



Ref: OIA 2025-004

[REDACTED]
[REDACTED]

26 May 2025

Tēnā koe [REDACTED]

Thank you for your correspondence of 2 April 2025 in relation to your earlier request for information of 20 August 2024 and our response of 11 October 2024.

In your correspondence you stated that our response had not provided you with all information held by the Commission within the scope of parts 1 and 2 of your 20 August 2024 request. These parts asked for:

1. *All advice given to the Commission for it to meet its obligations under section 5M(f) of the Climate Change Response Act 2002 ("Act"); and*
2. *All advice given to the Commission for it to meet its consultation obligations to Māori under section 5N of the Act*

Your statement relies on publicly available information on LinkedIn which described the work that Emma Gardiner, as a consultant for Aronga Ltd had undertaken at the Commission, and you believe falls within parts 1 and 2 of your 20 August 2024 request.

It is important to note that in our response to your request of 20 August 2024, we considered *external* advice that had been provided to the Commission in relation to its obligations under sections 5N and 5M(f) of the Climate Change Response Act 2002. This approach was described in a clarification email to you on 30 August 2024 and to which you provided confirmation later that day.

Emma Gardiner (from Aronga Ltd) was contracted in a fixed term role within the Commission and was, for all intents and purposes, considered a Commission employee for the duration of her contract for services (and its extension). Any advice provided by Ms Gardiner was considered by us as internal (not external) and was therefore not considered within the scope of your 20 August 2024 request.

In your 2 April 2025 correspondence you asked for *"the strategic advice provided by Aronga Ltd to the Commission on the development of an operational framework and work programme to embed Māori statutory requirements for the Commission"*. The Commission has considered this request in accordance with the Official Information Act 1982 (the Act).



Response

I can advise that Ms Gardiner was contracted as a Special Adviser (Strategy) to support the Kaiwhakahaere Matua Māori/GM Māori for a four-to-six-month period from 1 August 2023. In October 2023, Ms Gardiner's contract was extended by variation for her to cover the Kaiwhakahaere Matua Māori/GM Māori role while the permanent staff member was on leave.

We have performed an extensive search for strategic advice generated by Ms Gardiner in her capacity as Special Adviser at the Commission on the development of an operational framework and work programme to embed Māori statutory requirements. However, it is important to note that Ms Gardiner's deliverables were targeted to the development of a strategic plan to advance a sustainable and effective business group and the Secretariat's approach to working with the Pou Herenga.

With this context in mind, the Commission has identified the following information that falls within the scope of your request for strategic advice provided by Aronga Ltd/Ms Gardiner. It is important to note that these are documents into which Ms Gardiner had some input, but not necessarily sole authorship of/responsibility for.

1. 20231111PouaWorkProgrammeV3 (DRAFT)

This is a draft operational framework that outlines the key pieces of work across the Commission that contribute to embedding the statutory and strategic requirements concerning te Tiriti and iwi/Māori, dated 16 November 2023. This framework was not implemented by the Commission.

Some information that is subject to legal professional privilege has been withheld under section 9(2)(h) of the Act. We do not consider there are any countervailing public interests in the release of this information.

2. CE Paper – Ohu Iwi Māori structure review (DRAFT)

This is a draft business case, analysis, and rationale for structural changes in the Ohu/Iwi Māori team, to ensure there is the shared capability to deliver the identified Poua work programme (above), dated 16 November 2023.

Some names and salary details have been withheld to protect the privacy of individuals in reliance on section 9(2)(a) and some information that is subject to legal professional privilege has been withheld under section 9(2)(h) of the Act. We do not consider there are any countervailing public interests in the release of this information.

3. PouHerengaPreso2

This document provides a Poua work programme update and discusses the operational framework and qualifiers, presented to Pou Herenga on 13 November 2023.

Some information has been withheld in reliance on section 9(2)(h) of the Act to maintain legal professional privilege. We do not consider there are any countervailing public interests in the release of this information.

4. GroupReview (DRAFT)

This draft paper discusses a GM Māori Team review to ensure there is shared capability and capacity to deliver the Poua work programme and includes statutory deliverables. Input was provided by Ms Gardiner in November 2023.

Some information that is subject to legal professional privilege has been withheld under section 9(2)(h) of the Act. We do not consider there are any countervailing public interests in the release of this information.

5. SLTPreso

This presentation covers the operational framework, the Poua work programme, including statutory and strategic imperatives. Input was provided by Ms Gardiner in October 2023.

6. ReverseBriefV3

This document outlines the description, issue statement, success criteria and development process for the four key contract deliverables. Input was provided by Ms Gardiner in September 2023.

Some information that is subject to legal professional privilege has been withheld under section 9(2)(h) of the Act. We do not consider there are any countervailing public interests in the release of this information.

7. OperationalFrameworkIwiMāori (DRAFT)

This draft operational framework describes key pieces of work across the Commission that contribute to embedding the statutory requirements concerning te Tiriti and iwi/Māori. This was presented to Pou Herenga in November 2023.

Some information has been withheld in reliance on section 9(2)(h) of the Act to maintain legal professional privilege. We do not consider there are any countervailing public interests in its release.

8. Final Engagement Strategy

Ms Gardiner also provided some input into the content of an Iwi/Māori Engagement and Consultation strategy, but it was significantly edited and subsequently finalised by other Commission staff members. We have provided the final version, as noted by the Board in February 2024.

Further, Ms Gardiner was instrumental in setting up ways of working for the Pou Herenga. The Pou Herenga is a Māori advisory body to the Commission's Board. Its terms of reference can be found [here](#). Ms Gardiner's deliverables included an operational manual for the members of Pou Herenga and an administrative desk file for the Pou Herenga's secretariat.

We do not consider that these documents fall within the scope of your request as they cover day to day tasks for the operation of the Pou Herenga and are administrative (such as member appointment, induction, and hui processes), rather than strategic, in nature.

You have the right to seek an investigation and review of this response by the Office of the Ombudsman, in accordance with section 28(3) of the Act. Contact details for the Ombudsman can be found on their website at: www.ombudsman.parliament.nz

Please note that the Commission proactively releases its responses to requests made under the Act. This is to help ensure others can also have access to this information. As such, this letter will shortly be published on our website with your name and contact details redacted to protect your privacy.

Nāku noa, nā



Astrid Nunns
General Manager, Corporate Accountability and Operations

Annex One

Doc #	Document date	Description	Decision
1	11 November 2023	20231111PouaWorkProgrammeV3	Released with information redacted in reliance on section 9(2)(h)
2	November 2023	CE Paper – Ohu Iwi Māori Structure review	Released with information redacted as not within scope and in reliance on sections 9(2)(a) and (h)
3	November 2023	PouHerengaPreso2	Released with information redacted in reliance on section 9(2)(h)
4	November 2023	GroupReview	Released with information redacted as it is not within scope and in reliance on section 9(2)(h)
5	October 2023	SLTPreso	Released in full
6	September 2023	ReverseBriefV3	Released with information redacted in reliance on sections 9(2)(h)
7	undated	OperationalFramework IwiMāori	Released with information redacted in reliance on section 9(2)(h)
8.	February 2024	Final Engagement Strategy	Released in full