

OIA Ref: 2022-005

[REDACTED]

22 July 2022

Tēnā koe [REDACTED]

Thank you for your email of 8 March 2022 requesting under the Official Information Act 1982 (the Act):

I request under the Official Information Act 1982, the following:

- *Any correspondence between the Climate Commission and the Treasury regarding the Emissions Trading Scheme or He Waka Eke Noa*
- *Any information held by the Climate Commission regarding the potential economic impact of bringing agriculture in the Emissions Trading Scheme.*
- *Any information held by the Climate Commission regarding the potential economic impact of He Waka Eke Noa and the options proposed under it.*

Firstly, I apologise for the delay in responding to your request for information, and I thank you for your patience. As noted in our emails to you of 8 April 2022, 13 May 2022 and 8 July 2022, your request necessitated a search through a large quantity of information, and substantial consultation.

Further delays were caused by the ongoing impacts of COVID-19 and winter illnesses impacting the team's capacity, alongside delivery of two major pieces of advice to government, and the reassessment of material in scope of your request following the release of the recommendations report by He Waka Eke Noa.

Regarding the first part of your request:

- *Any correspondence between the Climate Commission and the Treasury regarding the Emissions Trading Scheme or He Waka Eke Noa*

We have been advised that you have been provided this information by the Treasury, as you made a similar request to them.

This letter is a response to the second and third parts of your request:

- *Any information held by the Climate Commission regarding the potential economic impact of bringing agriculture in the Emissions Trading Scheme.*
- *Any information held by the Climate Commission regarding the potential economic impact of He Waka Eke Noa and the options proposed under it.*



Please find attached the documents that fall in the scope of your request.

Two documents are released to you in full, with the remainder of these documents partially released and/or withheld in full in accordance with the following sections of the Act:

Section	Description
9(2)(a)	protect the privacy of natural persons
9(2)(ba)(i)	protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
9(2)(f)(iv)	maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
18(d)	that the information requested is or will soon be publicly available
Outside Scope	Some information within the documents falls outside the scope of the request

A full breakdown of these documents and decisions is provided as Appendix 1 to this letter.

Where section 9 withholding grounds have been applied, we are required under section 9(1) of the Act to consider the public interest in release. We have assessed that in these cases, the public interest does not outweigh the grounds for withholding.

You have the right to seek an investigation and review by the Office of the Ombudsman of this decision, in accordance with section 28(3) of the Official Information Act 1982. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that the Commission has a policy of proactive release of OIA responses to help others have access to more information.

As a result, this letter will shortly be published on the Commission's website with your name and contact details redacted to protect your privacy.

Again, I thank you for your patience as we have worked through your request.

Ngā mihi

A handwritten signature in black ink, appearing to read 'ANunns', with a stylized flourish.

Astrid Nunns

General Manager

Strategy, Engagement and Corporate Services

Attachments: Appendix 1 Documents to be released.

Appendix 1 Documents to be released

Part (pdf)	Doc#	Title	Decision	OIA section(s) applied
Pack 1	1	Meeting Minutes: He Waka Eke Noa Steering Group 19 November 2020	Partially released	Released with some information withheld under sections 9(2)(a). Most of this document is withheld as it is deemed to be outside the scope of request.
	2	Climate Change Commission content requests December 2021	Partially released	Released with some information withheld as it is deemed to be outside the scope of the request.
	3	He Waka Eke Noa Discussion Document: Steering Group Discussion Document to support Partnership Targeted Engagement Nov/Dec 2021	Refused in full	Refused under section 18(d) as the information is publicly available. This document is publicly available at https://www.dairynz.co.nz/media/5794871/he-waka-eke-noa-farmer-engagement-document-draft-19-11-21.pdf
	4	He Waka Eke Noa Industry Signatories call with Programme Office to discuss pricing options for stakeholder engagement Friday 24 September 2021	Withheld in full	Withheld in full under section 9(2)(ba)(i), and 9(2)(g)(i).
	5	Pricing agricultural GHG emissions impacts on dairy, sheep and beef and horticultural industries 26 October 2021	Refused in full	Refused under section 18(d) as the information is publicly available. This document is publicly available at: https://hewakaekenoa.nz/wp-content/uploads/2022/06/FINAL-Pricing-agricultural-GHG-emissions-sectoral-impacts-and-cost-benefit-analysis.pdf
Pack 2	6	He Waka Eke Noa Steering Group Paper:	Partially released	Released with some information withheld under section 9(2)(f)(iv) and 9(2)(g)(i).

Part (pdf)	Doc#	Title	Decision	OIA section(s) applied
		Price Exposure Options 9 September 2021		
	7	He Waka Eke Noa Steering Group Paper: Emissions Pricing- Shortlist 17 December 2021	Partially released	Released with some information withheld under section 9(2)(f)(iv). Some parts of this document are also deemed to be outside the scope of the request.
	8	He Waka Eke Noa Steering Group Paper: Price Exposure Options Analysis 4 June 2021	Released in full	This document represents draft advice and should not be taken as a final decision.
	9	He Waka Eke Noa Steering Group Paper: Split Gas Levy design, settings, and governance 9 September 2021	Released in full	This document represents draft advice and should not be taken as a final decision.
	10	One Page Exposure Primer and Glossary, He Waka Eke Noa Pricing Working Group Paper: Price Exposure 21/05/2021	Partially released	Released with some information withheld under section 9(2)(f)(iv). Some parts of this document are also deemed to be outside the scope of the request.
	11	He Waka Eke Noa Steering Group Paper: Price Exposure 21 July 2021	Partially released	Released with some information withheld under section(9)(2)(ba)(i), and 9(2)(f)(iv).
	12	He Waka Eke Noa Steering Group Paper: On-farm Sequestration 9 September 2021	Partially released	Released with some information withheld under section(9)(2)(f)(iv). Some parts of this document are also deemed to be outside the scope of the request.
Pack 3	13	Analysis of Pricing Options	Partially released	Released with some information withheld under section 9(2)(f)(iv).
	14	He Waka Eke Noa Steering Group Paper:	Partially released	Released with some information withheld under section 9(2)(f)(iv).

Part (pdf)	Doc#	Title	Decision	OIA section(s) applied
		Prices and Impacts 16 December 2021		
	15	He Waka Eke Noa Steering Group Paper: Revenue Recycling 16 December 2021	Partially released	Released with some information withheld under section 9(2)(f)(iv). Some parts of this document are also deemed to be outside the scope of the request.
	16	He Waka Eke Noa Steering Group Paper: Output-based rebate: Testing implication assumptions 16 December 2021	Partially released	Released with some information withheld under section 9(2)(f)(iv).
	17	FFNZ He Waka Eke Noa Member Survey 15 March 2022	Withheld in full	Withheld in full under section 9(2)(ba)(i).
	18	Meeting Notes: He Waka Eke Noa Modelling meeting 27 October 2021	Withheld in full	Withheld in full under section 9(2)(g)(i).
	19	Email from Ian Walker, Chair of Deer Industry NZ to Rod Carr 24 February 2022	Withheld in full	Some information is outside of scope. The rest is withheld in full under section 9(2)(g)(i)
	20	Notes from HWEN meeting 9 March 2022	Withheld in full	Withheld in full under section 9(2)(ba)(i).
	21	AGFIRST Case Study Revisited	Refused in full	Withheld in full under section 18(d). This document is publicly available at https://www.deernz.org/assets/Deer-Hub/Farm-and-environment/DINZ-GHG-Deer-Case-Study-Review-Final-Report-with-Exec-Summary.pdf
	22	He Waka Eke Noa and pricing Greenhouse Gas Emissions from NZ Agriculture Discussion Paper February 2022	Withheld in full	Withheld in full under section 9(2)(g)(i) and section 9(2)(ba)(i).

[UNCLASSIFIED]

Part (pdf)	Doc#	Title	Decision	OIA section(s) applied
	23	Open Letter to He Waka Eke Noa 27 March 2022	Refused in full	Refused as publicly available at: https://www.abetteroption.org.nz
	24	Feedback on Consultation options 14 February 2022	Refused in full	Refused as publicly available at: https://static1.squarespace.com/static/621fd6261833fd292e156042/t/621fe3380d41d807dacc85c2/1646256965318/HWEN+Option+1+Advanced+Transformed+14th+February+2022.pdf