



**SUBMISSION TO
MINISTRY OF ENVIRONMENT ON
REFORMING THE NEW ZEALAND EMISSIONS
TRADING SCHEME: PROPOSED SETTINGS**

This submission is filed for Waikato-Tainui by:

Te Whakakitenga o Waikato Incorporated
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INTRODUCTION

1. This response is made on behalf of Te Whakakitenga o Waikato Incorporated (formerly known as Waikato-Tainui Te Kauhanganui Incorporated). Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) is the governing body for the 33 Hapuu and 68 marae pf Waikato Tainui and manages the assets of Waikato-Tainui for the benefit of over 77,000 registered tribal members.
2. Waikato-Tainui provides this response to the New Zealand Emissions Trading Scheme Proposed Settings Reform (ETS) on behalf of our hapuu and iwi members.
3. Waikato-Tainui would like to be heard before the Select Committee in respect of this response.
4. Our response is structured as follows:
 - a) Background to Waikato-Tainui
 - b) Overview of Waikato-Tainui's position regarding the ETS.
 - Supporting Documents
 - c) Specific comments on the proposed amendments.
 - d) Concluding comments.

BACKGROUND TO WAIKATO-TAINUI

5. Waikato-Tainui marae are kaitiaki of their environment and regard the holistic integrated management of all elements of the environment (such as flora, fauna, land, air and water) with utmost importance.
6. Waikato-Tainui are tangata whenua and exercise mana whakahaere within our rohe (tribal region). Our Waikato-Tainui rohe is bounded by Auckland in the north and Te Rohe Potae (King Country) in the south and extends from the west coast to the mountain ranges of Hapuaokohe and Kaimai in the east. Significant land marks within the rohe of Waikato include the Waikato and Waipaa Rivers, the sacred mountains of Taupiri, Karioi, Pirongia and Maungatautari, and the west coast of Whaaingaroa (Raglan), Manukau, Aotea and Kawhia moana, the eastern areas of Tikapa Moana (Firth of Thames), and principally, New Zealand's longest river, the Waikato.
7. We acknowledge and affirm the intrinsic relationship of Waikato-Tainui with our natural environment.
8. Waikato-Tainui entered into a Deed of Settlement regarding our Waikato River claim under Te Tiriti o Waitangi in 2008 ("2008 Settlement"). This was followed by the signing of a revised Deed in 2009 and ultimately, enactment of the Waikato-Tainui Raupatu (Waikato River) Settlement Act 2010 ("Settlement Act"). The settlement marked the genesis of the Crown's statutory recognition of Te Mana o te Awa and the establishment of a "Co-management" approach between Waikato-Tainui and the Crown regarding matters relating to the Waikato River.

9. Waikato-Tainui's principal interest in the ETS is to ensure that:

- a) The proposed amendments do not adversely affect the rights, interests, responsibilities and opportunities of Waikato-Tainui; and
- b) The co-management principles that underpin our 2008 settlement and Settlement Act are recognized and upheld.

OVERVIEW OF THE WAIKATO-TAINUI POSITION REGARDING THE ETS

10. Waikato-Tainui has a range of rights and interest including, but not limited to, those that arise from the following:

- a) The 1995 Waikato Raupatu Lands Settlement (and the Waikato Raupatu Settlement Act 1995), the 2008 Settlement and Settlement Act;
- b) Tikanga and customary law;
- c) Common law (including the common law relating to aboriginal title and customary law); and
- d) The Treaty of Waitangi and its principles.

11. Waikato-Tainui acknowledge the Ministry of Environment and the proposed improvements to the New Zealand Emissions Trading Scheme that seek to incentivise business to reduce emissions, innovate and invest in low-emissions solutions.

12. The following table outlines the current commercial forestry interest of Waikato-Tainui. This does not include the significant forestry interests by hapuu, whanau and other Maaori lands trusts.

	Location	Crop	NSA (ha)	Planting	Age	Harvest
Onewhero	Port Waikato	Radiata	797	2013-2018	1-5	2040/2045
Waipuna	Huntly	Redwood	219	2005-2007	11-13	2040/2042
Whatawhata	Whatawhata	Radiata	151	2001-2002	16-17	2028/2029
Kawaroa	Kawhia	Radiata	393	1996-1997	22-23	2023/2024
			1559			

13. Waikato supports the purpose of the ETS and the amendments that were a result from the previous consultation, which seeks to reduce greenhouse gas emissions but does not believe that the current mechanisms are providing incentives to meaningfully reduce the carbon emissions of New Zealand. Waikato-Tainui acknowledge that this is a major issue both nationally and globally.

14. While outside of the scope of this review Waikato-Tainui wish to seek clarity on the future of the agricultural sector in an emissions management scheme.

Supporting Documents

15. Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao;

16. The Waikato-Tainui Environmental Plan “Tai Tumu, Tai Pari, Tai Ao” (“Plan”) is an environmental policy/ planning document that provides guidance for resource users and managers in terms of the sustainable management of the natural resources within the Waikato-Tainui tribal area. The Plan takes a holistic and integrated approach towards resource management.

17. The overarching purpose of the Plan is to provide a map or pathway that will return the Waikato-Tainui rohe to the modern-day equivalent of the environmental state when Kiingi Taawhiao composed his maimai arhoa. To do this, the Plan seeks to:

- Provide the overarching position of Waikato-Tainui on the environment;
- Consolidate and describe Waikato-Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment;
- Underpin the development of a consistent and integrated approach to environmental management within the Waikato-Tainui rohe;
- Describe Waikato-Tainui environmental issues;
- Provide tools to enhance Waikato-Tainui mana whakahaere and kaitiakitanga, particularly when participating in resource and environmental management through:
 - a) Influencing the development of all environmental policies and plans that affect Waikato-Tainui;
 - b) Establishing a framework for resource and environmental management to support tribal members, whether as whanau, marae, hapuu or whatever grouping Waikato-Tainui, from time to time, chose and adopt;
 - c) Providing mechanisms to restore and protect the natural environment of Waikato-Tainui, whilst recognizing the reasonable needs of local communities;
 - d) Actively contributing to the co-management of the Waikato River;
 - e) Influencing local and national decision makers;
 - f) Providing a guide for resource users or developers in the Waikato-Tainui rohe;
 - g) Affecting how and where development may occur;
 - h) Providing clear and consistent issues statements, policies, and methods to manage natural resources; and

- i) Provide guidance to external agencies regarding Waikato-Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment.
18. Section C of the Waikato-Tainui Environmental Plan expresses our concern regarding human activity and the cumulative effects of discharge, farming, industry, commercial practices and deforestation that contribute to climate change, global warming and the reduction in the ozone layer.
19. Waikato-Tainui are currently developing a climate change strategy and position statement. Within this strategy and position statement it is important that the cause and effects of climate change are understood, prepared for, and managed within the Waikato-Tainui rohe.
20. Waikato-Tainui expect that the crown give effect to the Plan in order to develop robust and meaningful environmental outcomes in the Waikato-Tainui rohe.
21. Waikato-Tainui and the Crown Accords;
22. The Accords set out how Waikato-Tainui and the Crown will establish and maintain a positive, co-operative and enduring relationship.
23. Waikato-Tainui acknowledge the Ministry for the consultation on the proposed improvements to the ETS.
24. As a Treaty partner, Tangata Whenua and as kaitiaki within its tribal rohe it is very important that Waikato-Tainui are engaged at the earliest opportunity regarding the development of any plans or policies (i.e. co-design or co-development) to provide guidance regarding our values, principles, knowledge and perspectives on, relationship with, and objective for natural resources and the environment.

SPECIFIC COMMENTS ON THE PROPOSED AMMENDMENTS

25. The consultation documents do not discuss the role of agriculture within the ETS instead they refer to the Climate Change Committee who will consider how agricultural emissions should be entered into the scheme. Again, Waikato-Tainui is uncomfortable with the lack of clarity and consultation around this aspect and the significant impacts to the environment and commercial outcomes.
26. Waikato-Tainui recognize the importance of agriculture to the New Zealand economy including the Maori economy but also acknowledge the agricultural sector is a major emitter of greenhouse gases therefore it is crucial that activities such as dairy farming be incorporated into a emissions management system.
27. Price Ceiling;
28. Waikato-Tainui support the proposed CCR. The increasing price ceiling provides more incentive to business, to innovate and invest in low emissions technology. At the same

time the CCR process and the price ceiling will continue to provide an element of certainty.

29. Waikato-Tainui also supports the recommendation to introduce a price floor to ensure that the protections and security afforded to emitters by the CCR are also provided to the forestry sector as the sole sequestration source.
30. International Unit Limit Proposal;
31. Waikato-Tainui support the proposal to limit international carbon credits entering the NZ ETS as this may impact upon New Zealand's emissions reduction targets. The Government must therefore manage international carbon credits for the NZ ETS so that these are accounted for in the ETS unit supply volumes setting process and have environmental integrity.
32. Auctioning;
33. Waikato-Tainui support a single round auction as it provides less risk, less complexity and a streamlined approach.
34. Decision-Making Process;
35. Waikato-Tainui supports the recommendation to release NZ ETS unit supply and price control settings annually on a five-year rolling basis on the condition that Iwi Maori are consulted and, on this information, and we do not fall into the audience where this information is locked down. Waikato-Tainui wish to practice our right as Treaty Partners and wish to be kept in the discussion throughout its entirety and feel that being placed in an audience where information is locked down puts us at a disadvantage and does not uphold the Treaty Partner agreement.

CONCLUSION

36. In conclusion, Waikato-Tainui's position regarding the New Zealand Emissions Trading Scheme Proposed Settings Reform (ETS) is as follows:
 - a) Waikato-Tainui would like to stress the position statement made above as we are uncomfortable with the lack of clarity and consultation around this aspect and the significant impacts to the environment and commercial outcomes. Waikato-Tainui acknowledge the importance of the agricultural sectors contribution to our economy but would like to make note that the agricultural sector is a major emitter of greenhouse gases therefore it is crucial that activities such as dairy farming be incorporated into an emissions management system.
 - b) Waikato-Tainui support the recommendations that were the outcome of the previous consultation around ETS but wish to stress the importance of Treaty Partnership, and Waikato Tainui assert our position as Treaty Partners to be present in further discussions and information as it becomes available.

- c) The amendments proposed in the ETS consultation must be pursued in a way that does not adversely affect the rights, interests, responsibilities and opportunities of Waikato-Tainui.

37. Accordingly, Waikato-Tainui seeks direct engagement with the Crown and its officials on the amendments proposed in the New Zealand Emissions Trading Scheme Proposed Settings Reform, in particular regarding any matter related to the rights, interest, responsibilities, and opportunities of Waikato-Tainui, including matters set out in this response.

DATED

21 February 2020

TE WHAKAKITENGA O WAIKATO INCORPORATED

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