

Tania Te Whenua

by email: fyi-request-9814-906b6269@requests.fyi.org.nz

22 January 2020

Tēnā koe Tania

This letter relates to your Official Information Act 1982 (the Act) for the following information:

- 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 subsequently 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.”

On 10 December 2020, the third and final batch of material in relation to this OIA request was released to you. Subsequent to this, my officials have identified three additional documents that fall within scope of your request.

I am releasing one of these documents to you in full and withholding the other two documents under section 18(d) of the OIA as these are already publicly available. I have provided you with website links for the publicly available documents.

The additional documents are:

- New document 212 - Notes from our ZCB hui with Te Arawa on 10 July 2018, which were turned into their written submission on the Zero Carbon Bill discussion document. Refuse under s18(d) – These notes are available online at:
<https://www.mfe.govt.nz/sites/default/files/media/Consultations/Te%20Arawa.pdf>
- New document 213 - Notes from our ZCB hui with FOMA on 17 July 2018, which were turned into their written submission on the Zero Carbon Bill discussion document. Refuse under s18(d) – These notes are available online at:
https://www.mfe.govt.nz/sites/default/files/Organisations_3/12536_Federation_of_M%C4%81ori_Authorities.pdf
- New document 214 - Notes from the 5 December 2018 hui written up by the facilitator, Tā Wira Gardiner

Document 214 has also been added to the data box previously set up for your request and are available via the hyperlink provided to you by email. Please do not hesitate to contact my office if you have any trouble accessing them.

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,

A handwritten signature in blue ink, appearing to read 'James Shaw', with a large loop at the end.

Hon James Shaw
Minister for Climate Change

List of documents

Document no.	Document date	Content	Decisions	OIA sections applied
212	July 2018	Notes from ZCB hui with Te Arawa on 10 July 2018, which were turned into their written submission on the Zero Carbon Bill discussion document.	Refuse as these notes are available online at: https://www.mfe.govt.nz/sites/default/files/media/Consultations/Te%20Arawa.pdf	S18(d)
213	July 2018	Notes from ZCB hui with FOMA on 17 July 2018, which were turned into their written submission on the Zero Carbon Bill discussion document.	Refuse as these notes are available online at: https://www.mfe.govt.nz/sites/default/files/Organisations/3/12536 Federation of M%C4%81ori Authorities.pdf	S18(d)
214	December 2018	Notes from the 5 December 2018 hui written up by the facilitator, Tā Wira Gardiner	Release in full	N/A

CLIMATE CHANGE HUI TUE 5 DEC 18
FACILITATOR NOTES – WIRA GARDINER

Generally, while there were some useful parts of the Hui it became quite clear as the Hui progressed the group had a number of concerns as to roles, structures and processes. In part this might be because of the voluntary nature of attendance and membership of the group and perhaps even the lack of a clear terms of reference? Whatever the reason the hui became a critique of process and structure.

And while the hui's original objectives might not have been fully achieved the critique provided useful inputs to perhaps modify or reshape the approach to gain maximum benefit from the relationship between Mfe and the participating groups.

The group highlighted the lack of Mfe's internal capacity to provide Maori input. This was a consistent theme, which reflects a similar expression of frustration from the Water Group that officials are not up to play and need to get properly resourced to understand Maori/Iwi perspectives.

There was a sense of frustration that inputs on complex issues like climate change are being sought by officials but individuals or Iwi are not resourced to give time or effort to meet. information/comment requests. From an Iwi/Maori perspective this starts to feel like an unequal one-way relationship with the Crown and all its resources requiring Iwi/Maori inputs but seemingly with little or no recognition of the demand this places in their scarce resources!

Aligned with this frustration was the observation that inputs into the advisory process would take some time as each of the groups consulted with their constituencies. The group raised issues of funding these processes?

Members of the group wanted to meet directly with the Minister. These demands that the Minister meet with them and that their views be placed before the Minister unvarnished and without being lost in official briefs, reflects the principle of *kanohi ki te kanohi*. Perhaps it also reflects the mistaken view that if the group could meet with the Minister then he might better understand the group's point of view. This might eventually be the case, but in my view the level of maturity or congruence of agreement on key issues is still some way off.

There was a firm request to know which of their recommendations are/were rejected? In particular they wanted to know the reasons, if any, for not recommending the idea of a commission with 50/50 representation?

There was some confusion about the appointing body and why it could not be in place before appointing members to the Commission. They saw this as a sequencing issue and could not understand why it should be as briefed by officials. The group saw this process potentially militating against their objective of having 50/50 representation from the outset on the climate commission?

There was a strong push for inter-operability with groups like Kahui Wai Maori and a demand that the climate group should replicate KWM. This frustration seems to spring from a sense that the purpose, efficacy and value of the climate group is not as well formed or structured as say KWM. It does raise the bigger question of how to integrate complex and big policy issues like water and climate change without creating or duplicating structures that ironically could entrench the silo effect!

Wira Gardiner