

[REDACTED]

---

**From:** Jo Hendy  
**Sent:** Wednesday, 22 April 2020 9:52 am  
**To:** [REDACTED]; Astrid Nunns; [REDACTED] Grant Blackwell  
**Subject:** FW: Letter and Terms of Reference from Minister Shaw  
**Attachments:** Letter requesting advice under Section 5K.PDF; Terms of Reference - Section 5K request.pdf

---

**From:** [REDACTED]  
**Sent:** Monday, 20 April 2020 5:58 pm  
**To:** Rod Carr [REDACTED]  
**Cc:** [REDACTED] Jo Hendy [REDACTED]  
**Subject:** Letter and Terms of Reference from Minister Shaw

Kia ora Rod,

Following on from the meeting with Minister Shaw last Friday, please find attached a letter confirming the request for advice under Section 5K, along with the agreed Terms of Reference.

As discussed, Minister Shaw has asked if the Climate Change Commission could please publish the Terms of Reference on their website at 6pm, on Wednesday, 22 April.

If you have any questions or concerns, please don't hesitate to contact me.

Aku mihi,

[REDACTED]



[REDACTED] | Private Secretary, Climate Change  
**Office of Hon. James Shaw**  
Minister for Climate Change | Minister of Statistics | Associate Minister of Finance  
Level 7, Bowen House, Parliament Buildings, 80 Lambton Quay | Private Bag 18041 | Wellington 6160 | New Zealand

The information contained in this email message is intended only for the addressee. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy, or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately.

---

**From:** [REDACTED]  
**Sent:** Friday, 17 April 2020 1:11 PM  
**To:** [REDACTED] Jo Hendy [REDACTED]  
**Cc:** [REDACTED] Grant Blackwell [REDACTED]  
**Subject:** Re: Meeting with Rod Carr tomorrow

[REDACTED],

Fantastic news.

We are good to go on both. Haven't checked spellings etc, but I'm sure you have processes for that.

---

**From:** [REDACTED]  
**Sent:** Friday, April 17, 2020 12:51 PM  
**To:** Jo Hendy; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Meeting with Rod Carr tomorrow

Hi [REDACTED]

See attached the final ToR documents as discussed and agreed with MfE. Could you please do a final review to check this is good to go. Once I've heard back, we'll put it on letterhead for sending over officially early next week.

As I mentioned on the phone before, if you would please be willing to hold off publishing the final documents on your website until 18:00 on 22/04, that will contribute to the whole MfE/MFAP/MoCC/CCC/UNFCCC NDC update process rolling out in something resembling order. For [REDACTED] info, [REDACTED] phone number is [REDACTED].

Let me know if you have any questions. Very excited to be almost there.



**Lachlan Rule | Ministerial Advisor | Office of Hon James Shaw**  
Minister for Climate Change | Minister of Statistics | Associate Minister of Finance  
Level 7, Bowen House, Parliament Buildings, 80 Lambton Quay | Private Bag 18041 | Wellington 6160 |  
New Zealand

The information contained in this email message is intended only for the addressee. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately.

*Please note information about meetings related to the Ministers' portfolios will be proactively released (this does not include personal or constituency matters). For each meeting in scope, the summary would list: date, time (start and finish), brief description, location, who the meeting was with, and the portfolio. If you attend a meeting with the Minister on behalf of an organisation, the name of the organisation will be released. If you are a senior staff member at an organisation, or meet with the Minister in your personal capacity, your name may also be released. The location of the meeting will be released, unless it is a private residence. The proactive release will be consistent with the provisions in the Official Information Act, including privacy considerations. Under the Privacy Act 1993 you have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, or are concerned about the release of your information in the meeting disclosure, please contact the sender. You can read more about the proactive release policy at <https://www.dia.govt.nz/Proactive-Releases#MS>*

# 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



Dr Rod Carr  
Chair of the Climate Change Commission

*By email: Roderick.Carr@climatecommission.govt.nz*

20 April 2020

Dear Rod,

Further to my letter of 18 February and subsequent conversations with you, I am writing to confirm my request for advice and to provide the terms of reference.

## **ADVICE ON BIOGENIC METHANE**

First, I request advice from the Commission regarding 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.

The purpose of the advice for biogenic methane is to inform New Zealand's understanding of the potential reductions in biogenic methane emissions which might eventually be required by New Zealand 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.

## **ADVICE ON NEW ZEALAND'S FIRST NATIONALLY DETERMINED CONTRIBUTION UNDER THE PARIS AGREEMENT**

Second, I request a review of New Zealand's first Nationally Determined Contribution (NDC) for the period 2021 to 2030. The review should assess if the NDC should be revised to make it consistent with the global 1.5°C temperature goal.

I also make this request under Section 5K of the Act.

I consider a review necessary to ensure consistency between the NDC and the more recent temperature and emissions reductions goals in the Act after its amendment in 2019; and because the science has evolved considerably since the NDC was lodged in 2016 (in particular, the IPCC's 2018 Special Report on Global Warming of 1.5°C). Under the Paris Agreement, New Zealand has committed to update its first NDC this year.

I had hoped to be in a position to ask the Commission to review the NDC prior to doing so. However, due to delays in the passage of the Climate Change Response (Zero Carbon Amendment) Bill and the establishment of the Commission, this was not possible.

I will take the opportunity of the update to our NDC in 2020 to inform the UNFCCC that, following advice from the Commission, we may revise New Zealand's NDC. I would like the Commission to provide advice and recommendations both on whether the NDC should change to bring it in line with the global 1.5°C temperature goal and, if so, how.

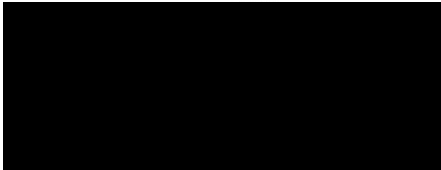
### **NEXT STEPS**

I would like to receive your advice on both of these requests alongside your advice on the first three emissions budgets.

Following consultation with you on these requests for advice under section 5K(2) of the Act, I have finalised the terms of reference for this work. The terms of reference are attached to this letter, and I expect you to make them publicly available in accordance with section 5K(3)(a) of the Act.

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. We will continue to discuss how the Commission is able to deliver these requests alongside its existing work programme.

Yours sincerely,



Hon. James Shaw  
**Minister of Climate Change**

## Terms of Reference

---

The Minister for Climate Change requests under section 5K of the Climate Change Response Act 2002 (CCRA) that the Climate Change Commission (Commission) provide:

- 1) advice on the potential reductions in biogenic methane emissions which might eventually be required by New Zealand as part of a global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels.

In providing this advice the Commission must:

- a. leave aside considerations on the current target range for biogenic methane specified in section 5(Q)(1)(b) of the CCRA;
- b. consider the available scientific evidence on the global biogenic methane emissions reductions likely to be required to limit global average temperature increase to 1.5° Celsius above pre-industrial levels;
- c. consider New Zealand's potential contribution to global efforts to limit biogenic methane emissions, reflecting its national circumstances; and
- d. consider a range of potential scenarios for economic, social and demographic changes which might occur in New Zealand and globally until 2100.

This advice is intended to provide greater certainty for planning purposes about the eventual reductions in biogenic methane emissions which might be required of New Zealand as part of global efforts to limit average temperature increased to 1.5° Celsius above pre-industrial levels. This advice does not require the Commission to review the biogenic methane target under sections 5S and 5T of the CCRA.

- 2) a report on New Zealand's first Nationally Determined Contribution (NDC), including:
  - 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; and
  - b. recommendations on any changes to the NDC required to ensure it is compatible with global efforts under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels.

### *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*

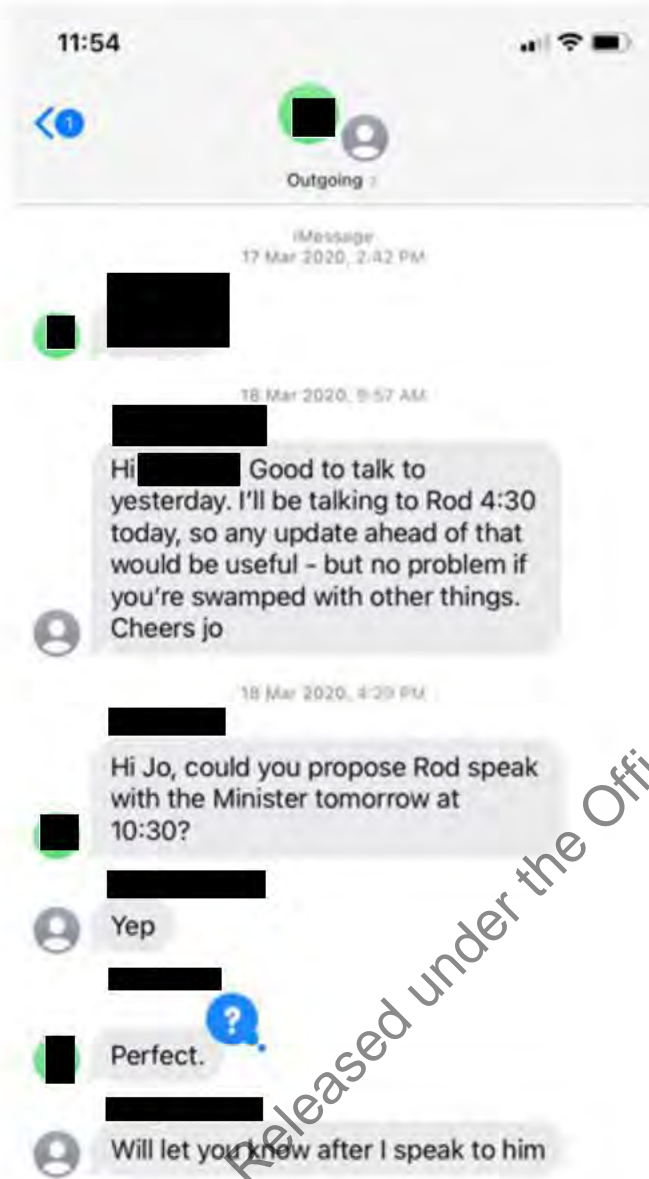
The Commission's advice on these matters in the form of a final report or reports, is to be provided to the Minister for Climate Change alongside the Commission's recommendations on the first three emissions budgets and advice on the first emissions reduction plan.

*Publication*

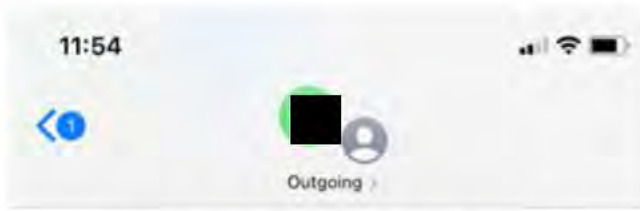
Under section 5L(2) of the CCRA, the Minister for Climate Change is required to table the Commission's final report with the House of Representatives. The Commission must make the document publicly available as soon as practicable after it is presented to the House of Representatives, but no later than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

Released under the Official Information Act

Text Messages between Minister's Office [REDACTED] and the Climate Change Commission Chief Executive (Jo Hendy) and [REDACTED] (Principal Analyst)



Released under the Official Information Act



Just talked to Rod. Yes he can do 1030. Also if possible, could [REDACTED] and I join that meeting - either at office or by teleconference? Cheers Jo

[REDACTED]  
Yes and yes.

[REDACTED] Lock it in.

[REDACTED] Great. Have you got video conferencing facilities?  
[REDACTED]  
Sure do.

[REDACTED] I'll ask [REDACTED] to set it up.

[REDACTED] Brilliant thanks.

[REDACTED] You all good if [REDACTED] and I come to your office and Rod videos in?

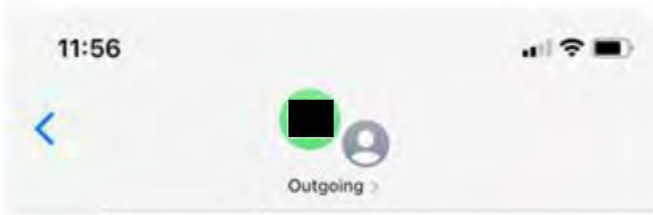
18 Mar 2020, 6:12 PM

[REDACTED] Yeah, that's cool.

18 Mar 2020, 6:41 AM

Released under the Official Information Act





[Redacted]  
We are at reception - delays registering

31 Mar 2020, 12:59 PM

Hey [Redacted], I sent you the ToR earlier to check it aligns with what you were expecting. Our commissioners are now meeting at 11 tomorrow so any feedback before then would be most helpful. Cheers,  
[Redacted]

[Redacted]  
Hi both, thanks for sending through. Am going to have a chat with the boss this arvo to see if he's comfortable with the wording and will get back to you after that (today).

Perfect, thanks.

Wed, 1 Apr, 11:00 AM

Any feedback on the ToR? We are talking to the commissioners shortly. Have shared latest version with them. Will give you their feedback after meeting.

Released under the Official Information Act