BRF-1608 RM Reform 185 – Delegated decisions on further details about the National Māori Entity	Withheld in full	9(2)(f)(iv)
9	23 June 2022	BRF-1809 RM Reform 199 – Cover note re updates in BRF-1608 – Delegated decisions on further details about the National Māori Entity	Withheld in full	9(2)(f)(iv)

Document no.	Document date	Content	Decision	OIA sections applied
10	20 June 2022	BRF-1779 RM Reform – Meeting between the joint decision-making Ministers on the National Māori Entity appointments process	Withheld in full	9(2)(f)(iv)
11	15 November 2021	BRF-860 RM Reform 89 – Process options for involving iwi/Māori in the first iteration of the National Planning Framework	Withheld in full	9(2)(f)(iv)
12		Treaty impacts analysis template – specialised version for RM reform	Withheld in full	9(2)(f)(iv)
13		Table 3: Further details on membership of the National Māori Entity, decision-making authority delegated to the Minister for the Environment and Associate Minister for the Environment (Hon Allan).	Withheld in full	9(2)(f)(iv)