

Climate Change Commission Board Meeting Minutes (Meeting 45)
Tuesday, 16 May 2023

A meeting of the Climate Change Commission Board Members was held via Teleconference Facility. The meeting started on Tuesday, 16 May 2023 at 9.04am and concluded at 5.28pm.

Climate Change Commission Attendees:

Dr Rod Carr – Board Chair
Lisa Tumahai – Deputy Chair
Dr Judy Lawrence
Professor James Renwick
Catherine Leining
Dr Andy Reisinger
Dr Tanira Kingi
Distinguished Professor Steven Ratuva

Invited Attendees:

Jo Hendy – Chief Executive
Anne Jonathan – Executive Assistant
Gemma Lawson – Senior Board Coordinator and Minute Taker

External Guests:

Dylan Shell – virtual Chief Financial Officer, KPMG
James Palmer - Secretary for the Environment and Chief Executive, Ministry for the Environment
Anne Haira - Deputy Secretary, Climate Policy, and Partnerships and Public Affairs, Ministry for the Environment

Guests:

Alisdair Armstrong – Advisor, Government Services, Strategy and Performance
Astrid Nunns – General Manager, Strategy Engagement and Corporate Services
Barry Anderson – General Manager, Sector Analysis
Caterina Joseph - Principal Analyst, Adaptation
Damian Ryan – Manager, Strategy and Performance
Emily Button – Senior Advisor, Strategy and Performance
Fran Lovell – Manager, Communications and Engagement
Grant Blackwell – Chief Scientist
Helen Eglinton – Contractor, Strategy and Performance
Helen Morgan-Banda – Chief Advisor
Hikurangi Mills - Principal Advisor, Rautaki Māori
Karen Lavin – Manager, Adaptation
Lara Brinsdon – Advisor, Communications and Engagement

Lara Wood – Manager, Corporate Services
Phirak Appleton - General Counsel
Sally Garden – Principal Advisor, Adaptation
Shilpa Mandoda - Senior Analyst, Adaptation
Simon Neale – acting General Manager, Emissions Budgets, Adaptation, and Markets
Sophie Carroll – Manager, Government Services
Stuart Dymond – Chief Advisor, Governance and Executive Support
Tia Greenaway – Manager, Rautaki Māori

The meeting started at 9.04am on Tuesday 16 May

Rod Carr, Lisa Tumahai, Judy Lawrence, James Renwick, Tanira Kingi, Catherine Leining, Andy Reisinger, Steven Ratuva, Gemma Lawson and Anne Jonathan joined the meeting at 9.04am

Agenda Item 1: Board preparation for Ministry for the Environment Visit

- 1.1 The Board discussed possible matters to raise with the Chief Executive of the Ministry for the Environment (MfE) and noted that this is an introductory meeting.

The Board Chair advised that the Board would move into Board only time.

Agenda Item 2: Board only time (previously agenda item 3)

2.0 Board only items

- 2.1 The Board noted possible additional matters for discussion.
- 2.2 The Board noted that Lawyers for Climate Action New Zealand Incorporated (LCANZI) have initiated legal proceedings against the Minister of Climate Change.
- 2.3 The Board discussed the current process around declaring interests and possible ways to improve it.

The Board Chair advised that the Board would return to Board only time after Agenda item 3.

Anne Jonathan and Gemma Lawson left the meeting at 9.31am

Jo Hendy, James Palmer, and Anne Haira joined the meeting at 9.32am

Agenda Item 3: Ministry for the Environment Visit (previously agenda item 2)

- 3.1 Tanira Kingi welcomed James Palmer and Anne Haira from MfE to the meeting with a mihi.
- 3.2 The Board were introduced to James Palmer and Anne Haira from MfE.
- 3.3 The Board and the visitors from MfE discussed matters of interest to the Climate Change Commission, and to MfE.
- 3.4 The Board thanked James Palmer and Anne Haira for attending the meeting.

James Palmer and Anne Haira left the meeting at 10.38am

The meeting adjourned from 10.38am until 10.48am

Anne Jonathan and Gemma Lawson joined the meeting at 10.48am

Agenda Item 2: Board only time (continued)

- 2.4 The Board noted items raised in the Board Only discussion with the Chief Executive.
- 2.5 The Chief Executive confirmed that staff would provide a proposal for how Commissioners can feedback on the ERP2 draft advice consultation document (refer to action item 454/2023).
- 2.6 The Chief Executive agreed to circulate previously agreed protocol for engagement with staff (refer to action item 455/2023).

Anne Jonathan and Gemma Lawson left the meeting at 11.22am

- 2.7 The Board continued to discuss engagement with staff with the Chief Executive.

Astrid Nunns, Barry Anderson, Grant Blackwell, Simon Neale, Stuart Dymond, Karen Lavin, Lara Wood, Damian Ryan, Phirak Appleton, Helen Morgan-Banda, Caterina Joseph, Shilpa Mandoda, Anne Jonathan and Gemma Lawson joined the meeting at 11.33am

The meeting opened with a karakia by Tanira Kingi.

Agenda Item 4: Welcome and Introductions

4.1 Apologies

- 4.1.1 The Board noted that no apologies were received for the meeting.

4.2 New Staff Introductions

- 4.2.1 The Chief Executive introduced Helen Morgan-Banda, Chief Advisor.
- 4.2.2 The General Manager, Strategy Engagement and Corporate Services, introduced Phirak Appleton, General Counsel.
- 4.2.3 The Manager, Adaptation, introduced the following new staff:
- Shilpa Mandoda - Senior Analyst, and
 - Caterina Joseph - Principal Analyst.
- 4.2.3 The Board welcomed new staff to the Commission.

Sophie Carroll joined the meeting at 11.41am

Caterina Joseph and Shilpa Mandoda left the meeting at 11.45am

4.3 Call for Additional Items

- 4.3.1 The Board requested an update on the ongoing ERP2 consultation.

4.4 Review of Interests

- 4.4.1 The Board noted receipt of the *Interests Agenda Memo* dated 8 May 2023.
- 4.4.2 The Board noted the Permissions letter dated 1 May 2023.

- 4.4.3 The Board queried the timeframe for past interests remaining on the Public Interests Register.
- 4.4.4 The Board confirmed that the Permissions letter dated 1 May 2023 requires amendment and so would not be noted.
- 4.4.5 The Board noted that Andy Reisinger's interest with the s 9(2)(a) did not proceed and therefore could be removed from the Public Interest Register.
- 4.4.6 Andy Reisinger noted that he has a number of declared interests currently under consideration with the Commission.
- 4.4.7 Tanira Kingi, Steven Ratuva, Judy Lawrence and James Renwick noted a number of new interests and amendments to existing interests to be declared.
- 4.4.8 The Board reviewed and approved the Public Interests Register dated 8 May 2023, for updating on the website subject to the changes discussed.
- 4.4.9 The Board noted no conflicts of interest on the meeting agenda.

4.5 Any other governance matters

- 4.5.1 No other governance matters were raised.

4.6 Approve Draft Board Meeting Minutes

- 4.6.1 The Board reviewed the draft Board meeting minutes from 19 April 2023.
- 4.6.2 The Board agreed that the minutes from 19 April 2023 are confirmed as a true and accurate record of the meeting.

4.7 Letters for noting

- 4.7.1 The Board noted the letter from the Chairperson to the Minister of Climate Change, regarding the Draft 2023-27 Statement of Intent (SOI) and the Draft 2023-24 Statement of Performance Expectations (SPE) dated 1 May 2023.
- 4.7.2 The Board noted the letter from the Commission Chair of Tauranga City Council to the Chief Executive, regarding Transport and Urban Form, dated 10 March 2023.
- 4.7.3 The Board noted the letter from the Chief Executive to the Commission Chair of Tauranga City Council, regarding Transport and Urban Form dated 1 May 2023.

4.8 Matters - for noting

- 4.8.1 The Board noted the final and approved copy of the Pou Herenga Terms of Reference that had been approved by the Deputy Chair.
- 4.8.2 The Board noted the Board resolution, which was accepted in writing, to disestablish the interim Pou Herenga and establish the permanent Pou Herenga.
- 4.8.3. The Board noted the Board resolution, which was accepted in writing, to approve the April 2023 Board Meeting Minutes relevant to the Pou Herenga.
- 4.8.4 The Board noted the Board resolution, which was accepted in writing, to approve the following matters:
- the roles of the inaugural appointees to the permanent Pou Herenga;
 - delegations regarding the decisions on the term of appointment and daily fees rates offered to the inaugural appointees of the permanent Pou Herenga

- the delegations for the drafting and signing out of appointment letters for Pou Herenga members.

4.9 Actions Register

- 4.9.1 The Chief Executive updated the Board on the actions that were in progress and/or completed.
- 4.9.2 The Board noted the completed actions and thanked Commission staff for managing the Actions Register.

4.10 Board Meeting Agenda Horizon Report

- 4.10.1 The Chief Executive presented the *Board Meeting Agenda Horizon report* to the Board.
- 4.10.2 The Board noted the *Board Meeting Agenda Horizon report* and engagements calendar.

Dylan Shell and Fran Lovell joined the meeting at 12.08pm

Agenda Item 5: Chief Executive Report

- 5.1 The *Chief Executive Report: 1 March to 31 March 2023* was taken as read.
- 5.2 The Chief Executive provided the Board with an overview of the Commission's performance during March 2023.
- 5.3 The General Counsel provided a short update on the ongoing judicial review process and confirmed that LCANZI have also initiated legal proceedings against the Minister of Climate Change.
- 5.4 The Manager, Communications and Engagement, provided an update on the ongoing engagement regarding the draft EPR2 consultation.
- 5.5 The Board discussed the risk of the Commission's role, and by extension the Commission's advice, being misrepresented or misinterpreted.
- 5.6 The Board discussed the Chief Executive's Report.
- 5.7 The Board noted that some Commissioners may attend COP28 in their individual capacities.
- 5.8 The Board noted that the Commission has begun work on a review of its internal policies and requested that an artifact regarding this review be delivered to the Board by the end of June (refer to action item 456/2023).
- 5.1 The Board noted the Chief Executive's Report.

Tanira Kingi, Fran Lovell, Sophie Carroll, Damian Ryan, Karen Lavin and Phirak Appleton left the meeting at 1.15pm

The meeting adjourned from 1.15pm to 1.46pm

Agenda Item 6: Update from Risk Audit Safety and Health Committee

- 6.1 The Chair of the Risk Audit Safety and Health (RASH) Committee provided an update to the Board from the RASH meeting held on 15 May 2023.

- 6.2 The Chair of the RASH Committee noted that the Committee had referred the financial report from the Quarterly Finance Update: End of Q3 FY22/23 and FY22/23 Financial Forecast (as at end of Quarter 3) paper to the Board.
- 6.3 The General Manager, Strategy, Engagement and Corporate Services, provided an update to the Board on the results of, and next steps regarding, the Your Voice Questionnaire.
- 6.4 The virtual Chief Finance Officer updated the Board on the provided forecast.

Tanira Kingi joined the meeting at 2.01pm

- 6.5 The Board noted and discussed the update on the 15 May 2023 RASH meeting.
- 6.6 The Board noted the financial report from the Quarterly Finance Update: End of Q3 FY22/23 and the FY22/23 Financial Forecast (as at end of Quarter 3).

Dylan Shell left the meeting at 2.10pm

Damian Ryan, Emily Button and Alisdair Armstrong joined the meeting at 2.12pm

Agenda Item 7: 2022/23 Quarter Three Performance Report

- 7.1 The Chief Advisor, Governance and Executive Support, introduced the Quarter Three Performance report.
- 7.2 The Board noted and provided feedback on the Quarter Three (1 January – 31 March 2023) progress towards performance measures and financial position.
- 7.3 The Board approved the Quarter Three report, subject to the amendments discussed, and delegated approval of the final version to the Chief Executive.
- 7.4 The Board approved the provision of the Quarter Three report to MfE, once finalised, in their role as the Commission's monitoring agency.

Astrid Nunns, Damian Ryan, Emily Button and Alisdair Armstrong left the meeting at 2.20pm

Tia Greenaway and Hikurangi Mills joined the meeting at 2.21pm

Agenda Item 8: Verbal Update on the Pou Herenga hui

- 8.1 The Chair of the Pou Herenga provided an update to the Board from the inaugural meeting of the Pou Herenga held on 15 May 2023 and noted the next steps for the Pou Herenga.
- 8.2 The Board noted and discussed the update on the 15 May 2023 Pou Herenga hui.
- 8.3 The Board thanked Commission staff for their work in standing up the Pou Herenga.

Grant Blackwell, Tia Greenaway and Hikurangi Mills left the meeting at 2.34pm

The meeting adjourned from 2.34pm to 3.00pm

Damian Ryan, Emily Button, Lara Brinsdon, Alisdair Armstrong and Helen Eglinton joined the meeting at 3.00pm

Agenda Item 9: SOI 23/27 and SPE 23/24: Additional and amended content

- 9.1 The Chief Advisor, Governance and Executive Support, introduced the updates to the content for the SOI 23/27 and SPE 23/24.

- 9.2 The Board noted that revised drafts of the SOI 23/27 and SPE 23/24, incorporating the Board's feedback and approved by the Chief Executive, were sent to the Minister as required on 1 May.
- 9.3 The Board noted that the Minister's comments were due by 19 May.
- 9.4 The Board noted that final drafts of the SOI 23/27 and SPE 23/24 will be prepared once the Minister's comments have been received and will be presented to the Board for final approval at the June Board meeting.
- 9.5 The Board noted that the final SOI and SPE drafts will not be the designed versions, which will be prepared following the 14 June Board meeting and before the 1 July deadline.
- 9.6 The Board reviewed and provided feedback on the draft annotated bullet points for the Chair's messages, for the SOI 23/27 and for the SPE 23/24.
- 9.7 The Board noted that full drafts of the Chair's messages will be prepared following the Board's feedback and these will be tabled at the June Board meeting.
- 9.8 The Board noted that the Strategic Framework content has been amended.
- 9.9 The Board reviewed and approved the content of the revised Strategic Framework.
- 9.10 The Board delegated the approval of any final amendments to the Strategic Framework, consistent with the feedback provided by the Board, to the Chief Executive.

Damian Ryan, Lara Wood, Emily Button, Lara Brinsdon, Alisdair Armstrong and Helen Eglinton left the meeting at 3.30pm

Karen Lavin and Sally Garden joined the meeting at 3.31pm

Agenda Item 10: Scoping Paper for National Adaptation Plan progress report

- 10.1 The Principal Advisor introduced the scoping paper for the National Adaptation Plan (NAP) progress report.
- 10.2 The Board reviewed and provided feedback on the recommendations.
- 10.3 The Board agreed to recommendations 1, 2, 4, 6, and 8, with amendments as discussed.
- 10.4 The Board agreed to recommendations 3, 5, 7, and 9.
- 10.5 The Board noted that the revised scoping paper would be updated to reflect the Board's feedback and recirculated to Commissioners (refer to action item 457/2023).
- 10.6 The Board thanked Commission staff for their work in establishing this programme of work.

Sally Garden left the meeting at 5.13pm

Agenda Item 11: Progress Update on Statutory Deliverables

- 11.1 The General Manager, Sector Analysis, introduced the March dashboard reports.
- 11.2 The Board noted and discussed the attached dashboard reports.

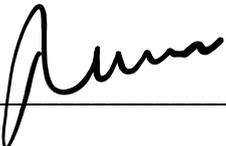
Agenda Item 12: General Business

- 12.1. No matters were raised.

Tanira Kingi closed the meeting with a karakia.

The meeting finished at 5.28pm.

These minutes have been accepted as a true and accurate record by the Board of the Climate Change Commission.

Signed:  _____

Date: 14/6/2023

Proactively Released