

**Climate Change Commission Board Meeting Minutes (Meeting 28)
Wednesday, 20 October 2021**

A meeting of the Climate Change Commission Board Members was held via Teams Teleconference Facility. The meeting started at 9.32am and concluded at 5.18pm.

Climate Change Commission Attendees:

Dr Rod Carr – Chairperson
Lisa Tumahai – Deputy Chair
Dr Harry Clark
Dr Judy Lawrence
Catherine Leining
Professor James Renwick
Professor Nicola Shadbolt

Invited Attendees:

Jo Hendy – Chief Executive
Anne Jonathan – Executive Assistant and Minute Taker
Sandra Davies – Board Coordinator and Minute Taker

Guests:

Anita King – Principal Analyst
Antonia Burbidge – Principal Analyst
Barry Anderson – General Manager, Sector Analysis
Bevan Hunter – Principal Analyst
Brianna Yee – Senior Analyst
Bhanu Soma – Senior Financial and Corporate Advisor
Charli Keeling – Senior Advisor, Communications and Engagement
Christopher Holland – Principal Analyst
Danny Eyre – Senior Analyst, HIP and Transport
Edward Lewis – Graduate Analyst, Strategy, Planning & Engagement
Emily Laing – Senior Advisor, Strategy and Performance
Eva Murray – Principal Analyst
Fran Lovell – Manager, Communications and Engagement
Grant Blackwell – Chief Scientist
Harriet Palmer – Principal Analyst
Havana Wellbelove – Communications and Engagement Coordinator
Karen Lavin – Principal Analyst

Kate Hanson – Communications Advisor, Communications and Engagement
Kerryn Davey – Analyst, Rautaki Māori
Matt de Boer - Senior Analyst, Sector Analysis – Land and Waste
Olivia Prior - Analyst
Phil Wiles – Principal Analyst
Rebecca Alberts – Senior Advisor Communications and Engagement
Sally Garden – Principal Analyst
Sandra Velarde – Senior Analyst
Sarah Bassett – Analyst
Sean Buchanan – Senior Analyst
Sharon Kerry – General Manager, Governance and Corporate Services
Stephen Walter – General Manager, Emissions Budgets, Adaptation, and Markets
[REDACTED] – LukeCunninghamClere
[REDACTED] – LukeCunninghamClere

The meeting started at 9.32am.

Agenda Item 1: Board only time

Rod Carr, Lisa Tumahai, Harry Clark, Judy Lawrence, Nicola Shadbolt, James Renwick, Catherine Leining, Jo Hendy, Sharon Kerry, Stephen Walter, Anne Jonathan and Sandra Davies joined the meeting.

Board Only Time

1.1 Coal Interests Complaint

- 1.1.1 The Board noted the emails and Official Information Act requests received pertaining to a perceived conflict of interest regarding Lisa Tumahai’s husband’s interest in Bathurst Resources Limited.
- 1.1.2 The Board noted this interest is currently disclosed in the Climate Change Commission’s Interest Register.
- 1.1.3 Lisa Tumahai confirmed with the Board the interest details she had previously provided to the Commission remain unchanged.

Lisa Tumahai left the meeting at 9.38am.

- 1.1.4 The Board discussed the issues raised within the emails and Official Information Act requests.
- 1.1.5 The Board noted there is no financial interest in respect of this interest other than Lisa’s husband receiving director’s fees from Bathurst Resources Ltd. After a thorough discussion on this topic the Board agreed that the current mitigation in place is appropriate and sufficient.

Jo Hendy, Sharon Kerry and Stephen Walter left the meeting at 9.53am.

Lisa Tumahai rejoined the meeting at 9.54am.

- 1.1.6 The Board confirmed with Lisa Tumahai that the current conditions concerning her Bathurst Resources Ltd interest remain in place.

1.2 Other Board Only items discussed

- 1.2.1 The Board discussed involvement by individual members in government funding proposals by research organisations and the implications to the Commission as being an end user of the information. As a matter of policy, the Commission does not endorse external research programmes at the proposal stage.
- 1.2.2 The Board agreed that individual members are to raise, for discussion, any new interests as they arise.

Jo Hendy, Sharon Kerry, Stephen Walter, Bevan Hunter, Barry Anderson, Antonia Burbidge, Edward Lewis, Sarah Bassett, Grant Blackwell and Matt de Boer joined the meeting at 10.13am.

The meeting opened with a karakia led by Bevan Hunter.

Agenda Item 2: Welcome and Introductions

2.1 Apologies

- 2.1.1 Apologies were received from Astrid Nunns.

2.2 Additional Items

- 2.2.1 The Board noted that there were no additional agenda items.

Bevan Hunter left the meeting at 10.17am.

2.3 Conflicts of Interest

- 2.3.1 Board members confirmed there were no conflicts of interest on the meeting agenda.
- 2.3.2 Catherine Leining informed the Board that MfE are funding her to update the Guide to Emissions Trading Scheme document. The Board agreed that for the purposes of this meeting there is not a conflict of interest.
- 2.3.3 Lisa Tumahai informed the Board that she has been appointed as co-chair of the Iwi Pandemic Response Group. The Board agreed that for the purposes of this meeting there is not a conflict of interest.
- 2.3.4 The Board noted that new items raised will be added to the Interests Register.

2.4 CE Confirmation

- 2.4.1 The Board congratulated Jo Hendy on re-appointment as He Pou a Rangi Climate Change Commission Chief Executive.
- 2.4.2 Jo Hendy thanked the Board for their endorsement.
- 2.4.3 The Chair advised the Board that a media release is being prepared to confirm Jo Hendy's reappointment as Chief Executive.
- 2.4.4 Jo Hendy introduced new Commission staff to the Board:
Barry Anderson - General Manager, Sector Analysis
Sarah Bassett – Analyst

Matt de Boer - Senior Analyst, Sector Analysis – Land and Waste
Edward Lewis - Graduate Analyst, Strategy, Planning & Engagement

Lisa Tumahai left the meeting at 10.18am.

Sarah Bassett, Edward Lewis and Matt de Boer left the meeting at 10.25am.

2.5 Approve Draft Board Meeting Minutes

- 2.5.1 The Board reviewed the draft Board Meeting minutes from 8 September 2021.
- 2.5.2 The Board agreed that the minutes from the 8 September 2021 Climate Change Commission Board meeting would be confirmed as a true and accurate record of the meeting.
- 2.5.3 The Board noted that a decision was required on the timeframe for offsetting of emissions under 8.4 of the 8 September 2021 Board Meeting Minutes.
- 2.5.4 The Board endorsed offsetting its emissions in financial year 2020-21, corresponding to the dates of the Commission's first emissions inventory. *(Refer to Action number 378/2021)*
- 2.5.5 The Board reviewed the draft Special Board Meeting minutes from 20 September 2021.
- 2.5.6 The Board agreed that the minutes from the 20 September 2021 Climate Change Commission Special Board meeting would be confirmed as a true and accurate record of the meeting.

2.6 Action Register

- 2.6.1 Jo Hendy updated the Board on the actions that were in progress and/or completed.
- 2.6.2 The Board requested a copy of legal advice as pertaining to action item 2021/373. *(Refer to Action number 379/2021)*
- 2.6.3 The Board noted the completed actions and thanked the Commission staff for managing the Actions Register.

Lisa Tumahai rejoined the meeting at 10.35am.

2.7 Board Horizon Report

- 2.7.1 The Board Horizon document was taken as read.
- 2.7.2 The Board noted and discussed the Board Horizon document.
- 2.7.3 The Board agreed that in person attendance was not a requirement at the November Board Meeting, and MS Teams conferencing would be available to all attendees.
- 2.7.4 The Board agreed that fully vaccinated attendees are welcome to join the meeting in person. This expectation is to be communicated to staff. Staff will not be asked to provide proof of their vaccination status if attending the meeting in-person and an online option will be made available. *(Refer to Action number 380/2021).*
- 2.7.5 Sharon Kerry informed the Board she will contact the Institute of Directors to enquire if the Workshop can proceed online instead of in person, if needed.

2.8 Minister's Letter of Expectations and Response

- 2.8.1 The Board noted the Minister's Letter of Expectations dated 5 July 2021.
- 2.8.2 The Board noted the Climate Change Commission's response to the Minister's Letter of Expectations dated 29 September 2021.

*The meeting adjourned at 10.58am and reconvened at 11.09am.
Bhanu Soma, Matt Smith and Emily Laing joined the meeting at 11.09am.*

Agenda Item 3: Chief Executive Report

- 3.1 The Chief Executive Report was taken as read.
- 3.2 Jo Hendy provided the Board with an overview of the Commission's performance during September 2021.
- 3.3 The Board noted and discussed the key strategic issues and the progress of statutory deliverables outlined within the Chief Executive's Report.

*Phil Wiles joined the meeting at 11.40am.
Danny Eyre joined the meeting at 11.50am.
Danny Eyre and Matt Smith left the meeting at 12.19pm.*

Agenda Item 4: Update from RASH Meeting

- 4.1 The RASH Committee Chair provided to the Board an update from the RASH Meeting held on 19 October 2021.
- 4.2 The Board noted the financial quarterly update and the verbal update provided by the Auditor to the RASH Committee.
- 4.3 The Board noted the ongoing Health and Safety work required in the current Covid-19 working conditions.
- 4.4 The Board agreed that RASH Meeting minutes are to be included in the Board papers and noted at Board Meetings. *(Refer to Action number 381/2021)*

Agenda Item 5: 2021/22 Final Annual Report adopted

- 5.1 Emily Laing provided an update to the Board of the Final Annual Report.
- 5.2 The Board endorsed the Final Annual Report, subject to amendments discussed and to the Chief Executive's final approval.
- 5.3 The Board noted that the Annual Report is now ready to proceed with the final internal and external proofing process.
- 5.4 The Board requested a legal review of the Annual Report with a view to the upcoming Judicial Review. *(Refer to Action number 382/2021)*

Karen Lavin joined the meeting at 12.48pm.

Agenda Item 6: Approach to Budget 22

- 6.1 Sharon Kerry provided a verbal update to the Board on the approach to Budget 22 process.
- 6.2 The Board noted and discussed the proposed approach to Commission's Budget 22 bid.
- 6.3 Sharon Kerry informed the Board that the Board's input would be required in early November, with an indicative budget package to be considered at the 16 November Board meeting.
- 6.4 The Board noted the final bid is due to Manatū Mō Te Taiao MfE in late November, and to

Te Tai Ōhanga The Treasury on 10 December 2021.

Karen Lavin, Emily Laing, Phil Wiles and Bhanu Soma left the meeting at 1.05pm.

The meeting adjourned at 1.05pm and reconvened at 1.36pm.

Fran Lovell, Harriet Palmer and Charli Keeling joined the meeting at 1.36pm.

Agenda Item 7: Proposed Policy Review Schedule

- 7.1 Sharon Kerry presented to the Board the Proposed Policy Review Schedule paper.
- 7.2 The Board noted and discussed the Proposed Policy Review schedule.
- 7.3 The Board requested clarification on which policies within the Proposed Policy Review schedule require the Board to review and approve. *(Refer to Action number 383/2021).*
- 7.4 The Board requested a process to inform the Board when policies are reviewed at an operational level. *(Refer to Action number 384/2021).*
- 7.5 The Board requested that any policies requiring Board review and approval are added to the Board Horizon's Report. *(Refer to Action number 385/2021)*

Rebecca Alberts and Kate Hanson joined the meeting at 1.46pm.

Havana Wellbelove joined the meeting at 1.50pm.

Agenda Item 8: Comms and Engagement Strategy

- 8.1 Fran Lovell and Harriet Palmer presented to the Board the 2021-2022 Communication and Engagement Strategy paper.
- 8.2 The Board discussed the 2021-2022 Communication and Engagement Strategy paper.
- 8.3 The Board subject to the matters discussed, endorsed the 2021-2022 Communication and Engagement strategy.

Matt Smith joined the meeting at 2.05pm.

Fran Lovell, Harriet Palmer, Charli Keeling, Havana Wellbelove, Rebecca Alberts and Kate Hanson left the meeting at 2.18pm.

Kerryn Davey, Karen Lavin, Phil Wiles, Sandra Velarde and Eva Murray joined the meeting at 2.19pm.

Agenda Item 9: Potential implications of the delay to emissions reduction plan

- 9.1 Antonia Burbidge presented to the Board the Potential implications of the delay to emissions budgets and the emissions reduction plan paper.
- 9.2 The Board discussed and noted possible implications for the Commission's work programme due the delay in notification of the Government's final emissions budgets and emissions reduction plan.
- 9.3 The Board noted the new timeframe for the NZ ETS unit limits and price control settings work programme.

Anita King, Olivia Prior, Sarah Bassett, Edward Lewis, Matt de Boer, Brianna Yee, Sally Garden and Chris Holland joined the meeting at 2.33pm.

Agenda Item 10: Confirming Scope of 2022 deliverables – amended paper

- 10.1 Chris Holland presented to the Board the amended confirming scope of 2022 deliverables paper. This was amended following the discussion from the 8 September 2021 Board Meeting.
- 10.2 The Board noted and discussed the amended paper.
- 10.3 The Board noted that the legal advice received confirmed there is no public consultation requirement with respect to the ETS settings work.
- 10.4 The Board agreed to the proposed scope of the ETS limits and price controls advice.
- 10.5 The Board agreed to the proposed scope of the Agricultural Progress Assessment advice.

Agenda Item 11: Response to Ministerial consultation on Ag Assistance ToR

- 11.1 The Board noted the Climate Change Commission's response to the Minister of Climate Change and the Minister of Agriculture dated 24 September 2021 regarding the proposed Terms of Reference on agricultural assistance.

Francisco Hernandez joined the meeting at 2.50pm.

Agenda Item 12: Reflections on the draft ERP released for consultation

- 12.1 Antonia Burbidge, Eva Murray and Phil Wiles provided a verbal update to the Board on the Government's draft ERP, including budgets, which has been released for consultation.
- 12.2 The Board noted and discussed the draft document and the implications for the Commission's work plan.

Edward Lewis and Kerryn Davey left the meeting at 3.29pm.

The meeting adjourned at 3.29pm and reconvened at 3.40pm.

Sean Buchanan joined the meeting at 3.41pm.

Agenda Item 13: 2021-22 Work programme for scoping adaptation tasks

- 13.1 Karen Lavin presented to the Board the 2021-2022 Work programme for scoping adaptation tasks.
- 13.2 The Board discussed and provided feedback on the 2021-2022 Work programme for scoping adaptation tasks.
- 13.3 The Board noted and agreed to the scoping and objectives in the work programme.
- 13.4 The Board indicated their interest to support the adaptation scoping work programme outside of Board meetings.

Olivia Prior and Francisco Hernandez left the meeting at 4.00pm.

Sarah Bassett left the meeting at 4.13pm.

Karen Lavin left the meeting at 4.19pm.

Agenda Item 14: Deliverables beyond 2022

- 14.1 Antonia Burbidge and Sally Garden presented the 2022-2024 Work Programme update.
- 14.2 The Board discussed and provided feedback on the 2022-2024 Work Programme update.
- 14.3 The Board noted and agreed to the recommendations.

Sean Buchanan, Brianna Yee, Antonia Burbidge, Chris Holland, Sally Garden and Anita King left the meeting at 4.30pm.

Matt Smith joined the meeting at 4.31pm.

Agenda Item 15: General Business (previously Agenda item 16)

- 15.1 No further items were raised for discussion.

The meeting adjourned at 4.33pm and reconvened at 4.38pm.

██████████ and ██████████ joined the meeting at 4.39pm.

Agenda Item 16: Judicial Review (previously Agenda item 15)

- 16.1 The Board paper Judicial Review Proceedings and LukeCunninghamClere Memorandum dated 6 October 2021 was taken as read.
- 16.2 ██████████ provided a verbal update to the Board on the progress of the Judicial Review Hearing preparation.
- 16.3 The Board noted a Special Board meeting is scheduled for 10 November 2021 to discuss the Judicial Review.

Sharon Kerry left the meeting at 5.00pm.

██████████ and ██████████ left the meeting at 5.15pm.

Bevan Hunter joined the meeting at 5.15pm.

Bevan Hunter closed the meeting with a karakia.

The meeting finished at 5.18pm.

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

Signed: _____

Date: 16/11/2021