



Ref: 2021-0020

By email: [REDACTED]

14 April 2021

Tēnā koe [REDACTED]

Thank you for your official information request for communications between the Climate Change Commission and the Minister of Climate Change, from 5 February 2019 to 11 February 2021. On 11 March 2021, Minister Shaw's office sought clarification of your request, with the result that part of your request was transferred, under section 14 of the Official Information Act 1982 (the Act) to the Climate Change Commission. The Ministry for the Environment notified you on 15 March 2021 of the partial transfer.

Subsequently you refined the scope of your request to include information *..” relating to methane, agriculture, and the CCC's TOR (and any possible changes to that TOR)”*.

Your resulting request under the Act is as follows:

“Separately, I would like to request under the Official Information Act all communications between the Climate Change Commission and the Minister for Climate Change between the period of February the 5th 2019 and February the 11th 2021. This includes any means of communication; notes, emails, reports, individual/group texts/whatsapp/signal and any other communication. I would also like to request any media releases, communications plans or draft and final media comments in relation to this topic. This request also includes any meeting agendas, minutes, notes etc of any meetings between any of the Minister and the Climate Commission, or with the Minister's other meetings/communications that relate to the Climate Commission, or MfE meetings/communications that relate to the Climate Commission. I am happy to refine this request to information relating to methane, agriculture, and the CCC's TOR (and any possible changes to that TOR)”.

The Climate Change Commission has identified 25 documents which fall within the scope of your request, as listed in the attached document schedule. Some information within these documents has been redacted to protect personal contact details, under section 9(2)(a) of the Act.

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.



I hope this answers your queries. Please note that the Commission has a policy of proactive release of OIA responses to help others have access to more information so this letter will shortly be published on the website with your name and contact details redacted to protect your privacy.

Kind regards,

A handwritten signature in black ink, appearing to read 'Jo Hendy', is positioned above the printed name.

Jo Hendy
Chief Executive

Document schedule

Document no.	Document date	Content/Title
1	17-19 March and 31 March-1 April 2020	Text Messages (between Minister Shaw's Office and Climate Change Commission
2	25 March 2020 8.42 pm	RE: [UNCLASSIFIED] RE: Terms of Reference
3	26 March 8.07 pm	RE: [UNCLASSIFIED] RE: Terms of Reference
4	20 March 1.08 pm	RE: [UNCLASSIFIED] RE: Terms of Reference
5	31 March 2020	RE: Terms of Reference
6		Attachment: (31 March 2020) Draft Terms of reference Section 5K request re methane and NDC
7	26 March 2020 3.13 pm	RE: [UNCLASSIFIED] RE: Terms of Reference
8		Terms of Reference
9	31 March 2020 5.05 pm	FW: CCC methane review letter draft FINAL Tuesday 18 Feb.docx
10		CCC methane review letter draft FINAL Tuesday 18 Feb.docx
11	2 April 2020 3.03 pm	RE: [UNCLASSIFIED] RE: CCC methane review letter draft FINAL Tuesday 18 Feb.docx
12		Draft Terms of Reference
13	3 April 2020 1.36 pm	Re: [UNCLASSIFIED] RE: CCC methane review letter draft FINAL Tuesday 18 Feb.docx
14		Letter from Minister Shaw to Commission Chair
15		Terms of Reference
16	22 April 2020 9.52 am	FW: Letter and Terms of Reference from Minister Shaw
17	20 April 2020	Attachment: Letter requesting advice under Section 5K
18		Attachment: Terms of Reference Section 5K request
Documents - Correspondence and Terms of Reference		
19	18 February 2020	Letter from Minister Shaw to Rod Carr (Chair, CCC) requesting advice on 2050 target for biogenic methane and on New Zealand's NDC
20	20 February 2020	Response from Chair to Minister Shaw's letter of 18 February 2020
21	3 June 2020	Acknowledgment of letter from Minister Shaw requesting advice
22	24 June 2020	Letter from Rod Carr to Minister Shaw: Re request for amendments to statutory deadlines for emissions budgets
23	27 July 2020	Letter from Climate Commission Chair to Minister Shaw: Acknowledgment of letter (20 April 2020) requesting advice under section 5K
24	11 August 2020	Letter from Minister Shaw to Commission Chair (acknowledgment of letter dated 27 July 2020 from Climate Commission Chair
25		Draft Terms of Reference-Climate Change Commission

Hon James Shaw

Minister for Climate Change
Minister of Statistics
Associate Minister of Finance

Minita mō Te Rerekētanga o Te Āhuarangi
Minita Tatauranga
Hoa Minita Tahua Moni



Rod Carr
Chair of the Climate Change Commission

By email: [REDACTED]

18 February 2020

Dear Rod,

I hope that the establishment of the Climate Change Commission is going well. I know you and your fellow Commissioners are aware of the scale of the challenge we face as a country to meet our climate change targets.

Further to my conversations with you on 13 November 2019 and with you and your fellow Commissioners on 28 January 2020, I am writing to request advice on two important issues.

Advice on the 2050 target for biogenic methane

First, I request advice from the Commission regarding the 2050 target for New Zealand's biogenic methane emissions.

I make this request under Section 5K of the Climate Change Response Act (the Act), which provides for the Climate Change Minister to request advice of the Commission on matters relating to climate change.

Many people across civil society, the agriculture sector, and the wider business community have raised concerns with me, and with the Environment Select Committee, that the 2050 target outlined in the Act for biogenic methane does not provide a sufficient level of certainty.

This is because the range of 24 to 47 per cent is too broad to be used for any meaningful planning or investment purposes. Debate also exists about the reductions in biogenic methane emissions New Zealand needs to make to be consistent with the global 1.5°C temperature goal.

While the direction of travel is clear, and the 2030 interim requirement for a 10 per cent gross reduction in biogenic methane does provide a strong shorter-term investment signal, I do understand the desire for more precision out to 2050.

I am aware that the Commission already has a significant work programme ahead, particularly with the preparation of advice on the first three emissions budgets. In preparing the terms of reference, there will be an opportunity for us to discuss how the Commission is able to deliver this request alongside its existing work programme.

Yours sincerely,



Hon. James Shaw
Minister of Climate Change

Released under the Official Information Act

**CLIMATE
CHANGE
COMMISSION**

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Wellington 6011, New Zealand

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20 February 2020

Hon James Shaw
Minister for Climate Change
Parliament Buildings
Wellington

Tēnā koe James

Thank you for your letter requesting the Climate Change Commission provide you with advice on both the 2050 target for biogenic methane and on New Zealand's first Nationally Determined Contribution under the Paris Agreement by 1 February 2021.

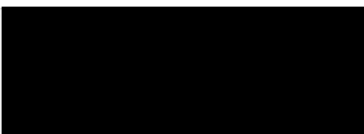
I note that your letter initiates your consultation with the Commission on the terms of reference as per Section 5K(2) of the Climate Change Response Act 2002. I expect a draft from you shortly and appreciate the opportunity to discuss before finalising.

I appreciate you have noted that the Commission has a significant work programme this year and I welcome the opportunity to discuss with you how the Commission may be best placed to be able to deliver this additional work.

My team has already started looking into the impact of these new tasks on the current work program. This review includes identifying any potential risks to the delivery of the existing work, including risks around resourcing, and identifying potential mitigations to these risks.

I look forward to discussing the draft terms of reference with you as soon as possible.

Ngā mihi,



Dr Rod Carr
Chairperson
Climate Change Commission

3 June 2020

Hon James Shaw
Minister for Climate Change
Parliament Buildings
Wellington

Dear Minister

I am writing to acknowledge receipt of your letter requesting additional advice from the Climate Change Commission under Section 5K of the Climate Change Response Act (the Act), and the associated Terms of Reference. As required under the Act, we have made the letter and Terms of Reference available on our website.

We have begun a detailed assessment of the work required to provide advice on biogenic methane and New Zealand's Nationally Determined Contribution. We will provide an update once we have determined how we will conduct and communicate the new work programme.

I would like to thank you for the constructive way you and your office consulted with the Commission about the scope and wording of the terms of reference.

The Commission's role is to provide evidence-based advice on the best strategies and actions to achieve our country's climate goals. We hope that our advice will help Aotearoa avoid costly mistakes during the transition and will help create the system change needed for a low-emissions and climate-resilient future.

As the functions and work programme of the Commission evolve, we continue to assess the organisation's capacity to ensure we can achieve our objectives. Our approach is to always provide Aotearoa with the best value for its investment.

We have costed the additional resource to deliver the work outlined in the Terms of Reference at approximately \$600,000. This funding is the minimum required and is critical to being able to deliver this additional advice. We are working with the Ministry for the Environment and the Treasury to secure this necessary funding.

Yours sincerely

Rod Carr
Chair, Climate Change Commission
On behalf of the Climate Change Commission

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Hon James Shaw
Minister for Climate Change
Parliament Buildings
Wellington

24 June 2020

Dear Minister Shaw

I am writing to formally request amendments to the statutory deadlines for emissions budgets and other requested work in light of the effects of Covid-19.

The Commission proposes the following timeframes for approval:

- The Commission will issue a draft report on the proposed first three emissions budgets and emissions reduction plan by 1 February 2021 and then will consult on that draft report.
- The Ministry for the Environment will co-ordinate officials attending the Commission's consultation process as observers, so that the Government can hear and understand the issues raised.
- The Commission will provide its final report on the first three emissions budgets and the emissions reduction plan to you by 31 May 2021.
- The Commission will also provide its advice on potential reductions in biogenic methane and New Zealand's Nationally Determined Contribution that you have requested by 31 May 2021.

Now that we are in Level 1 for Covid-19, the Commission is confident that our consultation and engagement processes can support the development of high-quality analysis and advice to the Government.

Yours sincerely



Dr Rod Carr
Chair, Climate Change Commission
On behalf of the Climate Change Commission

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Hon James Shaw
Minister for Climate Change
Parliament Buildings
Wellington

27 July 2020

Tēnā koe Minister

I am writing to acknowledge receipt of your letter (20 April 2020) requesting additional advice from the Climate Change Commission under Section 5K of the Climate Change Response Act (the Act), and the associated Terms of Reference. On behalf of the Commission, I accept the Terms of Reference and, as required under the Act, have made your letter and Terms of Reference available on our website.

The Commission's role is to provide evidence-based advice on the best strategies and actions to achieve our country's climate goals. We hope that our advice will help Aotearoa avoid costly mistakes during the transition and will help create the system change needed for a low-emissions and climate-resilient future.

We have begun a detailed assessment of the work required to provide advice on biogenic methane and New Zealand's Nationally Determined Contribution. We will contract international expertise to separately assess the latest scientific evidence on the impacts of methane and the levels of reduction required to meet global temperature goals, and to summarise international targets, key policies and programmes. We will also be adjusting our in-house modelling and bringing on board additional experienced analysts. I note timing for the delivery of this advice is to coincide with the advice on the first emissions budgets, and that your letter of 10 July confirmed the deadline has been extended to 31 May 2021.

As we have previously discussed, the Commission is not resourced to undertake this work from within our baseline funding. It is critical that any extra pieces of work are additionally and appropriately resourced to ensure the Commission delivers high quality advice within the agreed timeframes. Thank you for your support in presenting the Commission's funding case to Cabinet. I look forward to hearing the outcome of the budget request.

As the functions and work programme of the Commission evolve, we continue to assess the organisation's capacity to ensure we can achieve our objectives. Our approach is to always provide Aotearoa with the best value for its investment and we remain committed to providing independent high-quality advice to the Government to guide New Zealand's transition to a low emissions future.

Ngā mihi



Dr Rod Carr
Chair, Climate Change Commission
On behalf of the Climate Change Commission

Released under the Official Information Act

Hon James Shaw

Minister for Climate Change
Minister of Statistics
Associate Minister of Finance

Minita mō Te Rerekētanga o Te Āhuarangi
Minita Tatauranga
Hoa Minita Tahua Moni



Reference: 20-M-01401

Dr Rod Carr
Chair, Climate Change Commission

By email: [REDACTED]

11 August 2020

Tēnā koe Rod,

Thank you for your letter of 27 July 2020 accepting the Terms of Reference for the additional advice I requested under Section 5K of the Climate Change Response Act.

I appreciate your update on the work required to provide advice on biogenic methane and on New Zealand's first Nationally Determined Contribution under the Paris Agreement.

This work is crucial for informing New Zealand's understanding of what might be required as part of a global effort under the Paris Agreement to limit the global average temperature increase to 1.5°C above pre-industrial levels.

I am progressing options to ensure that the Commission is adequately resourced to undertake this work.

Nāku noa, nā,



Hon. James Shaw
Minister for Climate Change

Ministerial request for advice: Draft Terms of Reference

Climate Change Commission: advice and recommendations to the Minister for Climate Change

Draft Terms of Reference

In December 2019, the Minister for Climate Change announced the establishment of the Climate Change Commission (the Commission). The Commission was established to provide independent expert advice to the Government and to monitor and review its progress towards emissions reduction and adaptation goals. Membership of the Commission is set out in Annex 1.

On 18 February 2020, the Minister for Climate Change, wrote sent a letter to the Chair of the Climate Change Commission (Appendix 1), Dr Rod Carr, indicating his intention to request advice from the Commission on two matters relating to climate change under section 5K of the Climate Change Response Act 2002 (the CCRA):

1. Advice on the 2050 target for biogenic methane; and
2. Advice on New Zealand's first Nationally Determined Contribution (NDC) under the Paris Agreement

These Terms of Reference outline in more detail the nature and scope of the advice to be provided under section 5K, as follows:

- (i) How New Zealand can meet the 2050 target range for biogenic methane emissions specified in section 5(Q)(1)(b)(ii) of the CCRA. The level of the 2050 target for biogenic methane (section 5Q(1)(b) of the CCRA), including:
 - a. advice on the intended pathway for gross biogenic methane reductions from 2021 to 2050~~advice on whether the 2050 target for biogenic methane is consistent with the global 1.5 degree temperature goal;~~
 - b. advice on the 2050 end-point or end-point range within the 24% to 47% target range~~recommendations on any changes to the 2050 biogenic methane target, for example narrowing the target range.~~

The CCRA sets a single point emissions reduction target for biogenic methane in 2030 of 10% below 2017 levels. However, for 2050, there is a target range for biogenic methane of between 24% to 47% below 2017 levels. Given the wide 2050 target range for biogenic methane, this additional advice aims to inform the setting of the first three emissions budgets and give more certainty to enable plans for achieving the 2050 target. Therefore, in delivering this advice the Commission should have regard to the same matters relevant to advising on emissions budgets outlined in section 5ZC of the CCRA, as well as consistency with contributing to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels.–

(ii) **New Zealand's first Nationally Determined Contribution under the Paris Agreement:**

- a. **advice** on whether the NDC is compatible with contributing to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels ~~the global 1.5°C temperature goal~~;
- b. **recommendations** on any changes to the NDC to ensure it is compatible with the global 1.5°C temperature goal.

Mode of work

The Commission must fulfil the requirements of section 5N of the CCRA, and is expected to engage with the public, iwi/hapū/Māori, industry, technical experts, special interest groups, sector lead groups and other interested parties.

The Commission will be able to draw upon a range of people from government agencies to inform specific elements of the work being undertaken.

Expected timeline

The Commission's advice on these matters in the form of a final report or reports, is to be provided to the Minister for Climate Change at the same time that the Commission recommends the first three emissions budgets and advises on the first emissions reduction plan, that is, no later than 1 February 2021.

Publication~~Reporting~~

Under s 5L (2) of the CCRA, the Minister for Climate Change is required to table the Commission's final report with the House of Representatives. The Commission must make the document publicly available as soon as practicable after it is presented to the House of Representatives, but no later than 20 working days after providing it to the Minister (even if the document has not been presented to the House by that date).

Annex 1: Membership of the Climate Change Commission

- Dr Rod Carr (Chairperson)
- Ms Lisa Tumahai (Deputy Chairperson)
- Dr Harry Clark
- Dr Judy Lawrence
- Professor Nicola Shadbolt
- Ms Catherine Leining
- Professor James Renwick

Appendix 1: Letter from Hon James Shaw, Minister for Climate Change, to Rod Carr, Chair of the Climate Change Commission

Released under the Official Information Act