

Izzie Alderton

From: John Creech
Sent: Wednesday, 12 April 2023 12:33 pm
To: Izzie Alderton
Subject: FW: Advice request: NIWA and access to climate data [IN-CONFIDENCE: RELEASE-EXTERNAL]

From: John Creech
Sent: Tuesday, 26 April 2022 9:24
To: Michael Contaldo <Michael.Contaldo@parliament.govt.nz>; Nyree Hill (Parliament) <nyree.hill@parliament.govt.nz>
Cc: Loveday Kempthorne <Loveday.Kempthorne@mbie.govt.nz>
Subject: RE: Advice request: NIWA and access to climate data [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora Michael,

Out of Scope

Happy to discuss further.

Ngā mihi,
John

From: Michael Contaldo <Michael.Contaldo@parliament.govt.nz>
Sent: Friday, 22 April 2022 16:40
To: Nyree Hill (Parliament) <nyree.hill@parliament.govt.nz>; John Creech <John.Creech@mbie.govt.nz>
Cc: Loveday Kempthorne <Loveday.Kempthorne@mbie.govt.nz>
Subject: RE: Advice request: NIWA and access to climate data [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora John,

Just following up on this, we had a couple of further questions please:

Out of Scope

Out of Scope

Thanks in advance/ Michael

Michael Contaldo

(Acting Private Secretary, Minister Woods)

s 9(2)(a)

From: Michael Contaldo **On Behalf Of** Nyree Hill

Sent: Wednesday, 20 April 2022 10:25 AM

To: 'John Creech' <John.Creech@mbie.govt.nz>; Nyree Hill <Nyree.Hill@parliament.govt.nz>

Cc: Loveday Kempthorne <Loveday.Kempthorne@mbie.govt.nz>

Subject: RE: Advice request: NIWA and access to climate data [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora John.

Nyree is on leave this week and I am providing cover. Thank you for this information which I will pass on and get back to you if there are follow up questions.

Kind regards/ Michael

Michael Contaldo

(Acting Private Secretary, Minister Woods)

s 9(2)(a)

From: John Creech [<mailto:John.Creech@mbie.govt.nz>]

Sent: Wednesday, 20 April 2022 8:44 AM

To: Nyree Hill <Nyree.Hill@parliament.govt.nz>

Cc: Loveday Kempthorne <Loveday.Kempthorne@mbie.govt.nz>

Subject: RE: Advice request: NIWA and access to climate data [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora Nyree,

Please find below our response to the Minister's advisors' questions regarding access to NIWA climate data. We have included some material for context in addition the answers to the specific questions at the end. We would be happy to discuss any of this further if that would be helpful.

Ngā mihi

John

CONTEXT

Out of Scope

Climate data are held by NIWA

4. NIWA hold primary climate data for New Zealand (the National Climate Database is one of the Nationally Significant Collections and Databases; NSCDs). NSCD data are required to be publicly available. NIWA also produces models based on these data, which are distinct from the NSCD data they incorporate, with each model representing significant amounts of supercomputer time.
5. NIWA also produces climate risk models based on sets of global models coordinated by the Intergovernmental Panel on Climate Change (IPCC). These global models are downscaled to resolve changes within New Zealand, also requiring supercomputer time. New sets of models are produced in step with each IPCC Assessment Report (AR). We understand that downscaled projections already exist for the AR5 model set (released 2014), and are in progress for the AR6 models (initial report released 2021). It is these outputs that are particularly of interest for climate-related risks.

NIWA are obliged to release data where it is publicly funded

6. NIWA's Strategic Science Investment Fund (SSIF) Platforms Plan (and associated IP Management Plan) includes requirements to make data publicly available if it is derived from funding through their MBIE funded SSIF platforms. Research undertaken in partnership with external stakeholders, should in principle still be shareable, though can be subject to a separate IP agreement between the parties. NIWA can charge for making data available at the cost of retrieval and supply.
7. NIWA's (confidential) NSCD contracts include clauses on data availability that require NIWA to make data publicly accessible and grant appropriate licences to enable re-use, with some specific exceptions. The contracts also allow for NIWA to charge users for costs of processing and reformatting data.

Relevant NIWA climate projections may not be covered

8. NIWA would, in principle, be required to make the downscaled climate projections publicly available if they were funded through SSIF or NSCD contracts. However, while climate models are clearly within the scope of NIWA's functions, the specific work around downscaling global models is not mentioned in NIWA's SSIF Programmes Platforms Plan. At present, there is sufficient ambiguity around how NIWA are funding that work that we could not definitively say that it is funded by SSIF contracts (even if this data would not have been possible were it not for publicly funded research into generating it), and therefore we are not in a position to insist it be publicly released.
9. MBIE could request a full breakdown of costs from NIWA to show they weren't specifically using SSIF funding to support this work.

RESPONSES TO SPECIFIC QUESTIONS

- What are the current expectations/mandate NIWA is working to around allowing access to climate data

- NIWA is obligated to publicly release data (including climate data) where that work is funded through core government funding (i.e., SSIF Programmes/Platforms contracts) or is part of SSIF funded Nationally Significant Collections and Databases (including the National Climate Database) or other government contracts, with some exceptions (e.g., where release of data would breach a prior confidentiality agreement with another party).
 - Per NIWA's SSIF Platforms plan, "*Subject to ethical, privacy or cultural reasons, or issues of commercial sensitivity, publicly funded research data from the Platform will be made open for public access and re-use*"
- NIWA can charge nominal costs for processing where required.
- **Does this vary depending on who funded the work e.g. Government vs commercial**
 - In short, yes. As above, NIWA are expected to make publicly funded research available. However, data produced through NIWA's commercial contracts allow for private provision of data to customers. These can remain confidential, while in some cases these are made public with the agreement of the customers. For example, regional climate projections have been contracted by most of New Zealand's regional councils and are available for download from NIWA's website.
- **Is the Government funding NIWA to produce the data or are they being expected to share data collected through commercial contracts**
 - Some climate modelling and projections are among NIWA's core functions. However, the specific work NIWA are undertaking relevant to the present issue (i.e., downscaling global models) is not mentioned in NIWA's SSIF Platforms Plan.
 - We are unaware of any commercial contracts NIWA have in relation to these climate models, or if NIWA are self-funding that work. As mentioned above, MBIE could request a full breakdown of costs from NIWA to show they how this work is being funded (i.e., that they not using SSIF funding to support this work), and thus how they have justified withholding the data.

Out of Scope

Out of Scope

From: Nyree Hill <Nyree.Hill@parliament.govt.nz>

Sent: Thursday, 31 March 2022 4:56 PM

To: Loveday Kempthorne <Loveday.Kempthorne@mbie.govt.nz>

Cc: Nicola Scott <Nicky.Scott@mbie.govt.nz>; RSI Coordinator <RSICoordinator@mbie.govt.nz>; Hannah Walker (Parliament) <Hannah.Walker@parliament.govt.nz>

Subject: Advice request: NIWA and access to climate data

Kia ora Loveday

Earlier in the week Scott had a conversation with Mark Baker-Jones who is doing some work to support BNZ in meeting their mandatory reporting requirements around access to climate data.

The advisors have asked for some advice on this issue to cover

- What are the current expectations/mandate NIWA is working to around allowing access to climate data,
- Does this vary depending on who funded the work e.g. Government vs commercial
- Is the Government funding NIWA to produce the data or are they being expected to share data collected through commercial contracts

Out of Scope

We've agreed to go back to Mark with an update so can I suggest you aim to get something across **to the office for the 27th April**, then if needed it can be discussed at officials but Scott can also get back to Mark just after Anzac.

Happy to discuss.

Thanks
Nyree

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OFFICIAL INFORMATION ACT

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