

Hui minutes **Iwi/Māori engagement across the climate change work programme**

Wednesday 5 December 2018, 10.30am-3pm, Ministry for the Environment (MfE)

Attendees

- Sir Wira Gardiner, facilitator
- Vicky Robertson, Ministry for the Environment (MfE) (first hour)
- Melanie Mark-Shadbolt, MfE
- Lorena Stephen, MfE
- Roger Lincoln, MfE
- Sue-Ellen Fenelon, MfE
- Marion Sorez, MfE
- Carolyn Holmes, Ministry for Primary Industries (MPI)
- 9(2)(a), Federation of Māori Authorities (FOMA)
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- 9(2)(a), FOMA
- 9(2)(a), Māori Climate Commissioner
- 9(2)(a), Ngāti Ruanui
- 9(2)(a), Te Tira Whakamātaki Māori Biosecurity Network (TTW)
- 9(2)(a), Te Arawa Climate Change Working Group
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- 9(2)(a), Te Arawa Climate Change Working Group
- 9(2)(a), Te Arawa Primary Sector (TAPS)
- 9(2)(a), Ngāi Tahu
- 9(2)(a), Ngāi Tahu
- 9(2)(a), New Zealand Māori Council (NZMC) - 9(2)(a)

Welcome from Vicky Robertson, Secretary for the Environment

- There are short-term strategies from governments and a longer term stewardship role from the Crown that need to be balanced. We can help each other out in balancing these approaches.
- MfE does not see environmental work as separated into domains. MfE is mindful of the need for a holistic approach, while recognising that different Ministers have different portfolio.
- Welcome to Melanie Mark-Shadbolt, Kaihautū – Chief Māori Advisor, who is here to help MfE with its kaupapa.

Overview and objectives for the hui

The purpose of the hui is to discuss:

- update on Zero Carbon Bill and ETS/CCRA policy development
- discussion of iwi/Māori views on the climate change reform programme
- the next stages of iwi/Māori engagement on climate change priorities.

Whakawhanaungatanga – introductions – understanding the expectations from everyone in the room

- Expectations from the group included:
 - receiving feedback on the submissions prepared on the Zero Carbon Bill and Emissions Trading Scheme consultations
 - working on parity, enabling iwi/Māori voices to be heard where they need to be heard, joined up governance
 - joining up the carbon and water policies
 - ensuring ongoing engagement, including in the Interim Climate Change Committee work programme
 - understanding technical issues and what is being done at a grassroots level.
- The group is committed to the same kaupapa – addressing climate change issues now.
- The group will hold strong views about roles and responsibilities, but will nurture the relationships within the group.

Update on the Zero Carbon Bill and ETS/CCRA policy development

- No decisions have been made on either the Zero Carbon Bill or NZ ETS review.
- MfE originally anticipated this hui would take place post-decisions, but understands this hui builds on our relationship.
- Key themes from consultation on the Zero Carbon Bill included:
 - Māori seats at the decision-making table
 - disproportionate impacts of the Bill on Māori landowners
 - disproportionate impacts on Māori households.
- Key themes from consultation on the NZ ETS review:
 - Māori involvement in the decision-making process
 - disproportionate impacts on Māori
 - future carbon prices
 - accelerating the value of investments for Māori
 - making the NZ ETS system durable to give certainty to investors
 - incentivising indigenous planting
 - addressing low prices
 - addressing operational challenges for transparency and simplicity
 - use of auctioning proceeds to support impacted Māori.

Discussion about MfE's response to iwi/Māori submissions on the Zero Carbon Bill

Nominating committee to the Climate Change Commission

- MfE recommended the use of a nominating committee to select candidates for membership on the Commission. Following the hui discussions, MfE amended the policy recommendations to provide for half of the committee being Māori representation. Expertise in Te Tiriti o Waitangi, te reo me ona tikanga Māori is recommended for consideration when nominating members for the Commission.
- The group discussed the nominating process for the first members of the Commission. TAPS suggested an interim nominating committee be established for the first round of nominations.
- TAPS and FOMA also commented on the insufficient number of people on the nominating committee and on the nominating committee being vulnerable to marginalisation.

- Further comments recommended that the Minister consider how to give effect to the principles of the Treaty when appointing members of the Commission.

Māori representation on the Climate Change Commission

- FOMA and NZMC's principal position of a 50% Māori representation on the Climate Change Commission was reiterated.
- Decisions on representation on the Commission will be made by politicians.
- FOMA and NZMC asked for clarification on how the recommendations from the hui in August 2018, including that of a 50% Māori representation on the Commission, were provided to the Minister.

Next steps of engagement with iwi/Māori

Reciprocity of communication

- FOMA and NZMC commented on the lack of reciprocity of the communication. They would have welcomed a notification that their recommendations from the August hui had gone to the Minister, as well as more responses to the questions raised at meetings.
- This reciprocity is important to build trust and good faith moving forward.

Access to the Minister

- Recommendations from the August hui were given to the Minister, without interpretation. There was no direct response from the Minister on these.
- FOMA sees MfE as 'cherry-picking' the recommendations from this group when passing on its advice to the Minister. They advised their recommendations should be considered as a whole to be representative of their voice.
- NZMC expressed their interest in this group being able to meet with the Minister directly.
- The hui facilitator commented that it would be unusual for a Minister to meet this group, as it currently does not have a status that can inform policy clearly.

MfE's internal capacity to provide Māori input into policy

- 9(2)(a) expressed concern in the lack of internal capacity for MfE and the Climate Change Directorate to network with Māori and process information from Māori in developing its policies.
- The Climate Change Directorate works alongside the rest of MfE, and gets advice from the Water Directorate and Mana Taiao.

Process for engagement

- The Te Arawa Climate Change Working Group advised MfE should allow time for the Māori representatives to go back to their constituencies and consult with them.
- Representatives on this group act in a technical, coordinated way, which they felt was broken down during the consultation process.
- The Te Arawa Climate Change Working Group would like to see a long-term system response to iwi/Māori engagement.

Structure of this group

- TAPS recommended that the purpose of this group be clarified to maximise the value of its input and its ability to influence climate change policy development.

- It was suggested that many of the frustrations identified during the discussion (eg, access to the Minister, hearing the whole voice of the group) could be at least partially resolved by formalising the status of this group.
- It was suggested that Kāhui Wai Māori be recreated for climate change, but there is also an ongoing concern of not creating silos.
- The question of resourcing was raised.
- It was suggested a formal group could tap into the expertise of this group.
- It was recommended that other potential participants should be considered, including technical, youth and NGO groups, as well as local/community expertise.

Action points

- MfE is committed to ongoing, long-term engagement with this group.
- The group was invited to proactively raise any questions or concerns in between hui.
- MfE will share the hui notes to the group and provide a response to the questions raised at the hui. As part of this response, MfE will clarify:
 - how the recommendations from the hui in August 2018, including that of a 50% Māori representation on the Commission, were provided to the Minister
 - the nomination process for the first members of the Commission
 - the work programme of the Interim Climate Change Committee post-May 2019.
- TAPS see a formal restructure of this group as a priority item for MfE to consider, and as a meaningful way to address the concerns raised at the hui. MfE will update hui participants on how this fits into its Māori engagement strategy.
- In addition to the structure and status of the group, hui participants noted other matters for MfE to address and provide a response on. These include:
 - MfE's internal capacity to process Māori input
 - process of engagement, what the purpose of engagement is
 - whether the group's recommendations are clearly transmitted to the Minister
 - reciprocity of communication, getting back to the group on what the decisions or consideration points are
 - the group's desire to meet with the Minister
 - developing a work plan, terms of reference
 - funding and resourcing
 - representation at the decision-making table
 - issues around the Treaty
 - looking at the grassroots, communities, local expertise
 - feeling that MfE is 'cherry-picking' elements from Māori feedback, rather than their whole view.
- MfE will advise the Minister of the outcomes of this hui and prepare advice on how to structure future iwi/Māori engagement on climate change.
- MfE will advise the group of the timeframe for the drafting, Select Committee and House processes of the Zero Carbon Bill.