

BRF-5287: National Iwi Chairs Forum lead Ministers meeting 18 September

Date submitted: 13 September 2024

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Actions sought from ministers	
Name and position	Action sought
To Hon Simon WATTS Minister of Climate Change Hon Penny SIMMONDS Minister for the Environment	Read this briefing before the NICF Lead Ministers meeting on 18 September
CC Hon Chris BISHOP Minister Responsible for RMA Reform	For noting

Appendices and attachments
<ol style="list-style-type: none"> 1. September 18 meeting agenda 2. Pou Take Āhuarangi talking points – Minister Watts 3. Pou Taiao talking points – Minister Simmonds 4. August quarterly hui actions - Pou Take Āhuarangi and Pou Taiao 5. Te Arawhiti NICF engagement options briefing 6. NICF letter to Prime Minister 7. Minister Bishop letter to Minister Potaka

Key contacts at Ministry for the Environment			
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BRF-5287: National Iwi Chairs Forum lead Ministers meeting 18 September

Purpose

1. This brief provides you (Minister Watts and Minister Simmonds) with context and talking points for the National Iwi Chairs Forum (NICF) lead Ministers meeting 5:00 – 5:45pm at the office of Hon. Paul Goldsmith (5.5 EW) at Parliament.
2. This meeting has been convened by the Minister for Māori Crown Relations – Te Arawhiti, Hon. Tama Potaka. The agenda (refer **Appendix 1**) includes a debrief following the NICF quarterly meeting on 2 August and discussion on next steps for Crown engagement with NICF. (Talking points are attached as **Appendices 2 and 3**).
3. Other meeting attendees are Hon Paul Goldsmith – Lead Minister for Pou Tikanga; Hon Louise Upston – Lead Minister for Pou Tangata; and senior officials from lead agencies. Hon. Chris Bishop has given his apologies.
4. Gina Rangi, Deputy Secretary, Tūmatakōkiri, will attend for the Ministry for the Environment (the Ministry) to support conversations relating to Pou Take Āhuarangi and Pou Taiao workstreams.

Context

5. The August quarterly hui was hosted by Ngāti Whātua Ōrākei in Auckland with the Crown attending on 2 August. The standard NICF quarterly format was changed from the usual Minister and Pou report back sessions to enable engagement with the Iwi Chairs and Ministers by region instead.
6. During these regional engagements, several requests were raised with Ministers directly. Te Arawhiti have recently provided the Ministry with the requests for Pou Take Āhuarangi and Pou Taiao, and officials are now progressing these (Table of Iwi requests are attached as **Appendix 4**).

NICF letter to the Prime Minister

7. As is customary following a quarterly forum, the host chair (Marama Royal), wrote a letter to the Prime Minister outlining recommendations and resolutions from the hui (**Appendix 6**). NICF's letter also included an overarching resolution that due to concerns regarding the coalition government's actions, the NICF will not be inviting the Crown to attend any future forums. The letter states this decision will be reassessed when the NICF believe circumstances have appropriately changed.
8. Despite this, Ngāti Whātua Ōrākei acknowledged and thanked the Crown for the constructive engagement at the hui.
9. Ministry officials will work with Te Arawhiti to provide responses to the NICF letter in respect of Pou Taiao and Pou Take Āhuarangi to inform the Crown's response letter.

Proposed approach to 18 September meeting

10. The agenda for the meeting on Wednesday has been provided by Minister Potaka and is attached at **Appendix 1**. Talking points to support discussion are attached at **Appendix 2** (Minister Watts) and **Appendix 3** (Minister Simmonds). The meeting will cover:
- 1) August quarterly hui debrief and lead Ministers' reflections
 - 2) Post-August quarterly hui actions – as agreed between Ministers and Iwi
 - 3) Next steps for the relationship – discussion on future approach to NICF engagement
 - i. Te Arawhiti has developed an options briefing seeking Minister Potaka's decision on how future Crown engagement with NICF should proceed. These options are:
 - i) One – align with NICF's resolution and pause Crown attendance
 - ii) Two (preferred) – align with NICF's resolution but replace forum attendance with a quarterly hui between Lead Ministers and Pou Chairs
 - iii) Three – pause all engagement with NICF (Te Arawhiti options briefing is attached as **Appendix 5**)
 - iv) Four - pause on all engagement with NICF and replace with direct Iwi engagement with relevant portfolio Ministers
 - ii. Minister Potaka has chosen to progress the preferred Option Two.

Approach to Pou Take Āhuarangi discussion – Minister Watts

Item 1 - August NICF quarterly hui debrief and reflections

11. At the August quarterly hui, you and Mrs Royal announced that the Ministry and Pou Take Āhuarangi had agreed a joint climate change work programme for 2024-2025.
12. It may be of use to share with your colleagues your approach to developing the joint work programme and working with Mrs Royal as Pou Chair. You could note that agreeing a joint work programme has been a helpful first step because it will provide tangible milestones, allowing the Crown and Pou Take Āhuarangi to track progress towards our shared outcomes, as well as providing a basis to agree on a Crown funding contribution that is linked to the achievement of agreed deliverables.

Item 2 - Post August quarterly hui actions

13. Post-August quarterly hui actions (**Appendix 4**) for Pou Take Āhuarangi are largely requests from iwi for Ministers to visit their respective areas of interest. These actions are currently being worked through between officials and iwi representatives.
14. Only one quarterly hui action with Pou Take Āhuarangi currently sits with your office, and that is Te Aitanga a Māhaki's request to be considered for a climate resilience pilot. It has been recommended your next meeting with Mrs Royal includes a discussion on this request.

Item 3 – Next steps for the relationship

15. Whatever overall decisions are made on how the Crown – NICF engagement will progress, you can advise that you intend to continue meeting Mrs Royal regularly to advance Pou Take Āhuarangi conversations. You can also encourage your colleagues to consider taking a similar approach to their relationships.

NICF letter

16. The NICF letter to the Prime Minister (**Appendix 6**) reiterated the NICF consider they have a positive working relationship with you. It also highlighted key priority areas, including Pou Take Āhuarangi's concern for ERP2, request for support to iwi on adaptation measures, and data work for adaptation mapping.

Approach to Pou Taiao discussion – Minister Simmonds on behalf of Minister Bishop*Item 1 - August NICF quarterly hui debrief and reflections*

17. We suggest you begin by noting that at Minister Bishop's NICF pre-meeting with Pou Taiao leaders, it was agreed that freshwater and resource management reforms would be mutual priorities for Pou Taiao (BRF-5062 refers), and he has since written to Minister Potaka confirming these mutual priorities (**Appendix 7**).
18. You could also note Minister Bishop has committed to meet Pou Taiao leaders Tukoroirangi Morgan (Pou Chair) Justin Tipa (Ngāi Tahu), and John Bishara (Tūwharetoa) face-to-face later in the year to discuss Te Mana o Te Wai and freshwater. This meeting has been confirmed for 9-10am, 1 October in Auckland.
19. You may also wish to note your personal reflections on how you found the quarterly forum. These might include noting the more interactive approach of engagement at a regional level which enabled you to hear from different iwi perspectives.

Item 2 - Post August quarterly hui actions

20. Post-quarterly actions include a site visit to Rotorua regarding geothermal development and a site visit to Te Hoiere River restoration project in Pelorus Sound (See **Appendix 4** for more detail).

Item 3 – Next steps for the relationship

21. As Minister Bishop is lead Minister for Pou Taiao, he is better placed to make the decisions for Pou Taiao on agreeing to a future engagement approach including to continue the Lead Minister – Pou Chair meetings (noting that he will be meeting the Pou leaders in October to discuss Te Mana o Te Wai and freshwater).

NICF letter

22. The Pou Taiao section of the NICF letter outlines the challenges responding to the volume and pace of reforms, concerns regarding the impacts policy proposals may have for Treaty settlements, and the potential for unintended consequences if iwi are not meaningfully involved in policy development. NICF acknowledge engagement with Minister Bishop and expect that officials are also directed to engage early and meaningfully with them.

Appendix 1: September 18 meeting agenda

Meeting with Lead Ministers

Chaired by Hon Tama Potaka, Minister for Māori Crown Relations: Te Arawhiti

Date: Wednesday, 18 September 2024

Time: 11:30am-12:15pm

Venue: Office of Hon Louise Upston (5.1EW)

Link: [Join the meeting now](#)

Teams Meeting ID: 465 454 222 660 Passcode: fQUVA7

Ministers attending

Hon Paul Goldsmith	Lead Minister for Pou Tikanga
Hon Louise Upston	Lead Minister for Pou Tangata
Hon Simon Watts	Lead Minister for Pou Take Āhuarangi
Hon Penny Simmonds	Support Minister for Pou Taiao

Chief Executives

Lil Anderson	Tumu Whakarae – Te Arawhiti
Andrew Kibblewhite	Ministry of Justice
Dave Samuels	Te Puni Kōkiri
Gina Rangi	Ministry for the Environment
Marama Edwards	Ministry for Social Development

Apologies:

Hon Chris Bishop	Lead Minister for Pou Taiao
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No.	Item	Officials
1	Karakia tīmatanga	Minister Potaka
2	Opening remarks	Minister Potaka
3	August Quarterly hui debrief	All
4	Actions from the August Quarterly Hui	Minister Potaka/ All
5	NICF Relationship - next steps	Minister Potaka
6	Karakia Whakakapi	Minister Potaka

Appendix 2: Pou Take Āhuarangi talking points – Minister Watts

Item 1 - August NICF Quarterly Hui Debrief and Reflections

- I have developed a good working relationship with Marama Royal, Chair of Pou Take Āhuarangi.
 - Marama was the host Chair for this past quarterly hui as Chair of Ngāti Whātua Orākei
- My approach to the August quarterly hui was to offer support and assistance to Marama in her preparations as host Chair.
 - We had several meetings in the lead up to the August quarterly hui to discuss her preparations and the progression of our joint work programme
- At the quarterly meeting, Marama and I announced the joint climate change work programme between the Ministry for the Environment and Pou Take Āhuarangi
 - My officials have been meeting weekly with Pou Take Āhuarangi technicians and the work programme is on track to meet Q1 FY 24/25 deliverables. These include a stocktake of climate risk and readiness for Māori communities, focused on marae and urupā.
 - Agreeing a joint work programme has been a helpful first step because it will provide tangible milestones and enable us to track progress towards our shared outcomes.
- I would encourage you to consider taking a similar approach to your relationships with your respective Pou Chairs.

Item 2 - Quarterly Hui Actions

- I have had requests from three iwi for a follow-up visit to their respective areas of interest. My officials are in the process of organising the scope and detail of these visits.
- I had one request from Te Aitanga a Māhaki with Pou Take Āhuarangi's support to be considered for a climate resilience pilot.
 - I intend to discuss this request further with Marama at our next meeting before progressing.

Item 3 - Next steps for the Crown-NICF relationship

- I plan to continue meeting with Marama regularly on our joint work programme and other climate matters as they arise.
 - Reporting on the joint work programme generally aligns with timing for NICF meetings.
 - I plan to use this as an opportunity to continue report-backs to NICF and highlight important climate matters as needed.

Appendix 3: Pou Taiao talking points – Minister Simmonds on behalf of Minister Bishop

Item 1 – August NICF Quarterly Hui Debrief and Reflections

- I note that at Minister Bishop pre-meeting with Pou Taiao leaders ahead of the NICF quarterly hui, it was agreed that freshwater and resource management reforms would be mutual priorities for Pou Taiao.
- I understand he has since written to Minister Potaka confirming these mutual priorities, and Tukoirangi Morgan as Pou Chair will also write to endorse this approach.
- The other main outcome from the quarterly hui for Pou Taiao is that Minister Bishop has committed to meet Mr Morgan and other Pou Taiao leaders in person to discuss Te Mana o Te Wai and freshwater. This meeting has been confirmed for 1 October.

Item 2 - Post August Quarterly Hui actions

- I understand Minister Bishop received two requests for follow-up visits from iwi in Rotorua and Marlborough and that officials are following up on these requests.

Item 3 - Next steps for the relationship

- As Lead Minister for Pou Taiao, Minister Bishop would be best placed to advise on whether to continue the Lead Minister – Pou Chair pre-meetings even if the Crown is not invited to future quarterly hui.
- As mentioned, I note he is scheduling time to meet Pou Taiao leaders on freshwater issues – understand this will be 1 October face-to-face in Auckland.

Appendix 4: August forum actions - Pou Take Āhuarangi and Pou Taiao

Region	Iwi Entity	Kaupapa	Request	Pou	Action taken	Status
Taitokerau/ Tāmaki Makaurau	Ngāti Hine	Follow up visit	Visit to see Ngāti Hine forestry interests	Pou Take Āhuarangi	Ministry for the Environment and Ministry for Primary Industries officials following up	Open
Taitokerau/ Tāmaki Makaurau	Ngāti Manuhiri	Follow up visit	Invitation extended to Minister Watts to visit Ngāti Manuhiri to see a range of environmental, housing, tourism, and aquaculture development initiatives	Pou Take Āhuarangi	Ngāti Manuhiri will contact the Ministers office	Open
Te Arawa / Tūwharetoa / Tauranga Moana	Mōkai Pātea	Follow up visit	Invitation to Minister Watts to visit Waiouru/Taihape	Pou Take Āhuarangi	Ministry for the Environment officials following up	Open
s 9(2)(f)(iv)						
Te Arawa / Tūwharetoa / Tauranga Moana	Te Arawa	Follow up visit	Dr Ken Kennedy request for site visit to Rotorua regarding geothermal development	Pou Taiao	Ministry for the Environment and Ministry for Business, Innovation and Employment officials following up	Open
Te Tau Ihu / Ngāi Tahu / Rēkohu	Ngāti Kuia	Follow up visit	Request for site visit to Te Hoiere River restoration project in Pelorus Sound	Pou Taiao	Ministry for the Environment officials following up	Open

Appendix 5: Te Arawhiti NICF engagement options briefing

Next Steps for the relationship between the Crown and the National Iwi Chairs Forum

Purpose

1. The purpose of this briefing is to provide you with advice on the potential next steps for the relationship between the Crown and the National Iwi Chairs Forum, considering the recent National Iwi Chairs Forum recommendations letter dated 2 August 2024.

Background

Who are the National Iwi Chairs Forum

2. The National Iwi Chairs Forum (**the Forum**) was established in 2005 as a platform for sharing knowledge and information. The Forum represents 82 Iwi who meet quarterly to discuss Iwi aspirations across multiple areas, regularly inviting the Crown to present on projects and issues that will impact Iwi. Over the last three years, the Crown has co-presented with an Iwi Chair on projects and issues that they have agreed are mutual priorities and that they have agreed to work together on. There will continue to be areas that are priorities for parties that are not deemed mutual.

The benefit of the relationship with the Forum

3. The Forum members have significant political, social, economic, and environmental influence in their respective regions and nationally. There are 100 Deeds of Settlement to date, comprising \$2.738 billion of settlement redress. This has grown exponentially since the first settlements in 1996. With representation of 82 Iwi, the Forum provides an avenue to engage en masse.
4. The Forum is an avenue to gauge the areas of importance to iwi Māori and understand devolved service delivery within regional communities. The Forum provides the direct ability to enter work together on areas the Crown and Iwi have agreed are mutual priorities. The evolved working relationship underpinned by the National Iwi Chairs Forum – Crown Statement of Engagement has removed the ad hoc nature of the engagement, has provided progression of mutual priorities and work programmes, supported a focus on delivery of targets and outcomes, and managed the expectations of Crown attendance.
5. This is an established relationship that has endured and evolved since the Forum was established, particularly as the post-settlement environment has changed. The Crown has relied heavily on the relationship with the Forum in recent times of emergency, such as the response to the COVID-19 pandemic including the development of the 2020 Fast-Track legislation and adverse weather events. They have provided the Crown with policy advice, service delivery and communications to hard-to-reach communities. They are a natural first choice relationship for the Crown, both nationally and within their own regions. Engagement with the Forum does not preclude the Crown from engaging with whānau, hapū, Iwi or other Māori groups more broadly.
6. Attendance at quarterly forum provides the Crown with a greater reach into Māori communities and the ability to maintain or create relationships face to face with

community leaders. There is no other regular forum which provides this level of connectivity or opportunity.

The National Iwi Chairs Forum – Crown Statement of Engagement

7. The National Iwi Chairs Forum – Crown Statement of Engagement (**Statement of Engagement**) sets out a way of working between the Crown and the Forum. It was agreed at the August 2019 Quarterly Hui in Hastings and subsequently endorsed by Cabinet.
8. There is a consensus that the Statement of Engagement – as a model for Māori Crown relations – works. It provides clarity on process, how the Crown will work together in partnership with Māori, and how we set expectations. The model will continue to be important in any engagement approach with the Forum and Iwi Māori.
9. For the Crown, implementation of the Statement of Engagement is clear. It provides the foundation for identifying Ministerial and Chief Executive leads, mutual priorities, developing agreed work programmes, agreeing to outcomes for the mutual priorities and reporting back on the progress made towards achieving agreed outcomes.
10. The Statement of Engagement operates on a Rangatira ki te Rangatira model. At a practical level, this is achieved through three levels of engagement:
 - a. **Level One / Tahuhu:** engagement at the Forum level – between Iwi Chairs and Lead Ministers as a collective (Prime Minister is an expected attendee at the Waitangi Quarterly Forum).
 - b. **Level Two / Pou:** engagement at the Pou level – between Pou Chairs and Lead Ministers, and between Lead Technical Advisors and Lead Chief Executives. It is at this level where the agreement to mutual priorities, work programmes, outcomes and tracking of progress is made.
 - c. **Level Three / Papa:** engagement between technical advisors and lead agencies. It is at this level where mutual priorities, work programmes, outcomes and tracking of progress are implemented.

Attending the Quarterly Forum Hui

11. The Forum regularly invites a diverse group of attendees to present on projects or issues that concern or interest Iwi. This includes stakeholders, community groups, Māori organisations and non-government organisations.
12. The Crown's attendance at the quarterly forum is by invitation from the hosting Iwi and has changed over time:
 - a. Prior to 2019, Crown attendance at the quarterly forum was ad-hoc. The former National government regularly attended during their nine years in office – Rt Hon Sir John Key, Rt Hon Sir Bill English and other Ministers participated in at least 44 meetings.
 - b. Following the advent of the Statement of Engagement in 2019, Crown attendance evolved to a model whereby Lead Ministers would attend to provide updates on the agreed mutual priorities and priority work programmes, how they were tracking towards delivering outcomes and how they could best support each other. Other Ministers attended either at the direct request of the Forum or as relevant/appropriate.
 - c. In 2023, the Forum passed a resolution to only invite the Crown to two quarterly forum per year – to support dedicated Iwi time and focus on matters important to them.

- d. In 2024, the Crown has been invited to all quarterly forums up to August.
13. Following the August 2024 Quarterly Hui, the Forum sent the Prime Minister a letter, dated 2 August 2024, where they advised that the Forum had passed the following resolution on the first day of the Quarterly Hui:
- a. “The NICF have outlined our deep concerns regarding the various actions of the current coalition Government and its assault on iwi and Māori rights and interests and have agreed that we will not be inviting you to attend any future NICF forums. We will reassess this decision when we believe the circumstances have appropriately changed.”
14. In the letter, the Host Chair, Marama Royal, also extended an invitation to meet with you to discuss the background of this resolution. We understand that you have taken the opportunity to have this discussion with Marama.

Proposal

15. As the Minister for Māori Crown Relations: Te Arawhiti, you are the Convening Minister for the Statement of Engagement – you are responsible for overseeing the relationship and implementation of the Statement of Engagement and serve as an escalation point. It is in this capacity that you need to decide on next steps for the relationship between the Crown and the Forum.
16. We consider there are four options to consider for the potential next steps in the relationship between the Crown and the Forum.

Option One – Aligning with the Forum’s resolution

17. This option proposes the relationship continues without Level One engagement (as set out in para 11(a) above). In practice this would mean continuing:
- a. Level Two engagement at the Pou level – between Pou Chairs and Lead Ministers, and between Lead Technical Advisors and Lead Chief Executives (as set out in para 11(b) above); and
- b. Level Three engagement between technical advisors and lead agencies (as set out in para 11(c) above).
18. While this option would enable the continuing of some engagement with the Forum, there would be no engagement between Lead Ministers and Pou Chairs as a collective group and therefore limited opportunity to take a holistic view of the relationship, mutual priorities and progress across the board. Without collective engagement, there is a risk that engagement across Pou will vary and inconsistencies will occur. Regular collective engagement guards against the potential for inconsistencies, by encouraging progress ahead of such hui.
19. Option One is not the recommended option for the potential next steps in the relationship between the Crown and the Forum.

Option Two (**RECOMMENDED**) – Aligning with the Forum’s resolution with an adjustment

20. This option proposes the relationship continues with all three levels of engagement as set out in para 11 above, with an adjustment to the Level One engagement (as set out in para 11(a) above). In practice this would mean:
- a. Suspending Crown attendance at the attendance at the Quarterly Forum.
- b. Replacing the Level One engagement at the Forum level – between Iwi Chairs and Lead Ministers – with a quarterly hui between Lead Ministers and Pou Chairs. This

engagement would focus on maintaining the relationship at a Rangatira ki te Rangatira level and provide a forum for the accountability of the mutual priorities and tracking progress.

- c. Continuing with Level Two engagement at the Pou level – between Pou Chairs and Lead Ministers, and between Lead Technical Advisors and Lead Chief Executives (as set out in para 11(b) above).
 - d. Continuing with Level Three engagement between technical advisors and lead agencies (as set out in para 11(c) above).
21. We consider Option Two:
- a. Enables the ongoing implementation of the Statement of Engagement by maintaining the guiding principles set out in the Statement.
 - b. Supports the Crown and Forum to continue working at a Rangatira ki te Rangatira level and continues to provide an avenue to engage en masse with Iwi, work towards the achievement of Government Targets and connect on areas of importance.
 - c. Demonstrates the Crown's commitment to its relationship and partnership with the Forum.
 - d. Enables a continued focus on mutual priorities and provides for collective engagement, ensuring that there is visibility of progress being made across Pou and an ongoing forum for discussing any challenges and opportunities in the relationship.
 - e. Supports the Crown to achieve set outcomes through mutual priority-based work programmes and to devolve services to regions and communities.
 - f. Maintains co-ordination and structure to ground engagements.
22. Option Two is, therefore, the recommended option for the potential next steps in the relationship between the Crown and the Forum.

Option Three – Pause on all engagement with the Forum

23. This option proposes the Crown pauses all engagement with the Forum at all levels, including the implementation of the agreed Statement of Engagement. In practice this would mean:
- a. Suspending Crown attendance at the attendance at the Quarterly Forum.
 - b. Pausing engagement between lead Ministers and Pou Chairs regarding discussions and agreements on mutual Pou priorities and work programmes.
 - c. Pausing engagement between lead agencies Chief Executives and lead technicians regarding mutual Pou priorities and work programmes.
 - d. Suspending the outcomes for the mutual priorities and report back on the progress made towards achieving agreed outcomes work.
24. While this option would enable the Crown to pause and rethink the nature of its relationship with the Forum, we note that this would come at the expense of the Statement of Engagement and would necessitate a break in established work programmes, engagement and financial obligations. This option is likely to cause real mistrust with the Forum and damage the overall Māori Crown relationship. Successive Governments have maintained a close working relationship with the Forum and this option would unwind almost two decades worth of hard and, ultimately, positive work.
25. Option Three is not the recommended option for the potential next steps in the relationship between the Crown and the Forum.

Option Four – Pause on all engagement with the Forum and replace with direct Iwi engagement with relevant portfolio Ministers

26. This option proposes the Crown pauses all engagement with the Forum at all levels, including the implementation of the agreed Statement of Engagement as outlined in Option Three, and replace that engagement with direct engagement with all Iwi that are members of the Forum.
27. This option is the alternative or consequence of pausing the Statement of Engagement with the Forum. In practice this would mean:
 - a. Relevant portfolio Ministers will need to engage directly with the 82 Iwi.
 - b. There is no co-ordination or structure to ground engagements.
 - c. Lack of focus on agreeing to mutual priorities at scale and the loss of sight to working with the Forum to achieve Government Targets.
 - d. Heavy resourcing commitment with high duplication.
28. Option Four is not the recommended option for the potential next steps in the relationship between the Crown and the Forum.

Comment

29. After each Quarterly Hui, the Forum writes to the Crown to outline the key points and recommendations the Forum is looking for at the Pou level. As the Convening Minister, it is your role to respond to the Forum on behalf of the Crown.
30. To ensure accurate information is provided in the letter of response, Te Arawhiti actively works with each Lead Agency to provide a response to the recommendations for their respective Pou. These responses are usually signed off Lead Ministers and collated for your office to send to the Host Chair and the Forum secretariat.
31. Following the August 2024 Quarterly Hui, the Crown received the Forum's letter of recommendations dated 2 August 2024. The letter advised of the Forum's resolution that Crown attendance at future NICF Quarterly Forum will pause.
32. Before the Crown Letter of Response is drafted, a decision on the next steps for the Crown's relationship with the Forum is needed. If the decision is to continue with the relationship as per either Options One or Two, Te Arawhiti will work with Lead Agencies to collate their responses to the letter. However, if Options Three or Four are preferred, the Crown's letter of response would focus on the resolution not to invite the Crown to future Quarterly Hui and your intended engagement approach going forward – this is because Options Three and Four suggest pausing engagement at the Pou level.

Next steps

33. Once you have decided on your preferred option for the next steps in the relationship between the Crown and the Forum, we will draft an appropriate letter to be sent by your office.

Appendix 6: NICF letter to Rt Hon. Luxon



02 August 2024

Rt Hon Christopher Luxon, Prime Minister
Freepost Parliament
Private Bag 18 888
Parliament Buildings
Wellington 6160

via email: Christopher.Luxon@parliament.govt.nz

Tēnā koe e te Pirimia,

I write to you today as the Host Chair of Ngāti Whātua Ōrākei.

The theme of the NICF conference was "Tūhono - Connecting for Wellbeing", which speaks to the collective vision and unity of purpose that our people share. As we continue to navigate the complex social, economic, and environmental challenges facing Aotearoa, we believe that meaningful partnerships and collaboration between Māori and the Crown will be essential.

POU TAHUA

We look forward to co-hosting the Economic Taumata on 22 August 2024. As shared with you, there are significant opportunities to work together to achieve increased productivity, wellbeing and prosperity for Aotearoa.

This forum will be a strong platform to drive a strategic economic agenda – that focuses on the pathways to improved intergenerational outcomes. At this hui, we will share strong data, insights and evidence on:

- The Māori economy context and key enablers for growth and productivity
- Pou Tahua development options: Housing – public private partnerships for expansion, Whenua Development models to demonstrate return on investment.

This will identify opportunities to achieve measurable impact across the government's five pillars and Pou Tahua work programme.

For Pou Tahua, we have developed a set of shared priorities with you under the Economic Taumata. This includes Social Investment which strongly aligns with the integrated wellbeing approach of iwi. Pou Tahua looks forward to accessing good data and evidence alongside our own data and insights to improve the effectiveness of investment for greater impact. We have a wānanga on 7 August with officials to support the development of Social Investment, which will guide how we continue to work together.

Pou Tahua priorities are set out below:

POU TAHUA			
To support the achievement of increased economic outcomes for whānau, hapū and iwi through active partnership (recognising economic outcomes include social, cultural and environmental outcomes)			
Economic Taumata (includes Social Investment given overarching application)			
Holding a shared economic agenda Social Investment: achieving greater outcomes through place based delivery			
Housing	Whenua Development	Māori Access to Capital	Sustainable Procurement
Increased Public-Private Housing Development	Investment for higher value and returns	Fit for purpose capital options for Māori	Increased public spend
Iwi Housing pipeline supports planning & investment	Increased Whenua Development pathways	Enabling regulations, practices & system	Improved iwi capability
Improved iwi procurement	Improved research & technologies	Increased access to public funds	Improved supplier support
Policy and settings are fit for purpose			

We look forward to working with you and your officials to scope a clear programme of work for each of the priority area.

POU TIKANGA

- Note that a workplan for the Independent Anti-Racism Action Plan will be presented in the November hui of National Iwi Chairs Forum
- Asks the government to invite the United Nations Expert Mechanism on the Rights of Indigenous Peoples to do a follow up country visit
- Invites government to nominate 2 representatives to be a member of a team to review Aotearoa Independent Monitoring Mechanism and make recommendations to the February 2025 Forum
- Endorsed the Pou Tikanga Statement of Engagement priorities: Justice Sector Reforms and Te Tiriti o Waitangi
- Agrees to work with the government to meet the ends of the United Nations Declaration through their nine priority targets
- Expresses concern at the ideological approach government has towards its Treaty legislation programme and seeks an evidence-based approach in partnership with Iwi, the Tiriti partner
- The Statement of Engagement is based on good faith which includes involving us in legislation and policy that affects our whanau.

- It has long been urgent that remedies are administered for the incurably recidivist criminality of the Crown most recently confirmed in the report of the Royal Commission of Inquiry into Abuse in Care.
- There are a number of issues raised in our letter sent in May that were not responded to. Please respond to them.
- We have agreed to meet six weekly with the Ministers responsible for addressing the issues raised by Pou Tikanga.

POU TANGATA

Pou Tangata wish to continue ongoing discussions around issues affecting our whānau, hapū, iwi and hāpori and being a part of developing with you and your fellow Ministers practical and timely solutions.

Pou Tangata has eight iwi leader groups (ILG's) - Skills and Employment, Data, Mātauranga, Oranga Tamariki, Justice, Hauora, Nga Rangatahi ā Iwi, and Online Safety.

Four Pou Tangata ILG's are involved in the mutual priority *Child Poverty Reduction underpinned by Te Ora o Te Whanau* agreed between Pou Tangata and Ministers. Four focus areas and three targets have been identified and agreed under this priority with the following Pou Tangata Iwi Leader Groups and lead agencies:

- Skills and Employment (with MSD) – reducing the number of children in benefit dependent households;
- Oranga Tamariki (with Oranga Tamariki) – Reduced harm against children
- Mātauranga (with MoE) – Increased whanau engagement in education
- Data (with Stats NZ) – Measuring and monitoring framework aligned to Child Poverty Reduction.

Our Justice, Hauora, Online Safety and Nga Rangatahi A Iwi ILG's also contribute to working to support our kaupapa despite not being officially included in the agreed priority.

With this in mind, Prime Minister, Pou Tangata is keen to meet and discuss with you what the social investment approach is so that we have a clear understanding of your governments commitment to reducing Child Poverty and how our Pou Tangata iwi leader groups are able to consider how we might fully support this commitment.

Pou Tangata acknowledges the challenging times before us and we consider our Statement of Engagement to be the instrument that guides us to reach agreed positions, particularly when it comes to shared decision making and moving forward together for the betterment of Aotearoa/New Zealand. The key points presented on Friday are provided below:

Abuse-in-Care Report

We stand in support of the survivors, whose stories were captured in the 'The Royal Commission of Inquiry into Abuse in Care Report'. They are our people and they have a whakapapa to us all.

We see the release of the report as an opportunity to demonstrate to those that suffered horrific abuse and, in some examples, died needlessly – that the National Iwi Chairs Forum have heard their mamae and calls to action.

We call on the Crown to positively respond in full to all recommendations of the report. From the survivors themselves they endorse the importance of whānau, hapū and iwi as a part of their ongoing healing and reconfirm that whānau, hapū and iwi must be enabled to design solutions for mokopuna in care through to youth in the criminal justice system.

The survivors' voices and experience must be enabled to design appropriate solutions for mokopuna in care through to youth in the criminal justice system. To that end we call on you to retain s7aa Oranga Tamariki Act 1989 in its entirety.

Pou Tangata Resolutions

- Pou Tangata and Crown to reinstate a Mana Orite Social Investment Partnership Group (like the Whānau Ora Partnership Group).
- A key priority for Pou Tangata and the Crown is Child Poverty Reduction underpinned by Te Ora o Te Whānau.
- Pou Tangata with the support of Pou Tahua insist on being in the design and implementation of Social Investment and any devolution of Social Development services and resources.
- These locations Tai Tokerau, Tainui, Te Arawa, Tai Rawhiti/Toi Rawhiti, Te Tau Ihu, Te Atiawa ki Whakarongotai, Tauranga Moana and Ikaroa pilot Social Investment and any devolution of Social Development services and resources.
- That the National Iwi Chairs Forum confirm support for the nomination of Rahui Papa (Pou Tangata) and Jamie Tuuta (Pou Tahua) to the Social Investment Board.

POU TAI AO

Pou Taiao have been inundated with the number of policy and law reform that impact our environment and this is continuing at pace with no meaningful engagement. In addition to this, while the Government has reiterated its policy position of protecting existing Treaty settlements, this is not always reflected or provided for in the wider drafting of the bills. This commitment also does not protect the interests of, as yet, unsettled iwi. Pou Taiao are concerned that there will be unintended consequences as a result of policy not being developed alongside iwi.

Pou Taiao acknowledge recent engagement with Minister Bishop, who has made a commitment ensure that there will be more scope for iwi engagement in larger work programmes to ensure that the rights, interests and responsibilities of iwi and hapū in respect of Te Taiao (including freshwater and other natural resources) are recognised and reflected in terms of both:

- the wider reform of the resource management system; and
- the ongoing review and development of freshwater policy.

Given there is much work ahead of us all, and the priorities have been agreed, we must see these commitments play out in practice following this hui. Our expectation is that as a government, you engage with us in a manner that allows time for feedback to be given, considered, and incorporated. Our technical team are available to design a more detailed work programme alongside officials, but our technicians need to have the transparency of the reform agenda.

Furthermore, officials also need to be directed to engage with us more meaningfully, early and provide us with the information to ensure we can provide input and ensure any resulting policy will uphold these rights, interests and responsibilities in a substantive, equitable and durable

way; and meet the reasonable aspirations of all New Zealanders for the present and future health, wellbeing and sustainable utilisation of our freshwater and other natural resources.

Resource Management Reform

The reform of the resource management system has been discussed for a long time and Pou Taiao is not, in principle, opposed to amendments to the RMA that enhance certainty or reduce timeframes through more efficient, streamlined approval processes. However, any future reforms must ensure that this Government:

- (i) upholds Te Tiriti o Waitangi, Te Tiriti Settlements and preserves rights and interests of iwi and hapū as it relates to natural resources;
- (ii) there is a balanced approach to ensure no irreparable, harm to our taiao, (including to freshwater and to its biodiversity).
- (iii) There is Te Tiriti-consistent participation of iwi/hapū in consenting processes and in the development and amendment of national direction.

We acknowledge that the economy in need of a boost, but we must create a durable and effective new resource management system that is balanced, fair and equitable. Again, you will need to engage on these issues in a substantive way.

Fresh Water Policy

Pou Taiao have raised with Minister Bishop the outstanding issues of resolving iwi and hapū rights and interests as it relates to freshwater. The issue of addressing rights and interests in freshwater must cover the areas of governance, management and allocation. Related to this, we must ensure that Te Mana o Te Wai is central to any Freshwater reform. Te Mana o te Wai is a fundamental and hard-fought-for principle developed over many years and supported not only by iwi/hapū but by many other stakeholders, including industry, farmers, councils, and environmental interests.

Pou Taiao would welcome the opportunity to engage on these matters further. In the interim, our technical team will continue to engage with your officials on both policy design and direction (and associated legislative drafting) in the context of the current RM reform process and the identification and exploration of options for addressing the rights and interests of iwi and hapū in relation to freshwater (including, but not limited to, the areas of governance, management and allocation).

POU TAKE ĀHUARANGI

The Pou Take Āhuarangi climate agenda focuses on areas of urgency that impact hāpori Māori including adaptation, emissions reduction and the data required to understand the impacts of climate change on Māori. We appreciate that we have the opportunity to work with Minister Watts as part of our shared priorities and have developed a joint work programme that focusses on these critical issues.

Prime Minister, we emphasise that climate change must be a core priority of this government. We are concerned that the Government's draft Second Emissions Reduction Plan shows that Aotearoa is likely to miss future emissions reduction targets highlighting that climate change is not a core priority for this administration. We also emphasise that this Government must strengthen climate policies to ensure that we meet our emissions budgets and the 2050 target. If Aotearoa does not do its part, we know that it will be our communities that pay the price of our collective failure to reduce emissions as a nation.

Today Ministers heard directly from impacted iwi about the necessity for adaptation measures to be put in place immediately. Te Aitanga A Mahaki have sought to be the first cab off the rank as a hāpori to undertake adaptation measures with the Government as a matter of urgent priority. We support their request and other iwi that seek to undertake urgent adaptation work as hāpori following the most recent severe weather events. We stress that adaptation of hāpori Māori must be Māori led and the Government must be an enabling partner to hāpori Māori.

We are concerned that comprehensive mapping and data acquisition has not been done to enable a fulsome picture of what adaptation in Aotearoa requires, particularly as it impacts hāpori Māori. We appreciate that the joint work plan enables Pou Take Āhuarangi continuing its work to collate the data required for adaptation mapping and that this must be a matter of urgency given the adaptation needs being experienced by hāpori Māori now.

Tangata Whenua Disaster, Response, Recovery and Resilience Iwi Leaders Group

The Tangata Whenua Disaster, Response, Recovery and Resilience Iwi Leaders Group sits within Pou Take Āhuarangi and was established following a series of severe weather events in early 2023. As highlighted above with respect to adaptation, Māori were significantly impacted across the country highlighting that the Crown, Local Government and the Emergency Management system is ineffective and obstructive for Māori at all stages of disaster and emergency planning, response and recovery.

We appreciate that we have been able to engage with Minister Mitchell on the Emergency Management system and its failure for Māori. We further appreciate that a work plan has been developed for the next month to address the findings as the impact hāpori Māori. We have an expectation that Māori will contribute to the design of any future Emergency Management legislation.

Resolutions

The resolutions passed included:

- Endorsement of the joint work plan with MfE on adaptation, emissions reduction and data.
- Endorsement of the joint work plan with DPMC to respond to the NISWE (and other reports) recommendations as they impact Māori.
- Endorsement of an agreed set of climate baselines presented to NICF.

On NICF Day 1, the following resolution was passed. However, I would like to meet with you to discuss the background of this resolution.

The NICF have outlined our deep concerns regarding the various actions of the current coalition Government and its assault on iwi and Māori rights and interests and have agreed that we will not be inviting you to attend any future NICF forums. We will reassess this decision when we believe the circumstances have appropriately changed.

On behalf of Ngāti Whātua Ōrākei, I want to acknowledge and thank you for the constructive way in which we engaged at NICF ki Tamaki today. It was very different to the engagements we have had in the past and I hope that we will continue to engage and korero about the important kaupapa for iwi Māori in this manner for future hui.



Iwi Chairs Forum

Nga manaakitanga

Marama Royal
Chair – Ngāti Whātua Ōrākei

CC:

Hon Chris Bishop
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Tama Potaka
Hon Mark Mitchell
Hon Penny Simmonds
Hon Simon Watts

Appendix 7: Minister Bishop letter to Minister Potaka

Hon Chris Bishop

Minister of Housing
Minister for Infrastructure
Minister Responsible for RMA Reform
Minister for Sport and Recreation
Leader of the House
Associate Minister of Finance



25 AUG 2024

Hon Tama Potaka

Minister for Māori Crown Relations: Te Arawhiti

CC: Tukoroirangi Morgan

Lead Chair, Pou Taiao

by email c/o Donna Flavell Donna.Flavell@tainui.co.nz

Tēnā koe Minister Potaka,

Agreed mutual priorities for Pou Taiao

As Lead Minister in relation to Pou Taiao, the National Iwi Chairs Forum (NICF) environment pou, I write to confirm that in discussion with Lead Chair Tukoroirangi Morgan, the Crown and Pou Taiao leaders have confirmed two mutual priorities:

- Freshwater
- Resource Management Reform

I understand Mr Morgan will also write to you separately to endorse these priorities.

I note that NICF technicians and Ministry for the Environment (MfE) officials have discussed a range of other areas of interest, including Local Water Done Well, Conservation, Gene Technology and Renewable Energy.

MfE officials will discuss the potential for these to be included as additional priorities with colleagues from relevant agencies. This would also require agreement from the responsible Ministers. We will update you again if this occurs.

Ngā mihi,

A handwritten signature in blue ink, appearing to read 'Chris Bishop'.

Hon Chris Bishop
Lead Minister Pou Taiao
Minister Responsible for RMA Reform