



19-O-00680

Tania Te Whenua
fyi-request-9814-906b6269@requests.fyi.org.nz

Tēnā koe Tania

Thank you for your email of 4 April 2019 requesting the following under the Official Information Act 1982 (the Act):

- 1.1 *“Advice to the Minister for Climate Change and the Minister for the Environment on the range of options considered by the Government to address greenhouse gas emissions.”*
- 1.2 *“Advice to the Minister for Climate Change and Minister for the Environment on how failure to address the adverse effects of climate change may specifically impact Māori and how measures to address climate change may specifically impact Māori.”*
- 1.3 *“Engagement with Māori conducted by the Ministry and/or Minister on the Zero Carbon Bill and New Zealand Emissions Trading Scheme (NZ ETS) review consultation between April 2018 and March 2019, including engagement plans and hui minutes.”*

You also confirmed that you are seeking:

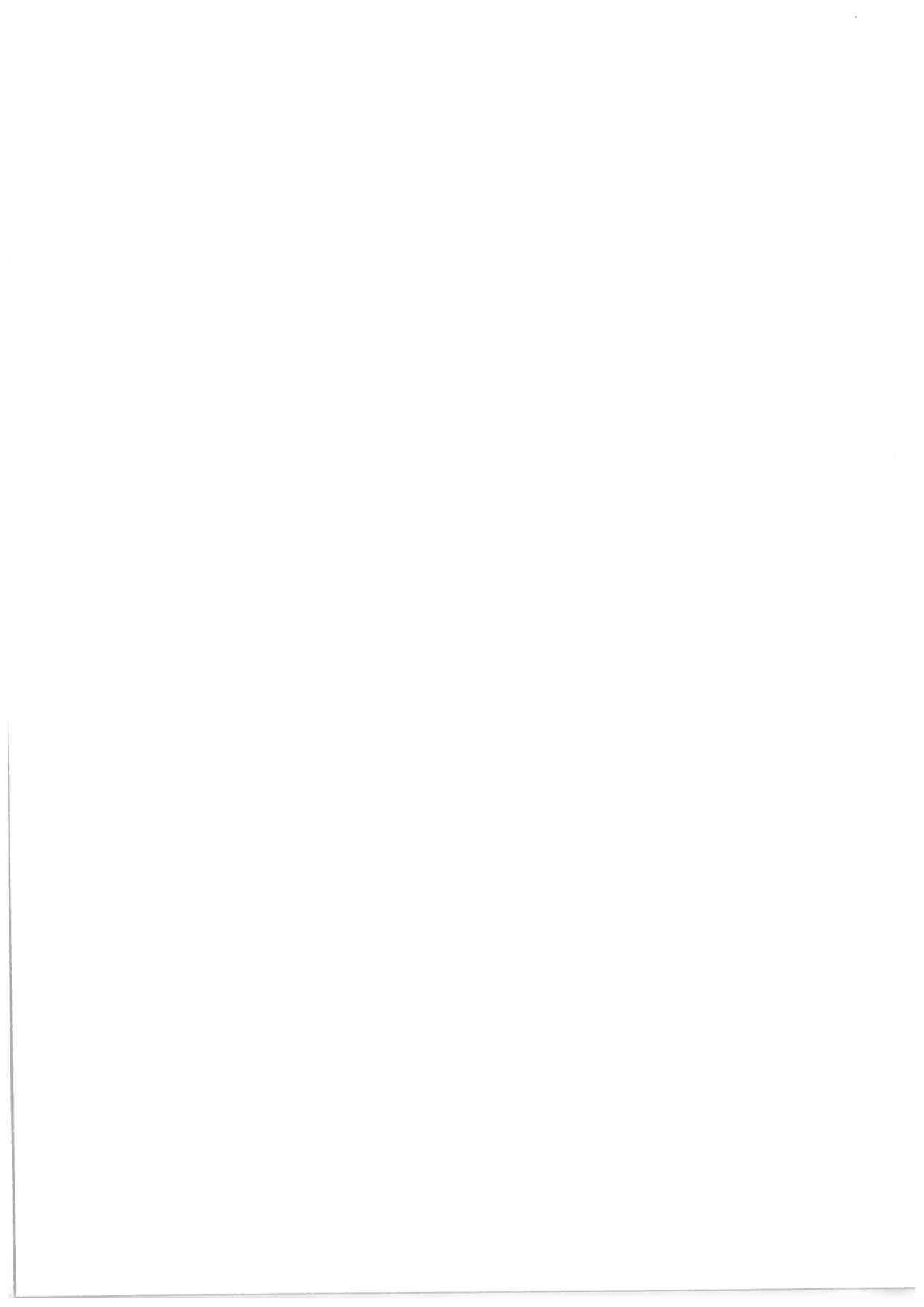
“formal advice which would have been presented to and/or considered by the Minister, contained in briefing papers (together with any supporting documents referenced in those briefing papers). [Your] request relates to information supplied to and/or considered by the Minister for Climate Change and the Minister for the Environment.”

Staggered release of information

Due to the volume of material to be collated and redacted under your request, I am proposing to release the information you requested in a staggered approach. I think this approach would be more beneficial, as the alternative would be a lengthy extension.

I am providing you today with a first batch of material, covering the period from 27 October 2017 to 31 March 2018.

A second batch of material will be provided to you by 11 June 2019.



Application of the Act

There have been 46 documents identified in scope of your request for the period from 27 October 2017 to 31 March 2018, as listed in the attached table. Some information within these documents has been withheld under the following sections of the Act:

- 6(a) to withhold information if the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand
- 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons
- 9(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- 9(2)(ba)(ii) to 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 otherwise to damage the public interest
- 9(2)(f)(iv) to 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)(ii) to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment
- 9(2)(j) to enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

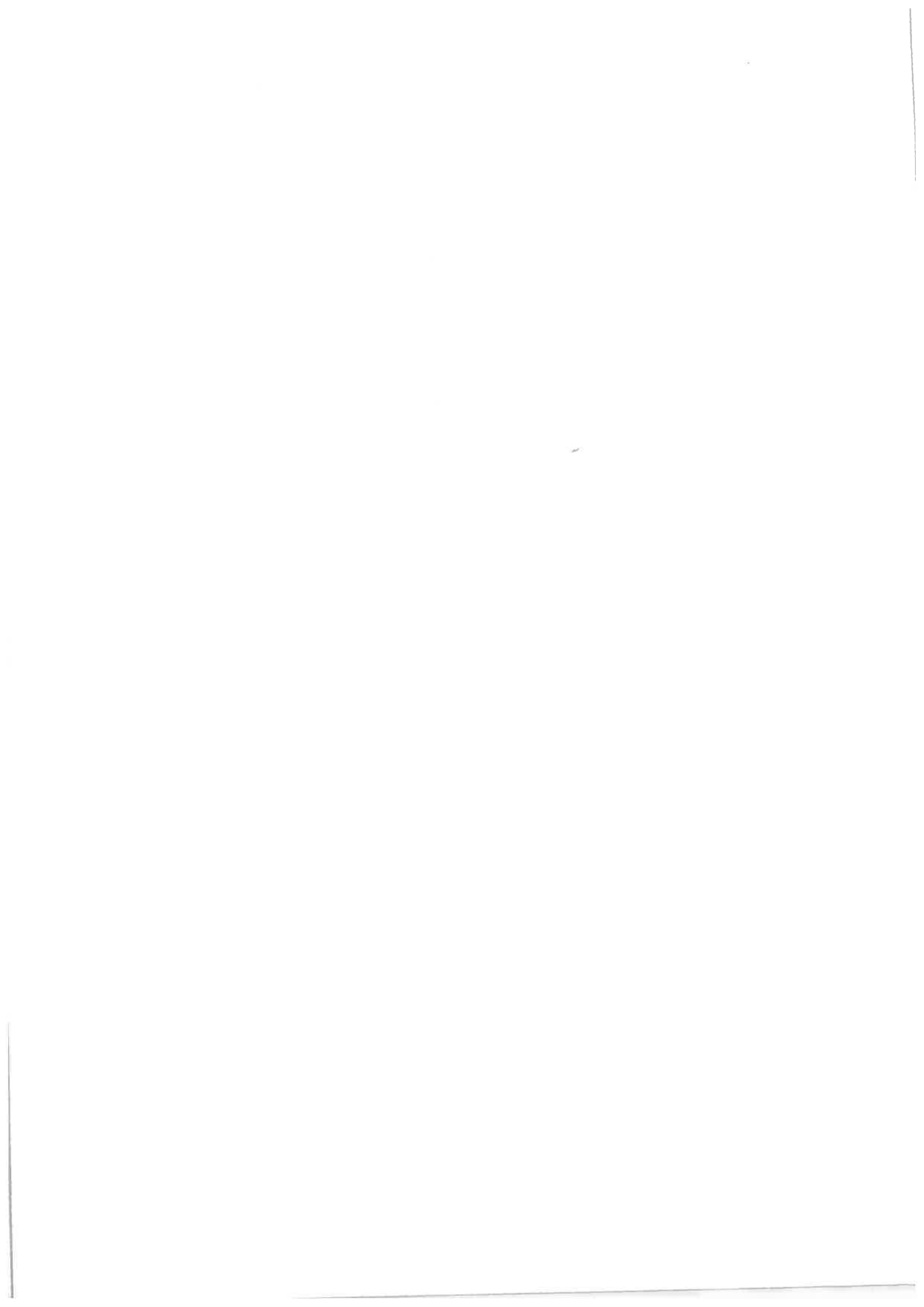
In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Some out of scope information has also been removed from the documents being released to you.

Documents in the public domain

My officials have also identified some online material that may provide elements of answer to your request, including:

- Cabinet paper – December 2017: The 100-day plan for climate change (in scope of question 1): <https://www.mfe.govt.nz/more/briefings-cabinet-papers-and-related-material-search/cabinet-papers/climate-change/100-day-plan>
- Climate Change Adaptation Technical Working Group, Stocktake Report – December 2017, and Recommendations – May 2018 (in scope of question 2): <https://www.mfe.govt.nz/climate-change/climate-change-and-government/adapting-climate-change/climate-change-adaptation>



- Cabinet paper – July 2018: Framework for climate change policy and key upcoming decisions (in scope of question 1): <https://www.mfe.govt.nz/more/briefings-cabinet-papers-and-related-material-search/cabinet-papers/framework-climate-change>
- Cabinet paper – October 2018: Public consultation on the Zero Carbon Bill (in scope of question 3): <http://www.mfe.govt.nz/more/briefings-cabinet-papers-and-related-material-search/cabinet-papers/public-consultation-zero>
- Cabinet paper – April 2019: Amending the Climate Change Response Act Tranche One (in scope of question 3): <http://www.mfe.govt.nz/node/25032>

There may be additional public documents in scope of your request that my officials have not been able to identify yet. Should this be the case, these will be provided to you in a follow-up letter.

Please note that the timeframe for ratification of the Kigali Amendment set out in Document 34 has subsequently changed.

Next steps

Please review the attached material and let us know if this appropriately responds to your query.

While the information provided to you today is only in scope of your first question (ie, advice on the range of options considered by the Minister for the Environment and myself to address greenhouse gas emissions), my officials have already identified some briefings in scope of your questions 2 and 3. These will be provided to you in the second batch of material, which my officials have started collating and which will be released to you by 11 June 2019.

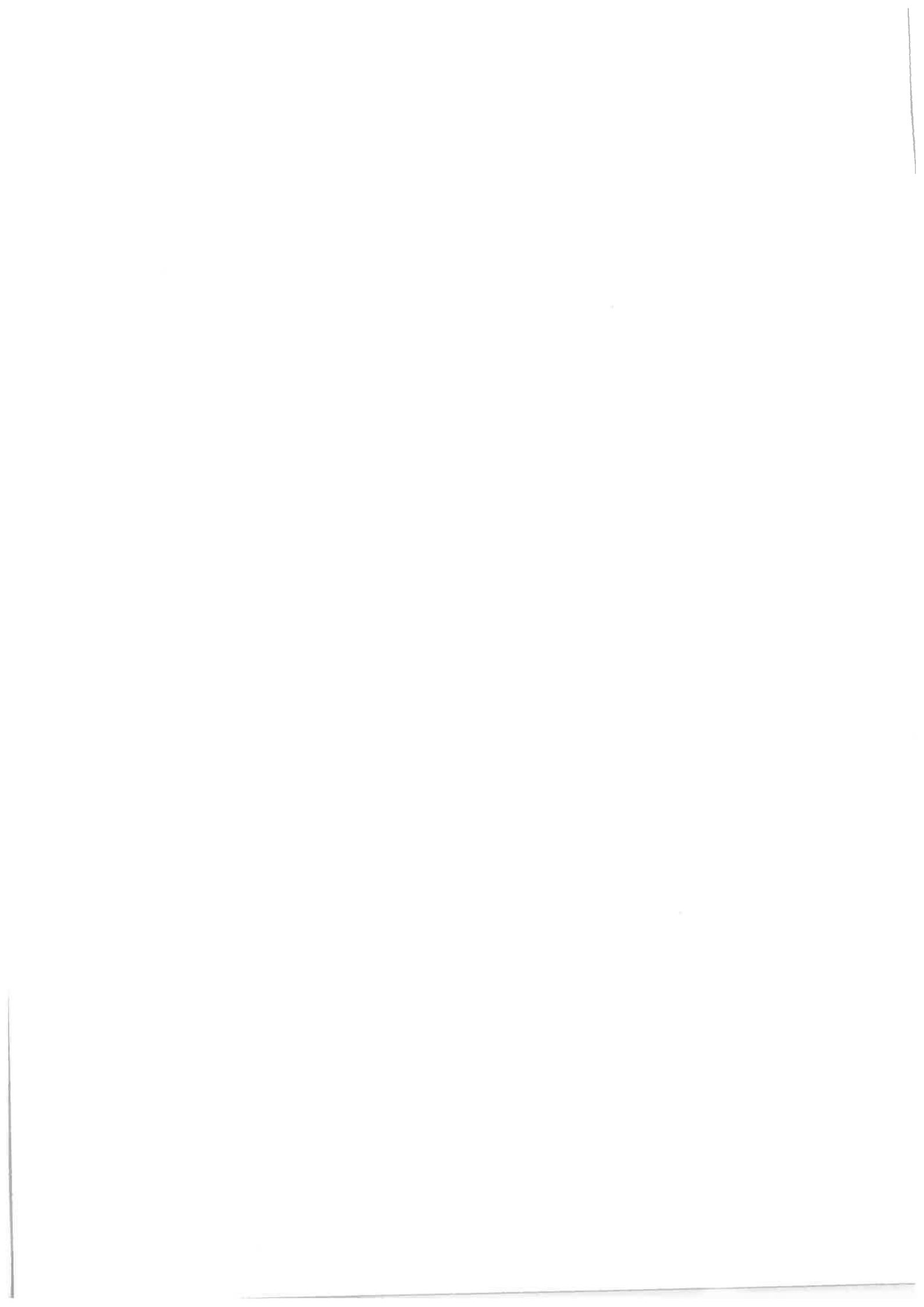
You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please contact my office if you have any queries about this response.

Nāku noa, nā,

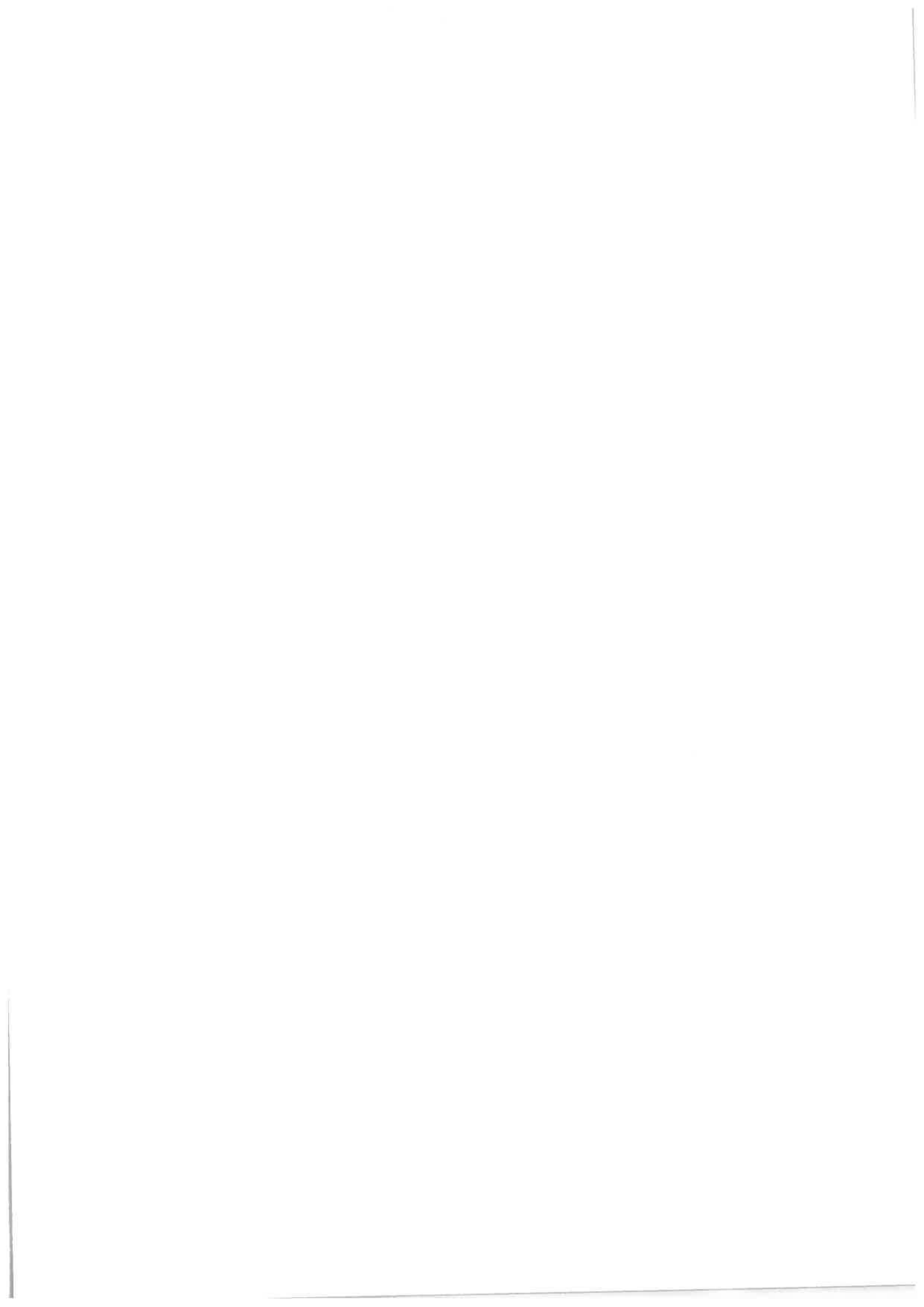


Hon James Shaw
Minister for Climate Change

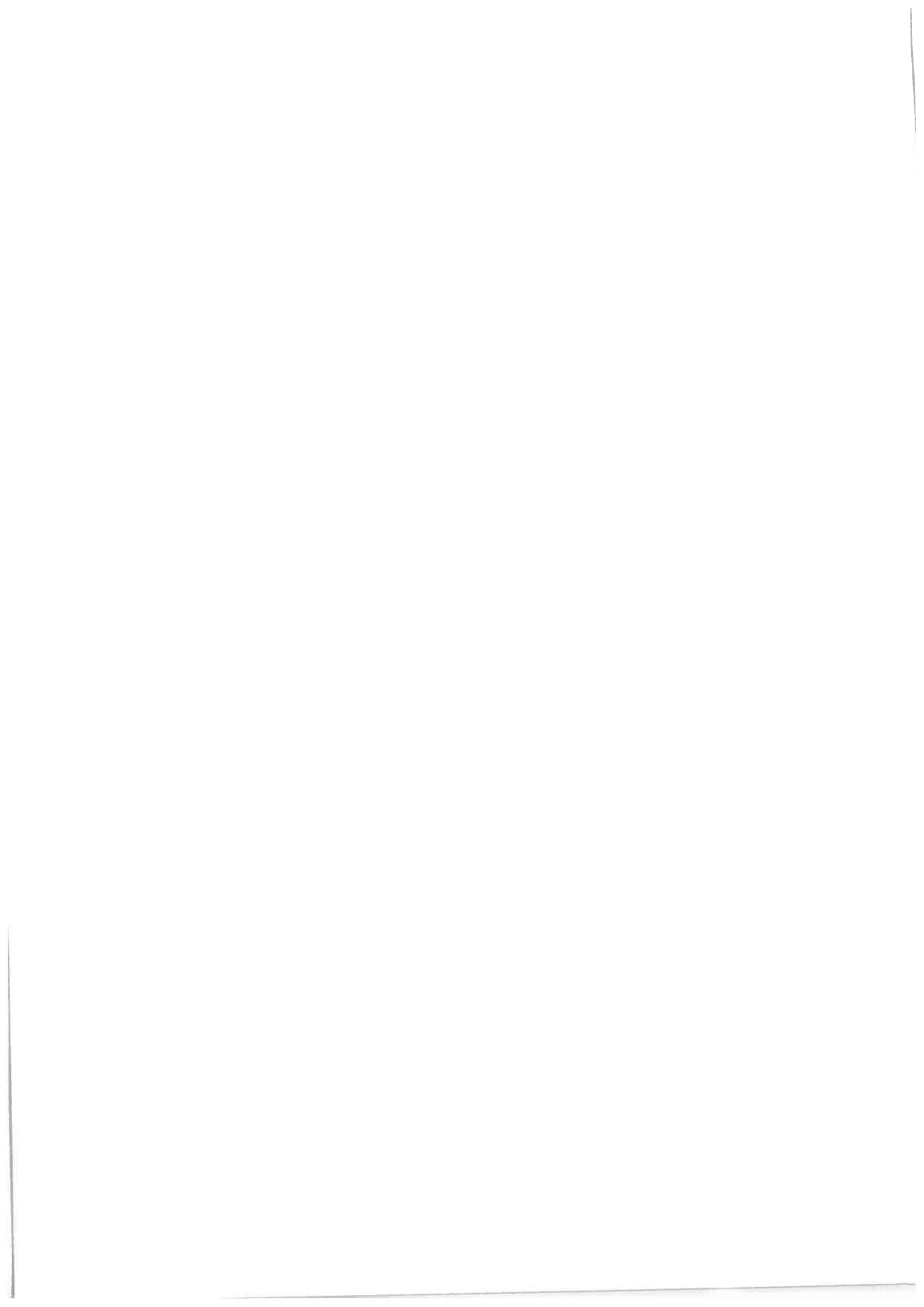


List of documents

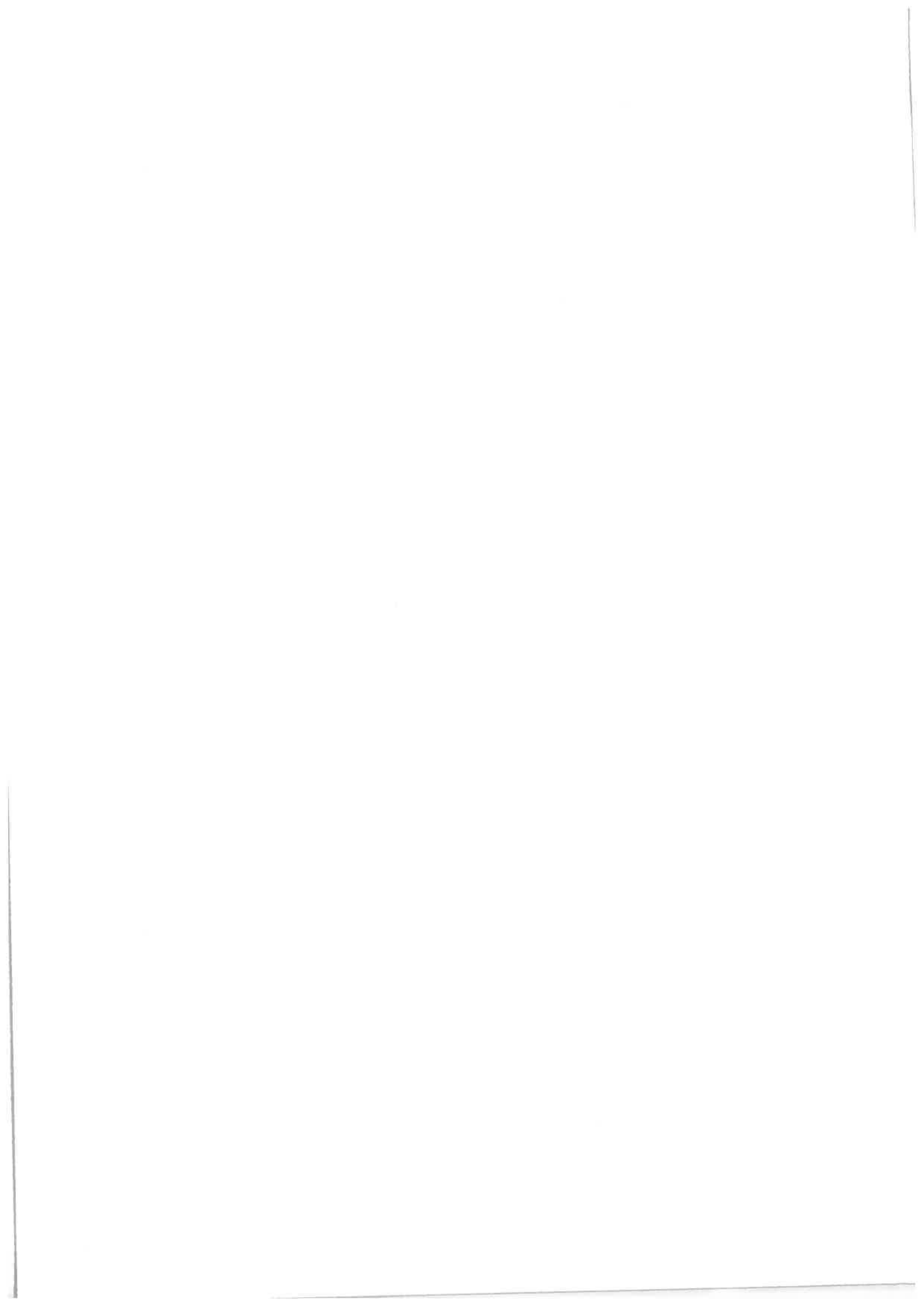
Document no.	Document date	Content	Decisions	OIA sections applied
1	3 November 2017	Briefing 17-B-03940: Potential Partnerships with Fonterra Roadmap to Transition to a Low Emissions Future	Release in part	s9(2)(a)
2	9 November 2017	Briefing 17-B-03972: COP 23 bilateral meetings	Release in part	s9(2)(a)
3	9 November 2017	Briefing 17-B-03965: Draft Cabinet paper: the 100-day plan for climate change	Release in part	s9(2)(j) s9(2)(a)
4	14 November 2017	Briefing 17-B-03980: Opportunity to develop and trial a private afforestation fund	Release in part	s9(2)(a)
5	17 November 2017	Briefing 17-B-04001: Meeting with Hon Shane Jones, Minister of Forestry	Release in full	s9(2)(ba)(ii) N/A
6	17 November 2017	Briefing 17-B-03993: Updated draft Cabinet paper: The 100-Day Plan for Climate Change	Release in part	s9(2)(a)
7	17 November 2017	Briefing 17-B-03992: Funding for the Government's 100 day climate change commitments to discuss with the Minister of Finance	Release in part	s9(2)(a)
8	21 November 2017	Briefing 17-B-04012: Meeting with Hon David Parker about draft Cabinet paper 100-Day Plan for Climate Change	Release in full	N/A
9	24 November 2017	Briefing 17-B-04023: Summary of options for considering NZ ETS surrender obligations for agriculture	Release in full	N/A
10	24 November 2017	Briefing 17-B-04020: 2050 Target – Discussion with the Minister for Climate Change Hon James Shaw 28 November	Release in full	N/A
11	24 November 2017	Briefing 17-B-03931: NZ ETS: Approval to issue 2017 call-for-data Gazette notice for NZ Aluminium Smelters	Release in part	s9(2)(a)
12	27 November 2017	Briefing 17-B-04040: Talking points for your meeting with Hon Megan Woods, 30 Nov 2017	Release in full	N/A
13	27 November 2017	Briefing 17-B-04028: Meetings with Rt Hon Jacinda Aderm and Hon Damien O'Connor about draft Cabinet paper 100-day Plan for Climate Change	Release in full	N/A



14	30 November 2017	Briefing 17-B-03999: Advice on establishing an independent Climate Commission	Release in part	s9(2)(a)
15	4 December 2017	Briefing 17-B-04061: Climate Change Budget 18 proposed bids	Release in part	s9(2)(f)(iv)
16	7 December 2017	Briefing 17-B-04060: Urban areas and climate change	Release in part	s9(2)(a)
17	8 December 2017	Briefing 17-B-04087: Talking points for 100 Day Plan for Climate Change Cabinet paper	Release in part	s9(2)(f)(iv)
18	8 December 2017	Briefing 17-B-04082: Meeting with Productivity Commissioners on the Low Emissions Economy Inquiry	Release in part	s9(2)(a)
19	12 December 2017	Briefing 17-B-04104: Cover note - Hon Shane Jones' Cabinet Business Committee paper Enabling Crown Forestry to kickstart the 1 billion tree planting programme'	Release in part	s9(2)(a) s9(2)(f)(iv)
20	15 December 2017	Briefing 17-B-04127: Two NZ ETS-related communications	Release in part	s9(2)(a)
21	18 December 2017	Briefing 17-B-04115: Talking points for your meeting with Peter Hughes, State Services	Release in full	N/A
22	20 December 2017	Briefing 17-B-04135: Transition Hub Work Programme	Release in part	s9(2)(f)(iv)
23	20 December 2017	Briefing 17-B-04019: Talking points for Minister's call with Hon Phil Twyford 24 November 2017	Release in full	N/A
24	January 2018	Briefing 2018-B-04168: Zero Carbon Bill decisions for meeting with Minister for Climate Change on 18 January 2018	Release in part	N/A
25	1 February 2018	Briefing 17-B-04051: Slide-pack for discussion on New Zealand Emissions Trading Scheme	Release in full	N/A
26	2 February 2018	Briefing 18-B-04210: Draft ENV paper attaching Interim Committee terms of reference	Release in part	s9(2)(a)
27	February 2018	Briefing 18-B-04219: Agenda for Ministerial Consultation - week of 12 February 2018	Release in part	s9(2)(a) s9(2)(b)(ii)
28	16 February 2018	Briefing 18-B-04283: Refining New Zealand and Emissions Trading	Release in part	s9(2)(a) s9(2)(b)(ii)
29	23 February 2018	Briefing 18-B-04236: Update - International Carbon Markets Project	Release in part	s6(a) s9(2)(f) s9(2)(g)(ii)



30	23 February 2018	Briefing 18-B-04284: Zero Carbon Bill project: updated draft Cabinet paper and terms of reference for the Interim Climate Change Committee	Release in part	s9(2)(a) s9(2)(b) s9(2)(f)(iv)
31	23 February 2018	Briefing 18-B-04260: Response to request for information on carbon budgets and work underway to prepare for them	Release in part	s9(2)(a) s9(2)(f)(iv)
32	23 February 2018	Briefing 18-B-04296: Refining the Terms of Reference for the Interim Climate Change Committee regarding renewable electricity	Release in part	s9(2)(a)
33	1 March 2018	Briefing 18-B-04338: First draft Cabinet Appointments and Honours Committee paper on Interim Climate Change Committee membership	Release in part	s9(2)(b)(ii)
34	2 March 2018	Briefing 17-B-04075: Initiating ratification of the Kigali Amendment to the Montreal Protocol	Release in part Appendix A – Kigali Amendment National Interest Analysis available online: https://www.parliament.nz/resource/en-NZ/PAP_79034/e31cc17a9607dc01f6f437b48f9a5bc286b45b1 Appendix B – Kigali Amendment Consultation Document available online: http://www.mfe.govt.nz/publications/climate-change/hydrofluorocarbons-phase-down	s9(2)(a) s9(2)(b)(ii)
35	2 March 2018	Briefing 18-B-04262: Background for Cabinet Paper: Emissions Trading Scheme: Climate Change (Eligible Industrial Activities) Amendment Regulations 2018	Release in part	s9(2)(a) s9(2)(b)(ii)
36	6 March 2018	Briefing 18-B-04359: Key messages on a Zero Carbon Act for New Zealand: Revisiting Stepping stones to Paris and beyond.	Release in part	s9(2)(a)
37	9 March 2018	Briefing 18-B-04368: Second draft Cabinet Appointments and Honours Committee paper on Interim Climate Change Committee membership	Release in part	s9(2)(b)(ii)
38	9 March 2018	Briefing 18-B-04247: Zero Carbon Bill – Scope and engagement	Release in part	s9(2)(a)
39	16 March 2018	Briefing 18-B-04401: The NZ ETS Price Ceiling	Release in full	N/A
40	16 March 2018	Briefing 18-B-04386: Aide-memoire: The impact of the international carbon markets on incentives for forestry	Release in full	N/A
41	16 March 2018	Briefing 18-B-04354: Accounting for the NZ ETS in the Crown's accounts	Release in full	N/A



42	21 March 2018	Briefing 18-B-04322: Opportunities to build climate resilience and transition to a net zero economy through built and urban policies (joint MBIE-MOT-MfE)	Release in part	s9(2)(f)(iv)
43	29 March 2018	Briefing 18-B-04447: Climate Change Commission - Options for Consultation	Release in part	s9(2)(f)(iv)
44	29 March 2018	Cabinet paper 18-C-04221: Membership of the Interim Climate Change Committee	Release in part	s9(2)(a) s9(2)(b)(ii)
45	29 March 2018	Briefing 18-B-04454: Aide Memoire: Joint Hons meeting on 4 April on climate change and the built/urban environment.	Release in part	s9(2)(a) s9(2)(f)(iv)
46	29 March 2018	Briefing 18-B-04442: Emissions budgets in the Zero Carbon bill – Issues for Discussion Document	Release in part	s9(2)(a)

