



Ministry for the
Environment
Manatū Mō Te Taiao

Consultation with Māori on Climate Change: Hui Report

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1 Executive Summary

In December 2006, the government released five documents relating to climate change and energy use:

- measures to Reduce Greenhouse Gas Emissions Post 2012
- transitional Measures
- sustainable Land Management and Climate Change
- powering Our Future – New Zealand Energy Strategy, and the
- New Zealand Energy Efficiency and Conservation Strategy.

Together, these documents proposed the options for New Zealand’s response to meeting the challenge of climate change.

During March and April 2007, 13 regional consultation hui with Māori were held around the country to discuss the climate change issues and options proposed in the discussion documents. The present report provides a summary of the key themes that emerged from the 13 hui.

At every hui there was widespread acknowledgement from tangata whenua that climate change is an important and urgent issue, that our actions—and inaction—will be judged by future generations, and that balance must be restored in the environment. It became clear that for Māori this conversation has come quite late, because this has been part of Māori awareness for a long time. However, equally prevalent was the desire for further and better information about the economic impacts and opportunities that might flow from the proposed policies on climate change.

During the hui, tangata whenua expressed their own values and had unique kōrero¹ in relation to the problems and opportunities in their own regions. This included Māori concepts and values, such as recognition of the importance of kaitiaki², as a core element of New Zealand’s response to the challenge of climate change. There was also consensus among Māori that the Crown needs to observe the principles of the Treaty of Waitangi when developing policy that would affect Māori. The principle of partnership is particularly important in this regard.

¹ Discussions.

² Custodianship.

2 Purpose

This report summarises the kōrero and concerns raised at the 13 consultation hui with Māori held in March and April 2007. The purpose of these hui was to discuss the five discussion documents which proposed options on how the government proposes to address the challenge of climate change: Measures to Reduce Greenhouse Gas Emissions Post 2012; Transitional Measures; Sustainable Land Management and Climate Change; Powering Our Future – New Zealand Energy Strategy; and the New Zealand Energy Efficiency and Conservation Strategy.

The present report does not express any opinions on the kōrero that took place. Rather, it objectively outlines some of the key themes that emerged from the consultation process.

3 The 2007 Consultation Process

The process of consultation comprised 13 hui: these were held in Gisborne, Rotorua, Ruatoria, Auckland, Masterton, Turangi, Hamilton, Whangarei, New Plymouth, Wellington, Nelson, Christchurch and Invercargill.

Participants of these hui selected one person to represent them at the representatives' hui held in Wellington on 21 March. The objectives of the representatives' hui were to enable Māori from all over New Zealand to meet and discuss the common themes emerging from the consultation process, as well as for them to highlight any specific regional themes. This hui also sought to provide a further opportunity for representatives to clarify any issues with officials.

Written submissions were lodged by 30 March. Submissions were considered in an initial high-level analysis and were then in a more in-depth analysis before giving advice to Ministers. Te Puni Kokiri were consulted with regard to Maori submissions. Key themes arising from the minutes, the representative group's submission, and the present document have been taken into account by officials.

4 Māori Values

During the consultation hui, Māori generally acknowledged government's attempt to address climate change issues. This was supported by statements such as:

I am pleased we are taking these steps. People of Aunty Kath's generation have always said 'don't pollute the waterways, don't pollute the environment' and now, people are finally listening to what many Māori have been saying for many years.

But some expressed the need to put this in the context of a broader and well articulated sustainable development framework. It was thought that this framework should encompass the various climate change work programmes as well as environmental management initiatives such as the Sustainable Water Programme of Action (SWPoA) etc.

Government's goal resonated with the kaitiakitanga³ role Māori have in relation to the environment and its wellbeing. However, concern was expressed by Māori about the lack of recognition in government's proposals of hapū and iwi who protect their indigenous or exotic forests under the concept of kaitiakitanga, and therefore who protect the environment by absorbing carbon.

Concerns regarding Papatūānuku⁴ were also expressed and further queries were made as to what environmental outcomes were being sought. Some asked, "Where is the environment in this?"

From an environmental and spiritual perspective, Māori indicated that they see the world as a unified whole, where all elements, including tangata whenua, are connected through whakapapa⁵.

Emphasis is placed on maintaining the balance or utu⁶ of cultural and spiritual values in the environment, while using resources for social and commercial purposes. The changes brought on by a global warming as a result of greenhouse gas emissions directly affect this balance.

Several attendees talked of how "we are" the environment and the fact that Māori "live this". Environmentalism is part of Māori culture and Māori cannot pollute the land – it is Papatūānuku.

In general, it was felt that there was a lack of cultural and Treaty context in the five documents for discussion and that this needs a lot more attention. It was felt that government could make much better use of Māori knowledge and the kaitiakitanga role to affect positive environmental outcomes.

Further suggestions were made regarding the need for a quadruple bottom line approach, whereby cultural measures would be included alongside social, economic and environmental measures.

³ Guardianship.

⁴ Earth mother.

⁵ Lineage, genealogy.

⁶ Concerned with the maintenance of relationships and balance within Māori 'society'.

There was a clear commitment from Māori to address climate change. Many agreed that the responsibility lies with us all, and suggested we need to look at how we protect this world for generations to come.

5 Key Issues Emerging from the Consultation

5.1 Treaty of Waitangi

Submissions expressed views that the Treaty of Waitangi creates a special relationship between the Crown and Māori. At several hui, attendees asked, “Where is the Treaty in this?”

Attendees said that both government and Māori should be honouring the Treaty relationship and inferred that this was not necessarily the case for the former.

Several hui addressed the fact that Māori freehold land will be affected by climate change policy. Officials were repeatedly asked throughout the consultation hui, how the climate change policy proposals affected the rights of Māori under Article Two of the Treaty of Waitangi to undisturbed possession of their properties, including lands, forests, and fisheries.

Māori made clear statements at the hui that there is a unique relationship between the Crown and Māori based on the Treaty, and that the government knows climate change policy will impact Māori freehold land.

5.1.1 Partnership and the Crown’s relationship with Māori

For the most-part, Māori did not see that the development of climate change policy thus far reflected a ‘partnership approach’. As one attendee stated:

We have watched policies come and go – cut down your trees, don’t cut down your trees – we have always known the value of keeping the Ngahere.

Māori wanted to be involved in making the decisions and felt that a true partnership does not exist if one party tells the other what to do. They stated that they saw themselves as having previously been managed as a ‘risk’, which in itself compromised a beneficial partnership approach.

It is evident there is considerable distrust of the government. Participants stated they were not convinced by the arguments put forward by government. They were concerned that Māori were going to be the losers; and that Māori are constantly told what they can do with their lands. Māori perceived governments as having been doing this for years.

Clarity was sought regarding what defined a ‘specialist’ of Māori issues. It was put forward that kaumātua are Māori experts and that these people have not been involved in the policy development process until this time.

There was an expectation that government should take a leadership role in addressing climate change. It was considered reasonable to expect that Māori look to the Crown to see how they manage their lands and that government would lead by example.

On many occasions, state owned enterprises (SOEs) were referred to. It was evident that Māori do not see SOEs as leading by example; and it was requested that government step over the SOE model and ensure environmental leadership.

Some noted that Māori too have obligations to fulfil given their role in partnership with the Crown. Māori must also seek to be involved with government as government seeks to be involved with tangata whenua. There is an expectation on both sides that a partnership will seek the best possible outcome in any given situation.

5.1.2 Treaty settlements

Iwi that have already settled have received land subject to forestry leases – Ngāi Tahu settlement lands were returned subject to forestry lease. The only reason it was not clear land is that the Crown had forestry agreements in place. Ngāi Tahu was seeking clear land. If we cannot clear that land because of new Crown policies then that is a fresh Treaty breach ... Ngāi Tahu is not changing the land use because we never sought or planted forest – we wanted clear land but will be penalised if we convert.

This quote from Moka Richie (Ngāi Tahu) expressed one of several concerns raised by Māori throughout New Zealand. The Federation of Māori Authorities (FoMA) also challenged the government’s “carbon credit confiscation” and proposals to impose “retrospective taxes” for land conversion for other uses:

Article 2 of Te Tiriti o Waitangi affirmed hapū authority and ownership rights of their resources including forestry. the plan to confiscate carbon credits and impose a tax regime on forest owners, is another example of this government’s failure to behave in a way which is consistent with the articles of the Treaty.

FOMA and Ngāi Tahu have indicated they are initiating a claim with the Waitangi Tribunal.

The potential effects of any policy decisions and implementation of settlement quantum were also raised. The two questions were:

1. Has there been a precedent set by the Te Arawa settlement in taking account of potential deforestation policies and assessing quantum accordingly? And if so, could this result in re-litigation regarding past settlements?
2. How will any inequities regarding past Treaty settlement of lands be addressed?

Beyond the issues and concerns regarding quantum and their valuation or devaluation, further issues were raised regarding the property and Treaty rights associated with carbon. It was put forward that carbon sinks, and carbon, are taonga and as such belong to Māori under Article 2 of the Treaty.

The argument was raised that, should carbon be recognised as a property right, then taking any credits could amount to ‘confiscation’ through an act or policy. It was further inferred that, should carbon be recognised by the Crown under Article 2, then allocation would be affected. These considerations are perceived to be similar to those regarding water.

Several attendees questioned allocation and stated this required careful consideration as to a fair and equitable division. It was suggested that government needs to look at creating a statute regulating allocation; thus far such issues have not been dealt with very successfully under the RMA.

The Māori reference group submission reiterated these sentiments, placing particular emphasis on the Crown's obligation to develop policy that does not negatively affect Treaty of Waitangi settlement assets.

5.2 Recognition of Māori world values and a Māori world view

There was an expression of the need to develop a comprehensive tikanga⁷/value-based and evidence-informed climate change strategy. However, it was echoed through the country that Māori do not have the capacity to do this themselves, and that they would like to see support from government for enhancing their analysis capability.

The concept of a quadruple bottom line (refer section 4, above) was seen as intrinsic to sustainability; it needs to be fostered within any policies developed. Several attendees said it was not clear how the environment would benefit under the proposed policies. To some, the policy package appeared to focus on the economy, agriculture and forestry. It was posed that there will have to be a trade-off between economic development and environment, whereby the latter gets priority over the former.

There was clear concern expressed that in line with their rangatiratanga,⁸ Māori have an intrinsic role in perpetuating a holistic and healthy approach to sustaining the environment. As kaitiakitanga, Māori have much to offer: the government should be cognisant of this and seek to involve Māori more closely in the policy development process.

Further issues related to the Māori role as kaitiakitanga and the need for government to recognise the value of this role. Several iwi retain indigenous forest in perpetuity, and carry out substantial indigenous planting. They expected extra compensation and recognition for this, given the intrinsic values of indigenous forests.

Māori perceived themselves as being good at managing the environment sustainably and would like to see climate change managed jointly. It was suggested by some that more powers be given to Māori under the Resource Management Act (RMA) because they felt impeded by government in managing land sustainably to the best of their abilities.

Hui attendees stated that biodiversity values were almost absent from the policy documents. In Invercargill, local observations on climate changes and its ill-effects on tītī (muttonbird) and tio (oyster) species were shared with government officials. At other hui, similar concerns regarding biodiversity in the environment were echoed, repeating that Māori had much to offer in this sphere.

⁷ Generally taken to mean “the Māori way of doing things”.

⁸ Self-determination.

5.3 The need for equity

Several issues around equity were discussed at many of the regional hui. In an international context, some Māori questioned how government is seeking to influence developing countries while continuing to sell unsustainable goods, and in the future might sell credits to perceived 'dirty' countries such as China and the USA. Some voiced an expectation for Australia and the USA to be leading the way in taking positive climate change action.

Many Māori at the hui throughout the country raised the inequity in weighting across the different sectors. It was suggested that legislation be brought upon big business and the question was posed, "Wouldn't you take our largest emitters and work with them first?"

Farming was perceived to get preferential treatment. Some attendees questioned why a burden was being put on deforestation but not on those who put animals on the land. Some also asked why replacing stock in dairying wasn't going to have a cost against it because eventually every cow needed to be taxed.

Several attendees suggested some farmers only looked at short-term gains. These farmers might change back to forestry when charges are introduced to agriculture five years down the track. Participants pointed out that if pre-1990 forests aren't replanted then that land could go into dairying and could lead to an increase in greenhouse gas emissions.

It was also perceived that present policy options would devalue pre-1990 forested land and that new forest land will have a greater value. To many this presented an inequity which rewards newcomers to forestry as opposed to those who continue to keep their land forested in perpetuity.

Participants pointed at further inequities within the forestry, in that the proposed policies would see only 40 per cent of foresters getting credit for planting and/or replanting. They were concerned about forestry companies who are presently leasing land: they could threaten Māori land owners with moving their investment to other land where they can get sink credits unless the lease costs are reduced.

Beyond the domestic situation, there were also fears of competitiveness being at risk internationally for New Zealand without pre-1990 accreditation.

The consultation hui were attended by key Māori involved in the forestry sector. Their concerns were that the proposed climate change policies offer no incentive for forestry creation, they believed that it only penalises those who deforest land. Yet, forestry is vital for regional development especially for areas with high Māori populations such as the Gisborne/East Coast region, the Bay of Plenty and Northland. Forestry creates employment and wealth for Māori in these areas.

The Māori reference group submission went further and asked that government issue credits to Māori forest land owners for pre-1990 forests. In addition, their submission states that if credits are not granted then compensation should be provided for.

Attendees also considered the transport industry to be a problem; it seemed to them that government was doing very little in this area.

5.3.1 Te Ture Whenua Māori Land Act (1993) and cultural considerations

Section 8 of Te Ture Whenua Māori Land Act (1993: TTWMLA) promotes the retention, use, development and control of Māori land as taonga tuku iho by Māori owners, their whānau, their hapū and their descendants. Though this seems positive for Māori, in the sense that TTWMLA protects Māori land as a taonga, owners of Māori land are limited to using the land administration structures under the TTWMLA. However, participants at the hui indicated Māori freehold land has many encumbrances on it, which Pākehā land doesn't. Bearing this in mind, it was questioned how government would ensure that Māori can take part in the opportunities presented by the proposed policy options without being disadvantaged.

Some also pointed out that restrictions on sale meant that Māori needed to make an acceptable level of return from the activities they undertake on each area of land.

Cultural impositions were identified regarding the abilities of land incorporations versus trusts. Trusts need to have 75 per cent approval in order to do anything with their land and culturally, Māori are not predisposed to selling trust land, which is differentiated from corpus land. The latter exists for economic gain and can therefore be bought or sold according to the decisions made by the executive of a rūnanga.

Further cultural considerations relating to equity included the identification of the different needs of urban Māori and rural Māori. Discussion in urban centres focused more on air quality and health issues.

Many stakeholders suggested that, if there were to be controls on deforestation, then provision should be made to allow land clearance for local Māori housing initiatives.

5.4 Increasing Māori participation

Considerable concern was expressed regarding the lack of time available to Māori for digesting each of the discussion documents and the proposed policies within them. With a lot going on for iwi and hapū, further resources needed to be made available to Māori in order to engage in this dialogue. Māori do not follow the same process of engagement as prescribed by government; it was reiterated on several occasions that more time was needed to discuss the issues with Māori people.

In Nelson, it was recalled that a precise definition of consultation had been defined by the Court of Appeal and that this process did not reflect that definition. It was further stated that if the consultation process was recognised as authentic then people would buy into it.

Beyond the current consultation period, Māori felt there was a need for ongoing dialogue, as well as future consultation. The question was asked, "What else will government be doing to engage long-term with Māori over these issues?"

Questions were asked specifically whether there would be: consultation with Māori forest owners; public consultation on nitrogen inhibitors; and engagement around economic development and its relationship with climate change.

A need was expressed for government to go beyond rūnanga and to extend its database to encompass landowners and trustees. Further consultation needed to be publicly advertised more extensively, repetitively and more than two weeks before consulting.

Some attendees felt that the Ministry for the Environment needed to stand up, take centre stage and to lead. This leadership was not yet obvious. The biggest problem for government was that Māori do not trust the Crown. Māori expressed the wish for government to be more inclusive and asked officials to reiterate this to Ministers.

It was also stated that hui and consultation are part of the policy process and should not be perceived as a replacement for good policy analysis. Attendees suggested that in support of a process with more integrity, a national group should be formed with a terms of reference and a mandate.

Some recommended that the Sustainable Water Programme of Action be merged with climate change and that the representative body established to assist government with this programme could extend its scope to include climate change. They queried the government's connection between the SWPOA and climate change and whether officials were working together towards a common purpose.

The Māori reference group submission reinforced the need for Māori to be involved internally and externally throughout the policy development process on an ongoing and formalised basis, that recognises their role as a Treaty partner.

6 Moving Forward

It was suggested that government carefully consider what the best role is for them to play and then bring together a wider spectrum of expertise to address climate change.

6.1 Further policy considerations

Throughout the country it was echoed that climate change consolidates all other environmental issues. There needs to be a clear framework upon which to build rational domestic policy that achieves environmental outcomes. Contributing to this is a need for more life cycle analysis – the assessment of the full environmental impact of a given product or service throughout its lifespan.

Māori would like to see a tikanga approach to climate change, as part of a unique response to this global issue. There is a need for philosophical concepts, in this policy development, embodying family and culture and thereby aiding people's ability to see themselves within these principles of kaitiakitanga. A bicultural plan would be ideal.

Māori would like government to recognise that no one policy suits all; there is a need to look at separate processes for Māori in this policy development. This potentially means separate policies which are supportive for Māori.

It was suggested that further analysis be undertaken to best inform Māori decision making around climate change policy. Specific requests were: to look at where Māori sit in terms of emissions per capita; how these policies might impact on the Māori economy; and what the impact of these policies on Māori lifestyle might be. It was queried what cross-sectoral work is going on whereby social issues are teased out alongside the climate change policy development. To assist Māori in making decisions about best land uses, they would like to see government resourcing a land classification process/project. This suggestion was supported by the Māori reference group.

The submission by the Māori reference group supported a specific Māori analysis of the issues, to inform climate change policy development as it relates to tangata whenua.

Although some Māori had been involved in the policy decisions made regarding the Kyoto Protocol, the general feeling was they were not.

Reference was made to a precedent already set with the Taupō nitrogen permit trading scheme. In this instance, there has been some grandparenting and the minimum forestation area was set at five hectares. This precedent could be applied to the relevant sustainable land management and Emissions Trading Scheme (ETS) policies.

Although the principles were understood by some, many found a greenhouse gas credit market difficult to fathom. They suggested government might want to simplify its information by taking a, "Here's the market, the statistics and how it works" approach. Some Māori agreed that if there were to be a tradable permit regime, then deforestation permits should be allocated to landowners. It was specifically stated by some attendees that the fishing quota system did not work and that Māori did not wish such a scheme revisited for this purpose.

Some Māori could see opportunities within the proposed policy package, for example the grey credit market for management of pre-1990 forests. Beyond that, the opportunities for Māori were uncertain and more information was needed. The Taranaki hui expressed that although the climate change policy package does contain opportunities, these are not apparent to the majority of Māori.

6.2 Incentives and support

It was suggested that only a serious and well-considered provision for incentives would lead to an increased uptake of policy options and proposed initiatives. On several occasions attendees asked how government expected Māori to deliver. There was a call for capacity building as trusts would need to have their skills improved to help them make decisions about government policy options, which required further encouragement from government.

Some iwi would like to research which of the proposed policy options would best work for them, yet there appears to be no capacity to follow this through. They indicated also that in the forestry area the incentives were as yet insufficient. Some attendees suggested the credits be devolved to forest owners for both pre-1990 and post-1989 forests: “If you don’t encourage replanting of pre-1990 forests then there will be changes in land use”.

Attendees called for further support to deal with urbanization. Creeping urban boundaries and a growing interest in lifestyle blocks in some areas such as Northland has translated into an increase in Council rates. Māori asked for government support to ensure their land was maintained in its natural state or in forestry.

Some Māori have had to lease land to pay for the rising Council rates. They called for central government to work with local government on these issues, so that Māori can retain their land in its natural state.

The policy proposals were considered to provide insufficient incentive to change sustainable land management practices: the positive externalities should be rewarded with incentives and subsidies. One suggestion was that a moratorium, similar to that used with the SILNA⁹ forests, should be considered by which a small financial incentive would encourage people to keep their forests and would prevent Māori land ‘deforestation’.

Several questions and challenges were put forward to government as to why nothing before 1990 is rewarded or receives incentives; and why there are no incentives for changing from exotic to indigenous species. It was thought these issues need to be addressed and incorporated within future policy.

Many groups considered Māori should have a priority to access value from renewable energy projects that utilise natural resources in their rohe, such as hydro and geothermal energy.

⁹ South Island Landless Natives Act 1906.

6.3 Regional issues

Several regional issues were discussed at the hui. Some of these related to Council rates and highlighted the need for government to work closely with local government in implementing any policies. To this end, Māori would like government to put in place an auditing process which ensures local government alignment with government policies.

Māori would like to see regional projected impacts reports such as the one produced by Environment Canterbury (ECAN). As regional councils have capacity issues too, Māori would like government to provide them with more support and leadership.

A need for regional transport strategies was also perceived, with a focus on Auckland because it has the largest Māori population in the world, and because it is the fastest growing city in New Zealand.

The removal of obligations on distribution networks to maintain uneconomic lines from 2013 was a specific issue for some areas such as the East Cape. Māori would like to explore opportunities whereby tangata whenua are able to access subsidised support for creating a local network/generation. They already have the technical support presently to manage this properly.

6.4 Engagement and communication

It was accepted that there is a need to address climate change and taking action was supported. However, several comments were made regarding communications and engagement.

Most hui participants felt the need for ongoing communication. However, all the information that government is providing also needs to be managed. A one-pager could be sent out to stakeholders summarising the key issues, and government could use local Māori networks to disseminate this information.

Māori expressed the need for increased general awareness of climate change, and awareness of how people could take personal responsibility within the collective responsibility. Some attendees felt that the focus of the kōrero was on local issues, and that people are not necessarily realising the global responsibility. It was suggested that both Māori and the government need to personalise climate change issues to ensure buy-in and collective action. Support is needed to achieve this objective.

Another suggestion was that dollars would be better spent on education about climate change and on action-focused programmes rather than on consultation. Future stakeholders – school children – need to come on board now. More environmental education is needed. Others would like to see specific resources created for both primary and high schools.

Moving the engagement process forward requires careful consideration from both Māori and government. In addition to domestic engagement, both Treaty partners need to consider how best to involve the indigenous community in the global dialogue. Within this dialogue, expectations on both sides need to be managed.

A variety of models were cited as providing best practice for engagement. One was the national advisory Māori sessions by the Environmental Risk Management Authority (ERMA) illustrating a good example of a good consultation process. It was recognised that ERMA has considerable budget provisions to achieve this.

A further example of a regional approach was the Te Rawhiti task force, created by involving a variety of representatives from iwi, community and business. This group oversees a regional strategy based on the triple bottom line. This group led to the Te Rawhiti Lands Trust, which signs off on every key decision made by the Tai Rawhiti taskforce.

Māori also questioned how to best share their desires and information with government and acknowledged that this needs further thought.

7 Feedback from the Hui

This section further expresses the key themes that have been developed and the comments there were made by participants during the consultation hui.

7.1 Prioritising Māori values and a Māori world view

*Kua tapahia ngā rākau Māori, kua ngaro ngā manu Māori. Inaianei ka kitea ngā paina ...oinei ngā mahi tūkinō o te ao. Kāore i tiakina ngā wai.*¹⁰

(Rotorua Hui)

The relationship that Māori share with the environment cannot be overstated. It is reflected through whakapapa, ancestral place names and tribal histories. The regard with which Māori holds the environment reflects the close relationship with their ancestors, being direct descendants of Ranginui and Papatūānuku.

The quote above indicates the irony of the Crown's coming out to advise Māori of the effects of climate change on the environment. Government officials soon recognised they did not have to convince Māori that climate change is an important issue, or that the future is for our children and grandchildren. The importance of restoring balance in the environment is intrinsically understood by Māori. This conversation has come quite late as it has been part of Māori awareness for a long time.

A recurring message of these hui was that the Māori World view in relation to climate change is not being adequately considered, and the proposed policies do not go far enough to protect the environment.

The following three quotations demonstrate these feelings:

The thrust of these policies is clearly economic, that is an important element. But if we don't look after the climate, we are not looking after all life species. Our belief systems and our Māori world view are not being taken into account. They are universal belief systems. Where is your leadership on that?

(Gisborne Hui)

Why are dollars and cents being posed against the future of the planet? They don't compare.

(Rotorua Hui)

¹⁰ Indigenous forests have been cleared. Māori birds have been lost. Now we see pine everywhere, and our waters have not been cared for. These are the dreadful things that are happening in the world.

I have serious concerns about the government's programme – it is focused on money exchange and carbon trading. Tangata whenua are getting caught up in that. I am opposed to the trading system and the commodification of resources. I appreciate the concerns of Māori Land owners and their land use. My concerns are for Papatūānuku. Your options are too soft. Why are profits privatised and costs socialised? I support national environmental standards and national policy statements but again we must work in conjunction with Papatūānuku. The energy strategy talks about triple bottom line – where is the cultural reporting? What about the quadruple bottom line? I am in favour of penalising the polluters. Pollution has been allowed for far too long. Why are the targets so low?

(Tainui Hui)

Māori agreed on the importance of the issue. Climate change will affect lands, waterways, flora and fauna, and food sources – and consequently the responsibility of Māori to exercise kaitiakitanga.

The Māori world view is holistic and focuses on caring for all aspects of our environment. It is thus a model for sustainability and should be accorded higher priority in policy and decision making. This can only occur with improved analysis, better Māori input into policy development, and ongoing quality engagement

7.2 Te Tiriti o Waitangi

The Treaty of Waitangi obliges the Crown to protect Māori people in the use of their resources to the fullest extent practicable, and to protect them especially from the consequences of the settlement and development of the land.¹¹

Māori frequently referred to their Treaty relationship with the Crown and asserted rights and guarantees affirmed in the Treaty:

Māori are significant land owners with a huge potential to add benefit to this issue for the country. In applying basic Treaty principles, what are some of the incentives that the government is looking at to meet its Treaty obligations? ...How will the Crown provide opportunities, build capacity, and develop people? Nothing in this presentation addresses this. How do you turn that picture around?

(Christchurch Hui)

Under the Kyoto rules only forests established from 1990 onwards can be counted as creating new carbon sinks and are therefore eligible for carbon credits. Clear boundaries in the proposed government policies, such as this 1990 date, flow directly from the Kyoto Protocol. Yet there had been insufficient consideration of tangata whenua issues when the government of New Zealand entered into that international arrangement:

The Treaty of Waitangi responsibility was not properly considered when the Kyoto Protocol was signed. The government did not work with Māori in this international context. A key Treaty issue is that the Crown must be working with Māori on how these issues are managed. There is no in-depth discussion about the Treaty of Waitangi rights of Māori to carbon credits.

(Pūkawa Hui)

¹¹ *Motunui-Waitara Report* (Wai 6 1983).

Ngāi Tahu openly made a point about its ability to use land that had been returned pursuant to a Treaty Settlement with the Crown. If that ability were to be constrained or penalised by the government's proposed policies, it may well lead to litigation, or a claim to the Waitangi Tribunal for a contemporary Treaty breach:

Ministries think that their policies and proposals cover all New Zealanders. But Māori are different – there is the Treaty relationship, and there are issues around settled iwi relationships and the pre-determined use of lands that were returned following settlement. Ngāi Tahu had land returned. If the Crown changes the terms of a settlement asset that disbenefits Ngāi Tahu's use of land, that is a question that we will have to look at closely.

Such comments were consistent throughout the regional hui. Clearly, further analysis is needed on Treaty impacts—particularly for those iwi who have settled. Treaty issues need to be woven into proposed policies in which clear bottom lines are acknowledged. An example is Section 6–8 of the Resource Management Act 1991.

7.3 Government co-ordination and leadership

Every hui called for the government to lead by example, not just in small ways such as reducing the size of its vehicle fleet. Government organisations should be leading by example in their business practices as well. For example, the Department of Conservation (DOC) and LandCorp who are large pastoral owners, solid energy users and coal miners.

Government agencies are not seen to be acting consistently with their policies:

Taharoa C is proposing a wind farm and has applied for resource consent. The only serious objector is DOC. We have also proposed a special grass growing project (for biomass) – but have faced a long bureaucratic process imposed by Ministry of Agriculture and Forestry delays.

(Tainui Hi)

Māori are looking at joint ventures for renewable energy and DOC opposes on the basis of natural character.

(Whāngarei Hui)

During the hui there were requests for government to take a more coordinated approach in its response to climate change. This should involve co-ordination between the Ministry of Social Development, Housing, Health, Immigration as well as ensuring that local government acts are consistent with central government policy:

What intersector work concerning social issues such as urban design and planning is taking place to deal with this issue? How is the government going to ensure an understanding of the lifestyle of Māori and how is it going to ensure equity for our people in terms of being able to access those opportunities around climate change opportunities and initiatives? Another big issue in Tāmaki is immigration and the impact on transport and other infrastructural needs. How are you incorporating the immigration issue into your equations and the subsequent demand on transport and infrastructure?

(Auckland Hui)

Māori want to come home to the north and build. Councils have policies that are barriers to this. There are policies in the NZES around building. What collaboration is happening between Housing New Zealand, local government and

central government? This is a resourcing and funding issue for us ... There also needs to be more co-ordination between the Māori Land Court (eg, its powers to issue occupation orders), the Far North District Council and so on.

(Whangarei Hui)

Also expressed was the need for government to investigate ways to provide further incentives for developing opportunities that positively impact climate change

7.4 Consultation

7.4.1 Consultation process generally

At every hui, participants expressed scepticism and disillusionment about governmental consultation generally – especially as the Treaty of Waitangi requires the Crown to consult with Māori on important issues.

Participants expressed that too often, the views, values and submissions of Māori are simply ignored. According they called for consultation that better reflected the Treaty relationship, as typified by the following passage:

The kind of process being undertaken today is alienating. We are not in charge of the kaupapa. We are not engaged. Officials come in, give a presentation, then go away and make recommendations to government which may or may not be followed ... Climate change was not created by Māori, but by Western civilisation and their greed. Tangata whenua have become vulnerable by these processes, so we need a stake in the ground, we need to participate for our own protection. We need honest and robust debate amongst Māori, not with our Treaty Partner because the treaty is not implemented in this country.

(Gisborne Hui)

7.4.2 Information, timeframe, representation, and resourcing

Criticisms about information availability, complexity, volume, and relevance to Māori were voiced at almost every hui:

There is a saying that if you feed your child too much from the basket you're liable to choke him. I feel as if I'm choking today. This is a lot of information to digest.

(Rotorua Hui)

I reiterate the comments about the short timeframe. It is too short. There is so much information in these documents and the information is complex and it takes time for our people to understand these complexities. Only then can we give meaningful feedback.

(Tainui Hui)

While I congratulate the agencies involved in undertaking this consultation process, the people here don't speak for themselves [but] represent others. We wear more than one hat and despite the excellent credentials of the participants here today, we have to make our way through huge documents, and then are expected to make submissions by 30 March. Is there any funding to help us to consult with our own people and then prepare submissions?

(Rotorua Hui)

At the first consultation hui held in Gisborne, Ngāti Porou sought to host another consultation hui with officials. It was held on 29 March in Ruatoria, and Ngāti Porou expressed their appreciation for the time they had had to read and digest the information in the discussion documents so they could then make constructive and considered responses.

7.4.3 Consultative forum

The proposed hui on 21 March for representatives from each hui was seen as a positive step. Yet, some hui expressed the need for more than one representative from each rohe. Further it was said that:

[The] forum must be ongoing, not just established for one hui. There needs to be continuing consultation with a group that is well versed in these complicated issues.

(Gisborne Hui)

In Gisborne discussions, advocacy for ongoing dialogue was a key feature and a model was proposed for an ongoing consultative group that would include all policy elements. At other hui, Māori identified what they considered to be models of good consultation practice including:

- Public Works Act process accepted by Land Information New Zealand (LINZ)
- National Māori network hui with ERMA
- Water Programme of Action ongoing consultation via the Iwi Chief Executives forum
- Oceans Policy Forum.

7.4.4 Other concerns about consultation

In addition to the above, other concerns raised about consultation were that:

- Māori are over-consulted, and that consultation should be more cohesive (for example, the Water Programme of Action, Wai 262 and Climate Change all overlap)
- Māori had not been consulted properly during the Kyoto process, which could be considered to be a Treaty breach
- there ought to be some opportunity or forum for Māori to be consulted in te reo Māori
- consultation ought to be carried out with landowners as well as tribal groups
- all hui should have been publicly advertised. There were frequent complaints about insufficient notification of the hui. However, this was less of a problem where local co-ordinators, with the necessary connections and relationships with the hapū and iwi and landowners, took a lead role in identifying and engaging the key people who should be involved

- iwi representatives that attended the hui expressed their desire to be adequately resourced to be able to engage and consult with the members of their iwi and hapū.

While I congratulate the agencies involved in undertaking this consultation process, the people here don't speak for themselves we represent others. We wear more than one hat and despite the excellent credentials of the participants here today, we have to make our way through huge documents, and then are expected to make submissions by 30 March. Is there any funding to help us to consult with our own people and then prepare submissions?

(Rotorua Hui)

- Selection of representatives for each region on the Māori Reference Group (meeting of 21 March 2007) was also an issue: some felt that selecting one person was not adequate as this person would be representing a number of groups for whom they may or may not have the mandate.

Among the criticism there was acknowledgement of the efforts made by the lead ministries with respect to the consultation hui on climate change. Where tangata whenua specifically requested additional meetings with officials on specific issues, those requests were met. Two further hui were agreed to: with Tūwharetoa (13 March) and Ngāti Porou (29 March). Commitments were also made to meet with Māori forest owners in Taranaki.

Suggestions made for addressing the ongoing engagement of Māori in relation to climate change included that officials advocate for:

- Māori input through to and beyond the papers and recommendations to the Ministers and Cabinet
- a further full consultation round on the actual policies prior to legislative confirmation process
- combining Māori reference groups that relate to natural resources.

7.5 More and better Māori-specific information – quadruple bottom line analysis

7.5.1 Economic impacts and opportunities

The documents we have been provided with are extensive, but what is missing is an analysis of impacts on Māori specifically. How do these issues affect me as a significant landowner? There is a big chunk of analysis missing. There needs to be a policy analyst's role to examine the impacts on Māori and then bring that out to the people. You are expecting us to carry out that analysis, yet you are the experts on climate change issues. Our issues are different and unique compared with the general public.

(Tainui Hui)

Whilst many Māori were concerned about the impacts of climate change on the environment, they frequently requested a report on the economic impacts and opportunities from the proposed climate change policies that specifically affect Māori. It was said that before Māori could truly engage, they needed to know how the policies affect them and their choices. Better information would enable Māori to make more informed submissions on the policies, and also more informed decisions about future land use. A key question for Northland, for example, was whether there would be incentives for Māori to retain their land in indigenous forests, or to convert from pine back to indigenous species. There was also a call for research into the benefits of organic farming in Northland. Many asked to be at the forefront of any research opportunities that might arise from the policies.

We need access to some tools, score cards which contain material such as economic data that would enable our communities to make informed submissions. Where is this information available and what support systems will be in place?

(Gisborne Hui)

7.5.2 The nature of Māori land

The focus of Te Ture Whenua Māori 1993 (the Māori Land Act) is the retention of Māori land in Māori ownership. Because of this, as well as the realities of fragmentation, multiple ownership, and limited land use options given the location of much Māori land, several requests were made for better information about how the proposed policies impact on the management of Māori land given its limited flexibility. Those requests included for example, a comparative analysis of the options of farming and forestry:

We have to generate our wealth from farm gate returns or forestry returns. We cannot rely on capital gains like other farmers in this country ... tūpuna whenua does not go on the open market according to our tikanga. So the growth of our land ownership in this country is going to increase. So too will our liabilities according to these proposals.

(Rotorua Hui)

Many Māori advocated for a quadruple bottom line analysis to be carried out in order to assess the direct impacts of proposed plans and policies on Māori, as well as to identify the opportunities that might flow from these policies specifically for Māori. Such analysis would have to take into account the Treaty of Waitangi, property rights, and the particular vulnerabilities of Māori referred to in Section 6 on this document.

7.5.3 Case studies

The following case studies were often used in hui to illustrate how policies might operate. It could be useful to include information about them in future consultation documentation and processes:

1. Ngāti Porou forestry project
2. Lake Taupō nitrogen trading
3. The operation of ‘Grey Markets’ and the ‘Warehouse Deal’

7.6 The need for equity

Officials were informed of the inequities that will arise if the proposed policies do not take into account the limited flexibility in dealing with Māori land:

The only certain thing that I have heard today is that taxes will go up. When it comes to that, we ought to be treated differently because we can't sell our land like everybody else.

(Tainui Hui)

There was also a perception that Māori landowners and some iwi must already be carbon neutral, given the vast amounts of forestland (both indigenous and exotic) in Māori ownership. Some of the questions were, “Who is really responsible for the emissions?”. and:

In terms of your information per capita, what is the information relating to Māori and emissions? I would expect that with their large amount of native and exotic forests, Māori as a people would be ranked quite low per capita.

(Tainui Hui)

A controversial issues that arose during the hui was using the year 1990, as in the Kyoto Protocol, as an arbitrary date for eligibility of carbon credits. Some of the largest tracts of Māori land are standing in forests. Owners felt they should be rewarded for continuing to hold their lands in forests, yet the imposition of 1990 as a cut-off date for carbon credit eligibility impacts adversely upon Māori:

We have the highest percentage of Māori land still in indigenous forests. How are we to be recognised or even compensated for holding our lands in this state that now clearly benefits the country?

(Pūkawa Hui)

1990 is a date that has been imposed upon us. Māori have been doing the right thing by our environment for a long time so we must have some rights for what we have been doing ... You are preventing our ability to participate in the economy.

(New Plymouth Hui)

The question was asked what can be done in New Zealand to provide for iwi who have pre-1990 forests? Do domestic policies have to be Kyoto-based? Is it not preferable that our policies are climate based? For example, it was often recommended that domestic policies encourage the conversion from exotic to indigenous forests; there ought to be some credit or reward for Māori from establishing such new indigenous forests regardless of this being on pre-1990 or post-1989 forest land.

Māori are significant landowners and are involved in both forestry and agriculture. There were constant calls for industries to be treated equitably from the outset. The proposed policies privilege farming, and forestry bears an inequitably large part of the burden. The transport industry and energy efficiency must also be targeted.

The government is taking the easy way out. It entered into an international agreement, now it is placing the burden of that on one sector. I am saying that if foresters have to pay, so too should the farmers.

(Christchurch Hui)

Farming seems to get preferential treatment in this country. They have a strong lobby group. There needs to be more equity.

(Nelson Hui)

In light of their past experience, Māori expressed concern about being disproportionately affected by government policy, simply because government fails to understand Māori realities. For instance, it was argued that Māori are disproportionately represented in lower-income households and will be more vulnerable to likely increases in energy prices:

Climate change literature also needs to consider the context of a lifestyle 'benchmark', the way that people live their lives now and the contribution that this makes to climate change. Many tangata whenua live below this current lifestyle 'benchmark'. The proposed changes may further disadvantage our people with putting in place systems and compliance measures that are not affordable for our people.

(Auckland Hui)

There is a strong view that Māori will share a disproportionate amount of the burden that will result from these policies. The management of Māori freehold land is less flexible than non-Māori land, resulting in an inability to make capital gains on corpus lands. Owning vast amounts of forestland means that, collectively, Māori are low emitters and ought to be rewarded. Yet the imposition of 1990 as the arbitrary date for issuing carbon credits impacts adversely upon Māori. Similarly, industries should be treated equitably from the outset. The proposed policies privilege farming, with forestry bearing an inequitably large part of the burden. The transport industry and energy efficiency must also be targeted.

There were strong calls for research to clarify and confirm these distinct Māori realities, and to ensure that such distinctions are reflected appropriately in any reshaped policies that go forward to the Ministers and Cabinet.

7.7 Impacts on Māori realities – questions and proposals

Other specific questions raised and proposals made were:

1. how does the Afforestation Grants Scheme affect the Māori reality, which is that lands are leased out? Do credits attach to trees or land?
2. what are the effects if any of the proposed policies on Ngā Whenua Rāhui Covenants
3. SILNA issues need particular consideration in the forestry policies going forward
4. assess valuation of land for the purposes of future Treaty of Waitangi settlements
5. assess the impacts, if any, on land banking of Crown land for the purposes of Treaty Settlements
6. recognise the status of land returned to Māori as a result of Treaty settlements
7. recognise the need to encourage conversion from exotic to native species
8. carbon credits will benefit the wealthy corporates; accordingly some should be set aside for Māori

9. clearance of forests for papakāinga¹² should be exempt from any penalty regime for deforestation: there should be more and better information about thresholds and the impacts for different sizes of land blocks
10. there needs to be research funding into the status of land and farming practices (such as organic farming)
11. what are the impacts of the policies on Māori knowledge?
12. what opportunities and incentives are available for research and development specifically for Māori in the energy sector: geothermal, tidal energy and wind farms?
13. there needs to be better definition of some of the terms used in the policies, such as “what is a *forest*? Much Māori land is covered in scrub – is that included?”
14. there needs to be better co-ordination between local government, central government and the Māori Land Court (for example, in relation to its power to issue occupation orders).

It was requested that government recognise these points in making their decisions.

¹² Can mean original home and is sometimes used to describe a village settlement. The concept of papakāinga has a deeper meaning expressing the strong relationship the Māori community has with ancestral land.

Appendix 1:

Climate Change Consultation Hui

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Climate change consultation hui

Te Poho o Rāwiri Marae, Tūranganui a Kiwa (Gisborne) 12 February 2007

1. **Pōwhiri, Mihi Whakatau:** Ngāti Oneone. **Karakia:** Temple Isaacs
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs have been made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to

Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.

3. **Introductions of those present:** Temple Isaacs (Chair of the Kahui Kaumātua for Te Rūnanga o Tūranganui a Kiwa (TROTAK) covering Te Aitanga a Mahaki, Rongowhakaata and Ngāi Tamanuhiri and a member of the Marae Committee for Te Poho o Rāwiri Marae); Morrie Black (representative for the Ngāti Kahungunu Iwi Incorporated); Anne Manual (Te Rūnanga o Ngāti Porou: TRONP); Amohaere Houkamau (CEO TRONP); Lester Pohatu (Ngāi Tamanuhiri); Murray Palmer (Ngāti Rakaipaaka); Keriana Wilcox (Planner Gisborne District Council: GDC); Adrian Stewart (GDC); Ronald Nepe (CEO TROTAK); Julian Hoogland (member of public); Ingrid Collins (Chair, Whangarā B5 and Executive Committee member for the Federation of Māori Authorities: FOMA); Jay Ngarimu (Farming); Rulon Kahuroa (Ngāi Tamanuhiri and Maraetaha Incorporation); Atareta Poananga (Councillor GDC); Barney Tupara (Ngāti Oneone and Counsel for East Coast claims); Ripeka Winitana (Ngāi Tamanuhiri); Eileen Cronin (Executive Secretary for the Kaumātua Council TROTAK); Tawa Paenga (Uepohatu me Ngāti Konohi: Maui Tangohau Māori Trustee Tairāwhiti); Lewis Moeau Rongowhakaata (Chair, Arai Matawai Incorporation (Manutuke) Committee of Management); Selwyn Parata (Pouwhakahaere TPK, Deputy Chair for Te Rūnanga o Ngāti Porou, Director for Ngāti Porou Whānui Forests); Rene Babbington (Communications and Research, Te Aitanga a Mahaki Trust); Olivia Bradbrook (Ngāi Tamanuhiri); Bev Murray; John Ruru (Ruru Willis & Co and representative for Māori Land Trusts and Incorporations); Win Ruru (TROTAK, Education); Maringi Brown (TROTAK); Raueka Bates (Rongomaiwahine); Aroha Kerekere (TROTAK).

Representatives of government agencies: Mike Jebson (Director Natural Resources Group Ministry of Agriculture and Forestry: MAF); Phil Gurnsey (Climate Change Policy Manager, Ministry for the Environment: MfE); Julie Collins (Principal Advisor on Climate Change, MAF); Doug Heinz (Te Puni Kokiri: TPK); Dairne Poole (MfE); Sarah Davies (MfE, Ministry of Economic Development: MED) and Ecoefficiency Conservation Authority: ECA); George Ria (Director Māori Strategy, MAF).

Apologies: Apirana Mahuika; Meng Foon.

Issues raised during introductions

- 3.1 **Amohaere Houkamau:** Requested a further hui to be held within Ngāti Porou, This request was supported by Selwyn Parata. Although Ngāti Porou were there on the day, the key people that need to read the material and hear the presentation are the ahi kaa – the people who live and work the farms, forests.
- 3.2 **Atareta Poananga:** Wants to raise the issue of a Treaty process for the whole process and had a proposal that has been used in the past to ensure outcomes suitable for Māori. Atareta recorded her apologies for leaving the hui early due to another commitment, but she would return to outline her thoughts on engagement with Māori.
- 3.3 **Barney Tupara:** It is appropriate for this hui to be held in this whare named for the tūpuna Rāwiri Te Eke who signed the Treaty. Also supported the importance of the Treaty as raised by Atareta.

- 3.4 **Tawa Paenga:** Supported what has been said regarding the importance of the Treaty and appropriate engagement with Māori. Tawa raised the question: What is the engagement with MED?
- 3.5 **Olivia Bradbrook:** Stressed the importance of tikanga Māori – concerning te Tiriti o Waitangi, te whenua me te moana (the Treaty, the land and the sea). Olivia raised concerns about past consultation processes by the Crown (kua whiu te hoiho – the horse has already bolted). Olivia noted her opposition to an application for resource consent regarding a chicken farm near the Te Wherowhero lagoon – a place of significance to Ngāi Tamanuhiri (Muriwai).

4 Presentations

Mike Jebson: Overview

Phil Gurnsey: NZ Energy Strategy

- 4.1 **Morrie Black:** Are the carbon trading systems in Chicago and Canada international, ie, are we in New Zealand able to participate? Response: Chicago system is voluntary as is NSW. The discussion documents consider how we might connect to those markets.

Julie Collins: Sustainable Land Management (gave local examples – announcement by Ngāti Porou – UK investment East Cape, East Coast Forest Scheme). Invited discussion: What can we do quickly? And how do we set up a long-term dialogue?

- 4.2 **John Ruru:** I am involved in forestry and dairy farming. Has there been any economic or financial modelling carried out? What is the effect on the bottom line for Māori dairy farmers?

Julie Collins: Some basic modelling has been carried out. By way of example, if the changes with respect to fertiliser are accepted then there would be a 10% increase in the future costs of fertiliser.

Ingrid Collins: And therefore a direct effect on our bottom line.

Mike Jebson: But what this modelling does show is the true costs of the activity, in this case fertiliser application.

- 4.3 **Ingrid Collins:** We are in the agricultural industry and we have to think of our individual shareholders. New Zealand lives on agriculture. The agricultural industry has already begun research into this area which farmers pay a levy for. If there is a benefit to the whole country of what we do then there should be an acceptance by the whole country of the cost, not just to farmers.

Response: Mike Jebson: The research investment is not insignificant but it is not enough. The charge may well be given back to farmers in the form of support for nitro inhibitors, which also improves grass growth in an environmentally sustainable way.

5 Open discussion

- 5.1 **Murray Palmer:** You talked about carbon balance labelling in Tesco's in the UK. Isn't it actually distance travelled labelling?

Mike Jebson: This system will be in addition to that ('green miles').

- 5.2 **Julian Hoogland:** Raised strong concerns about the impacts of globalisation on the environment, and the need to take responsibility for those impacts. Local produce should be consumed in New Zealand rather than transported overseas. We should not import overseas produce.

Mike Jebson: If we can produce and transport food efficiently and in a more environmentally sustainable way than our global neighbours, that is good for the globe.

- 5.3 **Lewis Moeau:** Does the legal action taken by the Federation of Māori Authorities (FOMA) against MAF relate to climate change?

Mike Jebson: I am unsure about what FOMA is actually challenging.

(Later in the hui **Ingrid Collins**, an executive member of FOMA, clarified that the action relates to Crown forests and an alleged breach by the Crown of a fiduciary duty to Māori, rather than climate change issues.)

Mike Jebson: MAF's task is to develop policies that work for the agricultural community rather than against it. The proposed charge for nitrogen use will hurt most those farmers who are inefficient. The environment will be improved as well as the productivity of farms. If we can get the technology right in New Zealand to deal with these issues, we can sell it internationally.

- 5.4 **Amohaere Houkamau:** On the issue of the Treaty and consultation processes, this hui has been set up at very short notice. Submissions close on 30 March and there are some specific short-term proposals that you seek feedback on. What, apart from these sorts of hui, are other proposals for ongoing dialogue? We need access to some tools, score cards which contain material such as economic data that would enable our communities to make informed submissions. Where is this information available and what support systems will be in place?

Mike Jebson: We are trying to make information available such as the economic analysis that has been done to date, information about proposed Treaty settlements and so on: refer to the MAF website. Ongoing dialogue is going to be a challenge. Our current ideas include dealing with FOMA as a vehicle to work through options; also we will be inviting representatives from this series of hui to bring together issues and test the ideas. Further, Mike said he himself visits Gisborne regularly and can come out to talk to iwi.

- 5.5 **Tawa Paenga:** The Treaty is fundamental. There is a brief statement regarding kaitiakitanga in the discussion document, but this issue is much broader.

Mike Jebson: This issue spans many communities and issues, and so it is not considered as a solely economic issue. The cultural dimension is a key aspect.

Tawa Paenga: The thrust of these policies is clearly economic, that is an important element. But if we don't look after the climate, we are not looking after all life species. Our belief systems and our Māori world view are not being taken into account. They are universal belief systems. Where is your leadership on that?

Mike Jebson: Listen to the Prime Minister’s statement tomorrow, climate change will be afforded priority, not only in New Zealand’s self-interest but it is also of global importance.

Julian Hoogland: We need to respect Papatūānuku and respect the land.

Olivia Bradbrook: Kua rere kē te hōiho (the horse has already bolted). We are already feeling and dealing with the adverse impacts on our tupuna, on our environment. It is important for us to discuss these issues in our own language, te reo Māori.

Willie Te Aho (responds in te reo Māori): That is an important question: What is the stance of this government on our Māori world view, our Māori beliefs? But remember, this is only the beginning of the consultation process. Take away the information that you glean today. Engage in dialogue in your own communities and then request the government representatives to come back for further discussion, just as Ngāti Porou have requested today.

George Ria: As Director of Māori Strategy for MAF, I am responsible for addressing these issues such as those that relate to Te Tiriti within the various government agencies represented today. There are indeed flaws in government consultation processes – that is why we have engaged Willie to assist us to improve our process for this issue. We are following up on concerns that were raised by Māori during the consultation process regarding the Water Programme of Action (Waimāori – issues regarding the declining quality and quantity of freshwater) through a forum of Chief Executives of Iwi Authorities. That has been a good model and we hope to adopt a similar model for these issues of climate change. We are trying new approaches, and if we get it right, it will benefit all of New Zealand, not just Māori. Our Strategy on Biosecurity on our website has a Māori thread right through it.

Tawa Paenga: This consultation has a tone to it that does not uphold Māori belief systems. What happens when we don’t see ourselves in there?

- 5.6 **Lewis Moeau:** Have you given any thought about adopting strategies such as the consultative group for the Oceans Policy?

Mike Jebson: The purpose of this hui is to seek feedback from you as to the best ways to consult and engage with Māori.

George Ria: We will be inviting you at the end of this hui to nominate your representative(s) for this rohe to participate in a national consultative forum.

Lewis Moeau: Yes but that forum must be ongoing, not just established for one hui. There needs to be continuing consultation with a group that is well versed in these complicated issues.

- 5.7 **Selwyn Parata:** How long has this discussion booklet been publicly available?

Response: Since 18 December.

Selwyn Parata: Te Ao Māori is like the government – closed from December through to Waitangi Day! I will be surprised if anyone other than Willie or George has read the documents! They need to be made available for us to digest.

These are vital issues – we are all descendants of Ranginui and Papatūānuku. Is there a book for children – primary and secondary children. If not, there should be. There needs to be more dialogue between the Treaty partners, not just with individuals; and Treaty partners don’t all think alike.

How can collective groups engage (whānau, hapū and iwi)? Submissions close on the 30th. When is the likely policy going to be published for consultation? Or is this it? What is the process?

Mike Jebson: We envisage reporting to the government in May. Policy proposals will need to be firmed up and put to cabinet for consideration in the middle of the year. Consultation processes going forward will depend on what cabinet proposes to do. For example, if it opts for legislation then there will be a specific consultation process for that. If it is proposed to work within the framework of the Resource Management Act, that will have its own consultation processes.

- 5.8 **Atareta Poananga:** Recommended as a way forward a process that was undertaken regarding the Public Works Act about four years ago. Māori stressed that the government needed to be more inclusive in the way it relates to Māori. The kind of process being undertaken today is alienating. We are not in charge of the kaupapa. We are not engaged. Officials come in, give a presentation, then go away and make recommendations to government which may or may not be followed. The PWA [Public Works Act 1981 review] process that was accepted by LINZ [Land Information New Zealand] involved two representatives from each rohe who were appointed to a consultative group of Māori from throughout New Zealand. That group created terms of reference for itself and made recommendations that were ultimately too wide-ranging for the Crown to contemplate, and were not implemented. Despite that, the process followed there is recommended as a good model.

Climate change was not created by Māori, but by Western civilisation and their greed. Tangata whenua have become vulnerable by these processes, so we need a stake in the ground, we need to participate for our own protection. We need honest and robust debate amongst Māori, not with our Treaty Partner because the Treaty is not implemented in this country.

If this is just a set of submissions made to the Crown that may or may not be implemented, that is not engagement. The proposal I am recommending will require additional funding.

Mike Jebson: Are you proposing that this consultative group process include all policy elements and issues relating to climate change?

Atareta Poananga: Yes because we Māori are holistic in our world view.

- 5.9 **Tawa Paenga:** The RMA is an example of how strong Māori pakeke and groups who lobbied for provisions aimed at upholding our culture to be incorporated into legislation (such as RMA sections 6, 7 and 8). We will not see that in any legislation on this issue, if we are not even mentioned in the discussion documents. I recommend the calibre of representatives such as Māori Marsden (although deceased) and Ahukaramu Charles Royal. If people of that calibre are our representatives, then we will have more confidence in the process.

- 5.10 **Morrie Black:** Agreed with the points raised by Atareta and questioned why there is no discussion paper on Māori issues. Such a paper would have allowed better focus at the hui rather than participants reacting to Pākehā material. Why are we importing grapes from California? We should not get caught up in that sort of stuff. Morrie queried the figure of \$13,000 per hectare in the document.

Response: This figure relates to the value of carbon locked up in a forest at maturity.

Morrie Black: Thousands of hectares of indigenous forests have been felled on our lands and then that land was leased out to farmers. We must have a lot of credit! In terms of solutions:

- in the interests of efficiency we need to combine our efforts on this issue with issues about waste resource
- recommends quadruple bottom line reporting (take into account cultural dimension)
- a more full cost analysis is needed.

5.11 **Julian Hoogland:** Most of the food in our supermarkets is not our own food. It is imported from other countries. Our food is shipped overseas. Our food should be in our own supermarkets. I see this as a waste of resources. What is your response?

Mike Jebson: New Zealand is a trading nation. New Zealand produces a huge amount of food, and the reality is that shipping is an efficient way of transporting food compared with land transport.

5.12 **Tawa Paenga:** I saw a documentary stating that most methane comes from rainforests?

Mike Jebson: That was a misrepresentation of the science. We are very clear that forests are a major part of the solution.

5.13 **Morrie Black:** Does it take longer for the second crop of trees to grow?

Mike Jebson: It may well do, but it depends upon the site. Pine is a versatile species and grows rapidly. Manuka is a good carbon store and it does not grow quite as rapidly as pine, but it stores for longer, so there might be future value in growing manuka.

5.14 **Murray Palmer:** Raised a query about carbon credits.

Mike Jebson: Carbon credits reward carbon uptake. For example, in the USA cropping farmers in the midwest can take lands out of wheat and corn and turn it into grass land. That soil has been farmed for hundreds of years, so there is little carbon left. If they convert the soil to grass, the land will start to build up carbon and they will be rewarded. Other initiatives to improve carbon uptake will also be rewarded.

5.15 **Ingrid Collins:** This is not a new issue. Years ago two groups were formed when Pete Hodgson was leading the issue. Now it seems another group is to be formed. It is concerning that submissions are due in March. For those interested, see the FOMA website www.foma.co.nz for material on work that has been conducted over many years.

Mike Jebson acknowledged that there have been some ‘false starts’ on these issues.

5.16 **John Ruru:** The Forest Owners Association (FOA) is quite willing to work with the government, why is there is a stand-off?

Mike Jebson: There are issues around carbon associated with pre-1990 forests. This raises difficult issues of liability. Also deforestation will affect owners who want to exit forests. CHH ([Carter Hold Harvey] now owned by the Rank Group) are leading deforestation in the Waikato.

John Ruru: There seems to be a strong disincentive for owners to continue planting.

Mike Jebson: That is the perception. But recent work shows a strong relationship between replanting and logs sold.

John Ruru: Seeks copies of all discussion documents.

6. Summary and reflections of the hui

6.1 **Willie Te Aho:** Summarised some of the key points raised during the hui and reiterated the process going forward, including the invitation to nominate a representative for the Māori reference group hui on 21 March.

6.2 **Mike Jebson:** Reflected on key points raised during the hui:

- the Māori world view in relation to climate change is not being adequately considered
- strongly held views about how New Zealand operates as a trading nation
- Treaty relationships
- affirmation that climate change is indeed a key issue.

6.3 **George Ria:**

- Relationship between Māori and the Crown, relationships that flow through from the Treaty, and the kaupapa.
- The philosophy of kaitiakitanga.
- How Māori operate and apply our own tikanga.
- Information availability, complexity, volume and relevance to Māori.
- Māori and farmers are paying the price of these interventions – how is this to be recognised?

Other comments from **George Ria:** The focus today has been on agriculture and forestry, but there are some serious issues around energy supply that are going to impact upon this rohe (area). The feedback today reflects what we [government agencies] put into the process. For example the lack of a Māori paper on the discussion paper. We have tried hard to put together a good process. But your feedback on these points is valued.

6.4 **Ripeka Winitana:** When you come back for a further hui with Ngāti Porou please let us know so that we all might participate in that further hui.

6.5 **Ingrid Collins:** The issues haven't changed. This is ground that we have already traversed. Urges the government representatives and hui participants to please refer to the FOMA website to become familiar with the issues that Māori raised years ago.

6.6 **Nominated representatives:** Two names were put forward as representatives: Tawa Paenga and John Ruru. Willie indicated that unless otherwise indicated by the MfE, only one representative will come from the region with the other being a backup. This was to be finalised directly with the people nominated.

6.7 **Willie Te Aho:** In terms of our credibility, George and I will work hard to follow up the issues and concerns that you have all raised today.

Closing kōrero and karakia: Temple Isaacs

Kaua e mutu i konei. Kia haere tonu koutou o te Manatu mo te Taiao. Kaua e wareware nga whakamoemiti ki te matua nui i te rangi. Arepa Omeka o nga taonga o tenei ao nana nei i homai kia taki pai e tatou. Amine

God almighty is the alpha and omega of all the gifts of this wonderful world to care for by us. Amen.

Te Pakira Marae, Whakarewarewa, Rotorua 14 February 2007

1. **Karakia:** Anaru Rangiheuea.
 2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant Government Agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
 3. **Introductions of those present:** Wi Keepa Te Rangipuawhe Maika (Tūhourangi/Ngāti Wahiao and Te Pūkenga Koeke o Te Arawa); Anaru Rangiheuea (Mai Maketu ki Tarawera); Tawhiri Morehu Te Arawa (Te Puni Kōkiri: TPK); Brandi Hudson (Ngāti Pīkiao); Maui Hudson (Whakatohea and Environmental Science Research [Crown Research Institute]); Semi Holland (Tuhoe, Ngāti Maniapoto, Journalist with Māori Television/Te Kaea); Robert Young; Haromi Koopu (Tūwharetoa); Jim Gray (Māori trusts and incorporations in farming and forestry); Waaka Vercoe (Environment Bay of Plenty: EBOP); Gae Chapman; Taiawhiao Waititi (TPK); Barnett Vercoe; Denise Howden; Maramena Vercoe; Te Aopare Dewes; Katie Waaka; Reuben Gardiner (TPK); Kiri Potaka; Tina Ngatai (Māori Trustee, Waiariki); Amber Vercoe; Roger Pīkia; Maria Nepia; Topia Rameka and Geoff Thorpe (Lake Taupō Forest Trust); Hera Smith; Jackie Aratema; Bella Tait; Douglas McCredie; Joe Harawira (Sawmill Workers Against Poisons: SWAP); Tipene Marr (Ngāti Rangitīhi and EBOP Councillor); Andre Patterson; Raewyn Bennett (Ngāti Whakaue ki Maketu and EBOP Councillor); Hui Kawe and Wikitoria Kawe (Ngāti Ranginui Chair and Administrator); Pakitai Raharuhi; Tipene Wilson (Chair of Ngāti Tura Te Ngākau Hapū Trust); Hakopa & Te Orohi Paul (Ngāti Pīkiao); Bernie Hornfeck; Eddie Matchitt (Chair of Ngāti Porou and Te Whānau a Apanui-based); Henare Johns (TPK); John Waaka (Chair Rāhui Trust Tūhourangi Ngāti Wahiao); Tuki Te Rangi Curtis; Watu Mihinui; Kepa Patena and Whetu Patena (Ngāti Tūwharetoa); Robert Jenner.
- 3.1 **Issues raised during introductions and mihimihi:**

- (a) **Anaru Rangihuea:** Kua tapahia ngā rākau Māori, kua ngaro ngā manu Māori. Inaianei ka kitea ngā paina. Me terā pakanga o George Bush, koinci ngā mahi tūkinō o te ao. Kāore i tiakina ngā wai, ka mate te tangata. Kei whea te putea hei whakaora i ngā roto o Te Arawa? Kei a Tūwharetoa ke. Ahakoa ko wai te Kawana, ko enei ngā take e pā ana ki a tātou.

(Our indigenous forests have been cut down, our native birds lost. Now there are pine trees planted everywhere. And George Bush's war. These are the serious issues that we face. Our waters have not been cared for and this impacts on humans. Where is the funding to restore the lakes of Te Arawa? It is all diverted to Tūwharetoa. Regardless of who the government of the day is. These are the issues that concern us.)

- (b) **Bernie Hornfeck:** Māori and Pākehā are together on this issue.

- 3.2 **Representatives of government agencies:** Mike Jebson (Senior Representative of Government for the lead agencies, Director Natural Resources Group MAF); Phil Gurnsey (Climate Change Policy Manager MfE); Brian Smith (MAF); Doug Heinz (TPK); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Anna Kulhavy (MED).

4 Presentation

Mike Jebson: Overview.

- 4.1 Question from the floor (**Kepa Patena**): Sixty years ago we were made to farm and now we are dependent on that income. These policies are going to affect some of our farms. Is there a provision in the RMA to compensate for loss of income?

Response: Some of these issues are going to be addressed by Brian.

Phil Gurnsey: NZ Energy Strategy

Brian Smith: Sustainable Land Management

5 Open discussion

- 5.1 **Jim Gray:** There is a saying that if you feed your child too much from the basket you're liable to choke him. I feel as if I'm choking today. This is a lot of information to digest.

Forestry was not intended to be the 'be all' and usage of Māori land. There is a fixation with forestry but it was only supposed to be a stop gap.

We have not had the opportunity to investigate land usage of Māori blocks.

The duty of trustees is to maximise income. These proposals are going to disadvantage Māori. Who does own the carbon credits? There is further danger of loss of income. Māori can certainly aim to reduce emissions, but what will replace the loss of income?

Mike Jebson: The government intends to put any money raised through the proposed nitrogen charges back into farming to improve the situation – eg, subsidising nitrification inhibitor (EcoN) will improve productivity without putting nitrogen into systems. It is not universally effective, it is affected by temperature, but it is a useful tool for agriculture.

Brian Smith: Regarding the ability to change land use, and manage land to its most productive use – some of the proposed options will make things difficult, but some options will allow land use flexibility within the system over the long term – such as permits.

You asked who owns the credits – the answer is that the Crown/government does, because they result from an international government to government agreement. We are talking about Kyoto credits here. They have to be claimed by the government. The government wants to use the credits to transition to a different system. We are not here to comment on the rights or wrongs of that, but rather to communicate what the government policy is on this point. From now on, the government is prepared to consider devolving credits (for new post 1990 forests). Government has already agreed to a permanent forest sink initiative – and credits are available today. But, there are no Kyoto credits for trees established before 1990.

Liabilities that accompany credits: there is some misinformation about value of credits. Every credit comes with liability. You have to repay credit back over time. You will be responsible for monitoring carbon. If carbon falls, then you are liable. They will be most valuable where you are reverting land to natural forest and you do not have an intention to deforest in the future.

Jim Gray: The government and the nation want trees. What is the incentive to grow trees – given the price of trees, the economic threat from Chile, the China investment, our difficulties of transport to world markets, and the cost of food miles. Fundamentally you don't encourage us and there are no real incentives in your proposals. For example, if I have a block 1500 ha to be milled. If there was a greater return from dairy, then that would be better. There is no incentive as to why I should stay in forestry. I would rather pay the \$13,000 per hectare to get out of a difficult situation.

- 5.2 **Roger Pikia:** I too am concerned about the volume of information to be digested and the inability to have robust discussion within the tight timeframes of this hui. We need to be more inclusive and flexible to allow people to air their issues.

What is distinctively Māori? There will be issues that affect Pākehā, but we want to address those that affect Māori. The other general issues that face us as farmers or foresters will be covered by the general forums. We have to generate our wealth from farm gate returns or forestry returns. We cannot rely on capital gains like other farmers in this country. Therefore I support the points raised by Jim Gray. I have received these discussion papers early and I am still struggling to get through them.

In a way, these papers seem to align with Māori values and principles because we have been raising these issues for many years!

The proposal to convert lands in the Central North Island – there are millions of dollars of liability potentially.

What are the opportunities for Māori to capture. I am a socialist particularly in my Māori environment but I am also a capitalist.

The Afforestation Grants Scheme as it relates to forest sinks/credits will they attach to trees or land? How does it affect the Māori reality which is that our lands are leased out?

A change of land use means a change in land value. The cost of changing land use is \$13,000 per ha. Landowners in Reporoa have valuable farmland. If we change land use, our balance sheet is going to reflect that. Erosion of \$10–15,000 per ha. We want to save the planet but we still need to put kai on the table.

Tupuna whenua does not go on the open market according to our tikanga. So the growth of our land ownership is going to increase. So too will our liabilities according to these proposals.

Congratulations to MfE and MAF in terms of resourcing and consulting with Māori. And hopefully this won't be your last visit here.

Research and development – we want to be involved at the front end, to be used as the test case so long as it is appropriately funded by the government. We want to capitalise on the commercial opportunities too.

We have already adopted sustainable land management practices, so there should be some retrospective consideration.

Resource land classification process of Māori freehold title – what is the optimum land use, mathematical modelling on how climate change process will impact upon the Māori economy. About two-thirds of our land is in pastoral farming. But we have forestry and energy streams also.

According to the pie-graph showed in the presentation, who are the polluters? There will be a charge on nitrogen fertilisers. What are the charges on the other polluters such as transport? There needs to be a more holistic approach to climate change across all areas of government for the purpose of equity.

Water allocation – irrigation increase, eg, Waikato River fully allocated. I am concerned about the canyon that exists between policy writers in central government and local government – our customary use has been eroded.

In the next draft there must be some reference to water allocation as that is directly affected by climate change.

There are a number of issues that I would like to raise, but I want to give the opportunity to others to raise their issues given the restriction on time today.

Mike Jebson: Responses:

- Water Programme of Action: Allocation is an issue and it is being discussed through the Iwi Chief Executives Forum
- Holistic nature of climate change issues: It is a daunting challenge to bring all the threads together. That is why we have officials from all the relevant government agencies here today.
- Land classification: There is an active discussion with Regional Councils particularly re erosion control, we need to provide better advice to landowners about that. That is under consideration
- The 'no capital gain' issue: The alienation provisions in the Te Ture Whenua Māori directly impact upon the design of our policies, based on the economics on how you can farm.
- The reference group will be made up of key participants from all of the hui around the country. We are inviting these representatives to a follow up hui in Wellington, once you have had time to digest the information.
- We also want to talk to industry groups, other agencies.

Anna Kulhavy: On the issue of taxing transport and other 'polluters' in the interests of equity, in the documents there is a chapter devoted to transport emissions. We appreciate that you have not had the opportunity to become familiar with the information in the documents. Regarding stationary energy, there is a separate document which sets out transitional measures to achieve the vision.

Roger Pikia: Is there is an option to present the submission in person?

Mike Jebson: To present to who?

Response from **Roger Pikia**: To the Prime Minister.

5.3 **Eddie Matchitt**: Most of the points I wanted to raise have been covered by Roger and Jim. What are carbon credits?

Mike Jebson: Because we want to reduce the amount of greenhouse gases in the atmosphere, carbon can be stored in trees, and credit will be given to those who grow trees.

Eddie Matchitt: Whenua Rahui covenants – who gets the carbon credits when a new deal is struck, when the covenants come to an end after the 25-year period. Will the government take the carbon credits in the naturally regenerating bush?

Brian Smith: If you want to enter into the Permanent Forest Sink Initiative then you can claim them. If you don't want to enter the initiative then the government can claim them. You can do that anytime.

Eddie Matchitt: I am a farmer and I am interested in conservation.

Brian Smith: Forests in existence as at 1990 cannot be part of the PFSI. There are some people who don't buy into the Kyoto system.

Eddie Matchitt: We are currently in the process of selling carbon credits to the Warehouse.

Brian Smith: These are private deals and not Kyoto credits. For old forests pre 1990, the Crown are claiming that there are no credits

Willie Te Aho: The key question that you seem to be raising is: what are the commercial opportunities for Māori out of this process?

5.4 **Jim Gray**: If I have an apple tree, no one can come on to my land and pick those apples. But the signing of this agreement is totally contrary to the basis of common law. People can come in and claim our resources. Kei hea te mana? There is no honour in this.

Who owns the carbon credits where Māori land is leased, the owners – or the lessees?

Brian Smith: The Kyoto Protocol created credits and liabilities. The government is trying to manage the balance between the credits and the liabilities.

Jim Gray: Why does there need to be government intervention? It is because there is no confidence in Māori ability to manage that process ourselves.

Brian Smith: This is not an issue of capability, but rather the government wants to manage climate change policy and in this case, Kyoto. If forests were returning better, then we wouldn't have so many problems. The forest industry is going to have a marketing campaign. Perhaps this will be the start of a proper industry effort. We need a profitable forest industry. There are no specific options in here about that so we very much welcome your views on this.

The effect on land price of limiting land use – This is relevant where there is an option to purchase forests in Treaty settlement processes. Deforestation policies will affect value and the Treaty negotiations process.

Who gets the credits? It could be written in that no one can get the credits without the landowners' permission. Landowners are most likely to be affected so the current proposal is that permits would go to landowners.

5.5 **Eddie Matchitt**: Raised a further question about old forests (pre-1990) – it was explained that there are no Kyoto credits for old forests.

- 5.6 **Douglas McCredie:** Indigenous forests have already been removed. Deforestation is an inappropriate term – what you are talking about is conversion.

The methods of addressing forestry are direct. The methods of addressing agriculture are vague. What about reforestation as an option? Enhancing profitability of forestry needs to have more attention.

- 5.7 **Joe Harawira:** What about the pollutants under the ground that might be brought up by ploughing? People are talking about a lot of issues. What about affects of these pollutants on peoples' health? This is a serious issue for me. I have been involved in trying to assess the impact of contaminated sites that have been identified in my region (Ngāti Awa ki Whakatāne) on human health, and on our waterways.

- 5.8 **Question:** Where do persistent inorganic pollutants fit into this picture?

Mike Jebson: They do impact on human health, so it is a challenge for agriculture generally, but not necessarily on climate change.

Question: Has there been any assessment on the impact of climate change to human health?

Mike Jebson: Risks of floods/droughts but there could be greater health risks resulting from higher temperatures such as bugs and mosquitoes that carry diseases. We will become more tropical as a country.

- 5.9 **Bernie Hornfleck:** Why are dollars and cents being posed against the future of the planet? They don't compare. In Cuba, people are healthier since their supply of oil has been cut off. You have talked about forestry: and the planting/harvesting process. What are the alternatives to clear felling?

Brian Smith: It is true that we can manage forests differently. We need to change. We need to create high-value product if we are going to be tree growers in this country. Pine is good utility, but it is not totara/cedar or other really valuable species. So the forestry industry will change over time. Clear-felling will become a very expensive business. There has already been a lot of feedback from people who are not happy with the clear felling process of radiata pine.

Mike Jebson: There is also opportunity to grow forests to produce fuel. Coal is a very bad fuel for greenhouse gases.

- 5.10 **Roger Pikia:**

- (a) What is the definition of a tree? Are fruit trees included? Do they also attract credits? If climate does change we might be able to grow different crops in our region. The focus seems to be on pinus radiata as a tree.
- (b) Your use of the term deforestation seems to be directly linked to pastoral farming. Most emissions come from ruminant animals. What about higher land use in growing a bio fuel plant? Some of the discussion documents seem to be in conflict with each other. The contour of the Kaingaroa Estate is flat and has alternative land uses. More thought needs to be put into those alternatives.

Responses: Conversion of forest to farm – carbon value is approx \$13,000 per ha. Big change occurs when you clear the land. Under Kyoto rules, fruit trees are not accepted as a forest. No one internationally is prepared to pay for other trees as a carbon sink.

Conversion of cropping to grass/ploughing to drilling – internationally these activities are being rewarded on a ‘grey’ market.

Roger Pikia: I want to make a further point about the discussion documents – I am very disappointed with page 21 – the impacts of climate change on Māori. This is not a fair reflection of the Māori economy. There needs to be proper analysis by Māori of the impacts of climate change on Māori – please put some attention to this. I recommend a list of actions that are agreed to as a result of the hui and timeframes attached to that list of actions.

- 5.11 **Steven Wilson:** The focus of the presentations has been on post 1990. What is the incentive of landowners with ‘old’ forests to participate? The cost of \$13,000 per ha to convert – is that seen as an opportunity or as a disincentive to convert or neutral impact on climate change.

Brian Smith: There aren’t any measures that are incentive-based measures for old forests. If that is a gap, please let us know. What might those incentives be?

Phil Gurnsey: We have heard today other motivations to change, eg, biofuels.

Mike Jebson: The \$13,000 figure is the cost to the Crown for the deforestation of a mature pine forest. Crown wants to pass on some or all of that cost to landowners. So it is more of a disincentive.

- 5.12 **Steven Wilson:** While I congratulate the agencies involved in undertaking this consultation process, the people here don’t speak for themselves: we represent others. We wear more than one hat and despite the excellent credentials of the participants here today, we have to make our way through huge documents, and then are expected to make submissions by 30 March. Is there any funding to help us to consult with our own people and then prepare submissions?

Answer: No.

- 5.13 **Kepa Patena:** Our responsibility is to make the most of our land. Take a look at a trust order which sets out what we have to comply with.

- 5.14 **Tipene Marr:** With regard to Māori land that is in forestry – I am a long-time opponent of pine forests that have commonised our whenua and taken our history away from us. Regulation of deforestation will keep us in forestry and keep our lands where it is. Much of the discussion is forest-oriented – the message that I am getting is the government wants to lock us into pine forestry, yet look at our competitors in China. Pulp mills are closing down. I would like to see native forestry replanted.

I recommend that nitrogen inhibitors be put to the top of the list of options – for the sake our waterways. Biofuels is another option for the future. Oil will run out one day.

- 5.15 **Geoff Thorpe:** We would like to understand credits for deforestation more. Are they transferable credits, and in terms of the deforestation of pre-1990 forests – what are the assumptions? Are the penalties based on a mature forest? Are there different costs for forests that are not mature?

Brian Smith: There are no decisions about how many permits will be allocated. A survey that has been carried out indicates that deforestation relates to fully mature radiata pine, so there will be an overestimation.

The Kyoto Rules depend upon how much carbon was there at the time of deforestation. For an immature forest, less carbon is released, therefore there is less liability. Deforestation measures only apply to pre-1990 forests.

Geoff Thorpe: There will be ways of getting around the rules for deforesting before maturity at 2010. People can clear their land when there is no penalty, then replant, then deforest when the forest is immature, when there is little or no carbon.

Mike Jebson: This is an interim arrangement – we have to go back and negotiate a long term arrangement.

- 5.16 **Roger Pikia:** If we want to save the planet then we need to get China and the USA on board. If they are not on board, then New Zealand is too small to make a real difference. I challenge the Crown or the government to pull SOEs, and government-owned or controlled bodies into line. If you want us to grow more trees, Landcorp farms huge amounts of land. The Department of Conservation has land in farms such as Molesworth. Why not have those planted out? If you are going to intervene to make us contribute, then the Crown should show real leadership. The Crown is still the largest landowner in this country. There needs to be equity.

Mike Jebson: The Prime Minister announced intention towards carbon neutrality. So those announcements indicated leadership on this issue.

- 5.17 **Jackie Aratema:** You stated that \$18 million has been set aside by the government for development in forestry – we have wanted to look at some trials to produce natives in perpetuity. Our funding application was turned down for lack of export focus. There is a real difficulty in sourcing native seedlings at a reasonable cost and in sourcing funding to do the research. I have a plea for more consideration to be given in supporting these initiatives by the decision makers in terms of the distribution of that \$18 million.

Brian Smith: Unfortunately that money has already been allocated to market development, bioenergy, skills and training.

Your plea is not the only one. When you look at the business opportunities, we need a richer package to take to people.

- 5.18 **Raewyn Bennett:** As a coastal person, I want to know whether there are there any implications for the marine aquaculture industry in any of these climate control initiatives.

Mike Jebson: Climate change makes oceans more acid, the chemistry changes. Coral will not survive.

- 5.19 **Andre Patterson:** Transport – vehicles such as logging trucks need to be more efficient perhaps by use of biofuels. This will involve higher cost. Rail is a good mode of transport, but rail does not have access to all parts of the country, and there is still emission. Trucks will become bigger to cart more. In the transport industry a high percentage of drivers are Māori. Mills are closing down and moving to China, causing unemployment. By giving forests back to Māori via Treaty settlements together with the liabilities that will now accompany those forests, the government is not losing in the Treaty settlement process.

5.20 **Haromi Koopu:** My father cared about the climate. He did not allow government agents to come on to our land. He insisted that no trees shall be cut without agreement of owners. He disagreed with forestry. You only cleared enough trees to build a house. These concepts you are presenting today, my father was practising more than 50 years ago. Clearing our lands has brought about our problems. We can take control, we can exercise tino rangatiratanga. All we see around Lake Taupō is ‘development’. Our lands have been taken, and cleared and now we are faced with the problems that these practices have brought about.

5.21 **Hakopa Paul:** We need to look at the options for our lands that are in forestry that are going to become mature in the next five years. I have two questions:

(a) What is the value of carbon credits to landowners?

Brian Smith: When you replant a forest – no credits regenerated. The value of credits is variable. The value depends upon who is prepared to buy them. The Crown pays \$16 per tonne of greenhouse gas emissions. In the USA ‘grey’ market carbon \$7 per tonne. In New Zealand non-Kyoto credits \$20 per tonne EBEX 21.

(b) What is the document in terms of delivering information around sustainable energy and climate change?

Anna Kulhavy: Draft New Zealand Energy Strategy – we need to reduce emissions, in New Zealand we are fortunate with the scale and quality of renewable resources. Our biggest challenge is transport. There is potential for New Zealand to provide for some of its transport through biofuels.

The document outlines the guiding principles for the future.

Phil Gurnsey: The strategies for renewable projects such as windpower are being reviewed.

6 Summary and reflections of the hui

6.1 **Willie Te Aho:** Summarised some of the key points raised during the hui and reiterated the process going forward, including the invitation to nominate a representative for the Māori reference group hui.

6.2 **Mike Jebson:** Reflected on key points raised during the hui:

- Important for ongoing dialogue
- General meeting on 26 February in Rotorua
- Inviting a representative from this hui to come to Wellington on 21 March 2007 as a part of the ongoing engagement process with Māori.

6.3 **George Ria:**

- Acknowledged mana of house, the people and the kōrero – the ideas, the quality of the discussion, which was appropriate given the resources in this rich area.
- Consultation processes are difficult to design and we accept the comments regarding information availability and time restrictions. However we have tried hard to engage meaningfully and will continue to do so, by following up on these hui. We have brought the various relevant government agencies together. The resulting quality of discussion today has been excellent and we would appreciate your feedback on how we can continue this dialogue.

- Noted Māori holistic approach and tikanga which drives how we care for our environment, and the interrelationship with other factors.
- Today we heard that the prophecies of our tipuna such as King Tawhiao, and Te Kooti to care for our land and our environment. These prophecies are coming to fruition.
- What are the impacts that are distinctively Māori? This is the key focus of these hui and why these meetings with Māori take place. Māori do have distinct issues which the government needs to hear.
- Land classification – if there is merit in the suggestions for modelling – then this is the time to follow up on those ideas.

The representative elected from the hui was Roger Pikia.

Closing Kōrero and Karakia: Rangipuawhe Maika

Pōhara Marae, Tainui

19 February 2007

1. **Karakia:** Wally Papa
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant Government Agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
3. **Introductions of those present:** Wally Papa (Kaumātua Ngāti Korokī Kahukura); Harold Maniapoto; Peter Brown (Taharoa C Incorporation); Alan Livingston (Mayor); Chuck Davis; Brandon Bouda (Mayor of Waipā); Glen Katu (Maraeroa C); Tiwha Bell; Weo Maag (Ngāti Maniapoto); Aloma Shearer; Peter Manaia; Dickie Farrar; Ora Muru; George Rangitutia (Raukawa Trust Board); Gina Rangi (Te Mana Taiao Environmental Trust); Tina Porou (Environmental Manager Tūwharetoa Māori Trust Board); Taipu Paki; Julian Williams (Waikato Raupatu Lands Trust Land Claims and Environmental Manager); Toko Renata, Liane Ngamane (Hauraki Māori Trust Board); Pauline Clarkin (Te Kupenga o Ngāti Hako); Valerie Ingley (Aotearoa Institute); Malibu Hamilton (Kawhia); Ray George (Ukaipo Marae); Tao Tauroa (Chair Pōhara Farm Trust) Wiki Papa; Steven Wilson; Maurice Reti; Thelma Reti (Pōhara Marae); Endine Wright (Office of Nanaia Mahuta).
Representatives of government agencies: Phil Gurnsey (Climate Change Policy Manager MfE); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Hayden Montgomery (MAF); David Smail (MED); Brian Smith (MAF).
Apologies: Gaylene Roberts.

- 3.1 **Introduction of Pōhara Marae and Ngāti Korokī-Kahukura by Tao Tauroa (Chair, Pōhara Marae Committee and Chair, Pōhara Farm Trust):** Historically our hapū of Ngāti Korokī-Kahukura were the landowners in our area that spanned from Wharepapa to Hamilton. Our vision for our Farm Trust is to retrieve as much of those lands as possible by purchasing them back. Our key activity in this area is dairy farming, and we have some forestry on our land. We believe that sustainability is the key issue facing our people going in to the future. The proposals that will be discussed today regarding climate change will significantly define our activities in the future.

4 Presentations

David Smail: Overview

Phil Gurnsey: New Zealand Energy Strategy

Brian Smith: Sustainable Land Management

5 Open discussion

- 5.1 **Weo Maag:** The figure of 44 million tonnes over the 1990 emission levels that were mentioned and the financial liability arising from being over the 1990 levels – is this going to involve another tax on individuals in the future?

Brian Smith: Someone has to pay, and at the moment it is covered by tax.

- 5.2 **Peter Brown:** With regard to credits and permits: Who does the money get paid to?

Brian Smith: It depends upon the markets. In overseas jurisdictions (such as the USA for example), money is being invested in hydro schemes, and reducing emissions.

- 5.3 **Wiki Papa:** What is the timeline and the process for feedback?

Response: Submissions close on 30 March. Officials will provide feedback to Cabinet. Then in May, some issues will be put to Cabinet for decision. We envisage further consultation on some of the detail. So, this is the beginning of an ongoing dialogue.

- 5.4 **Tina Porou:** With regard to the deforestation proposal – if a Māori owner with 5 ha covered in manuka wants to clear the land for a papakāinga for example, would they also be taxed?

Brian Smith: There are two issues. One is the size of the threshold: if it is small, maybe not. Secondly, there is a question about whether regenerating manuka/kanuka is a forest? This is a grey area in the Kyoto regime. It will probably continue to be called 'pasture'. Once manuka grows and becomes dense, it might become forest. What really matters for this process is what the land use was as at 1990. MfE monitors this.

- 5.5 **Taipu Paki:** How will emissions trading work and how will it promote positive change?

Phil Gurnsey: A private market would probably be set up. Change is promoted by having a reducing cap. For example, there may be a right to emissions, but the total market of emissions would reduce each year.

Taipu Paki: Isn't this just allowing a licence to pollute? And if so, how does that promote change?

Phil Gurnsey: By capping.

- 5.6 **Weo Maag:** How many countries have not signed the Kyoto Protocol?

Phil Gurnsey: The USA and Australia have not signed. Some others did not sign, and some have signed but do not have to meet targets.

Weo Maag: So essentially we are paying – not the government – when other countries are not setting targets. How can we be ranked 12th in the world for emissions when our emissions are relatively small compared with other countries?

Phil Gurnsey: We are ranked 12th highest per person.

Brian Smith: Tesco's want to label goods that they sell with a number showing how much certain products have contributed to climate change. The power of consumers to make decisions will override a lot of what happens.

- 5.7 **Glen Katu:** In terms of your information per capita; what is the detail relating to Māori and emissions? I would expect that with their large amount of native and exotic forests, Māori as a people would be ranked quite low per capita.

Also, with pre-1990 forests – over the past two decades Māori have put land into reserve with Ngā Whenua Rāhui, if we can now buy back our exotic leases and we want to take land out of forests and put into housing estates, can we offset our reserves against areas that we may deforest?

Brian Smith: Under current policies, the short answer is no. There is no credit allowed for pre-1990 forests under the Kyoto regime. Clearance for papakāinga will depend upon the threshold for exemption from the deforestation options. Threshold may become important. You might provide feedback on what threshold makes sense. Also you could use deforestation permits.

Glen Katu: Will the government consider using reserves to offset charges, has this idea been considered?

Brian Smith: We have considered using pre-1990 forests, and the response has been no, because they are not creating the offset. On your first question, there has been no analysis regarding Māori and per capita.

- 5.8 **Tao Tauroa:** Raised a question about the grants scheme.

Brian Smith: Indigenous regeneration is not considered afforestation. Re the Permanent Forest Sink Initiative, for example Ngāti Porou have a deal to regenerate their land by planting bare or scrub-covered land with certain species to obtain credits. They have overseas investment. Twenty per cent of trees is harvested. Landowners share carbon credits. The investor gets a significant proportion of carbon credits. Credits are accompanied by liabilities.

Tao Tauroa: With regard to the tradable permit scheme: Wealthy conglomerates will be more able to purchase credits and leave Māori isolated. Will there be an amount reserved to Māori?

Brian Smith: This is a good point, and potentially it could be right. An amount of permits will be reserved for Māori. Some rohe might qualify for more credits based on the nature of land.

- 5.9 **Toko Renata:** I support the questions already raised. They are significant in Hauraki and in relation to our Treaty claims: how long has the government sat on this kaupapa and haven't brought it out to the people? Now we are under time constraints to make submissions, yet I knew about these issues two years ago.

David Smail: This is a fair question. The government has not been sitting on things. And the government has not made up its mind. There have been some policies mooted in the past which were not successful (eg, the so called 'fart tax'). The government is putting options to you today for your feedback. The timeframe is tight and we accept that. There will be subsequent consultation.

Brian Smith: Ministers have indicated preference for a tradable permit regime. But no decisions have been made.

Toko Renata: Because of the government's track record in dealing with our people I am concerned about these issues – issues such as carbon credits. Some of your responses to questions today indicate that some of these things are definitely going to happen whether we like it or not. Our people usually come off second-best when dealing with local government and the courts.

- 5.10 **Weo Maag:** Re forestry, we are in the process of negotiating a deal with our new partner. We are doing this for our future and have some questions about harvest/replanting.

Brian Smith: If you harvest and replant, that is business as usual. There is no cost. The carbon levels balance themselves out.

- 5.11 **Tina Porou:** The documents we have been provided with are extensive but what is missing is an analysis of impacts on Māori specifically. How do these issues affect me as a significant landowner? There is a big chunk of analysis missing. There needs to be a policy analyst's role to examine the impacts on Māori and then bring that out to the people, You are expecting us to carry out that analysis, yet you are the experts on climate change issues. Our issues are different and unique compared with those of the general public.

Phil Gurnsey: As officials we suggested this analysis be done, but the elected representatives (ministers) have not agreed for this information to be made public.

- 5.12 **Gina Rangi:** When will the tradable regime be developed and be consulted on?

Brian Smith: We hope to put more bones around that outline shortly. That will be the beginning of the process. We would have to come out and consult on issues around allocation.

Gina Rangi: Is there, within the Ministry, a commitment for the analysis on impacts on Māori that Tina requested to be done in the meantime?

Brian Smith: This process is part of that analysis.

- 5.13 **Question from the floor:** In terms of the taxpayers' responsibility that you mentioned – speaking in relation to the agriculture industry – are you looking at reducing the contribution by the taxpayer or replacing it? Will farms be double taxed?

Brian Smith: We are looking at reducing liability where we can. Re double taxing farms, the short answer is no. Under a nitrogen charge there will be a charge on

the farm but the rest of the community will bear the remainder of the cost. Taxpayers bear the costs of the country.

- 5.14 **Steven Wilson:** This date 1990 – it ties in with Kyoto Protocol but climate change precedes this. What is the wider government commitment beyond that?

Phil Gurnsey: You are right, climate change is wider than that. One of the pillars in the land management document is preparing farmers for climate change. On our website we have a whole range of initiatives that have climate change impacts, such as insulation/ double glazing in the building industry.

Steven Wilson: Latent potential within Māori. What constraints are proposed for forests established prior to 1990?

Brian Smith: The key issue is deforestation, constraining conversion from forestry to farming. But nothing constrains normal management of forests.

Steven Wilson: Typically Māori tend to get the short end of the stick in terms of policy development. What protections will be put in place to protect Māori?

Brian Smith: In terms of deforestation, we are trying to clarify issues around valuation for future treaty settlements (for example, constraining land use will affect value), we have also embarked upon this consultation, and there is the consultative forum that will meet in March as part of this process.

Steven Wilson: This is not the only issue that we have on our plates. So how does this tie in to other issues such as the water programme of action?

Brian Smith: That is a good question. One of the problems of climate change is that it spans most issues. The key issue is how we work together on these many issues. There is no easy answer. The government and communities all over the world are going to struggle to make connections between transport policies, land use and the Kyoto Protocol.

Gina Rangī: But the Water Programme of Action is MfE-based, so surely there should be a connection there?

Phil Gurnsey: There are obvious connections that we are already coordinating, such as the link with the Water Programme of Action, adverse events, and flood response.

- 5.15 **Glen Katu:** For those of us in forestry, this process is grossly unfair. Major forest companies have deliberate policies to deforest, but their lands are well placed. Māori land is only going to be good for certain uses. The Ngāti Porou forest project is great and we have been trying to initiate similar projects here, but that has been a difficult process. We are going to be penalised if we want to convert some of our better-placed lands to other uses. We all understand climate change and that something needs to be done. It is quite simple: tax those causing the emissions – energy companies, transport users – and increase GST. Don't penalise foresters.

Brian Smith: One message that we have received is “don't tax agriculture” because Māori have significant farming interests. The government has made a call not to do that. But then what happens to the credits? The liabilities need to be covered somehow. We hear the calls relating to transport and energy. This is a transition process. The government wants to do something on deforestation now, there is a risk that people can bring forward their deforestation to avoid liability or cost in the future.

Glen Katu: It seems simpler to have incentive schemes for new forests.

Brian Smith: The government seems to prefer a balanced system – with both incentives and disincentives.

5.16 **Julian Williams:**

- (a) Thanks for the presentation. I support Tina’s concern. When we go out to our people, they will ask what does that mean for us specifically? We would like that information please. Can we expect more floods in Huntley, or tornadoes in Taupiri?
- (b) 30 March – is that a critical date – I would like time to send my submission to other people first for feedback, and we have a lot of other issues to deal with.
- (c) Last week we [Waikato Raupatu Lands Trust] wrote a submission on transmission policies, was that a waste of time given your presentation on the New Zealand energy strategy?

Phil Gurnsey:

- (a) We have got documents here that simplify information and you can take those away with you.
- (b) 30 March is the date that has been set by the ministers, and we do need your feedback by that date. We are convening a further hui in March with representatives from each rohe visited, and Willie Te Aho will be providing his comments about the process.

David Smail:

- (a) On the issue of the proposed Transpower ‘upgrade’ through the Waikato, there will be further consultative processes. The New Zealand Energy Strategy is longer term. So the submission you have made is absolutely relevant and important.

5.17 **Julian Williams:** The water permit system that is being developed has a system of priorities. With the capping and allocation of permits in this case, how will they be prioritised?

Phil Gurnsey: The regime will take time to design, we need to be cautious. There are many issues such as Treaty issues, and possible auction systems, that will need to be factored in if that is the way that we go. We also need to learn from overseas jurisdictions.

5.18 **Maurice Reti:** There seems to be a focus on pine. If we plant natives, isn’t that going to be better?

Brian Smith: There is no requirement to plant pine.

5.19 **Peter Brown:** As far as Taharoa C is concerned – we have trouble believing the government will pay someone overseas rather than paying someone in New Zealand to generate credits. On credits and liabilities, the government has created both. So liabilities should not be placed on those [pre-1990 forests] who did not get the benefits of credits. Taharoa C is proposing a wind farm and applied for resource consent. The only serious objector is DOC. We have also proposed a special grass-growing project, but have faced a long bureaucratic process imposed by MAF delays. What can you do to get the government departments as a whole to support these kinds of projects, rather than them picking on Māori projects?

David Smail: Fair comment. DOC has a job under law to protect conservation values on a case-by-case basis. DOC has no regard to who the sponsor is. The

government is aware of tensions and loss of goodwill towards DOC, and the government is keen to improve the communication of conservation values.

Brian Smith: These policies affect people making land use decisions from today on. MAF Biosecurity is a process that is judicially reviewable. MAF must be cautious about bringing new material into New Zealand to protect our environment.

Peter Brown: The grass example that is being looked at by Taharoa C has been tested in the UK and has been cleared by ERMA. But the MAF process is a long process. We put in an application in October 2006, it is in the priority process. If approved by MAF it will be February 2008. We have concerns over the process: it needs to be changed.

5.20 **Weo Maag:** The only certain thing that I have heard today is that taxes will go up. When it comes to that, we ought to be treated differently because we can't sell our land like everybody else.

5.21 **Harold Maniapoto:**

- (a) Māori have received forests as a result of Treaty settlements, and we will bear the costs and liabilities. Have you considered this impact on Māori?
- (b) Was the RMA option put in merely for politicians' convenience? The RMA significantly affects Māori. Why would you want to add further complexity to an already complex Act?

Phil Gurnsey: I was previously the manager of RMA for MfE. The implications of the RMA option are complex. The discussion documents contain a full range of options. The RMA option would mean that 'full legislation' may not be required. There are a number of issues that can be dealt with without amending the RMA, such as national water or environmental standards. There is a specific process to be followed for consultation with iwi.

Brian Smith: For settlements from now on, the Crown will need to be frank with claimants in terms of valuation.

The Crown will need to consider how many permits to allocate, what the thresholds will be and so on.

5.22 **Gina Rangi:**

- (a) In terms of credits and the Crown's generous offer to take on liabilities on our behalf: what are those liabilities?

Brian Smith: Carbon released on harvest is an emission that has to be paid for, when you deforest, there is a liability. So there is liability for both land conversion and release of carbon.

- (b) You said that it is difficult to measure emissions – surely you can assess an industry. Generally, dairy farmers belong to a single company, Fonterra is very powerful. You can bring them on board – there are ways to penalise or reward an industry.

Brian Smith: There are market advantages for Fonterra to come on board. We are talking to Fonterra. They have come on board on other issues such as the clean streams accord.

5.23 **Taipu Paki:** Will the government provide funding for Māori landowners to develop research on how things can be done differently?

Brian Smith: The feedback we have received to date is that people do want to do things differently, but they may not understand the carbon market and the pitfalls and risks. There is definitely the possibility of embarking on something like that.

Taipu Paki: On RMA, and with regard to national environmental standards and national policy statements, your documents say that it will be up to local authorities to prescribe limits. How will you ensure that the limits are consistent across local authorities.

Phil Gurnsey: Monitoring of standards will be undertaken at regional council level.

Taipu: On a holistic approach to our ancestral river (Waikato) there will more than one regional councils involved – there needs to be consistency.

Taipu Paki: Re Treaty settlements, if you ever want to know about the impacts of climate change, think about our tupuna awa and the consequences of power generation. What is the relationship between Treaty settlements for land and settlements that involve water? The focus of this presentation seems to be on land issues; we are just as concerned about water issues.

Phil Gurnsey: There are co-benefits of climate change policies, restrictions on nitrogen use affects water quality. Your points are valid.

5.24 **Steven Wilson:**

- (a) Māori will share a disproportionate amount of the burden that will result from these policies. Māori landowners need information on best use in order to make better information decisions. Can we have this information please?
- (b) Congratulations on this process and the concept of a consultative forum to follow up these issues. However, these are tight timeframes for our people to understand these issues and respond.

5.25 **Julian Williams:** Re deforestation, if there are going to be permits, there are concerns about wider impacts.

5.26 **Tina Porou:** Can you clarify the significance of the 1990 date please?

Brian Smith: There are no credits generated from those forests. Trees planted after 1989 (new forests) generate carbon credits. The government keeps those and the liabilities.

5.27 **Malibu Hamilton:** I have serious concerns about the government's programme: it is focused on money exchange and carbon trading. Tangata whenua are getting caught up in that. I am opposed to the trading system and the commodification of resources. I appreciate the concerns of Māori landowners and their land use. My concerns are for Papatūānuku. Your options are too soft. Why are profits privatised and costs socialised? I support national environmental standards and national policy statements but again we must work in conjunction with Papatūānuku. The energy strategy talks about triple bottom line, but where is the cultural reporting? What about the quadruple bottom line? I am in favour of penalising the polluters. Pollution has been allowed for far too long. Why are the targets so low? Some important issues are being parked, such as incentives to grow biofuels crops on our fields? What is the level for biofuels and why was it set at that level?

David Smail: There is uncertainty, and the government is trying to achieve the right balance. The 3.4% limit is an increase on what was originally proposed. This is a fair point. There is no barrier to people starting to grow crops.

Malibu Hamilton: Carbon neutrality needs to happen as soon as possible. The government should be showing leadership. They say they are reducing the number of their limousines and using smaller cars. So they should! But also, their buildings should be sustainable and more energy-efficient. The emphasis of these policies is carbon trading.

- 5.28 **Alan Livingstone:** Complimented the participants on the quality of discussion. Noted the comments that have been made about the disproportionate burden that Māori will carry, and Malibu's comments about the 'money-go-round'.

With regard to the economic impacts and market forces – the forestry aspect is readily measurable. Why not look at a change from extensive farming to intensive farming? What is the cost of that? Will there be credits to urban developers? These are also important issues.

There is an economic benefit on Fonterra encouraging better environmental practices.

I hope there is an emphasis on research and development. Market forces should take place to take away the policing role. Nitrogen issues could be covered by the RMA.

Brian Smith: The intensification issue is a gap in the current policy. Also, there are some who argue that the carbon credits are private property rights. Adapting to climate change will require profound changes to our behaviour, as profound as the change from moving from the horse and cart.

6 Summary and reflections of the hui

- 6.1 **David Smail** noted:

- the quality of the discussion
- consultation process – appreciated that time is needed to consult with wider Māori communities
- specific proposals regarding the distinctiveness of Māori and the importance of government recognising this when it makes its decisions.

- 6.2 **George Ria:** This hui has differed from the previous hui. In Tairāwhiti the emphasis was on Treaty issues and the status of tangata whenua and their relationships with the Crown. In Te Arawa the discussion was more technical around foresting and farming. This hui seems to have focused more upon social impacts on Māori as people, whether farmers or foresters.

It is true that the process is somewhat short in terms of consulting with te iwi Māori. Timeframes are set by those at a higher level (politicians) and we operate according to those timeframes. I apologise if I have fallen short as the Director of Māori Strategy in not succeeding to convince the higher authorities to adopt the 'Rolls Royce' consultation process that we promoted – similar to that followed in the Biosecurity process.

Acknowledged Kaumātua Wally Papa, and all participants at the hui today.

Closing comments

- 6.3 **Toko Renata** (Chair Hauraki Māori Trust Board): I thank George for his comments. There is a difference in how Māori stand to explain issues. In our language we understand them more clearly and the issues seem less adversarial.

I reiterate the comments about the short timeframe. It is too short. There is so much information in these documents and the information is complex and it takes time for our people to understand these complexities. Only then can we give meaningful feedback. I acknowledge the tangata whenua and the facilitator, Willie Te Aho, for his work in the Hauraki area.

- 6.4 **Tiwha Bell** (Chair Maniapoto Māori Trust Board): Acknowledged Wally Papa, Kaumātua and the home people (hau kainga), and those who attended the hui, including the Mayor, Alan Livingstone. The discussion had been enlightening and the questions raised are important. Expressed, however, disappointed by some of the responses.
- 6.5 **Willie Te Aho:** Acknowledged the point raised by Toko regarding whether this was a worthwhile process. Willie was involved because of the credibility of George Ria. We all know that we were let down by the 'consultation' process for the foreshore and seabed. Often the government has made up its mind and comes out to tell Māori what the government has already determined to do. This process however seems genuine. The government has not made any firm decisions. I believe that there are benefits to Māori from participating in this process. We appreciate the difficulties of the officials having to comply with the tight time frames that politicians have set. We would like you to nominate a person from this rohe to be a representative at the future hui in Wellington. That hui will be an opportunity for representatives to consider the feedback and minutes from all hui.

The kaumātua confirmed Steven Wilson as the representative from the Tainui rohe.

Closing karakia: Wally Papa.

Whāngarei (Forum North) 21 February 2007

1. **Karakia/mihimihi:** Percy Tipene.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People wanting copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
3. **Introductions of those present:** Hally Toia (Te Rūnanga o Ngāti Whātua); Rawson Wright (Northland Economic Trust, Taitokerau Forests, Māori Land Trusts); Richard Drake (Enterprise Northland); Alex Nathan (Te Roroa); Joe George; Percy Tipene (Organic Farmer – here on behalf of his children, grandchildren and leaving them a legacy); Rongo Bentson (Te Rūnanga o Te

Rarawa); Clive Stone (Ngāti Wai Resource Management Unit); Keir Volkerling; Lisa Kanawa (Te Rūnanga a Iwi o Ngāpuhi); Crek Milner (Chair), Debra Harding, Patsi Heperi, Luana Pirihi (Patuharakeke Trust Board); Margaret Hicks (Bream Bay Action Group); Henry Murphy (Ngāti Wai Trust Board); Sharon Hauraki (Taitokerau Organics Producers Incorporated Society: TOPIS).

Apologies: Sonny Tau, Naida Glavish.

3.1 Issues raised during introductions

Joe George: Their rūnanga has not had a chance to consider the issues, so Joe does not feel able to contribute much today, these issues have to be taken back to the people.

Keir Volkerling: Talked about Ngāti Wai's contribution to the types of issues to be discussed today.

Representatives of government agencies: Phil Gurnsey (Climate Change Policy Manager, MfE); Dairne Poole (MfE); George Ria (Director Māori Strategy, MAF); Julie Collins (Principal Advisor on Climate Change, MAF); Peter Lough; Sarah Davies (MfE); Chappy Te Kani (MfE).

4 Presentations

Phil Gurnsey: Overview and New Zealand Energy Strategy

Julie Collins: Sustainable Land Management

5 Open discussion

5.1 **Rawson Wright:** There is an interactive screen on climate change at Te Papa. It shows cycles of 14,000 years – where do we fit on that cycle?

Phil Gurnsey: Demonstrates by using graph on whiteboard. Research monitoring of carbon dioxide shows that it contributed most consistently to the increase in temperature over the last 100 years. We have information showing a clear relationship between the rise in temperature and rise in sea level.

Keir Volkerling: To add to that, the IPCC Report that contains this information is a very conservative document, the more alarming information is not in there. It is also a political document. A metre rise in sea level is very likely. This is significant. Ice is gone from places like Greenland; rainforests will become far drier; by 2050 these forests could be wiped out. Current predictions are conservative.

5.2 **Patsi Heperi:** Greenpeace has attended our meetings. We have heard that a 10% change caused the ice age. So this is a very important issue. We have Māori land in forestry at Takahiwai. Our rates will increase due to development in the area. Why can't agriculture pay us an incentive to keep our land in indigenous forests?

Julie Collins: If forests are pre-1990, then that is not an option that has been actively looked at. These climate change policies are intended to influence the future decisions that people make that will impact on climate change. If owners want to convert from forests to farming there will be costs – such as those to water quality and emissions. The government wants some of those costs that the community is currently bearing and that the environment is bearing, to be factored into future economic decisions regarding changing land use.

Willie Te Aho: At the Tainui hui, landowners noted that they wanted to convert some of their forestland for other uses such as papakāinga. The response was, what is the minimum benchmark? If deforestation is to occur, what are the circumstances Māori believe should be exempt? Papakāinga for instance.

- 5.3 **Hally Toia:** Deforestation of Māori land is going to be a big issue as more and more lifestyle blocks come close to Māori land. There will be pressure upon us to change the use for lifestyle blocks, to lease it out. How can the government help us maintain the land as it is without a cost to us?

Julie Collins: One key option on the table is a permit system to allow flexibility. Other issues include rates.

Hally Toia: We would want to maintain land as it is without having to go through a whole new regime. Will central government sit beside local government to allow us to keep the land as it is? This is an emotional issue for our people as well. We can't keep up with the increase in lifestyle blocks and the increase in rates.

- 5.4 **Lisa Kanawa:** We can probably better address that particular issue when the consultation process about rating comes about.

Hally Toia: But central government and local government must be working together.

Julie Collins: This is one of the issues that needs to be picked up.

- 5.5 **Rawson Wright:** A council in our area is charging forestry to offset cost of roading. This is a disincentive for us to stay in forestry.

- 5.6 **Rongo Bentson:** What incentives are there for people to create power by alternative sources?

Sarah Davies: This is addressed in the documents on the New Zealand Energy Strategy. There is currently a disincentive to people to address power locally.

Rongo Bentson: Pine has dropped in price and owners with land currently in pine forest are considering replacing with indigenous forestry; are there incentives in the options for this?

Julie Collins: The options available include: the Permanent Forest Sink Initiative (PFSI), the Afforestation Grant Scheme (AGS), and devolving credits. These options are all targeted at creating new forests, rather than changing the type of forestry.

- if pre-1990 – no credits
- post-1989 and indigenous –credits under PFSI
- if exotic forest planted after 2002 and permanent, then credits under PFSI
- if exotic clear felling then the options on the table are the AGS or the devolved credits post-2007.

- 5.7 **Alex Nathan:** Why is there a distinction made between pre-1990 and post-1989?

Julie Collins: This date was set as result of international rules around the Kyoto Protocol. Kyoto creates the value of the credits. A line had to be drawn somewhere.

Alex Nathan: In a sustained-yield situation there is still no recognition for the replanting?

Julie Collins: No. Carbon levels will balance out over time.

Alex Nathan: So where exotic is removed and replanted with native, is there information about whether natives sequester more carbon than exotics?

Peter Lough: Yes, though they grow more slowly.

Alex Nathan: So how does that factor in to the scenario you have just described?

Peter Lough: It will take longer to reach the equilibrium.

Willie Te Aho: We have noted your key point that the issue of conversion from exotic to native must be addressed; and that there must be differentiation between Northland and other areas.

- 5.8 **Joe George:** Māori land incentives in the 1960s and 1970s were taken on board by Māori. All the years that we have been developing our land will amount to nothing given these new policies, and the liabilities that arise. We need information about thresholds. What are the impacts upon us for different sizes of land blocks?

Response: The government is not looking to punish people who want to keep their land in forestry. The key area of concern is where people want to take land out of forestry permanently, this is deforestation. There have been no decisions about thresholds for deforestation, so feedback is needed on this issue.

- 5.9 **Richard Drake:** Reiterated the concern raised by Rongo about the 1990 date – this impacts adversely particularly in Taitokerau. From 1975 to 1990 there was a huge change in land use from pastoral farming to forestry. Growth from forests planted then continued on past 1990. The explanations given would not satisfy people here. New Zealand land use has been dynamic for 200 years as we all seek best land use. Therefore placing us beside other countries is unfair.

- 5.10 **Lisa Kanawa:** In relation to the priority of climate change in legislation, how will energy efficiency in the north be assessed? Will it be through national environmental standards? Māori are looking at joint ventures for renewable energy and DOC opposes on the basis of natural character.

Phil Gurnsey: Under the current RMA regime there is no national policy statement. As part of the New Zealand Energy Statement, one way is to use the RMA to give guidance by way of a national policy statement. The government has to make a political stand on renewable energy.

Lisa Kanawa: Raised the issue about what amounts to consultation under the RMA and generally being an ongoing problem.

Willie Te Aho: Noted that as to climate change – Lisa would like the sections in the RMA (sections 6, 7, and 8) to be part of any process going forward.

Lisa Kanawa: Māori want to come home to the north and build. Councils have policies that are barriers to this. There are policies in the NZES [New Zealand Energy Strategy] around building. What collaboration is happening between Housing New Zealand, local government and central government? This is a resourcing and funding issue for us.

Sarah Davies: There are some programmes for lower-income families. On the issue of collaboration, Housing New Zealand and local government have been involved in developing strategy, but more could be done to make these more real for people. As to the targets for renewable energy sources, refer to the draft strategy. We welcome your feedback on this.

Willie Te Aho: Can you please identify specific ways about how local and central government can work together to assist your people come home and build on papakāinga, then use the feedback process available to make these known.

Phil Gurnsey: Local government and central government co-ordination is something that we are working on, and more can be done.

Lisa Kanawa: There also needs to be more coordination between the Māori Land Court (eg, its powers to issue occupation orders), the Far North District Council and so on.

Lisa Kanawa: According to the documentation, the transport sector has the second highest emission rate. Strategies are needed to focus around different uses, but any strategies that involve not using cars are unrealistic for the far north and isolated communities.

Phil Gurnsey: Some aspects of the NZES look towards improving vehicle fleet. There are no quick fixes. We are reliant on vehicles, on petrol and diesel. We are making a start with looking to increase the amount of biofuels.

Joe George: Some of your policies are critical of four-wheel drives and large cars, but in the Far North, four-wheel drives are necessary.

Willie Te Aho: Yes that is a challenge and the government is looking at ideas around how that challenge can be met. They are looking both at reducing emissions and also looking for alternatives. Your point about the need for solutions that specifically suit the north are noted.

- 5.11 **Margaret Hicks:** Marsden B has not been designed to use the latest clean coal technology. It is going to be very polluting. How can the government allow this project? The burden is onerous on the community and conflicts with everything to do with climate change.

Phil Gurnsey: There are court processes to deal with those issues.

Margaret Hicks: Why should we have to take on this fight? Lawyers' bills are onerous. We should not have to go through this when it conflicts with climate change.

Phil Gurnsey: These are private commercial decisions and not government decisions. On this issue, I only know what I have read in the paper.

Margaret Hicks: We are in direct communication with MRP [Mighty River Power] who say they are looking to government for assistance. No community should have to live under a cloud like this. The government should not put us through this.

Willie Te Aho: In Rotorua a speaker urged that the government should show leadership in so far as Crown land use, and so on, and so your point for the government to show leadership has been noted.

- 5.12 **Rawson Wright:** I support the point about the government showing leadership. Landcorp for example have taken advantage of the small window of opportunity, by clearing lands of forests before the cost regime comes in to play. They should be made to turn around and replant them.

- 5.13 **Keir Volkerling:** RMA national policies are a good idea but in the long term are difficult. I am not confident. National standards could be pursued and get a conclusion. Environment Canterbury has done some work on effects in their region – we need projected impacts for Northland, some best-practice standards, is there going to be some encouragement to regional councils to develop that information?

Phil Gurnsey: The last assessment was done four years ago and we are working to update all of the information around climate change for councils. Environment

Canterbury has taken a step and that is good. Hopefully we can help other councils to do that.

Also, the second State of the Environment report is due out soon, this will include some of the information that you are interested in.

Keir Volkerling: There are a host of RMA issues that we are working through, including aquaculture and water. A lot of the issues raised today will have allocation impacts and the RMA does not deal with allocation very well at all. What do you think about a separate statute for allocation?

Phil Gurnsey: The focus here is on climate change and one of the options is to use the RMA, but it could involve a separate statute. There is a range of things around allocation that need to be considered: the Treaty, auctioning and so on.

- 5.14 **Percy Tipene:** The word sustainable is capable of many interpretations. Is there a consistent meaning to that word across the agencies represented here today? The government has engaged itself in Kyoto. As Māori we have a whakapapa to the word sustainable. We are lucky that we are not close to Auckland. The word sustainable has been interpreted for convenience. How does the policy process operate in terms of dialogue with local government? Do you have an auditing process to ensure that local government is implementing the integrity of your policies?

Phil Gurnsey: MfE has a purpose – sustainable management – that is similar to the purpose of the RMA. All three agencies represented today are committed to work towards sustainability as indicated by the Prime Minister’s recent speech. Regular evaluation occurs on how local government is performing tasks against their plans. There are options available to address issues of performance.

Willie Te Aho: on sustainability, there is a clear indication about maintaining economic success but at the same time managing the impacts that come from that economic success. Two years ago, the government consulted on the water programme of action, and today it is climate change.

Percy Tipene: Always at the back of our minds is the intrinsic value of resources. Economic success at the expense of what? This is a key issue. In the Hokianga there is said to be ‘substandard housing’ but the families are comfortable. But they may not satisfy the standards that are imposed upon us.

5.15 **Hally Toia:**

- (a) The Prime Minister made a ‘fuzzy’ speech about sustainability but gave no explanation about what this means. We know what it means to us, but what does it mean to you?
- (b) Renewable energy sources – our people have an issue about Crest Energy turbines in the Kaipara Harbour: the marae are at a distinct disadvantage. The proposed turbines that will be put into the harbour will be 30m – they will protrude from the water, they will stop recreational fishing, will prevent boating. How will this be addressed? The locals who are affected will lose their battle against the ‘national interest’. Their kaitiakitanga responsibilities will be affected. So renewable energy, while desirable, should not impede other rights.
- (c) Nitrogen inhibitors – will there be further public national consultation on that?

Julie Collins: We will be seeking feedback on nitrification inhibitors as part of this process. We have also commissioned a report on issues around nitrification

inhibitors. The temperatures at which they work best means that they are going to be more effective at the bottom of the South Island than in the far north.

Richard Drake: This is important because science has been unable to show any benefits of these inhibitors in Northland, so any system of subsidies for that product will disadvantage us here.

- 5.16 **Lisa Kanawa:** Deforestation – are there going to be incentives to cut forests at the point where they reach the equilibrium state and then replant? Otherwise it doesn't seem efficient. This applies to existing forests and new forests.

Julie Collins: Our research has shown that 80% of existing forests go back into forests. So any incentive for replanting would have to address the 80%. It is more effective to encourage planting new forests on greenfield sites.

Lisa Kanawa: What happens if you deforest and go into the Afforestation Grants Scheme, but then you want to change land use?

Julie Collins: The government will give the grant and will also take the risk of landowners not staying in forestry. The aim is to encourage new people to plant. Under the credit scheme, counting begins in 2008 and credits are issued retrospectively.

Peter Lough: Recently there has been more deforestation, particularly in the central North Island.

Julie Collins: Explained the net credits system (credit and liabilities) for pine foresting, and how risk can be spread by markets (timber/carbon).

Alex Nathan: Are there any advantages of this regime over the existing grey market?

Julie Collins: Private transactions between landowners and purchasers (eg, Steven Tindall) are not affected. The question is, what are investors interested in? Kyoto permits or grey market permits? The UK investors in the Ngāti Porou deal for instance are buying Kyoto credits, and they will negotiate how those will be divided up.

Rawson Wright: When can you pick up those carbon credits?

Julie Collins/Peter Lough: Under Kyoto rules, counting is set at 2008. The government will go through the international process to assess for devolving credits at 2012. The Crown has to claim those credits.

- 5.17 **Margaret Hicks:** This is just a game. All you are doing is creating a huge market. If you are genuine about reducing emissions, you would encourage growth of carbon sinks and penalise those who emit. This is a farce.

- 5.18 **Joe George:** Why can't native forests earn credits?

Julie Collins: Native forests are not eligible to earn credits. This is part of the game. They are not absorbing new carbon. We have noted your views. Continuing your foresting plan will not be affected.

- 5.19 **Richard Drake:** You said that carbon is released on felling, but it is not all released. Most of it is exported as wood products. How does New Zealand benefit?

Julie Collins: Our information shows that only a small proportion of carbon is stored in wood products. It is complicated to try to assess amounts of carbon

exported and imported. For simplicity, it is assumed that at point of harvest, carbon is released.

- 5.20 **Lisa Kanawa:** It is hard for us to fathom entering trading carbon on an international scale. There is nothing tangible in the policy. We need to see evidence about the market, the statistics and that this is a market that we could potentially enter into.

Who will manage the tradable permits regimes? Will it be central government or regional government under the RMA?

Julie Collins: Yes this is complicated – it is like the stockmarket.

Lisa Kanawa: People will not do things without incentives. We don't want to penalise farmers who we live near. There are best practices under the RMA but developers don't practice these.

Julie Collins: There are a range of ideas proposed: a flat charge, tradable permits, legislation regarding deforestation and the RMA proposals. Who is responsible for managing will depend upon which option is adopted by the government.

- 5.21 **Luana Pirihi:** How does the environment benefit? I hear about this huge market being created. Marsden B will pollute and will go overseas and buy credits to allow them to do this. This is terrible.

Julie Collins: This is the result of a market-based system – decisions will be driven by what is the most cost-effective option.

Luana Pirihi: But the environment does not seem to be winning.

Julie Collins: That is why there are a number of ideas and options that we are putting out for your feedback.

Margaret Hicks: Why should we pander to those who are creating the problem in the first place?

Willie Te Aho: Margaret you are not alone in your views. In Tainui we heard that the measures proposed are too little, too late and are not benefiting the environment. You obviously favour a regulatory approach rather than a market-based approach and that is noted.

- 5.22 **Percy Tipene:** As an organic farmer, this really concerns me, what are the benchmarks that allowed you to come up with the statistics you presented about emissions from animals? What type of cows? What type of farming? We work closely with nature. We use a particular type of fertiliser. Where do we sit in the equation?

Julie Collins: The average dairy cow emits 2500 kilograms methane per year, the average car 3500, and a sheep 350. This just gives a brief comparison. I don't think there was any differentiation between organic and non-organic. The government is trying to find solutions that affect landowners' future decisions, not to penalise people for their decisions when they did not know the consequences of their decisions.

Percy Tipene: I want to respond in a positive way. Do you have funding available to research the status of our land, and our farming practices?

Julie Collins: The government has indicated an interest to increase its research effort and we welcome your feedback on what research should be undertaken.

5.23 **Alex Nathan:** I have seen research about traditional practices of farmers in South America whereby charcoal is worked into the soil. Are you aware of this work in respect of that as a mechanism to sequester carbon?

Julie Collins: I am not aware of that work, though I have heard a colleague mention it. Soil carbon is a real issue. In the US there is a grey market for soil carbon credits.

Alex Nathan: So this is not part of the analysis that you have undertaken to date?

Julie Collins: No.

6 Summary and reflections of the hui

6.1 **Phil Gurnsey:** Acknowledged the quality of the dialogue during the hui and the many issues that were traversed. Noted his appreciation for taking time to participate in the hui, and looked forward to formal feedback via the submissions process.

6.2 **George Ria:** Acknowledged that although numbers might seem to be few, the dialogue and discussion had been excellent. Noted concerns about the short timeframe and the volume of information you have to work through and apologised on a personal basis as the Director of Māori Strategy.

You have noted your distinctive needs here in the North. This adds to the issue raised in Rotorua, where the question was raised, what is uniquely Māori? We heard that Te Ture Whenua (Māori Land Act) which restrains alienation means that there is no opportunity for Māori to realise any capital gain.

Today another key theme has been the issue of what central government is doing towards co-ordinating local government, central government and Māori working together. We note particularly that tikanga relating to kaitiakitanga and whakapapa are high priorities here in the north.

Lisa Kanawa was nominated and supported to be the representative to the consultative forum and to report back to the wider Northland community.

Closing karakia: Percy Tipene.

New Plymouth 26 February 2007

1. **Karakia/mihimihi:** Jamie Tuuta.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the

discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.

3. **Introductions of those present:** Jamie Tuuta (Chair Ngāti Mutunga, Committee Member PKW); Jim Edmonds; Hari Benevides, Harvey Bell (Morikau Inc); David Doorbar (Otaraua); Sam Tamarapa; Paddy Haami; Gray Severinsen (Taranaki Regional Council); Peter Moehau; Te Rawanake Hemara-Wahanui; Allie Hemara-Wahanui; Rata Pue; Pereni (Belle) Tupe; Aroha Chamberlain (New Plymouth District Council, and various land trusts); Ngapari Nui; Rukutai Watene; Karly Hemopo (Media Te Karere); Greg White (Ngāti Tama); Te Rangi Hawira, Hemi Cunningham, Ngahape Lomax (Ngāti Hauti); Parangi Gibbs; Haumoana White; Waata Tawha; Tony Whareaitu (Ruanui); Kevin Moore (Member of Public).

Representatives of government agencies: Dave Brash (General Manager MfE); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Julie Collins (Principal Adviser on Climate Change MAF); Peter Lough (MAF); Chappy Te Kani (MfE); Anna Kulhavy (MED); Susan Bissett (MfE).

4 Presentation

- 4.1 **Dave Brash:** Overview and New Zealand Energy Strategy
Cited Manawatu floods as an example of why government must act urgently.
- 4.2 **Julie Collins:** Sustainable Land Management
- 4.3 **Peter Moehau:** Although participants in the hui had been asked to leave their questions until the presentations had been completed, Peter raised an issue about the presentation process. He did not feel engaged. He had some questions and fears that he would forget them as the presentation progressed. Peter then sought further explanation on the following:
- **Trading:** Dave Brash explained the trading of emissions such as CO₂ by reference to similarities to fishing quota. Willie Te Aho also referred to the Tūwharetoa example of capping the amount of nitrogen going into a lake. This means landowners must now make decisions about farming given this cap.
 - **Permanent forest sinks:** Julie Collins explained the Permanent Forest Sink Initiative (PFSI) that had already been announced.
- 4.4 **Kevin Moore:** A member of the general public, Kevin introduced himself as an expert on climate change and an author of two books on the subject. He rejected the government's information about forests being permanent sinks – Kevin believes that at some point a forest reaches maturity and becomes saturated. The forest will not absorb further CO₂ and then starts releasing CO₂. Industrial processes (use of chainsaws, making paper, and trucking) increase CO₂ levels which are not accounted for. All of this masks realities. The rape and pillage of the planet continues. Kevin is not against planting trees. He encourages it, but does not believe that it will solve climate change.

Julie Collins used a graph on the whiteboard to explain the equilibrium that is reached when a forest matures.

Rata Pue: Also rejected the argument that forests are permanent sinks when there is an entitlement to fell 20% per year.

Peter Lough: Explained that it is not 20% per year, but rather 20%. Only when the original 20% has been regenerated can another 20% be felled.

- 4.5 **David Doorbar:** David had travelled here on behalf of his hapū, Otaraua, to listen to the government's presentation, whether he agreed with it or not, he preferred the presentation to progress without all of the interruptions.
- 4.6 **Rata Pue:** We have opposed the petroleum industry processes via the environment courts, and have had \$30,000 costs awarded against us. We want the government to pay those costs. During the court process we recommended reforestation and solar heating. So, in the four years since we made our stand in the court, there has been a shift and the government is now proposing these same solutions! Further, we do not accept the information that you are presenting. The government's stance during our court process was that they did not have a plan. Their plan was to not have a plan! Māori do have a plan to restore the natural balance between Ranginui and Papatūānuku. Our plan is better than your plan.
- 4.7 **Willie Te Aho:** Recommended that the presentation be allowed to continue and any further questions or comments be invited at the completion of the presentation.

Julie Collins continued with presentation.

- 4.8 **Rata Pue:** We have had the Resource Management Act (RMA) for the last 20 years. There has always been scope within the RMA to manage emissions, but the Councils have not implemented those provisions. You are talking to the wrong people, we already know this stuff. You need to be talking to the councils.

Julie Collins' response: Perhaps not everyone in the rohe knows it. And we are talking to the councils at the same time. I do not think that councils are currently able to control greenhouses emissions under the RMA. (Rata disputed this.).

5 Open discussion

Willie Te Aho welcomed those who had arrived late, and summarised administrative issues.

5.1 Rata Pue (addressing issues raised earlier):

- (a) We request for the government to pay court costs – the RMA is the rich man's Act. It is unaffordable for us to engage any more. Taranaki Māori have given up.

Dave Brash: No, the government cannot provide the cheque to pay the costs. The court does not award costs except in rare situations. With regard to the RMA – Dave Brash was part of the advisory team on the RMA so very familiar with these issues. Issues about CO₂ emissions were removed from the RMA because the government had alternative policies in mind such as the carbon tax, and did not want 'double jeopardy'.

- (b) Why can't the government recognise and adopt the iwi plan?

Dave Brash: This consultation process is a chance to find out what strategies Māori prefer and to address some of those issues.

- 5.2 **Ngahape Lomax:** Are there credits available for pre-1990 forests? Some of our largest tracts of Māori land are standing in forests. I doubt that Māori will benefit but the Crown will.

Julie Collins responded using the whiteboard to present a table relating to planting and harvesting and deforestation pre-1990 and post-1989.

	Planting	Harvesting	Deforest
Pre-1990	No credits	No costs	Costs
Post-1989	Credits retained by government	Cost retained by government	Cost retained by government

Ngahape Lomax: So there is no recognition of mature forests?

Julie Collins: No, they are treated as a carbon reservoir.

Ngahape Lomax: Is there no distinction between trees pulped for timber or woodboard? If a tree is cut, it is assumed that carbon will be released.

Julie Collins: Kyoto rules make these assumptions to try to keep things simple. It is assumed that all carbon is released immediately. Carbon from harvested wood products is believed to be minimal.

(b) **Ngahape Lomax:** How can our Māori views and information about our rights be best given to the Crown and its agents so they understand us?

Julie Collins: This consultation process is part of that, and also the consultative forum of representatives that will meet on 21 March. We are asking for your feedback.

Rata Pue: Will I get credits for the forests that I have planted since 1990?

Julie Collins: For post-1989 forests, you can choose to apply for credits under the PFSI for native forests. You would have to verify that land was not in forest in 1989. If you gain credits then you acquire liabilities.

Rata Pue: I will keep full control of my forests.

Julie Collins: You can choose whether or not to participate in the PFSI.

5.3 **Rukutai Watene:**

(a) This hui is for Māori – I want to know how these proposals are going to impact on Māori?

(b) Where are the benefits for Māori if we plant trees? What are the comparative benefits between forests and farmlands?

Our land is in indigenous forests. If we want to deforest then that will cost us. This is another example of the government making money off us.

There is 1.3 million ha still in Māori land, and a big chunk of that is here in Taranaki. How will these policies affect our dairy farms here in Taranaki?

I have a query about emissions from cows and the 2/3 figure you mentioned.

Julie Collins: Explanation that 50% of emissions come from agriculture and 2/3 of that 50% comes from methane, the other third comes from nitrous oxide.

Rukutai Watene: The cows do more than emit – they also impact on our sewerage systems and our waterways.

(c) Where is the Treaty in all of this? Does the Treaty play a part? I presume your job is to inform iwi around the country. Yet I see only the government in this picture putting more rules and regulations on us, we have been through this for 150 years.

Dave Brash: Greenhouse gases are a global problem. The planet does not care where the emissions come from. We all get impacted by climate change and we need to find a way to collectively address the impacts, the floods and so on. Existing indigenous forests, from the planet's point of view, is seen as a storage and if cut down, there will be impacts at a global level.

There are benefits for Māori in the afforestation policies being proposed.

With regard to the Treaty – this is part of the reason why we are out talking with you. No decisions have been made yet. We have come out to discuss some options and ideas with you. We are starting a dialogue about some very important inter-generational issues, which dialogue will go on for hundreds of years. The Treaty is part of that dialogue.

Julie Collins: If your forest is post-1989, some of the opportunities around afforestation include the following three options on the table:

- a) The Permanent Forest Sinks Initiative.
- b) The Afforestation Grants Scheme (AGS): this is a cash up-front grant scheme that might be of more interest to small landowners who might not be interested in trading credits and the potential risks on it.
- c) Devolving credits may be of more interest to bigger landowners – these credits would be tradable in a way similar to the stock market. This is a business decision that individual landowners would make. We seek feedback from Māori landowners about these proposals and which are best for you.

Deforestation: The proposals around deforestation would reduce land use flexibility and reduce the price of forests. Other proposals minimise the impacts of this, such as the tradable permit regime which proposes a minimum threshold below which deforestation could occur without permits. The government is seeking feedback on what that threshold should be: 50 ha or 100 ha?

Also, if you have a forest and do not want to deforest you are able to sell permits to someone who does want to deforest.

5.4 **Harvey Bell:** What is a forest? Is scrub included? There is a lot of Māori land currently scrub-covered.

Julie Collins: The definition we have is a minimum area of one hectare with tree cover of more than 30% of land area. The trees have to have the potential to reach at least 5 m in height. The same definition applies to indigenous forests.

Harvey Bell: Manuka and kanuka will grow to 5 m. Scrub which will not grow to 5 m yet still stores some carbon.

Dave Brash: These definitions have been negotiated internationally.

Harvey Bell: We as Māori know what ngahere is, and Māori seem to be disadvantaged by this definition.

5.5 **Greg White:** Deforestation –The Ngāti Porou project sounds positive. But, we do not have much marginal land. If you really want to know what the government can do for Taranaki, it can start by returning some of our stolen land. Even though we may not have vast tracts of forestry we support other iwi who might be negatively impacted by these policies.

You say no decisions have been made by government, but Kyoto has been signed and all of this seems to flow out of Kyoto. What tinkering can be done in New

Zealand to provide for iwi who have forests pre-1990 to gain financial benefits? It is okay for the world to say it has a problem, but these policies will impact on indigenous peoples all over the world. These policies should be reshaped to address tangata whenua issues. Can they be unwound? If the Crown is not prepared to transfer assets to iwi for pre-1990 forests there must be some mechanism whereby that resource could be shared with Crown and iwi. Our security is probably offshore. It is too hard to deal with the New Zealand government.

Dave Brash: At the time when government negotiated Kyoto and it was ratified, there were consultation hui. The government took on a set of obligations, we have outlined some of those today, such as the baseline. How does the government then apply that policy? It developed some policies which we all know were thrown out. It has now gone back to the drawing board to develop a series of policies to avoid a big bill in 2012 to the taxpayers. How we work it out in New Zealand is up to us. We have to work out who bears what and at what time. We provided a bulk of information during the negotiation of Kyoto. Consultation took place but I am unsure as to what, if any, information was available regarding tangata whenua issues.

5.6 **Willie Te Aho:**

- (a) Briefly summarised some of the key points that were raised at Waitara during the consultation on the Water Programme of Action (Freshwater for a Sustainable Future) such as referring the government to the information in various Waitangi Tribunal reports as a point of reference on issues affecting Taranaki (eg, the Motunui Report).
- (b) The question raised by Greg White was similar to questions raised at earlier hui on this issue: Has any economic impact report been done for issues specific to Māori? It has been said that before Māori can truly engage, we need to be clear on the analysis of how this affects us and our choices in relation to our forests and our farms.
- (c) On a similar point, Willie noted for the record a question raised by Mahinekura Reinsfield before she had to leave. Mahinekura asked whether any research on impacts on Māori knowledge had been carried out.
- (d) At the Northland consultation hui, Percy Tipene raised issues about organic farming and others being proactive and urging some recognition for that, and requested a comparative analysis on the different types of farming.

5.7 **Rata Pue:** Are you aware that Māori only have a small percentage of land in Taranaki because it is still in the hands of other people? We are the biggest carbon producer in the country and we are sorry for that. We also export carbon – is this factored into your data? If not it should be. We need to replant land here in permanent forests to offset us as the highest producer of carbon. We can be used as an example. We also have the best agricultural land in the country. Māori are really committed about solutions. Our regional council is not. We need three representatives from our rohe, because we have thought about these issues a lot and we are really motivated to bring about significant change. We also know a lot about resistance.

Dave Brash: The proposals in the documents deal with gas emissions as well as forestry and farming. According to the international rules, the country that uses petroleum is liable for the emissions.

5.8 **Tony Whareaitu:**

- (a) Can we please add the airwaves case to the points of reference that Willie mentioned earlier?
- (b) On the question raised earlier as to where Māori and the Treaty fit – I was not satisfied by Dave Brash’s response to Rukutai’s question. He said that the Treaty is part of the dialogue and that climate change issues are not going to go away. Well, neither are Māori issues going to go away. But the dialogue seems limited to separating Treaty components to only when climate change kaupapa needs a consultation tick off. This climate change issue is a consolidation of many issues that affect us all the time and in particular water.
- (c) Tradable permits: is there synergy with 20% aquaculture being set aside for Māori to take part in? It seems what is being talked about is an ability to treat a carbon sink as a property right. Māori don’t have them. The model advanced for thought is, would government enable a 20% set aside of that kind of economic instrument along the lines of the aquaculture settlement? And has the government considered how to assist Māori into areas of benefit to us, such as buying up permits for iwi?.
- (d) National environmental standards: has any work been done on a national policy statement? This is a stronger pointer to decision-makers than national environmental standards.

Dave Brash: On the Treaty – we have come in good faith and we will go in good faith and feed your comments into the process.

Tony Whareaitu: I recommend that you follow the Water Programme of Action consultation follow-up process as a model (ie, ongoing engagement with the Iwi Chief Executives Forum).

Dave Brash: On the issue of property rights – if the government does go this way, you have asked, What is the impact on Māori? There are credits and liabilities and people will make individual choices. But I can see the argument regarding historical allocation and initial rights. Lake Taupō is a good model – quota for nitrogen involved questions about the allocation model.

On National Policy Statements – we are looking at standards similar to those proposed for electricity transmission and water. National environmental standards have much better impact because they are more like regulations whereas national policy statements seem more aspirational.

Tony Whareaitu: I have seen standards come and go, but the national standard on Māori housing did not seem to go anywhere. Coming in good faith doesn’t wash anymore. You come and go and you feed comments into a process. What you are not hearing is that Māori want to be part of determining how the process is developed between Treaty partners.

- 5.9 **David Doorbar:** I acknowledge the hard work that has gone into submissions. We have no land nor do we have much of a say in these things. My biggest concern is when is the Ministry for the Environment (MfE) is going to grow a backbone? I have heard statements today that the environment is hammered and we are in damage control and our biggest weapon is the MfE but it seems constricted by MED [Ministry for Economic Development] and MAF [Ministry of Agriculture and Forestry]. I wonder what sort of story we hear today if we didn’t have the MED guiding you or MAF. The priorities have changed. The environment is the priority. Grow a backbone, put the MED in its place. The tail is wagging the dog. The Treaty issues can be left to our representative, Tariana Turia. I look forward to the views of the Māori Party on this. Everything seems focused on the farmers and

the economy. MFE needs to fulfil its role. We are in damage control and it's really sad. It is like Henny Penny, the sky is falling on our heads.

Dave Brash: Agreed that these issues have been on the table for many years. Things seemed to have changed. The responsibility for the environment is across government departments. Dave's job is to co-ordinate that. It is not just the environment dominating everything. We can't just turn the lights out or stop farming. We need to find balanced solutions.

- 5.10 **Haumoana White:** Are there any other Māori here representing Māori forest owners? Or are you representing iwi and hapū? (Response: there were two or three Māori forest owners present). I am here representing vast tracts of land in forest. There has been no consultation with us to date. The government has appropriated all our rights *mai ra ano*, even before the Treaty. I see here people lining up to get on this bandwagon, the stockmarket to exchange credits. Guess who won't be there. Are credits already being traded by individual landowners? I know that this is happening. The indigenous people in South America are being encouraged not to cut down forests, by issuing credits. Is this right or wrong? There are people today who have taken stock off farms and have planted trees and sold credits. Forest owners should get together and choose some options as to where we take this. 1990 is a date that has been imposed upon us. Māori have been doing the right thing by the environment for a long time so we must have some rights for what we have been doing. I get rates from the council and our land is in bush. You are preventing our ability to participate in the economy. Is there a forum by which Māori bush owners can participate? I think this is very dangerous. You are already talking about how it is going to work. If you are *kaitiaki* it is appropriate to ask: what is in it for you; but also ask: how can you be a better *kaitiaki*?

Dave Brash: Māori are already involved in PFSI such as in Ngāti Porou, so there is no reason why Māori cannot participate.

The government has devolved some credits under the old policy which are being traded (eg windpower). There are not very many. Also there is an independent 'grey market' for credits. It is not a government-backed system. But some banks and companies have a balance sheet which takes carbon into account. There are projects in countries such as Brazil and Papua New Guinea which are being considered to try to retain forests.

Kevin Moore: Do you know the level of CO₂ in the air?

Dave Brash: I am unsure.

Haumoana White: It appears that the government is trying to corner the whole market and control it. It is trying to diminish this 'grey market'?

Dave Brash: The government is encouraging the grey market.

Haumoana White: My bush that has stored carbon for thousands of years has been diminished.

Julie Collins: There is no specific forum for Māori forest owners. There are groups such as FOMA [Federation of Māori Authorities] and FOA [Forest Owners' Association]. But if you want something to occur as part of this process – give us your feedback.

- 5.11 **Peter Moeahu:** Thanked the team of presenters, has learned more today. The presentation is not our problem. Our problem is our mindset. As a people we have to appreciate that we have 1.3 million ha of land. We have opportunities under this regime that we have not tapped into. We need to look at this in a more positive

light to look for those opportunities. We need people who are capable of coming to grips with these policies and to interpret them for our benefit. I can remember the days when banks used to pay us for getting our money. Now we pay them for looking after it for us. They saw the opportunity. Fay Richwhite took opportunities – took this country to the cleaners. I am not suggesting that, but we must look for advantages. I am grateful for you being here today. I have sought permission from Jamie Tuuta to put his name forward from this region as our representative.

5.12 **Rata Pue:** The world is awakening to a common cause and our Pākehā neighbours are finally waking up. They have abused our environment. It is all about politics and vote gaining by Helen Clark. We are in trouble here in the Pacific. We have a huge responsibility. It is not about colour of skin, but colour of character. I believe this is education with lies. What we have heard today is primitive. Māori have all this knowledge and have had so for many years. I take individual responsibility for the environment. We have to unite and get serious. The civil servants have been weak because the politicians have been weak. Hopefully the solutions will be based on our Māori model, our tikanga.

5.13 **Te Rawanake (Trish) Hemara-Wahanui:** We have no forestry to talk about and barely any land. But for those lands we do have and which is leased for farming, who is responsible for the liabilities?

Julie Collins: We don't have a solution to methane, so the government is proposing to do more research and then go back out to people about how they might change their land use. We do have some solutions about nitrogen on their farms in the short term.

Te Rawanake (Trish) Hemara-Wahanui: So very little is expected from those doing the most damage, this should be the first priority.

Julie Collins: The government is trying to take some first steps around nitrogen.

Dave Brash: Regarding leases, the nitrogen charge applies to the person using the nitrogen, ie, the leaseholder (farmer).

Te Rawanake (Trish) Hemara-Wahanui: We were talking about coal exported – what responsibility has Fonterra got?

Julie Collins: Fonterra has been actively working with dairy farmers on issues such as the clean streams accord. Some of the options such as tradable permits for emissions, the government may make the individuals responsible or the industry. We are asking for feedback as part of this process.

If overseas companies demand better environmental processes for products they sell, incentives could come from government or overseas companies (such as Tesco or Marks and Sparks).

Rukutai Watene: What about the new coalfire generators that Fonterra is planning to install?

Julie Collins: Cannot comment.

5.14 **Sam Tamarapa:** On the point of individual Treaty settlements, what consultation is being planned, if at all?

Dave Brash: This is the beginning of the process. Once we get into the specific details, such as the RMA there will be consultation processes.

Sam Tamarapa: The deadline for submissions is 30 March, are there provisions for this to be a later date?

Dave Brash: No this is the deadline. But this is the beginning and we will use feedback to devise some options for Māori.

Willie Te Aho: Remember that part of this process is that your representative will participate in a hui in March. In the North, Lisa Kanawa intends to hold a further hui for her people before the consultative forum. Lisa then intends to hold a follow-up hui. That is her process – so it is up to you to determine your process going forward.

5.15 **Kevin Moore:** I have recorded eight pages of misinformation.

Methane is not the problem at all. Nor is nitrous oxide. These are presented [by the government] as problems to distract attention from the real problem. The level of methane is levelling off. Methane turns into carbon dioxide in the atmosphere and carbon dioxide is the real problem. It comes from global organisations – such as coal and oil companies, but the government doesn't want to talk about how global corporations are wrecking the planet. Coal burning is no longer acceptable.

The only real solution to the problem of escalating CO₂ emissions are permaculture and powerdown. Permaculture is the reintroduction of old sustainable ways of producing food. Powerdown is reducing the use of energy use, to cut down the amount of CO₂ going into the environment (currently about 8 billion tonnes per year).

All of the government's strategies are just shuffling the deckchairs on the Titanic. The emissions coming out of other countries such as associated with the meltdown of the permafrost of Canada will blow out of the water any savings we make in New Zealand. The fact is, we are going to have no ice cap on the Arctic sea by 2020. The sea level will raise by as much as 7 metres, probably by 2040, as the Greenland ice sheet disappears. This means that that Hawkes Bay will be under water by 2030. We have been presented today with 3 hours of deluded nonsense. Global corporations are looting the planet. The government is putting rules in place to allow these global corporations to have their way. I suspect Australia will soon have no rural economy as a consequence of abrupt climate change.

The Crown and councils have no idea of what the word 'sustainability' means: able to be continued for a very long time or forever. The Māori way of living is the closest way we have to sustainable living. The new way will be the old way (ie, returning to the traditional practices and lifestyles of aboriginal people around the world).

5.16 **Haumoana White:** I could listen to what Kevin says for longer. I invite the Crown and those forest owners to Te Kawau to meet with us to discuss these issues. I do not support Jamie's nomination on behalf of us. Jamie may represent others but as forest owners to the North of Taranaki we will represent ourselves. And I do not want to go to Wellington to talk about our lands. I want to do it on our land.

Dave Brash: If there is a way we can get together to talk, I would be happy to try to organise a time to meet. Ownership of indigenous forests – one of the challenges about arbitrary rules – we can't just sit and worry about our own individual pieces of land. Climate change will affect your piece of forestry. Pests will come into the country that have never been here before.

6 Summary and reflections of the hui

6.1 **Dave Brash:** The devil is in the detail and we need to work through the details and how these policies impact on Māori. We have not spoken much about energy today. But there is a direct link between warm homes and health. And if we can get warmer homes via insulation – then that benefits Māori. This is a process that will take many years. The idea that government will magically come up with an answer is unrealistic. Any new agreements (post Kyoto) will probably start to emerge in 2008/09, and before then we need to start to think differently.

6.2 **George Ria:**

- Acknowledged the invitation to the Crown to come and discuss forests. George will work alongside Dave Brash to make that happen. Noted that FOMA is also looking at this issue of deforestation, so the government may be interested in talking to its representative on that forum.
- Acknowledged mana whenua groups represented on the day. At this hui he sensed the frustration which stems from history. A lot of it is around process that government officials apply and we must take responsibility even though we do not make the decisions.
- Treaty issues – hoped that there would be more discussion on what the Treaty issues are for the government. Was waiting for more details on some of those issues so that they could be followed up.
- Environmental issues –only heard once or twice the word kaitiakitanga; didn't hear much about tikanga, and in particular the tikanga of Taranaki. With more detail, this could have been followed up with colleagues.
- Economic Development – organisations such as PKW [Parinihi Ki Waitotara] and their focus on how best to use and maximise the resource for the benefit of Māori requires balancing. We must look for positives. What are the untapped opportunities from climate change? I see some disagreement from a Pākehā participant, this is a Māori hui and I am interested in feedback from Māori. We are too often imposed upon by Pākehā viewpoints.

6.3 **Willie Te Aho:** With regard to the representative for rohe from Wanganui to Mokau, we have one self-nomination from Rata Pue and one nomination for Jamie Tuuta.

[During the teabreak, a vote was held and Jamie Tuuta elected as the representative for Taranaki rohe.]

6.4 **Ngahape Lomax:** For those of us from Rangitikei, we cannot vote until we have had a chance to discuss a representative, we wish to sit outside the discussion of representation today. We should be recognised as a rohe on our own. We will not vote or nominate but we still maintain our right to make a submission.

[Subsequent to the hui, Ngahape Lomax was appointed as the representative for Rangitikei.]

6.5 **Willie Te Aho:** I thank everyone for attendance on a workday, and I note the sacrifice it took for you to attend. If George Ria was not part of this process, I would not participate. If I did not think there were benefits for Māori from this process, I would not participate.

Closing kōrero and karakia

Jamie Tuuta thanked the presentation team and the facilitators. There is now an opportunity for us to go back and discuss these issues with our trusts, iwi and hapū. Jamie acknowledged all of the various waka, iwi, hapū and whānau that attended on the day.

Nelson 1 March 2007

1. **Karakia/Mihimihi:** Trevor Wilson.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list.

Feedback sheets are available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment.

The closing date for submissions was 30 March 2007.

3. **Introductions of those present:** Wayne Bettjeman (Crown Forestry Rental Trust: CFRT Wellington); Kathleen Hemi (Ngāti Apa); Laurie Duckworth; Trevor Wilson (Te Taipoutini; Kaituhono Iwi, Tiakina te Taiao Environmental Group); Rangi Kohe (Ngāti Kuia, Ngāti Koata, Ngāti Toa); Harvey Ruru; Jeffrey Haynes.

Issue raised during introductions by Trevor Wilson: Cautions the use of the terminology ‘consultation’, for hui such as this. Really we are listening to what you have to say, and then we give you feedback.

Representatives of government agencies: Brian Smith (MAF); Stuart Calman (MED); Dairne Poole (MfE); George Ria (Director Māori Strategy, MAF); Chappy Te Kani (MfE); Mark Story (MfE); Hayden Montgomery.

4 Presentations

Stuart Calman: Overview and Energy

Brian Smith: Sustainable Land Management

Questions raised during the presentation

- 4.1 **Jeffrey Haynes:** Referring to the graph on projected excess emissions, what is the preferred tonnage, and how do you measure emissions?

Brian Smith: For agriculture we have tried to measure average emissions from various factors – from each dairy cow, from certain areas of pasture. But it is

difficult to measure individuals' emissions. The crudest way of measuring is by stock numbers.

Trevor Wilson: the estimations you are presenting are reasonably crude.

- 4.2 **Jeffrey Haynes:** I am hearing in the news that there is disagreement about carbon credits. Most of your presentation today is about forestry. How does what you are presenting fit in with what I am hearing on the news?

Brian Smith: There are two key things going on in the news. The first is that one group of foresters is demanding that the government give them the credits. If the government did that, NZ would be well over its Kyoto limit. So the government has said that it will retain the credits.

Trevor Wilson: Anybody can come up with a formula and it can be manipulated to portray an argument. There is a sense of manipulation to the figures being presented to persuade people that credits need to be retained by the Crown.

Laurie Duckworth: What affect does the price of the US dollar have?

Brian Smith: There are definitely external factors that will drive decisions, and the price of the New Zealand dollar is one of those. Most of the deforestation is being done by two companies in the Central North Island – The Rank Group (who purchased the CHH forest) seek to deforest 38,000 ha. Kiwi Forest is the other major company seeking to deforest.

Trevor Wilson: There is no incentive to deforest now, it is too costly.

Jeffrey Haynes: The iwi in the top of the South Island will be watching this process very carefully – because of forest rentals and there are also some indigenous forests in this area.

Brian Smith: We are going to talk about that later in the presentation. The second key component of what you are hearing in the news is that there is another group of people who say that the government should not be controlling deforestation. There should be no cost. These are property rights that should not be interfered with.

- 4.3 **Harvey Ruru:** I am interested in the five-year period. In the CNI [Central North Island] there were forests coming back to Māori via Treaty settlements. Deforestation occurred to avoid financial advantage to Māori. The government has got a lot to answer for to try and stop that kind of thing happening.

- 4.4 **Jeffrey Haynes:** Are the government's proposals on water allocation linked to these proposals? These issues are so interlinked, the processes should be merged.

Brian Smith: I don't know whether the two processes need to be merged, but each certainly needs to be aware of what the other is doing.

Jeffrey Haynes: This is the difference in the way that Māori think and your presentation. On a Māori worldview the link between water and land is significant. I am not seeing that link in this presentation.

- 4.5 **Wayne Bettjeman:** Have you thought about a weighting system on the tender arrangements?

Brian Smith: Yes. (Brian then went through a range of weighting options.) The challenge is for us to come up with something that is flexible enough to apply across a number of situations.

Jeffrey Haynes: Flexibility is good, but you need very good guidelines.

4.6 **Jeffrey Haynes:** If a local authority has kept land for flood protection and now is deciding to plant in grapes, would they now have to remove the grapes?

Brian Smith: Central government would probably not get involved in what local authorities do with their land.

Jeffrey Haynes: But if this is a plan, everyone should be involved in that plan.

4.7 **Wayne Bettjeman:** I have heard from Roger Dickie that there is a six-point plan. Can you explain what that plan is?

Brian Smith: The forest industry has put to us a more defined plan with two key components:

- (i) to devolve the costs more widely in the economy (eg, to agriculture and transport industries) and
- (ii) to give all the foresters the value of the credits (not just those post-1989).

The problem with these proposals is that they will not raise enough money to discourage deforestation nor will there be enough to encourage afforestation.

4.8 **Jeffrey Haynes:** How do you claim credits for indigenous forests?

Brian Smith: There are no credits for pre-1990 forests under Kyoto. Brian explained the table showing Kyoto rules.

	Planting	Harvesting	Deforest
Pre-1990	No credits	No costs	Costs
Post-1989	Credits retained by government	Cost retained by government	Cost retained by government

4.9 **Question from the floor:** Who bears the responsibility – leaseholders or landowners?

Explanation: Where a block of land is returned to Māori in a bare state, if the landowner decides to deforest, the landowner will bear the liability.

4.10 **Brian Smith:** On the issues of Treaty settlements, valuation and highest and best use – deforestation controls are a possibility and the land value can be negotiated accordingly.

4.11 **Wayne Bettjeman:** With reference to the Ngā Kaihautū o Te Arawa settlement, land was valued as forestland so that it would be worthless. There is a covenant for it to stay in forestry for 60 years at the claimants' request, because there was a cap on the value of the quantum they could get according to the settlement.

Regarding the charge for nitrogen, the only way it would work would be to make nitrogen fertiliser more expensive than eco-friendly fertiliser.

4.12 **Jeffrey Haynes:** Referring again to the graph showing projected excess emissions, and thinking about climate change as a whole, we have talked mostly about forestry. What about energy, what about importing vehicles? It is not necessary for each family to have six cars and we do not need such big cars. There are some practical things we can do to make a difference.

Stuart Calman: There are options in the documents that look at issues such as importing cars. For a while importing was a good idea. It made cars more affordable and got people off motorbikes – reducing the number of accidents. But now there is a question as to whether we should continue to import cheap cars –

should we have a higher standard for vehicles? Should we differentiate between the costs of registering four-wheel drives and smaller vehicles?

Jeffrey Haynes: It is not just about fuel consumption – what happens to the cars when they are no longer usable? What about solar power and wind generation?

Stuart Calman: Maybe we could go further with transport – if you think of other options, that is what we are seeking, your feedback. With energy – there are number of proposals.

Jeffrey Haynes: This is one of the big ticket items. There are more trucks on the road, and bigger trucks on the road.

- 4.13 **Wayne Bettjeman:** Can you explain what the process is from here? For sustainable land management there is a submissions process but what about energy and transport?

Stuart Calman: Explained the submissions process going forward.

- 4.14 **Jeffrey Haynes:** This is an extremely tight timeframe for such a complex issue. For Māori people, we have an entire community we now need to pull together to come up with our submissions.

Is it correct to say that there will be a later opportunity for us to feed in to? We are in negotiations with the Crown for our settlement and I am concerned having heard the presentation today about valuation issues.

Stuart Calman: Some things are straightforward; others are more complex and will require further consultation about details and the various mechanisms.

Jeffrey Haynes: I am supportive of some of the proposals around fossil fuel.

- 4.15 **Trevor Wilson:** Agreed that it does take us a long time to get around our communities. Also, I have seen nothing that tells me that tangata whenua will be part of the process. Part of our submission might be that we want to be truly consulted. Last week in our paper – we heard that an old boat is going to be dragged in to our moana (sea) to be sunk. That might be all very well for divers, but what will the impact be on our waterways? On one hand we are being asked to save the environment, on the other, these things are happening. Another example is that recently the Tasman District Council decided to spray waterways, they did so in the morning when the grass was wet and the spray went into our waterways. I have an expectation that there will be an opportunity for further input.

- 4.16 **Jeffrey Haynes:** Is there a submission template?

Stuart Calman: In the documents there are some questions posed that could be used as a template for feedback. These are all available on-line. But these questions may be what we (the government agencies) are looking for. There may well be other issues that you identify.

Dairne Poole: We are also seeking general feedback on the MfE website.

- 4.17 **Wayne Bettjeman:** I have a technical question about the measurement of agricultural emissions. There seem to be specific options around forestry. But if a farmer changes from dry stock to dairy farming, it is more intensive. Surely you can measure the change in intensity. I am suggesting that you can, particularly if there are increasing stock units. There needs to be equity across industries.

Brian Smith: I agree that we could make some reasonable assumptions about increase in emissions as a result of intensification. But there are a range of things

that can happen on farms that we would not be able to measure – such as the type of feed and the type of pasture.

Referring to Lake Taupō as an example of reducing nitrogen – they are looking at reducing stock numbers around the lake and planting more trees. So to change land use from dry stock to dairy would be more expensive there.

Wayne Bettjeman: If you have a forest and you want to clear there will be costs. Yet on a sheep farm, felling is a permitted activity. Farming seems to get preferential treatment in this country. They have a strong lobby group. There needs to be more equity.

Jeffrey Haynes: This is a good point. Much depends upon who is on the local authority too.

4.18 **Rangi Kohe:** Cited an example where farm effluent was sprayed back on to the property and everything flourished. Maybe we need to look at national standards for farming. I would like you to visit our iwi and make some suggestions as to what we might be able to do specifically. Though I am grateful for this hui.

4.19 **Kathleen Hemi:** I too am grateful and have enjoyed what I heard. I follow environmental issues whenever I can. We probably already know what you are saying. It is the issue of implementation that is difficult. I am interested in indigenous flora and fauna (Wai 262 claim). I am also interested in the New Zealand Public Trust Health Commission and the submission made by Annette King.

4.20 **Jeffrey Haynes:** I am not seeing the cultural context of the Wai 262 claim and the Treaty issues in this presentation.

4.21 **Harvey Ruru:** What will the costs be for our mokopuna in the future for timber, for milk, and other consumable products that come as a result of deforestation? I appreciate that the air that they breathe is of primary importance. But what will the costs be?

Brian Smith: Climate change is a global challenge. Real solutions will come with radical technological change. Fundamentally, we have to change the way we get energy. Maybe there need to be fewer of us on the planet. We need to put in place the things that will make change happen.

Jeffrey Haynes: New Zealand may be small compared to China and the USA, but we are a key player in the agricultural industry and in leading change.

4.22 **Harvey Ruru:** I like the idea of research – maybe we need to research more about nuclear implosion rather than explosion.

Stuart Calman: New Zealand has tried to get some basic ground rules for developed countries to start taking action. Nuclear research is going to take huge amounts of dollars which New Zealand does not have. Agreed that there will need to be significant change in the energy sector. But part of the solution is what we can do individually, such as insulating homes. How can we be a country that gives our future generations opportunities and still produces less greenhouse gas emissions? This is the basic challenge.

Jeffrey Haynes: If we make people comply, it will be more expensive for them. Is nuclear energy in that mix?

Stuart Calman: Not in the next 30 years. New Zealand is too small to handle the cost of it, and it doesn't necessarily fit our usage patterns and society. It may become more relevant in the future.

- 4.23 **Trevor Wilson:** Large energy companies make millions of dollars of profits every year. How can we capture some of that for research and development? What about solar energy?

Stuart Calman: Some of the policies around renewable energy potentially capture some of that. The government is the shareholder of those large energy companies, so the question is how do we make those companies assist their customers be more energy-efficient?

- 4.24 **Harvey Ruru:** How much research has been done on tidal energy?

Stuart Calman: ECNZ [Electricity Corporation of New Zealand Ltd] carried out some work years ago but back then they did not have the resources to harness it. The NZES has an \$8 million fund for research. Our government is looking at wind and solar in particular. There are some coastal places, island communities that rely on diesel fuel where it may be economic to look at.

- 4.25 **Rangi Kohe:** We talk about the environment – we, as Māori live it. It is part of our culture. We as Māori were moved from our sustainable lifestyles and forced to live with electricity and so on. Now we are looking at sustainability again.

Jeffrey Haynes: I am pleased that we are taking steps to do these things. People of Aunty Kath's generation have always said, don't pollute the waterways and don't pollute the environment. Now people are finally listening to what many Māori have been saying for many years.

- 4.26 **Wayne Bettjeman:** On the point about SOEs [State-owned enterprises], Landcorp are wholly owned by the taxpayer. In the central North Island they are developing land which they do not own and are converting from forestry to dairy. Landcorp is doing things that are totally contradictory to what the government is saying about climate change and sustainability.

Brian Smith: Landcorp has been talking to ministers about the conversions that are going on. If it is possible to do a good job of conversion, then they are doing a good job in the areas of riparian planning and effluent storage. What else they might do to lead the way is a good question.

Wayne Bettjeman: The current SOE model is something that needs to be discussed further.

5 Summary and reflections of the hui

- 5.1 **Willie Te Aho** reflected some of the key points from other parts of the country:

- In Gisborne, the hui proposed a model for national consultation that better reflected the Treaty relationship and addressed engagement issues.
- In New Plymouth the hui reiterated the importance of the information in Waitangi Tribunal Reports, and such as Motunui and Airwaves report.
- Most hui have promoted a holistic approach rather than dealing with our taonga in compartments. In particular there needs to be more linkage with the Water Programme of Action and Wai 262.

- In Northland a key question was whether there were incentives for Māori to retain their land in indigenous forests or to convert from pine back to indigenous (Northland).
- Some say the proposed policies do not go far enough to protect the environment, others ask what the economic opportunities there might be for Māori.
- There has been a call for uniquely Māori research such as into the benefits of organic farming in Northland. There have been requests for a comparative analysis between farming and forestry given the status of Māori freehold land and Te Ture Whenua Māori (the Māori Land Act) that promotes retention of Māori land in Māori ownership, and that Māori want to be at the front end of the research.
- Many hui have called for the government to lead by example, not just in small things such as reducing the size of the vehicle fleet, but all DOC land, for example, should be converted to forests.

We have noted the points that you have raised today in relation to engagement. There is an opportunity to make your submissions and to network with the government officials here. There will be value in nominating a representative to go forward to the hui on 21 March.

5.2 **Stuart Calman**

- Acknowledged your presence and that you represent others not here today.
- Ongoing dialogue.
- Kaitiakitanga and relationship between various government policies such as between land and water.
- Thinking about the future and the choices and opportunities we leave for them and what we can do practically now.
- How do we get all arms of government involved?

5.3 **George Ria:** While you may be few in number, the discussion has been valuable and given us great food for thought. We acknowledge you who have attended here. We heard the importance of meaningful engagement and the Treaty, and also the importance of kaitiakitanga.

Working together has been a key theme, working together as government and trying to ensure co-ordination of key issues such as water, Wai 262 and also, although not raised directly, intellectual property issues. We have also been reminded that Māori have different realities such as the regime in which Māori land operates. In this hui, there was more discussion around energy issues than in previous hui. There was a cultural intensity to the discussion today – concerns about mokopuna and future generations.

5.4 **Closing comments: Trevor Wilson:** Sometimes I forget that others don't work and live in kaupapa Māori in the same way that I do. For us there is no separation between Ranginui and Papatūānuku. It is hard for us to separate out issues relating to air quality, water quality, land mass and so on. We were really gentle today. There are five other hui on in our rohe today and there are few of us to go around. We are grateful that you came, and that CFRT is represented today.

Closing karakia: Harvey Ruru

Ngāi Tahu Board Room, Christchurch 5 March 2007

1. **Opening karakia:** Douglas Couch
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had made available to participants. Participants were to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised today. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
3. **Introductions of those present:** Bob Tai (Māori Liaison Environment Canterbury); David O'Connell (Co-Manager Environment, Toitū Te Whenua, Te Rūnanga o Ngāi Tahu: TRONT); Murray Parsons (Ngāti Kahungunu ki Wairarapa); Peter Couch; Moka Ritchie (General Counsel TRONT); Raewyn Solomon; George Waitai Tikao (Chair Akaraoa Runaka); Doug Couch; Anne Blackburn (Investment Director PKW, Director of Meridian Energy); Edwin Janson; Tony Sewell (Ngāi Tahu Property); Ken McAnergney (South Island Landless Natives Act: SILNA).
- 3.1 **Issues raised during introductions:**
 - (a) **George Tikao:** It is important for us to leave something for our mokopuna, it is important for us to work together, this is a huge issue.
 - (b) **Doug Couch:** We must ensure that we are still alive to walk with our mokopuna in an environment that is good for their wellbeing.
 - (c) **Tony Sewell:** Was involved in the Ngāi Tahu settlement negotiations and his role is to protect the contractual obligations that were agreed with the Crown.
 - (d) **Ken McAnergney:** Sees opportunities for Māori landowners; and raised a concern about the lack of advertising for the hui.
 - (e) **Mike Jebson:** Iwi see this issue as about their children and grandchildren and that is exactly what this issue is about.
 - (f) **Tony Sewell:** Clarified for the purposes of the consultation process that the people here today represent the rūnanga and not the landowners. The rūnanga will not take this information out to them – that is the responsibility of the government.

Apologies: Terry Heiler; Isobella Westbury.

Representatives of government agencies: Mike Jebson (Director Natural Resources Group MAF); Phil Gurnsey (Climate Change Manager MfE); Brian Smith (MAF); Anna Kulhavy (MED); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Chappy Te Kani (MfE); Hayden Montgomery (MAF); Doug Heinz (TPK); Chris Pugsley (MAF).

4 Presentations

Mike Jebson: Overview

Phil Gurnsey: Energy

Brian Smith: Sustainable Land Management

Questions that arose during the presentation

Ken McAnergney: Sought clarification on the issue of carbon release and felling.

4.1 **Raewyn Solomon:** Why do we use nitrogen fertiliser? We should just introduce a law to ban it. (This suggestion received support from a number of people in the hui.)

Brian Smith: Nitrogen is a cheap way of boosting production. If it is not used, farmers would import feed which contains nitrogen also.

Mike Jebson: Lake Taupō has a project of managing nitrogen and that could be a model.

Ken McAnergney: There should be a permit system under the RMA to manage nitrogen fertiliser, soil should be tested for capability. Unless we do this, the rivers in Canterbury are going to end up like the lakes in Taupō and Rotorua. There needs to be a nitrogen budget.

Mike Jebson: Farmers are looking at ways of managing nitrogen better, by monitoring how much is used and when they use it.

4.2 **Moka Ritchie:** It is possible to measure how intense the land use is.

Raewyn Solomon: Realistically, who will monitor the RMA?

David O’Connell: These proposed policies are sticking plasters for poor leadership at district and regional council levels. Councils allow for huge intensification.

4.3 **Doug Couch:** Although forestry absorbs carbon, it also absorbs goodness from the soil over time. Farming dries out the land, and now due to irrigation practices of drilling down into aquifers, we are really drying out the land. How can we control this?

4.4 **Moka Ritchie:** Why is putting more livestock on land or replacing livestock not being costed the same way as deforestation?

Brian Smith: Conversion from drystock to dairy doubles the amount of emissions.

Moka Ritchie: Where are the charges for dairy farmers when they replenish their herd?

Brian Smith: Explained the proposed tradable permit regime for emissions.

Moka Ritchie: But this isn’t on a par with deforestation – there is no burden on people who continue to have livestock on the land. If we line them up, across the board is the farming regime going to be burdened in the same way as deforesting? Are the industries carrying the same penalties?

Brian Smith: A tradable regime will probably happen in the medium term.

Mike Jebson: Currently, there is no technical solution for methane on farms, other than reducing numbers.

Moka Ritchie: That is a solution. The clear solution is to reduce the number of stock on the land.

Mike Jebson: The government is not prepared to do that because of the impact on the economy and the income-earning capacity of New Zealand. The government is looking for options that are effective but not damaging to the economy.

Moka Ritchie: That is the problem – the government does not want to damage certain parts of the economy.

- 4.5 **Edwin Jansen:** Referring to the graph of emissions in 2004 by Sector (% of MtCO₂) – Where is deforestation in the graph? There is a focus on deforestation in the policies – this is ineffectual.

Brian Smith: It is not helpful to take a strictly sectoral approach which is part of your point. We need to reduce greenhouse gas emission where we can.

- 4.6 **Moka Ritchie:** Isn't it logical to focus on your largest emitter?

Anna Kulhavy: We want to identify easy gains and start from there.

Moka Ritchie: If we are really serious, don't we need to identify where the greatest emissions come from and focus on that to make more significant change?

Brian Smith: There are policy options on the table across the board that we have not covered yet in the presentation.

- 4.7 **Ken McAnergney:** At the moment the Crown's clear focus is on forestry. As forest owners we want to earn revenue for current and future generations. I applaud Moka for making this point, because in the future, every cow is going to have to have a number with a tax certificate.

- 4.8 **David O'Connell:** What will happen is that people will bear the cost of deforestation, change the land use and earn enough revenue to cover that cost. By the time the penalties come, they will flick the land use back to something else. In New Zealand there has always been a short-term vision for land use, rather than long term. The real issue is whether we can we change that mentality.

- 4.9 **Moka Ritchie:** I agree with David, the 1990 date for forests seems arbitrary. How much pre-1990 forest is there? What is the incentive to replant those forests? By not allowing any credits, you are not encouraging reforestation of pre-1990 forests. What is the logic in the 1990 line?

Brian Smith: This date was established by Kyoto.

Moka Ritchie: This is flawed. If you don't encourage replanting, you are actually encouraging land use change.

Brian Smith: If a new regime is created, someone has to pay for it and it will probably be the tax payers. The real problem is that replanting existing forests does not soak up any new carbon in the atmosphere.

Mike Jebson: People are moving quickly to avoid future costs, so the policies are trying to address this.

David O'Connell: What are the incentives for foresters?

Brian Smith: The incentives are to sell permits to someone else and keep your land in forests. Eighty per cent of forests will be replanted anyway. The other is a disincentive – not replanting comes incurs a liability.

Mike Jebson: The economics of forestry are going to change

Ken McAnergney: You have told us this for years, and it hasn't happened.

Mike Jebson: There is now a global awareness of the issues and that will constrain international wood supplies over time.

Moka Ritchie: China is the greatest user of the resource but they are not part of Kyoto.

Mike Jebson: China does have Kyoto targets, and they have higher standards for emissions than we do in New Zealand.

Moka Ritchie: But we are talking about the timber market. If my forest has x amount of carbon stored and I clear it and I don't reforest, New Zealand is now minus x, not zero. The logic of not giving credits for pre-1990 does not pan out.

Brian Smith: It is an arbitrary date, but most of those forests have been storing carbon for decades. And now two major companies want to liquidate those forests to make a capital gain. That is going to cost the environment, the atmosphere and the taxpayer. The government is trying to ensure that the foresters bear some of the costs. Why should the taxpayer pay?

Moka Ritchie: The government is taking the easy way out. It entered into an international agreement, now it is placing the burden of that on one sector. I am saying that if foresters have to pay, so too should the farmers.

You should provide credits for replanting pre-1990 forests if you really want to keep forest cover. What incentives are there for us to reforest the lands that were returned to us from the Crown?

Brian Smith: It is proposed that the person with effective control of the land would be liable, permits would be allocated to landowners not forest owners where there is a difference, because there will be an effect on land price.

4.10 **Edwin Jansen:** Can you re-explain the incentives for new forests?

Brian Smith: Either a grant or you can take credits or liabilities from now on. On the question of value we cannot assess that in monetary terms.

Edwin Jansen: So there may be more incentives for planting new forests. Are these policies satisfying their key objectives: minimal impact on the New Zealand economy and to lead by example? We are not going to make much of an impact on the emissions. The policies are strait-jacketed by the Kyoto protocol. Domestic policy should not necessarily mirror the Kyoto regime. We should have an equitable regime in order to have a realistic chance of reducing emissions.

Mike Jebson: The government accepts that Kyoto is flawed. But the further we move from that the more cost there will be to the New Zealand taxpayer.

Edwin Jansen: The government is responsible for its carbon balance.

Mike Jebson: The government is making proposals that expose people to the value of carbon for their future decisions.

4.11 **Moka Ritchie:** Ngāi Tahu has expended a considerable amount of time and energy and effort to look after the environment and be responsible. Is there any retrospective recognition of that?

Mike Jebson: If you have planted indigenous forests – you can choose to participate in the PFSI.

Brian Smith: Kyoto is one thing, but the private sector is moving faster than the government (eg, Meridian). If the government keeps credits, it will impact on their ability to sell.

4.12 **Ken McAnergney:** We are actively seeking opportunities for our land which is in re-growth indigenous forest. We want to get carbon credits for that. I struggle to understand the economics of separating out pre-1990 and post-1989. There should be an opportunity for the Crown to enter into a discussion to fund the owners with a land resource to create a Kyoto-type forest. We suggested this to Pete Hodgson during the SILNA discussions. The main difficulty is that Māori forest owners do not trust the Crown. The Crown has diddled us every time. We want to work with a CRI [Crown Research Institute] and a university. You have to listen to people like Moka and Raewyn, they are doing the thinking. These issues have been around since 1990, since we started to deal with the Forest Amendment Act.

4.13 **David O'Connell:** Māori are significant landowners with a huge potential to add benefit to this issue for the country. In applying basic Treaty principles, what are some of the incentives that the government is looking at to meet its Treaty obligations? It is just like the way in which we have been engaging over water. How will the Crown provide opportunities, build capacity, and develop people? Nothing in this presentation addresses this. How do you turn that picture around?

Mike Jebson: The government wants to engage in how it might provide business opportunities from climate change. Maybe there could be scope for the government to support projects in indigenous forests being recognised in international markets. To take these opportunities on the grey market for pre-1990 forests you would have to show that you are changing something that would sequester more carbon such as pest control and change in species of tree.

4.14 **Ken McAnergney:** There are opportunities for people who want to come and spend time in forests. Māori viewed forests as a food supply, rather than for the purpose of forest removal.

Mike Jebson: There are Treaty issues but there are also broader issues – how can iwi respond to the business opportunities? We have talked about that. We have also heard questions about how policies can take into account the realities of Māori land, and that forestry is part of Treaty settlements.

Brian Smith: We have also been made aware that Māori must profit from their land use because they may not benefit from the capital gain from sale.

4.15 **David O'Connell:** Māori land is also governed under a Māori Land Court system. Land is subject to multiple ownership and encumbrances that Pākehā are not subject to. So how can you ensure that Māori stay up with the pace of other New Zealanders given this framework?

4.16 **Moka Ritchie:** Ministries think that their policies and proposals cover all New Zealanders. But Māori are different – there is the Treaty relationship, and there are issues around settled iwi relationships and the pre-determined use of lands that were returned following settlement. Ngāi Tahu had land returned. If the Crown changes the terms of a settlement asset that disbenefits Ngāi Tahu's use of land, that is a question we will have to look at closely.

4.17 **Murray Parsons:** With regard to Pillar 4 – you cannot work together with one party telling the other what to do.

4.18 **Blair Anderson:** How is the value of carbon credits determined? On the question of how can we move forward equitably – the concept of contraction and convergence (discussed in Pacific Ecologist) gets so little traction in the dialogue.

On a global scale, we contribute little to the problem but we can contribute significantly to the solutions.

Mike Jebson: Internationally there is no one price of carbon, there is a myriad of prices. Indications are that the prices for carbon on international markets are currently low in some places, but that they will be quite high in the future.

(Brian Smith completed the presentation.)

5 Discussion

5.1 **Ken McAnergney:** With reference to SILNA, Ken spoke of a moratorium which stopped forests being cut down. There was an understanding that during that moratorium trustees would, in parallel, be upskilled (capacity building). Many people are keen to understand what is going on and want to be able to make decisions that they will be proud of. We will be judged by our mokopuna. Perhaps a moratorium could be looked at again. People could be paid to avoid them being cajoled into clearing the land. There is a huge push in Southland for conversion to dairy. There are large tracts of land that are not suitable for dairy. Large tracts are still in native bush in re-growth, trustees of SILNA lands need to be in these sorts of processes, they need to be educated. They are not necessarily part of Ngāi Tahu, they are separate.

5.2 **David O'Connell:** With regard to forest and dairy – there needs to be equality across the sectors from the outset. Not short-term and medium-term – the game is going to change again. Regarding the carbon tax introduced for agriculture: in the central plains we are already starting to see the cost of water rise to \$2000–#3000 per hectare, it will become uneconomic to have that type of land use on that land. In the medium term, putting that cost on that industry will not be sustainable. David reiterated Moka's point about the need for equity in the bearing of costs across industries.

Brian Smith: In a perfect world, there would be equal treatment across sectors at the same time. We have heard today that these policies don't achieve that. The government has signalled that it will do something in 2008, and deforestation has been accelerated. This is a problem for water quality. But it is manageable in a fiscal sense. If deforestation happens during the commitment period, we will not meet our international Kyoto obligations. That is the practical bind we are in.

5.3 **Moka Ritchie:** The solution is to incentivise replanting. If you want that 60% of forestry replanted, and that benefits the climate, then it is not fair to not give the incentive. You would be paying people to continue to remedy the problem.

Mike Jebson: The forecast is for deforestation rates of 10%. It is difficult for us to pick which will be deforested. If we were to pay the 100% of people who have pre-1990 forests sufficient money, so that 10% don't deforest, the cost will be huge.

Moka Ritchie: But you will pay those who planted one day after 1989? I cannot understand how this can be justified.

5.4 **Edwin Jansen:** In reality the Central North Island forest companies will say to Māori landowners they don't want to reforest. There is more incentive to establish a new forest on other land. Māori land rentals would then be discounted.

Brian Smith: There are no credits for 'unremitted' deforestation activity.

Edwin Jansen: I have already expressed concern about the government being fixed on applying Kyoto to the domestic front.

5.5 **Moka Ritchie:** What is the reason for the 1990 line? It significantly disbenefits the industry.

Brian Smith: It is an arbitrary date, the idea is to influence decision making in the future. Harvesting and replanting do not really help the atmosphere.

Moka Ritchie: Reiterated the point made earlier about x amount of carbon released/ stored.

Mike Jebson: Historically the countries who first met on the issue of global climate change negotiated targets based on 1990. In relation to forests, 1990 provided a benchmark. All post-1989 Kyoto forests only gain credits for additional growth in the next five years. It is an arbitrary date, a line drawn in the sand.

Moka Ritchie: With 60% of forests prior to that line in the sand this needs to be reconsidered.

Mike Jebson: Other countries have 95% of their forests established pre-1990.

Moka Ritchie: 2008 is a preferable date – some credit is better than no credit at all.

5.6 **Willie Te Aho:** For the record, we have noted the key points made by Moka:

- 1990 is an arbitrary and unacceptable date
- There should be incentives for replanting pre-1990 forests.

5.7 **Edwin Jansen:**

- (a) Is there a briefing paper that discusses the pros and cons of implementing Kyoto as opposed to best practice?
- (b) Why are domestic policies reflecting Kyoto when we know that the landscape will change?

Brian Smith: There is international pressure regarding targets post Kyoto. The Kyoto rules will not simply be thrown out.

Edwin Jansen: New Zealand should always implement rational policies that achieve environmental outcomes and that are sustainable.

Mike Jebson: ‘Rational policy’ would have to provide access to the value of carbon. Also there is a price for deforestation and this has to be passed on to landowners. We are also trying to encourage other international countries to participate, so it is important for New Zealand to participate and support Kyoto.

Edwin Jansen: I am concerned that we are entering into significant policy changes without much consideration from treasury about whether or not it is sustainable. Surely domestic policy could allow government to be responsible and also participate in Kyoto, but not necessarily refer to Kyoto. For a sustainable environment for New Zealand, and for investment in the economy, the government needs to implement policy that leads to our objective of reducing emissions. I have not given the options sufficient thought. There ought to be a document setting out the pros and cons of the different approaches. For example, economic entities could be responsible for their own carbon balance. It is very similar to taxation. Each entity would be responsible for its assessable income. The IRD [Inland Revenue Department] outlines what is assessable. The IRD could implement a similar regime – such as a deficit for cutting down a forest. Growing sinks could

offset deficits. There are options other than Kyoto which was designed 10–15 years ago when the science was not so precise.

Brian Smith: Even in that regime, there would still have to be arbitrary lines. They may not be the same as Kyoto. But the further we move away from Kyoto, the costlier it is for New Zealanders.

- 5.8 **Ken McAnergney:** I have been thinking along similar lines – keeping a running book of what companies are doing. If you are doing things that are good for the planet, they could be recognised. There needs to be more thought about incentives to do the right thing.
- 5.9 **Moka Ritchie:** The points I have raised about the 1990 line are consistent with what both Edwin and Ken are saying. There is a Kyoto focus. Let’s draw the line somewhere more equitable and logical. The rationale should apply equitably across all sectors. Currently the 1990 line is not based on logic and disbenefits 60% of forestry.
- 5.10 **Blair Anderson:** Carbon comes from the industrialised nations and we don’t have buy in from developing countries because of historical grievances. The absence of a suitable framework does not allow us to rationally evaluate our options. Kyoto is too little too late. It is absent rationale to fixing global climate change because it is not going to fix it. In the meantime the whitebait is slipping out of the net. There is a southern variant of the Global Commons Institute that can model Kyoto and its failings and set out other options, and converge towards an equity-based emissions target. If we don’t have a clear framework on which to build, we are messing around the edges. The Northern Hemisphere is developed and white/the Southern Hemisphere is developing and brown. There is a North/South tension regarding nuclear-free, we need to take technical ownership of Apartheid. We need to have this conversation on a global scale. We have different interests and these need to be recognised. Contraction and Convergence is a framework model for that.
- 5.11 The possible representative for the 21 March forum was David O’Connell.

6 Summary and reflections of the hui

- 6.1 **Mike Jebson:** The introductory speech during the pōwhiri outlining the impact upon water set the tone for this hui, it is such a big part of climate change. Some of the key points raised today include:
- forestry bears a large part of the burden of the policies on the table
 - there are particular issues for Ngāi Tahu – such as settlement assets
 - the value of carbon credits
 - SILNA issues need particular consideration in the forestry policies going forward
 - economic modelling
 - how much of our domestic policies should be Kyoto-based, and how much should be climate-based.
- 6.2 **George Ria:** George acknowledged Ngāi Tahu and the SILNA owners and all those present, and their whakapapa to their respective iwi. George acknowledged the mana of the discussion in this hui.

There has been a different flavour to this hui. You have really challenged the policy, driven by the things that you are passionate about – your assets, your values and your beneficiaries. This has been a distinctive feature. In Tairāwhiti, the Treaty relationship was a focus. You have added issues around Treaty settlements. You have said that the Treaty is not a risk management process for Māori, but should be an opportunity management. The technical issues raised today were challenging and they will be taken back. Forests and Farming were the focus today, but we did hear clearly the concerns you have about water.

Closing karakia: Doug Couch

Murihiku Marae, Invercargill 7 March 2007

1. **Opening karakia:** Michael Skerrett
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Linda Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
3. **Introductions of those present:** Michael Skerrett and Don Mowat (Waihopai Rūnaka, Te Aomarama Inc); Hoani Langsbury (Te Rūnanga o Otakou); Stewart Bull (Oraka-Aparima Rūnaka); Steven Bragg (DOC); Steven Symons; George Ryan; Paki Raumati; Cyril Gilroy; Ted Palmer; Syd Stronagh; Murray Shuttleworth; Dean Whaanga; Lindsay Thomas (Invercargill City Council); Max Sutton (Te Aomarama Inc); Matapura Ellison (DOC, Kati Huirapa Rūnaka ki Puketeariki); Jan Ormsby (on behalf of Mahara Okeroa MP Te Tai Tonga); Hana Morgan, Stacey Russell, Jason Harrison and Aimee Kaio (Awarua Rūnanga).
Representatives of government agencies: Phil Gurnsey (Climate Change Manager, MfE); Brian Smith (MAF); Sarah Davies (MED); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Doug Heinz (TPK).

4 Presentations

Overview and Energy

Brian Smith: Sustainable Land Management

Questions raised about Kyoto during the presentation

4.1 **Stewart Bull:** If we do not achieve Kyoto targets who are we liable to? Brian: if we do not achieve our Kyoto targets, we will not have credibility in the international markets that purchase our produce.

4.2 **Ted Palmer:** Here in Southland we have regenerating SILNA land/forests. In Western Southland we have beech with cycles of 17 years. New Zealand negotiated away its rights to claim carbon credits on indigenous forests where other countries such as Russia and Canada have retained theirs. This is the last nail in the coffin for our lands. Most of our lands are in forest. The Forest Amendment Act captures other forests, except SILNA, yet we are subject to the Resource Management Act. Article 2 of the Treaty protects undisturbed possession of our lands. Why are Māori paying a disproportionate cost via government stealth policies written by yourself and Mike Jebson? The culmination of the past 20–30 years of government policy is turning our Māori land into de facto DOC land. We are having our Māori land stolen back from us. Why are Māori not being compensated?

Brian Smith response: In theory there are credits for pre-1990, and countries did have the choice whether to claim these or not. The principle that underlies the protocol is the need to soak up carbon – so the Kyoto rules place a tight cap onto the credits available for pre-1990 forests. New Zealand had a small number of credits that it could have earned but the liabilities were unlimited because our exotic forests are reaching maturity. The net effect of this was that the risk was too large for New Zealand to claim carbon credits for pre-1990 forests, so New Zealand elected not to claim these.

Ted Palmer: And this election occurred without consultation with Māori – this was confirmed by the CEO of MAF in Wellington.

Brian Smith: Unsure about the consultation issue. But in any event, it would have resulted in a net liability for Māori.

Ted Palmer: Maybe for Māori in the North Island, but it is different here. Māori always seem to be the net losers.

Brian Smith: We are concerned about North Island Māori too.

4.3 **Ted Palmer:** If you clear anything over 3 m, at what height is there a carbon credit? What is the definition of a pre-1990 forest?

Brian Smith: Explained the elements of the technical definition – any area of land with trees 5 m, 30% cover or on the way there. Scrub land is regularly cleared so they are not forests. As a general rule we will try to get as much in as possible. But we have to maintain credibility.

4.4 **Murray Shuttleworth:** How many credits did DOC incur in local blocks? Land is tied is up (covenants).

Brian Smith: Nothing in these policies affects those blocks.

Willie Te Aho: Explained the grey market, the Warehouse deal – and how Māori are seeking opportunities outside of Kyoto.

Willie summarised some other points raised during the presentation.

5 Discussion

5.1 **George Ryan:** Who are the major countries who have not signed up to the protocols?

Phil Gurnsey: 150 have signed and ratified. The two who have not signed are USA and Australia which will work towards targets. The USA has not ratified, but some states are taking action. Developing countries don't have targets to meet.

George Ryan: It gets cold here. 10 degrees in the winter is a good day! In the future, Solid Energy will remove all domestic coal around here. Electricity demand will be greater. With regard to solar heating of water – what, if any, grants are available from government to encourage houses to convert? Solid energy is 90% of our heating.

Sarah Davies: Solar heating programme is slightly separate. There is \$15.5m available over 3.5 years to increase the uptake of solar heating. There is currently a small amount available (\$500) towards the cost of a loan to convert.

George Ryan: That is not a grant.

Sarah Davies: Within the rolling programme there will be a range of other options to be announced. It is intended that there be more of a grant-based scheme, new home builders to include solar as a matter of course, heat pumps. How do we incentivise home owners to be more energy-efficient?

Brian Smith: Has there been any thought about burning wood pellets here?

Syd Strongagh: There have been some trials here, but the costs need to be addressed.

5.2 **Awarua Healthy Homes project:** A representative from this project being carried out in Bluff explained how it involves:

- insulation of homes
- education on energy efficiency and holistic look at health and environment research of before- and after-effects.

Question: Currently investigating ideas around hot water use. Where do we go for research funding for new technology?

Phil Gurnsey: Within EECA, we would need to confirm that.

(During the break, Sarah Davies spent time with those representing the project to discuss this point further.)

5.3 **Michael Skerrett:** Are amendments to the RMA proposed?

Phil Gurnsey: No current amendments are proposed. The RMA has been amended recently. It is intended that there be a panel to hear proposals re windfarms and so on for the purposes of consistency.

Brian Smith: It is likely that existing powers from the RMA will be used.

Mike Skerrett: The RMA is not working well – it is adversarial and totally evidence-based and expensive. It needs to be amended for a whole range of things.

Phil Gurnsey: I recognise that, particularly regarding water management. There is only one National Policy Statement, the National Coastal Policy Statement. The Water Programme of Action has established that further guidance is needed to provide a planning framework. There are national standards, but not national policy statements.

5.4 **Ted Palmer:** I downloaded a document regarding consultation. These hui were not publicly advertised. Nor have the general meetings been advertised. This is disgraceful. Some of us missed out on the ERMA [Environmental Risk Management Authority] hui, some of us missed the Water Programme of Action consultation. What will the consultation process be for the National Standards if you implement them?

Phil Gurnsey: The RMA has been amended to specifically identify that consultation is to occur with iwi on national environmental standards.

Ted Palmer: What do you mean by iwi? Does that mean tribes or are Māori landowners included? Goddard J has stated in a High Court decision (McGuire) that landowners be consulted.

Phil Gurnsey: I have used iwi to mean tribes.

Ted Palmer: When consultation is carried out, MfE/MAF must consult with landowners otherwise they will be in breach of the High Court decision and Article 2 of the Treaty.

Brian Smith: We try to advertise and include as many iwi and landowners as we can. It is hard.

5.5 **Michael Skerrett:** With regard to sustainable harvest of indigenous trees – mature trees don't soak up carbon, it is the new growth that soaks up carbon. There should be a credit.

Brian Smith: If forests are replanted then over time carbon balances out. Carbon is released quickly at time of harvest. 40% of carbon is in roots.

Murray Shuttleworth: Natural replacing?

Brian Smith: So long as forests stay as forests they become carbon neutral over time, so they are outside the regime.

5.6 **Ted Palmer:** I saw an article in the Otago Times regarding gorse as being a major source of nitrate in the waterways. Are there any incentives for the removal of gorse as part of the grants scheme? There are large tracts of Māori land that are covered in gorse.

Brian Smith: We have had feedback that the amount set aside for a grant scheme is not enough. It could certainly be used to encourage forestation on those types of lands. Also there is the PFSI [Permanent Forest Sink Initiative]. But currently there is nothing for gorse.

5.7 **Lindsay Thomas:** How many countries are carbon neutral?

Phil Gurnsey: No country in the world is carbon neutral. But Iceland has reached its targets. All countries will have to become 'neutral' by 2012.

Brian Smith: Russia had large emissions as a result of 'dirty industries'. When communism collapsed, industries collapsed, and so emissions reduced significantly. So Russia can sell that 'gap' to other countries that cannot reduce their emissions. This raises the question: should countries be able to buy the right to pollute?

5.8 **Lindsay Thomas:** The cost of complying with the Kyoto Protocol – it may be cheaper to buy carbon credits. Private companies can buy carbon credits and label their products 'carbon free' because they were purchased from New Zealand.

Brian Smith: Yes.

Lindsay Thomas: So private companies could ‘bankrupt’ the country.

Brian Smith: The money would go to the landowners.

Phil Gurnsey: In terms of penalties – France has come out and said that they will not buy products from countries who do not meet their Kyoto Protocol targets.

Lindsay Thomas: Why would New Zealand not demand first option on carbon credits?

Brian Smith: To maximise money from products.

Hoani Langsbury: Would the OIC [Overseas Investment Commission] be involved?

Brian Smith: They probably wouldn’t do very much.

5.9 **Ted Palmer:** Will there be a trade-off between economic development and the environment?

Brian Smith: The government will probably not be prepared to trade off economic growth. The cost of meeting greenhouse gas emissions will not have a significant effect on economic growth.

Ted Palmer: The risk is that Fonterra could buy milk products overseas from a ‘dirty industry’ rather buying than local, affecting economy.

Brian Smith: Yes, this is a risk. This is called ‘leakage’, we lose economic activity but the emission still occurs. Market-based instruments (eg, Tesco labels) will level the playing field. The CE of ASDA ([the UK operation of USA retailer Walmart), have said that some New Zealand products will not be purchased if they do not comply. It is a theory, but it has happened in relation to ozone, CFC aerosols.

5.10 **Lindsay Thomas:** What are the proposed solutions in the transport industry? Rail?

Phil Gurnsey: These proposals are still developing. The only solution so far is biofuels, but freight is an issue. The biggest issue is use of vehicles. Some proposals include better standards for cars coming into New Zealand. We are currently a dumping ground for end-of-use cars. We need to address this. The New Zealand Energy Strategy looks at some of these options.

5.11 **Murray Shuttleworth:** Government should lead the way in terms of vehicle use and use public transport.

Phil Gurnsey: Government has started its leadership on this issue in terms of reducing the its fleet.

5.12 **Don Mowat:** The Regional Transport Strategy addresses how we do these things. I am about to attend their meeting and I will put that issue to them.

5.13 **Ted Palmer:** There used to be a 50 m restriction on truck use to assist the railways. We could reintroduce this.

Sarah Davies: There is something similar included in the New Zealand Energy Strategy for shipping strategy – but it is more problematic with railways.

George Ryan: It took 25 years for the government to kill the railways. Now they want to reintroduce it! That’s what we get from government strategies!

Brian Smith: the forestry industry is struggling. Trucking is more profitable for them.

- 5.14 **Ted Palmer:** Freezing industry – now sheep trucks will leave and you can follow the ‘brown trail’ through to other centres. Surely if we are having problems with carbon credits and importing fuels, there should be national standards to block companies trucking products to Auckland.
- 5.15 **Murray Shuttleworth:** We need to have incentives for industry here, rather than feeding Auckland.
- 5.16 **Syd Stronagh:** Having listened today, it seems that the only certainty is that there will be more taxation. Governments play with our tax money and our lives. Once the election is over, and the government changes, is this going to carry on what is the view of other political parties? There is no long-term plan to give us security. In the meantime we can go broke. I have heard nothing that convinces me that this is a good thing. There is so much contradictory information out there on this issue. There is nothing there to tell me what to do with our Māori land. What are the benefits of landowners? This is soul destroying.
- Brian Smith:** There is some contradictory information, but the overwhelming consensus of the scientific community is that climate change is happening and that it is almost certainly caused by human beings. Almost every government in the world accepts that position. Even if NZ does nothing in relation to climate change, our business will still be hit.
- Steven Symons:** We will still have the emissions from dirty industry anyway.
- Syd Stronagh:** This is similar to ISO 9000 etc, the focus is on selling products.
- Phil Gurnsey:** On the question as to whether the policy is durable – there is consensus from all political parties to do something in response to climate change and many of their policies are similar at a general level. The details may differ and this will come down to which policies they choose.
- Brian Smith:** Māori land is not a panacea for the problems in the RMA and SILNA lands, but there may be new opportunities and income streams for all landowners, such as regenerating areas on islands (PFSI and grey market).
- 5.17 **Ted Palmer:** Re the cost of power in the South: much of our power is generated from renewable sources. Most of the usage is in the North Island. Why isn’t the government promoting a costing regime to allocate units based on the type of energy use in given areas? Where there are large houses with underfloor heating, and indoor swimming pools – the users should pay for excesses.
- Lindsay Thomas/George Ryan:** Water should be metered too.
- 5.18 **Michael Skerrett:** Climate change is definitely happening and is devastating for us, particularly in relation to two species: tio and tītī (oysters and muttonbird). These are my observations over a lifetime regarding el Niño and the effects on these species. We have been in a period where there have been more el Niño events. And although we will move into the normal cycle where there will be less el Niño events, there will still be more of them – that is the effect of global warming. Michael then referred to a graph showing that the mortality rates for tio is highest when el Niño patterns are more intense. There are environmental indicators that show tītī are skinnier during el Niño events which affect plankton. So when the oysters are starving, tītī starve too.
- 5.19 **Question from the floor:** Holistically, in terms of planting forests – is there any consideration as to the type of forest?

Brian Smith: There is no intention to override district or regional plans regarding the location of forests. There is enough land for forestation that can fit in with those plans. As to the type of forests – indigenous forests affect hydrology differently. We could weight some of these policies in favour of indigenous forests, that is an option. Some of the feedback from other hui have included questions about how can forests be managed better, and what are some alternatives to pine? Other hui participants have asked for a package to look at some of those alternatives and options.

5.20 **Lindsay Thomas:** I hope the government when writing policy considers the amount of credits that go offshore. Some large corporates will make huge amounts of money to the detriment of New Zealanders. There should be a limit of the amount of credits that can go offshore.

5.21 **Hoani Langsbury:** If there is a strategic benefit of New Zealand becoming carbon neutral, how will that benefit the regions?

Ted Palmer: This follows on from the point made earlier re the use of power in the North Island which we supply.

George Ryan: Power prices are too high.

Phil Gurnsey: There is nothing specific that demonstrates the benefits to regions. But there will be more happening in the future. There will be some benefits to individual homes.

Brian Smith: Meeting Kyoto Protocol targets is not carbon neutrality. If we take action, we can put pressure on other governments who do have big emissions to take action. Secondly, New Zealand businesses will have an advantage if New Zealand is seen to be taking action on climate change.

5.22 **Murray Shuttleworth:** We led the world on nuclear-free issues, and that did us a lot of harm. If we lead on this issue we will do more harm, upsetting the big capitalist countries.

Steven Symons: How can we bring other countries into line if we are going to be able to sell to ‘dirty’ countries?

Brian Smith: Global action on climate change needs to be achievable. Trading mechanisms are part of reaching targets at minimum cost. Kyoto is a modest start. To make that start, countries had to be able to participate.

6 Summary and reflections of the hui

6.1 Phil Gurnsey:

- Implications for oysters and muttonbirds and impacts of climate change on Murihiku. The New Zealand context is important and so are the implications on a regional level and for individuals.
- SILNA forestry and RMA application.
- Consultation processes for the future.
- Opportunities in forestry.
- Market-based mechanisms and what they may mean.
- Transport issues – we look forward to any formal submissions you may have on these issues.
- Perceptions about climate change.

- 6.2 **George Ria:** I acknowledge and am humbled by the excellent discussion at today's hui. I take nothing for granted and appreciate the wisdom and matauranga (knowledge) that was shared today – both Māori knowledge and Pākehā knowledge.

Business issues, taxation issues and the RMA were all canvassed at this hui. The discussion about tikanga and environmental indicators was distinctive about this hui. This type of information enhances my role in promoting tikanga Māori and the holistic view of the world in the government agencies that are leading these policies. Similarly we acknowledge the Treaty issues that were raised today, and your concerns about the consultation process. I apologise. I advocated for a Rolls Royce consultation model and the higher powers constrained us to a Mini Minor! How can we balance caring for our environment and still seek opportunities for economic development? At the recent hui taumata Māori reinforced the distinctiveness of indigenouness.

Closing mihi/karakia: Michael Skerrett.

Te Paea Memorial Marae, Manukau 12 March 2007

1. **Karakia:** Pita Paul.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had made available to participants. Participants were invited to introduce themselves. Representatives from relevant government agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Steven Wilson as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.
3. **Introductions of those present:** Moana Herewini (Manukau City Council); Anahera Richards (Auckland Regional Public Health); Pita Paul (Auckland Regional Public Health); Kristy Hill (Auckland Regional Council); Johnnie Freeland (Auckland Regional Council); Lucy Tukua (Manukau City Council Mana Whenua Forum, Ngāti Paoa, Ngāti Karewa, Ngāti Tahinga Trust); Mavis Roberts (Chair Tāmaki Makaurau Marae); Phyllis Anscombe (Franklin District Council); Donna Richards (Auckland District Health Board); James Brown (Ngāi Tai Umupuia); Russell Kane (Brookfields Lawyers); Faenza Bryham (Ngāi Tai Umupuia); John Kerr (Tāmaki ki Raro); Jimbo Taylor (Tāmaki ki Raro); Ripeka Patene-Stout (Pirihira Kaio, Ngāti Paoa); Vapi Kupenga (Ngāti Porou ki Tāmaki); Wiki Walker (Manukau City Council); Bernard Te Paa (Counties Manukau District Health Board).

Representatives of government agencies: Phil Gurnsey (Climate Change Policy Manager, Ministry for the Environment: MfE); Pauline Kingi (Te Puni Kōkiri:

TPK – left early); Dairne Poole (MfE); George Ria (Director Māori Strategy MAF); Chappy Te Kani (MfE); Hayden Montgomery (MAF); Donna Richards; Brian Smith (MAF); Manu Pihama (TPK).

Apologies: Ngāti Whātua had Tribunal hearings that day and so were unable to attend this hui.

Issues raised during introductions

3.1 **Vapi Kupenga:** In selecting the representative for the national hui on 21 March, could the invitation be extended for a representative from rāwaho (outside the rohe) because many are not tangata whenua and are from outside the rohe.

Willie Te Aho: Select the person that is right for you whether from tangata whenua or from rāwaho so long as you believe they can articulate your interests and concerns.

3.2 **Lucy Tukua:** Climate change is an important issue for us as. In some of our land interest areas we are being consulted on a variety of issues such as wind farms etc and other issues that will impact on climate change. Therefore the process of engagement with tangata whenua is critical.

3.3 **Pauline Kingi:** I am aware of the extraordinary vulnerability of our communities with respect to issues such as climate change. Therefore this is an issue that we are keenly interested in. The hunger for development at all costs comes at a significant cost beyond the economic one.

3.4 **James Brown:** I have fears and concerns about having one person representing a group such as this. Some of us here do not have the mandate to speak on behalf of a group. Others do have the mandate. However, it is important to at least have someone from here in this forum.

3.5 **Donna Richards:** The world is changing and appears to be getting worse. A discussion such as this is long overdue and it is something that we have been talking about for a long time. My heart grieves for Waitematā and Manukau and at how paru (dirty) it is now. Fifty years ago it used to be white sand and clear. Now it is muddy and shallow, though it is slowly getting better. The building of the bridges has impacted on the tidal flow which used to move the paru out of the area. This doesn't happen now. However it is never too late to do something and take action. We are starting to see some of our kai come back that hasn't been there for 20 years which, even though small, is a positive sign.

3.6 **Faenza Bryham:** I support what has been said today, Papatūānuku and Ranginui are suffering, and of course processes and resolution are important.

4 Presentations

Phil Gurnsey: Overview

Brian Smith: Land use

4.1 **Question:** For Māori, solar heating is such an expensive option. I think the government should have some type of programme to help our people.

Phil Gurnsey: There has been a sum of \$15 million set aside for such initiatives but we recognise that it doesn't go all the way towards subsidising the full cost; it works out to a subsidy of about \$550 per house.

Willie Te Aho: Part of the issue is making solar heating options accessible to those like our kaumātua.

- 4.2 **Question:** What is the effect on the RMA [Resource Management Act] of changes in use of coal ranges etc?

Phil Gurnsey: The management of issues such as this is handled by local councils and will be specific to that council.

- 4.3 **Question:** You comment on what the government proposes to do and ensuring that this does not cripple the economy. A lot of Māori have undeveloped land but we appear to have no credit coming to us for that undeveloped land. You also talk about purchasing offsets, can you explain that more?

Phil Gurnsey: Brian Smith will be talking about the use of land. At the moment you can go on to the carbon zero website run by Landcare and that will suggest ways that you can reduce emissions. If you want to offset any emissions on whatever is left over after you reduce emissions, one way is by planting trees to absorb the excess carbon. You can also do this on an industrial level through a process called joint implementation, where an activity producing carbon is offset by another area that absorbs carbon: that's where the carbon credits comes in.

- 4.4 **Question:** You commented about Crown Forests and the proposal to plant forests on Crown land. How will this impact on land banking of Crown land for the purposes of Treaty settlements and the use of that land?

Brian Smith: This is a good point and one that which we should note specifically. If we are going to establish forests on Crown land, I would imagine that it would be unlikely to occur on land that has been land banked for Treaty settlement purposes or on land that has a more effective use.

Willie Te Aho: The first issue of not having specific statistics for Māori has been noted at other hui, such as in Waikato and Ngāi Tahu. This has been also noted in Te Arawa where two key points were made:

If the government wishes to impact on climate change, it needs to lead by example. The Department of Conservation (DOC) and Landcorp should take all the land in farm and turn it into forest.

We signed a deed of settlement with the government and part of that was the return of the land. Now we're being told that we may be penalised for the use of our land. If we have land returned by government, we should be allowed to use it as we wish.

- 4.5 **Pita Paul:** Right now a lot of assets in New Zealand are owned by overseas organisations. My point of view is that we, as participants, are leaving a legacy for our mokopuna. We need to ensure that our kōrero doesn't get lost in the discussions that take place at government level.

- 4.6 **Jimbo Taylor:** You made a comment about this being an issue at national level rather than local level but this is an important local issue.

- 4.7 **James Brown:** Question about the Kyoto Protocol.

Brian Smith: The two main developed countries that have not ratified the Kyoto protocol are the USA and Australia. There are a number of countries, not considered developed, that haven't signed (eg, China, India).

4.8 **Lucy Tukua:** How far behind are we globally with respect to climate change?

Willie Te Aho: That will be covered by Brian's presentation.

4.9 **Lucy Tukua:** What are the opportunities for Māori to develop their own wind farms or other opportunities that may positively impact climate change?

Phil Gurnsey: Forty-one projects have been approved for generation investigation. We are looking at further incentives for generation. We are currently focusing on reducing emissions and emissions trading. We do need to investigate further ways to incentivise opportunities that positively impact climate change.

4.10 **Moana Herewini:** Has New Zealand backed down from its position on the Kyoto Protocol?

Brian Smith: The government has said that it intends to meet its international commitments to the Kyoto Protocol and so has not backed down.

4.11 **Wiki Walker:** Climate change literature needs to consider the context of a lifestyle 'benchmark', the way that people live their lives now and the contribution that this makes to climate change. Many tangata whenua live below this current lifestyle 'benchmark'. The proposed changes may further disadvantage our people with putting in place systems and compliance measures that are not affordable for our people.

What inter-sector work concerning social issues such as urban design and planning is taking place to deal with this issue? How is the government going to ensure an understanding of the lifestyle of Māori and how is it going to ensure equity for our people in terms of being able to access those opportunities around climate change opportunities and initiatives?

Phil Gurnsey: We are looking at working across government, for example working with the Ministry of Social Development and the Ministry of Health. We also work to make ministries aware that, when they are considering papers or policies, they need to consider these in the context of climate change.

Wiki Walker: Another big issue in Tāmaki is immigration and the impact on transport and other infrastructural needs. How are you incorporating the immigration issue into your equations and the subsequent demand on transport and infrastructure?

Phil Gurnsey: This is an increasingly important issue. Around the world we are going to see some countries disappear (eg, Tuvalu) if we don't do enough about climate change. This is going to impact on the Pacific Island countries, some of which we have a responsibility for as a country, which in turn impacts on immigration.

4.12 **Donna Richards:** We have a concern regarding the market gardens and associated manure application. There is also a concern with the injection of methyl bromide gases into the ground.

Brian Smith/Phil Gurnsey: Methyl bromide is an ozone depleting gas which has been phased out for every use except for biosecurity issues to sterilise land. When sanctions were put on the use of this gas, companies stopped making this gas. This

is one way that climate change can be impacted upon by legislative pressure to discourage or stop the manufacture and use of certain chemicals or practices.

- 4.13 **Lucy Tukua:** How did the government get it so wrong with respect to calculating the impact of climate change?

Brian Smith: Government underestimated or made errors in assumptions on the impact of things, like the increased rate of deforestation, the amount of immigration, the impact of farming, the use of more and more powerful cars etc.

- 4.14 **Wiki Walker:** How about the involvement of tangata whenua in discussions and international forums?

Brian Smith: The government has not done particularly well in bringing tangata whenua into the discussion, especially at international level, and this is something that needs to be addressed.

- 4.15 **James Brown:** For some time in this area there have been riparian strips planted. Do these or other smaller areas count as a forest generating carbon credits?

Brian Smith: We have to consider a minimum width, around 30m, or size to qualify for a carbon credit, otherwise the cost of accounting for the credit would be more than the benefit of carbon credits generated. The positive side is that those landowners are not then obliged to pay back the carbon credits if they harvested and decided not to replant.

- 4.16 **Pita Paul:** Does afforestation for carbon credits include horticulture and indigenous forests?

Brian Smith: Crops like apples will not qualify and there are a number of reasons why this is, which I can go into later. Indigenous forest replanting would qualify for carbon credits.

- 4.17 **Wiki Walker:** What about Ngā Whenua Rāhui?

Brian Smith: I am not aware of anyone that is actually restoring/replanting land under Ngā Whenua Rāhui. Most would not qualify for carbon credits because Ngā Whenua Rāhui typically relates to forests that were established pre-1990. But there could be income generated for this land under a Ngā Whenua Rāhui arrangement which is separate to the climate change issue.

- 4.18 **Pita Paul:** What happens in this situation when a landowner is locked into a lease arrangement for forestry operations?

Brian Smith: In a situation where the landowner and the forest owner are different, the landowner will own the credits as they assume the risk of the land.

- 4.19 **Jimbo Taylor:** What happens with the removal of trees for development (eg, airport extensions)?

Brian Smith: That could be considered deforestation but it depends on where the threshold is set for allocating carbon credits. It may be that the area cleared is too small to qualify for carbon credits.

5 Open discussion

- 5.1 **Donna Richards:** I didn't hear anything about the moana and the awa in this kōrero. How does that fit into this kaupapa, because I do think this is an issue for us here as we are surrounded by moana?

Brian Smith: We have been told throughout the country that the water is the land and the land is the water – so it is a real issue that needs to be considered in the discussion on climate change.

- 5.2 **Donna Richards:** We used to have a nice beach that is now covered by mangroves. There is an employment opportunity there to clear the mangroves out but we are told that we are not allowed to pull them out. Mangroves are now taking over the area.

- 5.3 **Faenza Bryham:** How long is it going to take to implement measures to reforest and how would Māori benefit from that? There is a concern that Māori are going to be set up again as scapegoats for this kaupapa.

Brian Smith: What the government has done here tends to follow the Kyoto protocol which focuses on new planting. Much of the Māori land has established forests and the question being asked throughout these hui is, How are Māori going to benefit from this protocol?

- 5.4 **Pita Paul:** How will this impact on public health services, particularly focusing on Māori Health? Have there been any comments on this throughout the country?

Phil Gurnsey: We have been in conversations with the Ministry of Health (MoH) and they are looking at linkages between climate change and MoH imperatives.

Willie Te Aho: Joe Harawira was at the hui in Rotorua and his focus is poisons and contaminations. He had a similar question. The answer was given that, whilst climate change is not an issue for poisons, there are issues about health with climate change. As climate change occurs, the environment is affected, food supplies are affected and so our health is affected.

- 5.5 **Pita Paul:** Noted again concern regarding Māori voice being heard on this issue at government level.

Willie Te Aho: The issue of a Māori voice being heard at government level and wider issues, including the Treaty and how it fits into this kaupapa, has been raised in many of the hui throughout the country and that has been duly noted here also.

Brian Smith: On the issue of health, we do have an opportunity through some of our initiatives (eg, insulation of homes) to improve public health.

- 5.6 **Donna Richards:** WI have noted in the information books that there is no consideration of the views of our kaumātua, and the thoughts that they have regarding this issue, both historical and current.

Willie Te Aho: This concern was also raised at the hui in Te Arawa. George Ria, in his role at MAF, has heard this concern and given an undertaking to reflect on and resolve this issue to express the thoughts of our tīpuna. This consultation process is a part of gathering those thoughts and concerns. Additionally this process does not end today; there is also the hui on 21 March where this hui will have a representative. In each of the books there are contact people noted so do contact them to express specific concerns. Get the cards of the people here and keep in touch with them with your queries and concerns.

6 Summary and reflections of the hui

6.1 **Phil Gurnsey:** There were some excellent points raised today:

- Making the connections that we probably have forgotten about, with the social aspects of this kaupapa.
- The ability for Māori to overcome the hurdles and access the incentives that government has in place. This is something I will be having discussions about with colleagues in Wellington.
- We acknowledge the identification that tangata whenua have with their local environment. We need to be more conscious of the impact on the local environment in the light of climate change issues.
- This hui also identified the need for government to be more aware of how it interacts with Māori, not only in this area but in areas of health as well.

6.2 **George Ria:** Tautoko what Willie has said.

- There is a lot work to be done and a key part of that is to ensure the kaupapa Māori aspect is present right through this issue and continually articulated to those in government. This is not something that I need to convince you of; it is something that we need to keep at the forefront of government awareness.
- This is the first hui where women have outnumbered the men and we have had the benefit of the unique aspect of women. As carers and bearers of our children and mokopuna, there is a special connection with the environment. There are therefore concerns on the effects of our actions on our environment and so, then, on our tamariki and mokopuna.
- Consider where the opportunities are. History has shown that there are smart people that have gotten rich on the backs of government policy, both Māori and Pākehā. Therefore we need to consider as Māori where the opportunity lies in the climate change kaupapa.
- I can now guide/push my colleagues in government, based on the kōrero that has come out of hui such as these throughout the country, to ensure that anything that government produces is relevant to the views that have been expressed by Māori.
- There have also been issues come out of this hui that, whilst they don't strictly align with the climate change kaupapa, they fall within the wider MAF brief and will be something to follow up.

6.3 **James Brown:** Reiterated the understanding of 'he aha te mea nui o te ao, he tangata, he tangata, he tangata' (what is the main thing in this world, it is people). However, 'he aha te mea hōhā, he tangata' (but people also create the problems). He noted some concerns that there is not a strong focus on people in the information that has been provided. We are not like other areas; we don't have large amounts of farming or forestry. Transport and energy are the critical issues here in Tāmaki. We also have the Hunua and Waitakere forests, which we have not heard mentioned here. Climate change has been with us since ancient times. Sadly the attendance at this hui has not been fully reflective of the rohe (region) but this is perhaps an indication of the timing of the hui. We seem to be continually reacting to the variety of things that we are faced with, but at least we are reacting.

6.4 James Brown was elected as the representative for this rohe.

Closing kōrero and karakia: Pita Paul

Pūkawa Marae, Taupōnui a Tia 12 March 2007

1. **Opening karakia:** Wiremu Hall.
2. **Opening comments:** Gina Rangi facilitated the hui and began by explaining how the hui would progress. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves. Representatives from relevant Government Agencies then delivered a presentation. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Willie Te Aho as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list.

Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list was also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.

3. **Introductions of those present:** Tina Porou (Tūwharetoa Māori Trust Board – Manager, Tūwharetoa Asset Management Unit); Dulcie Gardiner (Tūrangitukua, Ngāti Hikairo); Ringakapo Asher Payne (Kurauia, Tokaanu Marae); Uira Murray (Tūrangitukua, Kurauia); Te Hononga Lord (Tūrangitukua, Kurauia); Neta Grace, Pito, Benoir Murray, Anne Marie Midwood, Matt Howell (Ngāti Hikairo); Pompey Epiha (Ngāti Mananui); Maria Nepia (Tūrangitukua); Topia Rameka (Ngāti Hīnerau, Lake Taupō and Lake Rotoaira Forests); Kathy Smallman (Tūrangitukua); Lana Te Rangi (Tūrangitukua); Daphne Hallett (Tūrangitukua); Wiremu Hall, Rema Hall (Ngāti Rauhoto); Eileen Mata Duff (Tūrangitukua); Bonny Horo (Chair, Waihi Marae; Ngāti Turumakina); Hinera Biddle (Ngāti Hine, Korohe Marae); Wayne Hudson.

Representatives of government agencies: Phil Gurnsey (Climate Change Manager, MfE); Hayden Montgomery (MAF); Chappie Te Kani (Maruwhenua, MfE); George Ria (Director Māori Strategy, MAF); Dairne Poole MfE.

4 Presentations

Phil Gurnsey: Overview and Energy

Brian Smith: Sustainable Land Management

Questions raised during the presentation

- 4.1 **Maria Nepia:** How can people claim that they are carbon neutral?

Phil Gurnsey: Anyone can claim it – it is a case of proving that they have achieved that. Landcare has a CarboNZero programme which they use to assess the amount of carbon being emitted by an organisation. Through their programme, Grove Mill Wines (Marlborough) and Meridian have been assessed and have achieved offsets for their carbon emissions to be assessed as carbon neutral.

- 4.2 **Topia Rameka:** What is the reason for the new proposed consenting process around alternative energy applications under the Resource Management Act (RMA)?

Phil Gurnsey: The focus is on speed and consistency – one specialist body dealing with all alternative energy applications. The primary target is wind, but the discussion document also covers geothermal.

Maria Nepia: Is this like to happen for geothermal?

Phil Gurnsey: Yes it is likely.

Maria Nepia: Utilities will be happier with the new process.

Phil Gurnsey: Yes, there is some general concern around the RMA process for these types of applications.

- 4.3 **Topia Rameka:** Will the same consenting process need to be followed for this new independent body?

Phil Gurnsey: Yes – applications still have to be determined in accordance with Part 2 of the RMA.

- 4.4 **Anne Marie Midwood:** When dealing with Māori values, what are the key environmental policies?

- 4.5 **Matt Howell:** How are Māori interests and natural resources protected and will there be any involvement of Māori in the decision-making?

Phil Gurnsey: Yes, with respect to the RMA where the Treaty is specifically mentioned. Also, the government must follow the legal cases that have been decided with respect to the Treaty of Waitangi. This hui is only the start of how we can work with Māori to address the long-term issue of climate change.

- 4.6 **Rema Hall:** With these energy reductions, are we going to need consent for our log fire, or even hangi?

Phil Gurnsey: Those are regional council issues and whatever is currently in their plans is what people have to comply with.

- 4.7 **Bonny Horo:** What about carbon credits for undeveloped lands?

Brian Smith: If the regeneration is recent (post-1989) then you can get credits under the Permanent Forest Sink Initiative (PFSI). But under this scheme you undertake not to harvest (or minimal harvest) in future.

- 4.8 **Tina Porou:** If I have a block of land; scrub; tall enough to be considered a pre-1990 forest – is it right that I don't get any credits?

Phil Gurnsey: An international agreement has set the date of 1990. Essentially, credits are for post-1989 forests not pre-1990. But on the grey market, there are organisations that are basically paying for non-Kyoto credits. You will get paid for these credits but those are not Kyoto credits.

Tina Porou: Do we have to pay if we change the land use from forests to papakāinga? Would a burned forest that becomes bare land and then regenerates be entitled to carbon credits?

Brian Smith: No. The forests as at 1990 have already been mapped out. If those forests were there pre-1990 then they are still considered forestlands. The change of land use is a different issue, which I will come to.

Tina Porou: How is this actually going to affect us day to day? That is the key issue.

Brian Smith: On the issue of deforestation in general, 90% of deforestation over the next few years will be carried out by Landcorp and Rank Group/Carter Holt Harvey. Landcorp is managing the Kiwi Group lands.

4.9 **Lana Te Rangi:** Can carbon credits here be used by other international people/organisations?

Brian Smith: Yes. Credits can be used anywhere in the world.

4.10 **Rema Hall:** When does the law come in to effect?

Brian Smith: The intention is that any agreed policy would be in force from the start of 2008.

4.11 **Eileen Duff:** Can the USA, who are not a part of the Kyoto Protocol, still trade carbon credits?

Brian Smith: The USA has not ratified the Kyoto Protocol but some of the States, like California, have set standards based on the Kyoto Protocol. Also, the USA does have some commercial organisations trading in carbon credits.

4.12 **Maria Nepia:** You talk about a threshold for papakāinga if you change land use from forest to housing – but what is a forest? Some of our areas to be used for papakāinga are partially scrub and pasture with the scrub being cleared for housing.

Brian Smith: Kyoto has rules. A forest is an area of land bigger than one hectare, with trees of five metres or more in height. Our aim is to have the type of area you are referring to deemed grassland with some trees on it.

4.13 **Topia Rameka:** There are rules for converting from forestry to dairy, but what about changing from sheep and beef to dairy?

Brian Smith: A tradable emissions regime would cover this. So, if you intensify your emissions then you would need further emission permits.

Topia Rameka: The policy should be to subsidise the positive and penalise the negative; the focus should be on reducing the emissions and encouraging the maintenance of forests and replanting of forests.

Re the tradable permit regime: The local example of Lake Taupō involved setting a cap and then aiming for a 20% reduction. Essentially this is equivalent to the conversion of 14,000 hectares from farming to forestry. This locks forestry into forestry (exotic and indigenous) and gives the farming industry room to move.

Brian Smith: A ‘grandparenting approach’ (making how you have done in the past the basis for emission permits) will work under farming but not for forestry. For forestry the government is looking at giving such permits to the landowners. How those permits are to be allocated is going to be the key issue.

Topia Rameka: In Taupō the focus has been on giving greater priority to areas that are leaching. This is something that should be considered in the allocation of any permits.

4.14 **Tina Porou:** The Treaty of Waitangi responsibility has not been properly considered when the Kyoto Protocol was signed. The government did not work with Māori in this international context. A key Treaty issue is that the Crown must

be working with Māori on how these issues are managed. There is no in-depth discussion about the Treaty of Waitangi rights of Māori to carbon credits.

4.15 **Neta Grace:** I support Tina's kōrero. Your letter to Māori in the packs talks about working together – so this should be reflected in the policy documents. That has not happened.

4.16 **Pompey Epiha:** Under your proposed changes, will it not be more expensive for New Zealand products to be exported? Will this affect trade?

Brian Smith: No. There are greater emissions from driving from your supermarket to your house than shipping produce from New Zealand to the UK on the surface. But there is a big campaign in the UK against New Zealand products. We need to make sure that the full facts are told. Our farming processes use less energy than our UK counterparts do. These facts need to be told so that people/consumers get a balanced view of issues like 'green miles'.

4.17 **Tina Porou:** What are the opportunities from climate change?

Brian Smith: Carbon credit trading is one. The development of technologies that reduce greenhouse emissions is another.

Tina Porou: If we have a group that wants geothermal, is there any assistance from government?

Phil Gurnsey: In the recent past the government has funded alternative renewable energy projects like the windfarm projects and carbon credits were made available. That system is not there at this time. One of the proposals is to provide cash upfront for projects – not necessarily credits. Another opportunity is biofuels (tallow, whey, and certain crops) as the government has made a commitment to having 3.4% of fuels being biofuels. So this is another opportunity.

Tina Porou: Biofuels for electricity is still more expensive at this time isn't it?

Phil Gurnsey: Yes, so the focus is more on biofuels for transport at this point in time.

Brian Smith: By 2020 the commitment/subsidies for line companies into rural area will be removed. There will be a greater drive towards local alternative renewable energy generation particularly in the rural areas. This is another opportunity for Māori.

4.18 **Eileen Duff:** For research, is this through government scientists?

Brian Smith: We use our own government scientists for our internal research.

Eileen Duff: Do you also consider and analyse scientific information that disagrees with climate change?

Brian Smith: IPCC [the Intergovernmental Panel on Climate Change] – 2,500 scientists who are specialists in climatology – review all literature. Few disagree with climate change and their research has not been thoroughly evaluated.

4.19 **Pompey Epiha:** How are we going to get assistance to look at all the alternatives for our lands that do not affect our environment?

4.20 **Anne Marie Midwood:** What do you justify a specialist as being? Does this include matakite?

Brian Smith: We take into account a wide range of views including Māori.

Phil Gurnsey: In the context of a specialist hearing body for wind or geothermal applications in this area, you would expect a member of the decision-making body to have an understanding of Māori issues.

- 4.21 **Wayne Hudson:** Our experts can only come from us, these include our kaumātua, our kuia, and our people from our marae. Our expertise is our tikanga as opposed to your western science. Any representatives or experts for any decision-making boards should come from our people. We should be involved in both the decisions of who represents us and the decisions that affect us. We have the highest percentage of Māori land still in indigenous forests. How are we to be recognised or even compensated for holding our lands in this state that now clearly benefits the country? Māori are not getting incentives for changing our farming processes – which we had to undertake under the economic pressures.

George Ria: The policies have not been finalised and the input from today and other hui are important. As the Director of Māori Policy I can say that this input will be considered. We also have the hui on 21 March 2007 where a representative from this hui will attend, and ensure that the views of Tūwharetoa are properly reflected again amongst both other Māori and also with government officials. This is on top of the forums that we have for the Water Programme of Action and the MfE-led Iwi Chief Executives forum.

- 4.23 **Maria Nepia:** Where to from here?

Phil Gurnsey: There is the hui on 21 March, formal submissions close on 30 March; in mid-April there will be a report to Cabinet; in May the Cabinet will make decisions. Then the intention is that there will be further consultation – but that will be determined by Cabinet.

Brian Smith: Treaty of Waitangi claims and deforestation are issues that have been raised in other areas. The land valuation is being done on the basis of continuing in forestry. This is how Māori in the settlement process will be directly affected.

- 4.24 **Wiremu Hall:** What is the chemical make-up of a pine tree?

Brian Smith: The chemical make-up is essentially cellulose and lignin – which is the make-up of most wood.

Wiremu Hall: Would the government consider reducing our power bills so that we don't have to light fires for heating?

Phil Gurnsey: We want to reduce electricity-based on carbon emissions – which will in turn reduce your power bills.

Wiremu Hall: If you put the planet as the main focus rather than the economy then you will get a better result for our environment.

- 4.25 **Topia Rameka:** We react to policy – we need to look at a collective Tūwharetoa approach if possible to these issues so that we can be proactive and consistent.

- 4.26 **Pompey Epiha:** We need proposals/policies that are focused specifically on Māori. We don't have that here.

Phil Gurnsey: That is why we are coming to Māori – to ask Māori what you think the policies should be.

- 4.27 **Bonny Horo:** At the end of the day, when it comes to Tūwharetoa, our economics as a people is primarily in farming and forestry. We have always been

disadvantaged by government forcing us to react. Every government policy ends up costing us. There is no partnership, there is no equity. This is the only constant that we know as Tūwharetoa. You need to adjust your government – how you work with us and how we achieve equity. We should be calling the shots on issues that relate to us. This is not happening.

5 Summary and reflections of hui

5.1 **Gina Rangi:** Provided a summary of the key process issues going forward.

5.2 **Phil Gurnsey:** Extended his thanks to people in attendance.

5.3 **George Ria:**

- Acknowledged Tina Porou, and her tono for the government representatives to meet directly with Tūwharetoa.
- Would be happy to come back with other officials to discuss issues directly relevant to Tūwharetoa that MAF has a role with.
- This hui has been challenging – with strong focus on the Treaty of Waitangi.
- Tikanga and science is a key point. We heard that in Murihiku with regard to the tio and tītī. They did not need western science to tell them that climate change is affecting us.
- It would be interesting to see whether or not Tūwharetoa as an iwi is carbon neutral. This is certainly a brand that could be developed further by Tūwharetoa.

5.4 **Anne Marie Midwood:** Internally Tūwharetoa must work on the policy of awahi mai, awahi atu (supporting each other).

Closing mihi/karakia: Wiremu Hall.

Copthorne Hotel (Masterton)

14 March 2007

1. **Karakia:** George Ria.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining how the hui would progress. Given the small number of hui participants he suggested that the discussion be more informal. Discussion documents and information packs had been made available to participants. Participants were invited to introduce themselves and outline any key issues that they would like addressed. Representatives from relevant Government Agencies would then respond to the issues raised and deliver a presentation if required. Participants were invited to ask questions and engage in discussion. The minutes of the hui were being recorded by Steven Wilson as the hui progressed. Participants were invited to check the minutes before them being finalised on the day. People who wanted copies of the minutes sent electronically, were to ensure their email details were recorded on the attendance list. Feedback sheets were available for completion by participants covering all aspects of these hui. A publications list is also available for people wanting more copies of the discussion documents. Feedback forms and publications requests could be made to Dairne Poole from the Ministry for the Environment. The closing date for submissions was 30 March 2007.

3. **Introductions of those present:** Murray Hemi; Robert Kennedy; Fred Allen and Alex Allen (Te Āti Awa, Wellington Tenth).

Representatives of government agencies: Phil Gurnsey (Climate Change Policy Manager, MfE); Julie Collins (Principal Advisor on Climate Change, MAF); Dairne Poole (MfE); George Ria (Director Māori Strategy, MAF); Chappy Te Kani (MfE); Tracey Dillimore, Anna de Raadt, Kate Riddell (MED); Gerald Dreaver (MAF).

Facilitation: Willie Te Aho, Steven Wilson.

4 Open discussion

- 4.1 **Murray Hemi:** I understand that there are some fundamental issues related to climate change but I am curious as to whether this is a worthwhile hui that presents an opportunity, or is it a waste of time. It is up to the officials to convince us that this is a worthwhile process, not for iwi to convince officials. If my iwi choose to engage further, it will be at a higher level than this.
- 4.2 **Fred Allen:** We didn't have a hui for Wellington and I considered going to Nelson. I also have concerns on whether this is a waste of time, as some have told me. Unless we get some genuine participation in the process and the decision-making process, it is a waste of time. Climate change issues in Wellington are different to here and we should have had a hui there.

Willie Te Aho: I understand and appreciate that different areas have different issues as they relate to climate change. For example, in Auckland it was said that forestry and farming impacts are not as important as transport, infrastructure and immigration impacts. This is something that has been reiterated throughout the various consultation hui. The opportunity is to not only hear the different views in relation to the policies, what we've focused on in the last five weeks of

consultation hui is the unique Māori issues and we've been leaving the general issues for the general meetings.

I also acknowledge that there have been diverse views in relation to the discussion documents; some saying they are a waste of time, some saying that what has been proposed does not go far enough, such as in Whangarei and the Marsden B proposal which was to fire up the coal-fired generation plant. That plant is now not proceeding. Comments have been made regarding the Crown obligation to lead by example. For example, DOC and Landcorp are large pastoral landowners. Solid Energy uses and mines coal so these organisations should be leading by example in their business practices.

- 4.3 **Robert Kennedy:** To what extent is Crown land audited with respect to their use of land and the environmental impact of activity on this land?

Phil Gurnsey: In terms of property, we do have demonstration farms where best practice is employed. I am not sure about the auditing of wider land interests.

Willie Te Aho: Alongside of the comments made by government representatives I can comment with respect to my role in Landcare Research, a Crown Research Institute. With respect to building design we have been looking at environmental impacts in the urban design of our premises – such as composting toilets and solar energy. We also have a carbon zero programme and Effects 21 all designed to positively impact on climate change. Meridian Energy participates in these programmes.

- 4.4 **Fred Allen:** The concern is that there is little Māori input into consultation and decision-making. I am concerned about the structure of this hui (there was a lack of formal presentation and information) and the degree of engagement and consultation that has gone on up to now.

Willie Te Aho: For this hui, prior to you arriving, we discussed the approach with the understanding that some of the participants may already have specific questions, and so the opportunity has been given to voice those questions. There is also information available for you. (Information handed out) We do have a specific formal approach that we can go through. And this is one hui in an ongoing consultation process.

Phil Gurnsey: This issue has had a number of false starts and one of the reasons that we are consulting is because the government has produced a number of discussion documents that it now seeks feedback on. These are not firm policies and the government does not have a fixed view at this stage. We have been undertaking consultation over the last five weeks with tangata whenua, which has stretched the resources at our disposal to undertake consultation – this also impacted on where consultation hui were held; it has been not possible to go to all centres.

- 4.5 **Robert Kennedy:** How long is it going to be before we see the implementation of climate change policy (eg, use and availability of biofuels)?

Phil Gurnsey: We have plans in place to implement these strategies by 2012.

Robert Kennedy: We have got willow, algae, sheep in the Wairarapa and so we have resources available for biofuels. To what extent is the government going to use a solid regional approach to implementing the biofuels initiatives at a regional level?

- 4.6 **George Ria:** I would just like to refer back to the comments about the consultation process, and note that we do appreciate the frustration on this issue. It has been reiterated at a number of hui throughout the country. Since I've been part of MAF it is something that we have been trying to continually improve. What we've been told at these hui is not to treat Māori the same as non-Māori because Māori have unique and specific issues – such as having no access to the benefits of capital gain from multiple-owned Māori land. Despite the opportunities for improvement in the consultation process, there has still been valuable information that has come out of the hui, due to the quality of the participants, that will be used to inform those in government.

MAF is looking at how to balance the effects of the forestry sector against the farming sector and the respective impacts on climate change. However, Māori have also said, Why should Māori have to bear the costs of having established indigenous or exotic forests and be penalised through policies that may impact on the ability to utilise these forests? However we've also heard the diverse, local concerns such as immigration, transport and infrastructure issues, and the impact of lifestyle blocks in Auckland.

So, we've heard the frustrations regarding the consultation process but we hope that we can take the information from the hui and apply it to affect the outcome of climate change strategies.

- 4.7 **Fred Allen:** I have been part of an effective consultation process with the National Māori Network Hui with ERMA where Māori and scientific experts meet and discuss pertinent issues. Yes we do have to grapple with the intellectual issues, but there is a 'feeling' generated from meetings that stretches beyond the intellectual and technical issues.

George Ria: I know the ERMA process which is also specific to ERMA issues.

Willie Te Aho: ERMA also has an educative responsibility. The National Māori Network Hui does not deal with individual applications but does provide an excellent forum for education and discussion on pertinent issues.

- 4.8 **Murray Hemi:** We can spend all day complaining about the process and get nowhere. What I want to know is how you can inspire us to be part of and connect with this process. My tupuna's Treaty claim process began in the Māori Land Court and he made the following observation:

Engaging with the Court officials is like talking to blocks of wood or pictures in a frame.

My question is; are you like those blocks of wood or pictures in a frame, or do you have an ability to appeal to my emotional and spiritual aspects that will inspire me and my iwi to engage? Otherwise, nothing personal, but we've all got better things to do with our time.

Phil Gurnsey: I am here today because I think we can make a difference. I have got three children and I want to make a positive impact for their future. Climate change is the biggest environmental issue facing us today. We need to do something now because the cost to address climate change issues is only going increase. The government also recognises this urgency.

Willie Te Aho: Speaking not as a facilitator, but with my Kahungunu and Tairāwhiti hat on, what then should we as Māori do?

George Ria: My personal motivation and that of my tūpuna is a desire to return the dignity and the mana to Papatūānuku. This is not merely a responsibility of the Crown; we also have a role to play.

- 4.9 **Murray Hemi:** If the view and vision you've expressed is not reflected in the process and belief systems of the Crown, this is a complete waste of time. How is government going to reflect Māori beliefs and a spiritual connection to this earth? I don't believe that the Crown has the tools to have this conversation let alone to incorporate this into the policies. Māori also need the opportunity to discuss this issue amongst themselves.

We also have to filter this conversation through our wider relationship with the Crown and the issues that we have with health, social and other matters. Māori will naturally align with the climate change kaupapa because of historical concerns around sustainable development. Therefore we appreciate that this is an issue and that something needs to be urgently done about climate change. However, there will be a difficulty when the Crown, as part of its climate change strategy, impinges on our Treaty and property rights, and our ability to use our property including that received from the Treaty settlement process.

George Ria: This concern about impinging on Māori rights was also expressed, in another forum, the collective Iwi Chief Executives forum as part of the Water Programme of Action consultation process.

Willie Te Aho: To comment on the points you have made, with respect to Māori caucusing with Māori, that will happen on 21 March with a representative from each hui meeting in Wellington. Secondly, in terms of the treaty issues, Ngāi Tahu have been very clear, they note, We have a Treaty right, we have a Treaty settlement and we don't want it restricted in the way that you are proposing with climate change policies. Murray has said, Show me your vision, and Phil has expressed that both from the government view but also from a personal perspective.

- 4.10 **Fred Allen:** An overview is good but what about the personal perspectives of the other officials here today?

- 4.11 **Robert Kennedy:** It is very easy to make political capital and rhetoric out of an issue such as this. But really if the government is serious that this issue is serious, then it should be easy to observe the progress made to tackle it. I am unconvinced that the government is serious about tackling this issue. So, is this truly "the most serious issue facing the human race"? If so, then surely it requires a similarly scaled response. I am well aware of the science behind the climate change debate. The convincing I need is that the government's response is an adequate response to the threat. For example, the rhetoric used by Phil Gurnsey claims such severity that would suggest an even greater threat to civilisation than the historic threat to New Zealand sovereignty, being communism and Japanese invasion. If the government would like people to believe they are tackling this issue in an effective, efficient, cost-effective and timely fashion then I need convincing of that through proof from action.

I know the world is changing, I want to see action and I don't see any evidence from the action so far that the government believes or is acting as if this threat is as serious as Mr Gurnsey described.

If the government is taking this issue seriously, and the scale of risk and threat is so great, then surely it requires an extraordinary response such as when another serious threat has been posed to the nation, such as drafting in time of war.

I would like to see national environmental service such that young people can invest in the nation, and be gratefully rewarded with a modest wage and credit with society that could be spent on tertiary education, health or other similar services. Currently young people are being driven into the ground due to crushing student loans. These hearts and minds must be turned towards achieving environmental change, because currently the attitude towards the environment in the main is one of denial – in a similar way to people denying that a student loan is a crushing burden. Especially from people who never had to pay for their education, received a free start into a highly lucrative job market, and now refuse to acknowledge that unfairness; and certainly would never consider repaying that social debt.

Phil Gurnsey: The agencies involved – MAF, MED and MfE – have put substantial resources towards this issue. The biggest difficulty with climate change is that there is no one panacea to address this issue, multiple approaches need to be taken.

Robert Kennedy: How about initiatives being undertaken by the government?

Phil Gurnsey: There is an initiative called Gov3 focusing on procurement with a goal for government departments to be carbon neutral.

4.12 **Robert Kennedy:** What about the policies that trickle from central down to regional government in relation to impacting climate change?

Julie Collins: Climate change is a journey. We are still at the beginning of the journey and still trying to work out what is the best path forward. No matter what initiatives are put in place, we also need to have a commitment as individuals to make changes which will, when combined, make a difference as a country. The challenge is enormous with comments ranging from “I don’t give a stuff about the future effects of climate change, I want to make a living today for me” to “this is a serious issue, what do we need to do?” The hui process has been a pleasure in that we don’t have to talk about or convince people that this is an important issue, or that the future is for our children, or the importance of restoring the balance, because that is intrinsically understood by Māori. For Māori this conversation has come quite late because this has been part of the Māori awareness for a long time.

But we can’t go from where we are now, to zero emissions tomorrow; the consequences would be too catastrophic. You have stated that you have to deal with a multitude of issues, as well as this issue. Government also has to deal with a multitude of issues and has to approach matters in such a way that it can manage the process whilst integrating with other priorities.

To cut to the chase, we know we can’t make an instant change without serious consequences but we know we need to have the conversation; we need to begin the process to reduce our carbon footprint on the planet. For Māori you need to determine what the issues are for Māori. I don’t pretend to know what the impacts or issues are. We need to consider the avenues that are best used to have those conversations.

People are saying that greenhouse gases are pollutants and people shouldn’t have a right to pollute. Governments are saying, if this is the case, there needs to be a charge for producing greenhouse gases. Again, what are the Māori specific issues that Māori see within this issue?

Another issue is how do we have these conversations much better in the future? The quality of input into the decision-making isn’t as good as it could be because everyone is at a different place with respect to this conversation.

If this is really a serious issue, government has to work out how New Zealand as a country resolves the issue, how to take the first steps, how big they are and so on. How does this impact on reducing emissions through land management etc?

We've seen a lot of deforestation and that rate is increasing. This has an environmental cost which is borne by downstream communities. There is a conversation as to where that cost should be borne; by all taxpayers? By the industry? By the individual or company doing the deforestation? What is the impact on Māori land especially when you want to use that land for the good of your people? You could argue that Māori are unfairly caught by a situation that they have not created.

International agreements have drawn some lines (eg, pre-1990 and post-1989 forests in the Kyoto Protocol) and we need consider to how this impacts.

4.13 **Willie Te Aho:** The presentation has been covered by the comments that Phil Gurnsey and Julie Collins have made. There is a further opportunity to be involved by being part of the forum on 21 March. One of the outcomes that we are seeking from this forum is a way forward with a specific focus on issues as they relate to Māori, which includes Māori perspectives on environmental, economic, social and cultural issues. This will be included in the papers that go up to Cabinet.

4.14 **Fred Allen:** I would still like to participate in the process, particularly as it relates to land management (eg, sustainable stock, plant, land use and rotation methods), perhaps land rotation planning needs to occur over a longer period like 500 years. I would also like to see funds and resources spent on education programmes to encourage and implement change at individual level that produces nationwide change. I believe that this would be a more effective measure than a government's 'stick and a carrot' approach enforcing change.

5 Summary and reflections of the hui

5.1 Phil Gurnsey:

- This has certainly not been a waste of time. Every hui has challenged us and it has been the same again today.
- We tried to identify how we could best come out and discuss the issue of climate change and took advice on that within our resource constraints. It may be that, down the track we incorporate aspects of other processes (such as ERMAs) to improve the overall consultation process.

5.2 Julie Collins:

- If you have specific questions, please feel free to come back to us and ask them.
- The comments made today have been helpful
- Perhaps we do need to look at the longer time frames in terms of land management?

5.3 **George Ria:** This has been a different hui for us in the sense that we have sat around and engaged in more of an informal dialogue.

- It is a challenge that we have in communicating the Māori perspective to the decision makers, who are largely non-Māori, in such a way that they can understand, appreciate and incorporate those perspectives into the policies and decisions.

- I want to acknowledge the value that has come out of this meeting.
- A point has been reiterated here today that was made yesterday, “where are the specialists from the Māori world in the process” and that concern is again noted.

Closing kōrero and karakia: George Ria/Steven Wilson.

Kariaka Marae, Ruatōria

29 March 2007

1. **Karakia, mihi:** Selwyn Parata.
2. **Opening comments:** Willie Te Aho facilitated the hui and began by explaining that the hui would progress informally with the opportunity for participation from all attendees.
3. **Introductions of those present:** Anne Manuel (Te Rūnanga o Ngāti Porou); Marijke Warmenhoven (Tu Au Au, NPH); Lilian Tangaere Baldwin (Te Rūnanga o Ngāti Porou); Selwyn Parata (Te Puni Kōkiri, Te Rūnanga o Ngāti Porou, Hiruhama Marae); Amohaere Houkamau (Te Rūnanga o Ngāti Porou, Ngāti Porou Landowner’s forum); Katerina Puketapu; Tawa Paenga; Eddie Clarke (Hereumu Station/Ruatoria Refuse Station Manager).

Representatives of government agencies: Julie Collins (Principal Advisor on Climate Change, MAF); Dairne Poole (MfE); George Ria (Director Māori Strategy, MAF); Anna Kulhavy (MED); Randolph Hambling (MAF, ECFP).

Facilitation, note taking: Willie Te Aho, Steven Wilson.

Issues raised during introductions

- 3.1 **Amohaere Houkamau:** There is another important kaupapa on today, a tangi for one of our Waiapu Pakeke and so many people that would be here are attending the tangi. However, the low turn out of people also highlights a key issue about climate change, and that is, it needs to be a kaupapa that is ‘in people’s faces’. We need to consider how we raise awareness, continue the dialogues begun, how we get information out to our people, how we support our people to be informed and responsible Ngāti Porou citizens, Aotearoa citizens, and citizens of the world.

4 Presentations

Julie Collins: Informal presentation on climate change overview

Anna Kulhavy: Informal presentation on New Zealand Energy Strategy

- 4.1 **Amohaere Houkamau:** I wonder at the general appreciation or awareness of climate change and its impact on us. There has been a disconnect; we have been doing a whole lot of work around alternative energy, economic development and so on over a long period of time prior to the discussion on climate change. It is about connecting the dots on how national policy fits with what is happening on the ground, at regional, iwi and local community levels. We would like to step back from the specific policies and/or options advised in the consultation documents and get a sense of the ‘big picture’ and the multiple levels and dimensions that form

part of that picture. Generally, we are reluctant to engage in conversations that we can not sustain, therefore while there is recognition amongst us of the need to engage in this process, there is also a ‘reality check’ re: can we sustain the kōrero once engaged, given the number of kaupapa that we are currently dealing with. We have an issue around resourcing our capacity to continue the dialogue. Recognising this limitation, we need to be careful about where we put our energies and focus to have the greatest effect.

Julie Collins: That is helpful and also reflects comments made at other hui. Many want to see what is happening on the ground being reflected at central government. We are considering how we can take something nationally and how it can then flow down so that it works at regional and local levels.

Anna Kulhavey: This is similarly reflected with the MED work streams.

- 4.2 **Amohaere Houkamau:** There is a mechanism around a regional development approach that is cognisant of and able to respond to iwi/regional/local issues. The Tairāwhiti Development Partnership (TDP) has been set up in conjunction with the two local authorities, Gisborne District Council (GDC) and the Wairoa District Council (WDC) and the three iwi groups Ngāti Porou, ngā Iwi e toru o Tūranganui a Kiwa and Kahungunu ki te Wairoa, three business sector and three community sector representatives. This has led to a quality of partnering amongst these organisations that we haven’t seen before. That group has a facilitator role, as well as being an advocate and responsibility for providing strategic leadership and strategic planning oversight. Out of the TDP has fallen the Tairāwhiti Land Development Trust funded by the TDP, NZTE [New Zealand Trade and Enterprise], participating landowners and the private sector. There is also an Infrastructure Support Group led by the GDC reps, a Tairāwhiti Social Development Forum, co-lead by a local TDP nominee and a MSD [Ministry of Social Development] representative.

Another point that we would like to stress is the need to clarify the most strategic role and contribution of government is in this area, seeing that it can not be everything nor can it afford to push any particular agenda, other than ‘sustainable development’. The government should consider the wider group of expertise that can be brought together to positively address climate change, within a total sustainable development strategy.

Julie Collins: This is a helpful example.

George Ria: Something else from your kōrero is that, in terms of a multi-level approach, Māori also look at an holistic view, considering Rangi and Papa, tikanga, etc. We need to look at the holistic view of the environment, our role as kaitiaki etc.

- 4.3 **Amohaere Houkamau:** Māori are all of those things. We are tangata whenua, kaitiaki, landowners, consumers, developers and so on. We believe that the Māori world view would be a most appropriate lens to use for scoping and developing an integrated sustainable development framework. Government really needs to take cognisance of this unique ‘view of the world and our place in it’ and draw upon our tikanga and values approach that is implicit in the relationships that we have with ‘the whenua, skies, sea, and flora and fauna’. The New Zealand Government and public needs to recognise the unique ‘view’ that Māori can provide. That would position this country well on the global stage.

Julie Collins: Is the ‘partnering approach’ that you’ve described above occurring around the country.

Amohaere Houkamau: I am not sure if that level of partnering is occurring anywhere else.

- 4.4 **Tawa Paenga:** One of the reasons that I am here is that I am not sure that the issues around biodiversity have been considered with respect to kaitiakitanga and the Māori world view.
- 4.5 **Amohaere Houkamau:** There are a number of people who are able to articulate this tikanga – Te Ao Māori world view covering the esoteric while highlighting a pragmatic approach.
- 4.6 **Willie Te Aho:** A consistent theme that has come out of the various consultation hui is that these issues (sustainable water programme of action, oceans strategy, climate change etc) should be put together rather than separated out and compartmentalised. The government is encouraged to step back to see the issue in its entirety. Another consistent theme has been a more co-ordinated, integrated approach from central, regional and local government and agencies (as was clearly articulated in the north). Bureaucracy and policies often act as a disincentive for people to go through the process. Further, compliance may be too costly for some people.
- I note also that central government has stood back and looked at priority areas in this region with respect to energy supply. One of the questions being asked of the officials today is; is there any proactive planning by the government to ensure that going forward there is security of supply?
- Anna Kulhavey:** There has been discussion on this matter and the government is looking at transitional measures and renewable measures to address the demand for energy. Government is considering where to focus, large-scale or smaller local sustainable initiatives. I think that it is a good time to get involved in these types of initiatives to move towards a truly sustainable energy system at a local level.
- 4.7 **Marijke Warmenhoven:** I have taken steps in my own home to establish alternative energy but it is very costly and this limits the ability of many of our people to participate in this opportunity. You create this wonderful policy but please implement it at a level that works on the ground.
- Anna Kulhavey:** There is a need to manage a sustainable push in adopting this technology.
- Marijke Warmenhoven:** There is need to engage and involve at local level (eg, recycling at local schools, working with people in the homes). This needs to involve people at a realistic level.
- 4.8 **Amohaere Houkamau:** We have done studies and undertaken investigations into alternative energy options for Ngāti Porou/East Coast. There is information about the most viable alternative renewable energy opportunities in communities along the coast that meets the needs of the community (eg, Ruatōria will not just have domestic energy needs, but also industrial energy needs). So we are not starting this particular discussion from scratch. We also need to look at arrangements that ensure that those organisations that are brought in to undertake research and development or to implement them don't get carried away by their own research and development agendas.
- 4.8 **Julie Collins:** Question about local examples of sustainable practices.
- Selwyn Parata:** Many of our farmers are environmentalists and look at ways that they can do things that are better for the environment.

Amohaere Houkamau: One of the challenges is the administrative capacity that landowners have to be able to respond to various reviews and/or to optimise resources such as the Sustainable Farming Fund. There is a need for someone to manage and track these initiatives. This has worked better where there has been resourcing for a central co-ordination/ administration capability eg, Ngāti Porou Whānui Forest Ltd's role in assisting landowners prepare their ECFP applications. Some landowners cluster to pool resources.

Willie Te Aho: Looking at the local example, government and agencies have agreed on and bought into that framework (Tairāwhiti Development Partnership). There has been agreement on the structure, strategy and parameters of the framework and so funders have invested \$1.9 million which has then gone out to Tairāwhiti initiatives. The sustainable farming fund is MAF-driven which has identified its criteria and individual farms pitch against those criteria. The framework example, which is set up independent of external criteria and is collective and collaborative, has a different focus.

Another point made today has been how high-level policies are reflected at local level. For example, how can the policy be implemented at local schools for individuals to take on board.

In Tūwharetoa the government was urged to talk to tangata whenua first about sustainable energy development, because the resources are ours. Don't go to the SOEs [State Owned Enterprises] and big companies first and then inform tangata whenua; that is an incorrect process. Come to us first and we will then decide which organisations, if any, we partner with.

Lilian Tangaere Baldwin: Another point is that, given the resources are ours; we don't necessarily need a partner and should be able to develop the resources ourselves.

4.9 **Selwyn Parata:** Is government policy as it stands amenable to this approach and will our comments impact on policy development?

Anna Kulhavey: I think it does. Government concern is more around how to manage this type of development.

Willie Te Aho: Following on from Selwyn's comment, Anna has confirmed that she has developed the policy which is at a high level. Therefore I note that we have in her and Julie people who have influence at the policy making level. The consultation process is also about how we can implement policy at a local level and how policy can reflect what can and has been done at local level. Therefore what we are doing as part of this consultation process can impact on policy.

Julie Collins: Whilst we have worked at a high level, the example given today about the Tai Rāwhiti Development Partnership provides a means that we can get information out in this area. Part of the tension in general consultation meetings is struggles around getting information out.

4.10 **General comments from the floor:**

- There is a need to act at a local level, in the home, schools, whānau, hapū and iwi and policy needs to reflect local realities.
- We have challenges in this region with accessing recycling opportunities though there are a number of excellent initiatives in place.
- General concern was noted of the need for and implementation of practices that will benefit the environment.

- 4.11 **Amohaere Houkamau:** We have been talking for some time in this region of the need to have an affordable, sustainable energy strategy that meets the needs of our whānau, who are consumers and also the owners of a lot of natural resources that can be used for renewable energy supply.

The information that has come out re climate change has been really good but it takes time to digest. We are fortunate to have had some time between the Te Poho o Rāwiri hui and now to read and digest the information.

PowerPoint presentation by **Amohaere Houkamau:** See Appendix.

- 4.12 **Tawa Paenga:** Would like to know that, as our results in New Zealand are made available, the performance and results of the rest of the world are also made available and we can measure our success relative to the world's results.

Willie Te Aho, Julie Collins: The Kyoto Protocol sets a measurement regime against 1990 levels of carbon emissions and there are reporting requirements that make it possible to see New Zealand's performance against the rest of the world.

- 4.13 **Eddie Clarke:** I think that Māori contribute more positively to this country regarding climate change and recycling than others do. Recycling is a key issue and it is good to see some of the things that we have in place in this region.

- 4.14 **Marijke Warmenhoven:** Legislation needs to be implemented to limit the actions of business that contribute to climate change.

5 Summary and reflections of the hui

- 5.1 **Willie Te Aho:** Noted the submissions closed the next day but the comments made at the hui at Te Poho o Rāwiri and the PowerPoint presentation will form part of the submissions. It was also possible to put in submissions on line.

5.2 **Julie Collins:**

- Today has been excellent. The consultation process has at times been difficult and challenging and so I appreciate coming here today and hearing the constructive considered response.
- The concept of getting the strategy right and acknowledging different layers is excellent and this is something that we will take away.

5.3 **Anna Kulhavey:**

- Recognise and acknowledge that, as this is a follow-up hui and people have had time to read and consider the information provided, the depth and level of response today has been valuable.
- There has been value added coming here today.
- Glad to see the example of the Tai Rāwhiti Development Partnership framework. I believe that this is something that we can apply throughout different regions and nationally.

5.4 **George Ria:**

- The last time I was here was in a different role and we were talking about the Transfer Station which was a contentious issue. It's great to hear today the benefits of that station and the greater awareness of recycling.

- A lot of the things that you have said have underpinned what I've been putting on the table in Wellington with respect to the consultation process:
 - The tightness of timeframes. Seeing the depth of response today after you have had six weeks since Te Poho o Rāwiri hui to consider the information provided, further underpins the need to consider realistic timeframes in the future.
 - Views on kaitiakitanga, tikanga etc have been further reinforced and underpin the comments that have been made both at the hui and in Wellington with respect to consultation.
 - Reinforcing the message to look at Māori not as managing Māori risk but in terms of managing Māori opportunity.
- Thank you for the opportunity to come back again and talk to you.

5.5 **Selwyn Parata:** Amo was nomination from this hui to go forward to the Māori Representative Group.

Closing kōrero and karakia: Selwyn Parata.

Appendix: Presentation by Amohaere Houkamau

(Copied from presentation slides)

Climate change

Introduction

- Acknowledge response of consultation team to meet with Ngāti Porou in Ngāti Porou.
- Acknowledge the responsible stance taken by the government to initiate dialogue.

However

- We are concerned about:
 - the lack of time given to digest the information
 - the need for ongoing dialogue and not just one-off consultation
 - the starting point of the dialogue, we seem to have jumped to some specific recommendations without scoping our big picture, strategy and or identifying all key contributors.
- We support the need to develop a comprehensive, tikanga/valued-based and evidence-informed Climate Change Strategy.
- We believe the design and development of the strategy needs to be multi-level and multi-dimensional:
 - whanau/households
 - iwi/region
 - national
 - global.

Personal/iwi/regional

- Whanau/households
- Personal commitment to reducing impact on the environment by:
 - being informed about climate change

- being energy efficient (home, work, transport)
- effective waste management strategies.
- Iwi/region:
 - Inform/influence a regional sustainable development impact analysis and management strategy
 - Analysis of current climate and future climate change projections
 - Iwi/region climate change risk assessment and management strategy
 - Work with Tairāwhiti Development Partnership to develop water protection, flood and drought management practices, coastal protection regimes and future proofing infrastructure design
 - Develop integrated sustainable land management strategy informed by local knowledge/mātauranga and R&D
 - Investing in alternative energy (R&D).
- National
- National focus-facilitated by government
 - Education (climate change inculcated in curriculum, establish climate change forecast as part of national weather reports, upfront and in-your-face information)
 - Investment in R&D and closer monitoring of technology transfers
 - Integrated climate change policy
 - Trade protection and positioning for new markets
 - Developing ‘tools’ to monitor reductions in gas emissions and increases in carbon sinks
 - Development of economic models for: carbon credit trading; capitalising on business opportunities from climate change
 - Legislation which supports sustainable land management
 - Trade protection and positioning for new markets
 - Developing ‘tools’ to monitor reductions in gas emissions and increases in carbon sinks
 - Development of economic models for: carbon credit trading; capitalising on business opportunities from climate change
 - Legislation which supports sustainable land management, energy efficiency, climate change
 - Maintaining global climate change overview, insight and influence.
- Global
 - Identifying and establishing strategic alliances
 - Encouraging collective climate change responsibility and responsiveness
 - Establishing global gas emissions reduction score card
 - Influencing and contributing to global quadruple bottom-line development.

Māori Representatives Group Ministry for the Environment Board Room 21 March 2007

Meeting commenced 9.50 am.

1. **Mihi/karakia:** Trevor Wilson, George Ria.
2. **Opening comments:** Willie Te Aho outlined the consultation process to date. The process began in Tūranganui a Kiwa on 12 February, and further hui followed in Rotorua, Tainui, Tai Tokerau, Taranaki, Te Tau Ihu (Nelson), Ngāi Tahu, Murihiku, Auckland, Tūwharetoa, and Masterton. One further hui was to be held in Ruatoria. Indigenous Corporate Solutions Limited (ICS) was contracted by the Ministry for the Environment (MfE) to provide independent facilitation of the consultation hui, to record the minutes, and to prepare a report of the key themes. MfE has agreed for the minutes and the draft report on key themes to be circulated to this Reference Group.
3. **Introduction of those present:** Tawa Paenga (Ngāti Uepohatu, Te Aitanga a Hauiti); Wiki Walker (Tamaki Makaurau); Hemi Cunningham (Ngāti Hauiti, Te Pae o Rangitikei); Ngahape Lomax (Ngāti Hauiti, Te Pae o Rangitikei); Jamie Tuuta (Taranaki/ Wanganui); Roger Pikia (Te Arawa, Mataatua, Tauranga Moana); Tipene Wilson (Tainui Waka); Moka Ritchie (Te Rūnanga o Ngāi Tahu); Morry Black (Ngāti Kahungunu); Trevor Wilson (Te Tau Ihu). Tina Porou (Tūwharetoa) and Jim Grey (Waiariki) joined the meeting after 10 am.

Apologies: Lisa Kanawa (Taitokerau); Mike Skerrett (Murihiku); John Ruru (Tairāwhiti).

Representatives from government agencies: Phil Gurnsey (MfE); Dairne Poole (MfE); Chappie Te Kani (Acting Manager, Maruwhenua, MfE); Doug Heinz (Te Puni Kōkiri); Anna Kulhavy (MED); Julie Collins (Principal advisor on climate change for MAF); Mike Jebson (Director for Natural Resources Group, MAF); Bryan Smith (MAF); George Ria (MAF). Facilitation Team: Willie Te Aho, Gina Rangī (ICS).

4. **Discussion with officials present:** Willie Te Aho explained the agenda for the hui noting the intention to have time with officials, so that reference group members may ask any questions. Officials would depart at 11 am and Willie and Gina would be available to facilitate and record minutes as appropriate. Minutes from each of the consultation hui had been circulated and would be taken as read. It was still open for hui participants to provide feedback or request amendments to the minutes by 27 March 2007. The focus of this meeting was not to regurgitate issues that were discussed at the regional hui, but for reference group members to identify and discuss key issues that would arise.
- 4.1 **Tawa Paenga:** Thanked Indigenous Corporate Solutions for the draft summary document. However, just prior to and at the regional hui, a number of large documents had been distributed. It was not good enough to be receiving so many large documents to absorb. Secondly, is this a one-off hui or is there an ongoing process. Are there meeting fees for today's hui?

Response – Willie Te Aho: At each regional hui we advised that the minutes of that hui would be circulated. It is optional to read the minutes of all the other hui.

Whether there is an ongoing series of hui is something for this hui to discuss. There are no meeting fees for today, but the meeting can discuss resourcing going forward.

4.2 **Wiki Walker:** Can comments be made on the draft summary.

Response – Willie Te Aho: Comments on the minutes were to be directed to Linda Te Aho by 27 March. The Report on Key Themes was due to MfE on 30 March. The minutes of all hui, including this hui, are the primary source of information for the government officials. The Key Themes document was intended to be a summary document and anyone having comments on the draft, should feel free to make those known prior to 30 March.

Response – George Ria noted the similar process for the Water Programme of Action, Freshwater for a Sustainable Future. The minutes would go to the Minister for consideration. It was important that the day's meeting took the opportunity to co-ordinate a collective Māori response to the issues raised. There needed to be engagement going forward, what suggestions were there? The importance of resourcing needed to be considered also. Once the proposals were worked out they could be discussed. Accountability was to the rohe, which was wider than the Water Programme of Action which came out of the Iwi Chief Executives forum.

4.3 **Roger Pikia:** Why was the paper produced by Dion Tuuta not released?

Response – Mike Jebson: The paper did not cover the indepth economic issues for Māori, it was more general. It was decided that it was better to go to the people to ask what they thought.

Response – Willie Te Aho initially advocated for releasing the paper, but in fact the regional hui raised all of the issues that Dion's report raised, and more, and in more depth. On reflection it has been beneficial to allow the hui to express their own views.

Moka Ritchie: Can we have the paper now then?

Response – Willie Te Aho: Officials will discuss this and respond.

4.4 **Moka Ritchie:** What research will be available on the Māori economy?

Response – Mike Jebson: There is research into the wider economy, but not specifically on Māori. These hui will have a bearing on the economic impacts by drawing out the Māori issues.

Moka Ritchie: Can't say that because Māori are part of the economy, that that wider analysis will address impacts on Māori. The overall view does not address impact on Māori land for example.

Response – Mike Jebson: It is difficult to model the economic effects.

Moka Ritchie: The Māori economy is identifiable and research can be undertaken, on same basis as, for example, the impact on the farming community.

4.5 **Jamie Tuuta:** Are we talking about Māori as part of society, as a separate group or as Treaty partners? How does the ministry view this group and Māori in the context of climate change policy?

Response – Mike Jebson: This consultation is both: as part of the economy and as Treaty partner. There are issues not being picked up in the broader fora.

Tipene Wilson: We disagree but let's make the most of available time rather than debating this.

Response – Willie Te Aho: Proposed that this issue be noted for your own discussion and you can give an agreed response to the officials.

4.6 **Roger Pikia:** What are the three main issues that officials have picked up from hui?

Response – Mike Jebson: Implications for Treaty settlement lands, Te Ture Whenua land (restrictions on alienation), Māori world view (linkage to other issues, land use, water, and climate change are all linked).

Response – Bryan Smith: Also Article 2 issues.

Roger Pikia: Is this new information to you?

Response – Mike Jebson: We are familiar with these issues from the Water Programme of Action and we are aware of the research into the needs of Māori landowners.

Roger Pikia: So why were these issues not already in the documents?

Response – Brian Smith: Issues were summarised in the policy documents.

Trevor Wilson: Māori are only referred to in the Sustainable Land Use document, otherwise not mentioned in any of the documents.

Response – Brian Smith: That is the MAF document which we represent.

Response – George Ria: Other issues raised included the impacts of immigration on Māori, also energy.

Response – Willie Te Aho: Some of these issues were only raised at the regional hui and that is why they were not incorporated into the documents. Where are we now in the process? Officials are seeking submissions by 30 March, Cabinet will make its decisions and any legislation will be out for further consultation by early 2008. Where do you think Māori should be in the process?

4.7 **Moka Ritchie:** The timeframe is too tight. Te Rūnanga o Ngāi Tahu has a dedicated land unit and it is too tight for us. We are dealing with a number of different major policies. Lack of time is just another form of lack of consultation. Even if we are paid (and most are not) we cannot do this.

Response – Mike Jebson: We have advised the Minister of this, but the timeframes are set.

Moka Ritchie: Then this is not consultation.

Trevor Wilson: If we don't get it right it will end up in the Tribunal. Māori will use what means we have at our disposal to have our needs and consultation rights met.

4.8 **Morry Black:** We are commenting on all the policies, compared to community groups that are commenting on only one policy.

Response – Mike Jebson: While they might focus on a single policy, they will be affected by a number of policies. Farmers are affected by land use, and energy/transport.

- 4.9 **Moka Ritchie:** Did any of the policy papers come out after Dion's analysis was prepared?

Response – Phil Gurnsey: The papers were released on 11 December. Dion's contract began on 3 January, so no policy papers were released after Dion's analysis.

5. **The officials withdrew at 11.05 am. Willie Te Aho and Gina Rangi were asked to stay to facilitate the hui and record the minutes.**

6 Discussion

- 6.1 **Willie Te Aho:** One of the key criticisms made at every hui across the nation related to the consultation process. The key question that you have to address is whether or not you continue to attack consultation or try to improve the future process and substantive issues. Be clear that unless otherwise directed, the officials are acting to direction from ministers which means: submissions close on 30 March; officials assess submissions and complete their report by mid-April; the report will probably be with the minister by the end of April and then up to Cabinet by mid-May. By June it is likely that officials have a direction on the legislative process and whether or not this includes further consultation. Māori need to make sure that your points are part of that loop. The key points produced today will strengthen the position of key officials who want to improve the consultation process and address any substantive Māori issues.

- 6.2 **Wiki Walker:** How much influence do we have over the process?

Response – Willie Te Aho: The Draft Key Themes document refers to other consultation processes models and engagement processes that Māori identified as good models, such as the ERMA [Environmental Risk Management Authority] process, WPOA [(Sustainable) Water Programme of Action, also SWPOA], Oceans Policy Forum and also the LINZ [Land Information New Zealand] process for the review of the Public Works Act. The WPOA consultation was held in early 2005. After a delay, it was decided to utilise the already established Iwi Chief Executives Group for further consultation which then lead to a WPOA technical group being established. You could use this meeting to address what process you think will work for this particular issue.

- 6.3 **Ngahape Lomax:** We can only say that we cannot engage/participate because of lack of resources and time frame. This is not consultation. We want to engage but cannot.

Willie Te Aho: What engagement would work? Other processes include: Two representatives from each rohe working together and reporting to the minister. The Oceans Policy Forum is another model. As Jamie noted earlier, Māori have rights and interests as iwi, as Treaty partners, and as landowners.

- 6.4 **Ngahape Lomax:** We recommend that the hui be postponed until a more co-operative approach can be developed. We need the minister to agree to develop a co-operative process.

Willie Te Aho: The foreshore and seabed process was a terrible process. This process is not perfect but it is much better. The question you have to address is if you don't engage will you be left out?

- 6.5 **Wiki Walker:** I would like to outline the views of the people in Tamaki.
- Willie Te Aho:** Maybe we need to give each person five minutes to outline the key issues they believe need to be addressed through this forum. We already have the hui minutes which outline what each individual rohe wants to see addressed.
- 6.6 **Moka Ritchie:** What are the key internal Crown issues we should be aware of?
- Willie Te Aho:** First, there needs to be an external group through which Māori can engage. Alternatively you can withdraw. Or some groups have engaged in a mixed approach. A claim has been made to the Waitangi Tribunal regarding Treaty breaches as to both the process and substantive issues. At the same time others have engaged to work internally to influence the proposed policy. Again, this will be a choice for you collectively today and for you individually within your own rohe.
- 6.7 **Tina Porou:** We agree with a mixed approach – to engage where we can, but at the same time make it clear that we don't really want to engage because the process is so poor.
- 6.8 **Wiki Walker:** Tangata whenua know about climate change, and want to contribute. What rongoa can we effect to stop climate change? Manukau is the largest city in the country and has the largest Māori population in the world. There is a mix of taura here and mana whenua. Some of the major issues for us are – immigration (no checks and balances for Māori on these policies, many come for lifestyle reasons, consumerism is a major cause of human contribution to climate change), transport and infrastructure (growing populations putting pressure on infrastructure, in urban areas cars and transport are the major issues). We support things like alternative mechanisms to reduce vehicle carbon emissions. Consumerism is a major issue. We need analysis on equitable access by Māori to things like EECA [Energy Efficiency and Conservation Authority] insulation retrofits, solar panels etc. Substandard housing is more than just lack of insulation, it also involves wiring etc. There is an assumption that Māori can afford sustainable living solutions. We have the largest Māori population and unique urban issues – while we support development of a national Māori view, there also needs to be a targeted Tamaki approach. Wiki also outlined some of the processes that Manukau City Council have adopted.
- 6.9 **Willie Te Aho:** What are the national issues that you can seek to reach agreement on?
- 6.10 **Jamie Tuuta:**
1. The policies suggest that there is no distinct position for Māori. We are treated as the wider public. We need to have a strong response on this.
 2. Māori are not homogenous. Taranaki are mainly dairy and dry stock landowners.
 3. There is a lack of empirical data. The Draft Key Themes document highlights Māori views – but we need robust data to put before the Crown officials to back up the Māori response. In particular what is the economic impact for Māori?
 4. We need to comment on process, the timeframes and resources.
 5. Environmental planning is ad hoc. We need a more holistic approach to these issues. For example, sustainable water is separated from energy and

climate change. What about biofuels – what is the cost/impact? There is not enough detail on the policies.

6. Intra-Māori co-operation, how do we want to work together going forward, be strategic? We need to give Māori members of parliament and ministers a shake-up.
- 6.11 **Roger Pikia:** Would like to see a protocol for endorsing the papers that go to the ministers both through the internal Māori units and also through an external group like ours. I acknowledge the Ngāti Hauiti approach, but I prefer to engage in the process otherwise we will be left out of the policy development and decision making. The Crown officials' response is that the economic impact on farmers is too great. Where is the economic analysis for this? I agree with Jamie. Our rights as Māori should not be unilaterally taken on the basis of shoddy science.
- 6.12 **Tipene Wilson:** Referred to a Te Mana Taiao Environmental Trust hui that was held the day before and displayed and spoke to the resolutions that had been specifically supported. These are noted below.

General

1. There is general support that the Indigenous Corporate Solutions Summary of Key Themes reflects the views expressed throughout the country, and proposed that that document be forwarded to the minister(s) with the endorsement of the reference group.
2. There is support for a move towards an 'emitter pays' regime for those that contribute to climate change, penalise the polluters. This cost will be passed on to the consumer anyway.

Māori involvement/consultation

3. Māori want to be at the front end of any business opportunities, tradeable permit regime, emissions, deforestation, or research.
4. Encourage and advocate for a best-practice consultation process with sufficient time to receive and absorb information. Include independent Māori assessment of the information to assess possible impacts on Māori, prior to engaging in the consultation hui process. (Case study: Te Mana Taiao Environmental Trust.)
5. Māori advisory, support, analyst as part of climate change team, discussion paper preparation and policy preparation.
6. Allow Māori time to consider how they may positively impact on the key issues being discussed.
7. Active Māori reference group resourced by the Ministries for this matter.

Māori-specific issues

8. In any policy, there is a need to consider the Māori specific issues. (such as how to allow for Māori cultural needs with respect to forestry; perhaps the opportunity to harvest 10 hectares of forest for papakāinga).
9. Identify the rohe-specific aspects relating to climate change, as noted in the minutes of many of the hui (eg, Auckland: immigration and effects on infrastructure. Transport initiatives). How is this incorporated into the policy?

10. **Equitable** treatment of Māori landowners, particularly multiple-owned land blocks so that Māori do not share an inordinate amount of the burden (eg, development limitations may be placed on forests yet Māori may have higher proportion of forestry holdings than the general population).

Research opportunities

12. Given that NZIER [New Zealand Institute of Economic Research] is able to assess the Māori economy, undertake a research project that considers the emissions or carbon balance sheet of Māori. What does the 2006 census say in terms of house, car, and forestry ownership by Māori? What does that say in terms of the carbon footprint of Māori per capita? What could be the economic impact of climate change policy on the Māori economy relative to the general economy?
13. Funding allocated for analysis of land use classification/modelling of Māori blocks (subject to reasonable standards of governance and prudent management system in place that can take advantage of or plan to utilise the findings of the land use modelling exercise).
14. Locally based renewable-energy projects (sustainable marae and papakāinga).
15. Consideration of impacts/benefits of conversion from exotic to indigenous forests.

General development

16. Consideration of the impacts of other development limitations on Māori and on Māori aspirations.
17. Pillar 3: Whilst acknowledging business opportunities in climate change initiatives, consider that an economically focussed solution is likely to create further disparities between those who can afford the solutions and those that can not, and be counter productive to the wider environmental, social and cultural imperatives.

Māori owned land

18. Recognise the unique aspects of Māori owned land (eg, unable to benefit as much from capital gains).

Forestry

19. Consider the impacts on climate change through deforestation and development of pre-1990 forests, given that a significant proportion of undeveloped Māori land is probably in forest of some type. Additionally, deforesting pre-1990 forests will release carbon and so will have a net negative effect on climate change. How can the government incentivise the retention of pre-1990 forests?

Energy

20. Alternative renewable energy – ensure that Māori are at the front end of the discussion and will not again be asked to pay an unreasonable price for the development of these technologies (eg, wind farms over wāhi tapu, maunga etc, inundation by hydro development, sinking whenua from geothermal or mining impacts). Where at all possible, Māori become beneficiaries of such developments.

Treaty obligations

22. Given historic breaches of treaty and tikanga, Māori cannot reasonably be expected to pay the same price as the country in combating climate change. (eg, if development limits on corporates are the same as limits on Māori development, there is a relatively larger impact on Māori economic wellbeing and flow on to social, cultural, health impacts).
23. Assess impact of policy on future and historical Treaty Settlement processes (eg, was land previously purchased or returned from the Crown, valued on full development potential and is that potential impacted by proposed climate change policy?).

General policy, government actions

24. Ensure cohesion between different policies (eg, fresh water use, Sustainable Water Programme of Action, water takes).
25. Government to demonstrate how it leads by example – eg, stop the conversion of forestry to farm land.
26. Impact of policy on overall Māori quadruple bottom line iwi, hapū, whānau, household and individual health (eg, will compliance measures and systems enforce unaffordable regimens on those that can least afford it?).
27. Clear explanation of the carbon credit system (one page).

Notes and comments from Te Mana Taiao Environmental Trust

The big issues for Māori in our rohe (Raukawa/Waikato) include:

1. The proposals will penalise landowners that want to convert their land from forestry to farming. This is good for sustainable land use, but:
 - it will probably be unfair to Māori landowners, who will be locked into forestry
 - it will not prevent other land use intensification; for example, sheep and beef farms, and horticulture will still be able to convert to dairy (which is a more intensive land use, and has a worse effect on climate change).
2. The Crown has dropped the so-called ‘fart tax’ proposals (which would have taxed farmers for the number of sheep and cattle they had). Yet, stock continue to be one of New Zealand’s biggest emitters of climate change gases (methane). This means that the landowners causing the problem are not bearing the burden of fixing it.
3. Renewable energy (geothermal, wind and hydro) will be encouraged (among other things by shortening the RMA process for these types of development). There may be opportunities for Māori landowners in terms of geothermal and wind. But there are also problems:

- Wind farms tend to be on hilly ridges so some maunga may be at risk of development.
- Some geothermal projects have a bad track record for environmental effects and the impact on Māori, such as at Broadlands and Wairākei. It is important that Māori are able to stay involved in the RMA process to keep environmental standards high and consistent with our tikanga. Some hapū and iwi oppose development because their geothermal fields are already over-developed.
- Hydro, as we all know, has had huge impacts on the Waikato River. It is already the most industrialised river in New Zealand and Māori have largely been shut out of this process. The negative impact on the river (including fisheries and water quality) has been huge.
- The proposals largely ignore the freshwater issues that are currently taking place (such as the EW water variation [Environment Waikato]). Many Māori believe that the policies should be better tied together – how can you look at land use without looking at the impact on water use (eg, nitrates in waterways from farming, more water takes and irrigation because of farming). Undeveloped Māori land will probably be worse affected. There is very little discussion of compensating Māori for this.

6.13 **Tawa Paenga:** We agree that the process is flawed but we want to engage rather than be left out. We hope that other Māori will engage too. Under what framework will the Crown engage with Māori? What are the impacts on forestry and pasture? Foreshore and seabed issues are significant for our rohe. These policies affect our natural resources. FOMA [Federation of Māori Authorities] have responded to the policies as well. When changes are made, Māori are the first to get hit, it is our economic base which supports our marae and families. We need analysis on the economic impact on Māori. Third, where is the Māori world view in these policies? It is not just economic, our world view is the framework that we operated within. It is also about kaitiakitanga. People are the destroyers of our own environment. In terms of having strategies to put forward, we were given the papers on the day.

6.14 **Moka Ritchie:** We should give a strong, clear message on the flaws in the consultation process. The Māori economy is as easy to analyse as anyone else's. If there is a negative effect on Māori, then our Treaty partner should not be supporting the policy. Iwi that have already settled have received lands subject to third party forestry leases – Ngāi Tahu settlement lands were returned subject to forestry lease (the only reason it was not clear land is that the Crown had forestry agreements in place, Ngāi Tahu was seeking clear land). If we cannot clear that land because of new Crown policies, then that is a fresh Treaty breach. We get no carbon credits either because it was pre-1990 forest. Ngāi Tahu are not changing the land use because we never sought or planted forests – we wanted clear land but will be penalised if we convert. Forestry should not be carrying a larger burden than other industries. All sectors need to be dealt with equally in the policy framework, not just the supposed 'easy' ones like forestry.

- 6.15 **Morry Black:** Immigration – many cultures are arriving in Hawkes Bay for fruit picking etc. Māori values need to be understood by new immigrants. The impact of farming on our waterways and unsustainable land use needs to be addressed, but farming lobby groups are very strong and wield a lot of influence. Carbon credits need to be kept within New Zealand, so that control can be retained and to ensure that there are sufficient credits to provide for internal economic development, A major percentage should be retained in New Zealand although I haven't considered by whom yet. Technology advances – need to fully consider and analyse the costs/benefits. If we have warmer winters in Hawkes Bay and Wairarapa, there is likely to be more pesticide use. Coastal development – hazard zones have been identified. Discharges to Tangaroa, algae bloom – impact on Māori aquaculture developments – likely to be worse in warmer weather. Recommend a baseline data of key Māori values and aspirations within each strand of the kaupapa, enshrined in climate change policy, within that paradigm guarantee recognition of Māori rights. Hybrid cars – costs need to be controlled, perhaps through vehicle registration costs.
- 6.16 **Trevor Wilson:** Tautoko what has already been said. The Wai 262 claim has not been reflected in the policies and not enough in the responses received to date. Foreshore and seabed has also not been considered. Recognition of Treaty rights not considered. If they gave us the money that was spent on preparing the climate change documents, we could have had an amazing collection of information. What is the status of a forum in the Crown's decision-making process (eg, Chief Executives' forum) . We don't want to be in a forum, we want to be part of the decision-making group that is doing the consulting. There is no recognition of taonga tuku iho. What value do you place on the social impact of these policies? Iwi are right holders, not stakeholders. We are kaitiaki of natural resources, we need to be part of determining where and how energy production (based on our taonga) occurs. Let's get the process right.
- 6.17 **Jim Gray (Te Arawa, FOMA):** Climate change is happening and in our lifetime we may not see any reduction in it. I am here to get as much info as possible to see how climate change impacts on the Māori land base and primary production. New Zealand rushed into the Kyoto Protocol thinking we had credits we could trade overseas, but having done the sums, the Crown now realises that we will be in deficit. The credits will go overseas. Forestry is not making money. The Crown is penalising Māori in pastoral farming and forestry but is not giving us the credits – that is where the debate lies. Government is telling Māori not to cut our trees, Māori are going to be the major forestry owners. Other landowners are getting out of it (eg, Hart converting forestry to pastoral). Need to address the social issues and the economic base for Māori. Small streams (micro-hydro), water (irrigation of Māori land), immigration (labour shortage) – the Crown is doing a lot of research into farming contribution, it is a national problem. Is there research into trees that mature before 13 years (eg, biofuels)? Is there an opportunity for Māori? Land was initially put into forestry to pay for rates, a huge amount of land can give 12–15% (dairy) as opposed to 4–5% forestry. As a trustee, I am charged with maximising land returns. Policy needs to provide a benefit for Māori, which will benefit the whole nation.

6.18 **Tina Porou:** Reiterated comments already made. Our hui had a lot of kaumātua and kuia. Many of our people had no knowledge of climate change. We can't assume that our people know what climate change is. The economic analysis is for the people at this table, we also need a short paper that shows the real impact for Māori (eg, cost of changing land use, cost of cutting trees for papakāinga etc). Impact of climate change includes increased flooding – the issue is not just about economic impact, there are also social impacts, eg, if we physically can't get into our land because of flooding, then this affects our ability to walk the land/tikanga. Climate change will also have huge impacts on biodiversity (habitats etc). Pest species that may be defined as trees – who will pay for getting rid of these? Are manuka and scrub defined as forest? Like many rohe, Tūwharetoa are facing a number of policy changes. Nitrates — Taupō District Council has defined land with outstanding natural values and 90% is Māori land. All of these will limit the ability to use and develop Māori land. Allocation of tradeable rights – Māori need to have a separate allocation. Climate change documents identify increased westerly winds in Taupō, which is a major cause of erosion (together with hydro damming of our waterways) in our rohe. Energy strategy needs to consider tangata whenua input and values, there are also opportunities for Māori. There needs to be investment in accelerating Māori uptake of new technologies and opportunities.

6.19 **Jim Gray:** Are there other energy solutions for New Zealand, such as nuclear?

7 Identifying common agreements

7.1 **Willie Te Aho** proposed that the group take time to identify common agreements and present these back after lunch. He summarised some of the points raised:

- Equity between industries (farming, forestry, transport, energy) – need to assess carbon footprints.
- Relevance of arbitrary 1990 cut-off date for Māori.
- Ability of Māori to convert from forestry without penalty eg, to papakāinga.
- Māori being at front of research options and resourcing to build Māori capacity to catch up on markets.

7.2 **Jamie Tuuta:** We need assessment of impact on large and small Māori blocks, and a comparison of those impacts with non-Māori, assess impact on Treaty settlements.

7.3 **Moka Ritchie:** Land that was in forestry pre-1990 will not get credits even if it is replanted post-1989.

7.4 **Roger Pikia:** Economic analysis needs to be compiled independently from the Crown and/or peer-reviewed independently.

How do we respond to or minimise the impact of any tax on land conversion. We need some innovative thinking around minimising the tax for Māori.

Gina Rangi: Noted that officials have indicated that there is a potential for allocation of deforestation permits – should there be an allocation for Māori?

Jim Gray: Maybe there is land that is better used for forestry, and land that is better used for farming etc – there needs to be research into best land use.

7.5 **Tina Porou:** Carbon footprint of Māori – are we carbon neutral?

- 7.6 **Willie Te Aho:** Should Māori get priority for research into Māori land use. Also, should Māori participate in the permit system and what percentage should there be for Māori (deforestation permits and emission permits)?
- 7.7 **Moka Ritchie:** We have to be aware of environmental impacts first, otherwise we may not be able to take advantage of economic benefits.
- Tina Porou:** The real impact of these policies may be to encourage Māori to use land in a way that is not consistent with kaitiakitanga.
- Hemi:** Māori landowners have economic aspirations, not just kaitiakitanga.
- Tawa Paenga:** We are not homogenous. Māori being tangata whenua, that is being lost. We need to demonstrate leadership on this.
- Tina Porou:** I agree, however there are diverse realities within our rohe. We have some Tūwharetoa people saying they are farmers first and Tūwharetoa second. Equally there are Tūwharetoa who are opposed to farming around the lakes and waterways because of the negative impact that current farming has on the lake Taupō and other water systems.
- 7.8 **Tipene Wilson:** The 1990 cut-off date – research project and land use modelling needs to be carried out.
- 7.9 **Tawa Paenga:** The transition needs to allow us to engage with our people. Has there been research into Māori land use that we are not privy to?
- Willie Te Aho:** I understand that some work on the analysis has already been carried out. MAF apparently has a GIS database that looks at land use.
- Roger Pikia:** Yes, I have seen the system. Maybe it should be available to all of the rohe representatives.
- 7.10 **Wiki Walker:** I have the right to say I am kaitiaki. The Treaty is the foundation document underpinning this. Māori need to have access to the practical solutions that address climate change (retrofit insulation etc).
- 7.11 **Roger Pikia:** Sustainable Water Programme of Action – we need to formulate a framework for ongoing consultation. What protocols do that group operate by? We need to consider resourcing, leverage, position in the decision making chain, appointment process.

Break for lunch 1.15 pm.

Meeting recommenced at 1.40 pm with Chappie Te Kani and George Ria present.

8 Draft collective response

Willie Te Aho circulated a draft collective response for discussion and refinement.

8.1 **Roger Pikia:** We need to be careful when referring to the Sustainable Water Programme of Action as a model way forward, as I am not sure if there was any Māori input into that?

George Ria: There is a leaders group (which advises the minister). It has two people who happen to be Māori but are not appointed as Māori representatives. There is also a forum of the Chief Executives of iwi organisations which appointed a Māori Technical Advisory Group for the Sustainable Water Programme of Action.

9 Discussion of amendments

9.1 Refer to the ministry units (rather than current individual staff members).

9.2 Māori MPs and relevant ministers should be pulled in.

9.3 **Willie Te Aho** proposed that the meeting not endorse the draft ICS key themes report as this is an independent report to MfE. It is important that source documents are put to ministers. The record of this hui, and the document that has been produced will be a submission. The minutes and the final version of the summary of key themes produced by ICS need to be read together for the purposes of cross reference.

9.4 **Jamie Tuuta:** The science and data underpinning the policies needs to be robust and disclosed, so that we can identify the wrong assumptions.

9.5 **Wiki Walker:** Asked for a greater voice on tangata whenua world view and long-term responsibilities to future generations.

Wiki Walker and Jim Grey withdrew from the meeting at 2.15 pm to catch return flights.

9.6 **Moka Ritchie:** Māori cannot be denied opportunity to participate in policies.

9.7 **Tina Porou:** We need to ensure that if we support the permit system there are enough permits and that the permit amounts are set at an appropriate quantum for Māori to benefit.

9.8 **Tina Porou:** Can the carbon footprint analysis be regionalised?

9.9 **Tawa Paenga:** Can you do that in the timeframes?

9.10 **Willie Te Aho:** Mike said this morning that Māori are part of the general economy, this forum clearly disagreed and requested separate research be undertaken (eg, NZIER and TPK [Te Puni Kokiri]).

9.11 Equitable treatment needs to ensure that Māori (as landowners, both Māori and general land, multiple owned Māori land) are not bearing the burden.

9.12 **Moka Ritchie:** Pre-1990 forests get no carbon credits.

Officials return to hui at 3 pm: Anna Kulhavy, Phil Gurnsey, Dairne Poole and Doug Heinz.

10 Presentation back to officials

10.1 **Willie Te Aho** referred to and outlined the document that the group has produced. Point 4 was explained further – ongoing engagement is sought, and in relation to Point 5 – resourcing is required to create a good sounding board and conduit for Ministerial advice.

Roger Pikia: The issue of resourcing of the way forward needs to be responded to today.

10.2 **Phil Gurnsey:** Thanked the group for their response, it has far exceeded what he had expected for today. Keenly aware of the need to resource the process going forward. Today's hui outcome will form part of the submission process. We will report to the ministers in April, after analysing the submissions. Then ministers' high-level decisions are expected in May. Then final proposed policies will be released for consultation. We would like to reconvene this group, and review a way to engage people better (noting that mandate does need to be confirmed by Māori).

10.3 **Tawa Paenga:** The representatives have given up a working day to attend, if we are to attend again then you need to consider resourcing time in attendance for whoever those persons may be.

10.4 **George Ria:** The feedback has added to the 'mini minor' process that we started with. The WPOA model was the initial model. While this process is not the best, it is better than the initial WPOA engagement. The pre-hui meetings, appointment of local coordinators for each hui and this meeting of regional representatives are a part of the engagement process. Most hui averaged 30 or 40 people. The work you have done today has drawn together the different regional voices, and will be of great help for advocating changes to the policies. This is a journey, and people like Phil Gurnsey have heard your request for funding and resourcing going forward. My view is that there is a need for people like you to influence the policy independently. With Anaru's Rewi (TPK) and Chappie Te Kani (MfE) we have a supportive group. Thank you for your commitment today. I would also like to acknowledge Dairne Poole who has organised much of the process. There is one more hui to be held on 29 March in Ruatoria.

10.5 **Willie Te Aho:** Ka mihi ki a koutou i wānanga i tēnei rangi, i haere tawhiti mai, tēnei te mihi nui ki a koutou. Te reka o ngā kōrero, me te wairua hoki. He ataahua. Ko te wero ki a Phil mā, mā rātou e whakaputa i ngā hua, kia whakamana ai ngā whakaaro Māori i puta mai i tēnei rā.

I acknowledge the officials who have participated in this process. For Māori – whilst there is always the option of not engaging or even challenging the process – I see this is an opportunity to try and effect change from the inside. Again, a big acknowledgement of Phil Gurnsey and the team for their leadership.

Karakia whakamutunga: Trevor Wilson (3.45 pm).