

He tono nā



Te Rūnanga o NGĀI TAHU

ki

THE MINISTRY FOR THE ENVIRONMENT

e pā ana ki te

NEW ZEALAND'S CLIMATE CHANGE TARGET: A DISCUSSION DOCUMENT

Maruaroa /June 2015

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contact person

Donna Flavell | General Manager – Strategy and Influence | Te Rūnanga o Ngāi Tahu
Donna.Flavell@ngaitahu.iwi.nz | Phone 03 371-2692 | PO Box 13-046 | Christchurch

Mo tātou a mō kā uri a muri ake nei

1. EXECUTIVE SUMMARY

- 1.1 Te Rūnanga o Ngāi Tahu (Te Rūnanga) welcomes the opportunity to review New Zealand's international United Nations Framework Convention on Climate Change (UNFCCC) emission reduction target and endorses a comprehensive suite of domestic climate change policies that transition New Zealand to a low carbon economy.
- 1.2 It is the position of Te Rūnanga that a comprehensive review of climate change policy is required and the transition to a low carbon economy will present a range of challenges and opportunities.
- 1.3 More detailed economic analysis is required to show the real costs of climate change over the long term. Such analysis should canvas the cost of meeting New Zealand's post-2020 target, the range of complementary measures and benefits of those measures, in addition to the costs for iwi of adapting to climate change.

2. OVERALL RECOMMENDATIONS

- 2.1 The following recommendations are made by Te Rūnanga o Ngāi Tahu in regards to domestic climate change policy:
 - A review of domestic policy settings to facilitate a transition towards a low carbon economy.
 - Better integration across the climate change policy framework to deliver mutually beneficial outcomes across all of the wellbeing indicators.
 - Greater incentives to increase the uptake of existing environmental-friendly technology.
- 2.2 The following recommendations are made by Te Rūnanga o Ngāi Tahu regarding New Zealand's post-2020 emissions reduction target:
 - New Zealand takes on an ambitious, equitable and binding emissions reduction target.
 - Adopts a target of 25 per cent below 1990 greenhouse gas emissions levels by 2030, which will serve as a transitional target towards a 50 per cent reduction by 2050.
 - More detailed analysis of the real costs of climate change, which includes the costs of inaction, the role of complementary measures and the impacts and costs of adaptation.
 - Accurate clear reporting to decision makers on the mutual benefits for stakeholders of targeted climate change policy and low cost mitigation options.
 - A review of domestic policy settings to ensure that New Zealand is able to

transition to a low carbon economy.

- New Zealand adopts an ambitious, equitable and binding emissions reduction target.
- New Zealand's international commitment is not unduly influenced by other UNFCCC party commitments.
- New Zealand views their emissions profile as an opportunity and shows leadership by taking on an ambitious emissions reduction target.
- New Zealand to forge strong partnerships with countries that share a similar emissions profile.
- New Zealand to play a lead role in technical working groups to protect New Zealand's Interests.
- More detailed analysis of the impact on households under different policies and settings over the short, medium and long term.
- Greater transparency of the nature and impact of different financial levers.
- An integrated approach which delivers a range of new opportunities with a focus on the protection and enhancement of the natural environment.
- Technological considerations should form part of the decision making process however, the health and wellbeing of the environment should come first and foremost.

3. TE RŪNANGA O NGĀI TAHU

3.1 This response is made on behalf of Te Rūnanga o Ngāi Tahu. Te Rūnanga is statutorily recognised as the representative tribal body of Ngāi Tahu Whānui and was established as a body corporate on 24th April 1996 under section 6 of Te Rūnanga o Ngāi Tahu Act 1996 (the Act).

3.2 We note the following relevant provisions of our constitutional documents: Section 3 of the Act States:

"This Act binds the Crown and every person (including any body politic or corporate) whose rights are affected by any provisions of this Act."

Section 15(1) of the Act states:

"Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui."

3.3 The Charter of Te Rūnanga o Ngāi Tahu constitutes Te Rūnanga as the kaitiaki of the tribal interests.

3.4 Te Rūnanga respectfully requests that the Ministry accord this response the status and weight due to the tribal collective, Ngāi Tahu Whānui, currently comprising over 50,000 members, registered in accordance with section 8 of the Act.

4. TE RŪNANGA INTERESTS IN THE CLIMATE CHANGE DISCUSSION DOCUMENT

4.1 The cultural redress elements of the Ngāi Tahu Settlement are aimed at restoring the ability of Ngāi Tahu to give practical effect to its traditional and contemporary kaitiaki relationship with the environment. Our relationship with the natural environment is at the heart of Te Kerēme – The Ngāi Tahu Claim, and much of the Ngāi Tahu Settlement gives expression to our relationship with the takiwā. These tools are immensely significant to the iwi as symbolic recognition of our whakapapa, but more importantly, they allow us to honour our values of kaitiakitanga (environmental guardianship).

4.1 The adoption of meaningful climate change policy will enable New Zealand to become an international leader in sustainable development - achieving economic growth without compromising our standard of living or environmental sustainability.

4.2 The international commitment taken on by the government will likely set a precedent for New Zealand and influence the desire for domestic climate change action.

4.3 Te Rūnanga notes the following particular interests in the proposed activity classifications in the discussion document; *New Zealand's Climate Change Target*:

Treaty Relationship

- Te Rūnanga o Ngāi Tahu have an expectation that the Crown will honour Te Tiriti o Waitangi and the principles upon which the Treaty is founded.
- The management of the environment and resources within the takiwā, for which Ngāi Tahu Whānui have kaitiaki responsibilities should be undertaken in such a way as to enable Ngāi Tahu to maintain rangatiratanga status consistent with the principles of the Treaty of Waitangi

Kaitiakitanga

- In keeping with the kaitiaki responsibilities of Ngāi Tahu whānui, Te Rūnanga has an interest in ensuring sustainable management of natural resources, protecting taonga species and mahinga kai resources for future generations
- Ngāi Tahu whānui are both users of natural resources, and stewards of those resources. At all times, Te Rūnanga is guided by the tribal whakataukī: “*mō tātou, ā, mō kā uri ā muri ake nei*” (for us and our descendants after us).

Whanaungatanga

- Te Rūnanga has a responsibility to promote the wellbeing of Ngāi Tahu Whānui and ensure that the management of Ngāi Tahu assets and the wider management of natural resources supports the development of iwi members.

4.4 Te Rūnanga has a specific interest in environmental and natural resource management by virtue of the Ngāi Tahu Claims Settlement Act 1998. The Act

provides for Ngāi Tahu and the Crown to enter an age of co-operation. An excerpt of the Act is attached as Appendix One, as a guide to the basis of the post-Settlement relationship which underpins this submission.

- 4.5 The Crown apology to Ngāi Tahu recognises the Treaty principles of partnership, active participation in decision-making, active protection and rangatiratanga.
- 4.6 With regards to the Ngāi Tahu takiwā, Section 5 of the Te Rūnanga o Ngāi Tahu Act 1996 statutorily defines those areas “south of the northern most boundaries described in the decision of the Māori Appellate Court ...” which in effect is south of Te Parinui o Whiti on the East Coast and Kahurangi Point on the West Coast of the South Island.
- 4.7 Section 2 of the Ngāi Tahu Claims Settlement Act 1998 statutorily defines the Ngāi Tahu claim area as being:

“the area shown on allocation plan NT 504 (SO 19900), being—

- (a) the takiwā of Ngāi Tahu Whānui; and*
- (b) the coastal marine area adjacent to the coastal boundary of the takiwā of Ngāi Tahu Whānui; and*
- (c) the New Zealand fisheries waters within the coastal marine area and exclusive economic zone adjacent to the seaward boundary of that coastal marine area;—*

and, for the purposes of this definition, the northern sea boundaries of the coastal marine area have been determined using the equidistance principle, and the northern sea boundaries of the exclusive economic zone have been determined using the perpendicular to the meridian principle from the seaward boundary of the coastal marine area (with provision to exclude part of the New Zealand fisheries waters around the Chatham Islands).”

(See the map attached as Appendix Two)

- 4.8 As set out above, the traditional and statutorily recognised interests of Ngāi Tahu Across the Te Waipounamu Region are significant, which is why appropriate management of the climate change matter is of such importance to the iwi.

SECTION A: DOMESTIC CLIMATE CHANGE POLICY

- 5.1 The economic, social and cultural systems of Ngāi Tahu are intimately intertwined with the natural environment. A large proportion of the Ngāi Tahu asset base is invested in climate sensitive primary industries (forestry, fishing, agriculture and tourism) meaning that a lack of action against climate change has the potential to have a significant impact on the economic opportunities for Ngāi Tahu whānui.
- 5.2 Te Rūnanga believes that a lack of leadership has resulted in a lack of domestic emissions reductions and domestic climate change policy settings continue to have an adverse impact on Ngāi Tāhū Whānui.

- 5.3 The review of New Zealand’s international commitment presents an opportunity to take a closer look at domestic climate change policy settings to better enable New Zealand to transition to a low emissions future.
- 5.4 Te Rūnanga has consistently called for the Emissions Trading Scheme (ETS) to cover all sectors and all gases as all parts of the economy need to be responsible for emission reduction targets.

Recommendations

- 5.5 Te Rūnanga recommends:
- A review of domestic policy settings to facilitate a transition towards a low carbon economy.
 - Better integration across the climate change policy framework to deliver mutually beneficial outcomes across all of the wellbeing indicators.
 - Greater incentives to increase the uptake of existing environmental friendly technology.

SECTION B: NEW ZEALANDS INTERNATIONAL OBLIGATIONS UNDER THE UNFCCC

- 6.1 The Organisation for Economic Co-operation and Development (OECD) Air and Greenhouse gas (GHG) emissions shows the average GHG emissions in 2012 were 12.469 tonnes/per capita. Relative to this total, New Zealand’s position in 2012 was 17.155 tonnes/per capita which put New Zealand amongst the top 5 contributors to Greenhouse gas emissions in the OECD.
- 6.2 The European Union has a target of reducing greenhouse gas emissions by 40 per cent below 1990 levels by 2030 and the United States has a target of reducing GHG emissions by 26 to 28 per cent below 2005 levels by 2025.
- 6.3 Te Rūnanga supports the carbon market continuing to be a feature of the Post-2020 framework however wants to see greater restrictions on international units and on-going monitoring of the environmental integrity of units against domestic emissions reduction targets.
- 6.4 Forestry remains an important carbon sink and Te Rūnanga supports greater international effort on reducing emissions from deforestation and forest degradation (REDD), forest management and implementation to land-use change and wetland carbon stores.
- 6.5 New Zealand has already committed to:
- an unconditional target of five per cent below our 1990 greenhouse gas emissions levels by 2020; and
 - a conditional target range of 10 to 20 per cent below our 1990 greenhouse gas

emissions levels by 2020, if there is a comprehensive global agreement.

- 6.6 The Government has already announced a domestic long-term target of 50 per cent below our 1990 greenhouse gas emissions levels by 2050.

Recommendations

- 6.7 Te Rūnanga recommends:
- New Zealand takes on an ambitious, equitable and binding emissions reduction target.
 - Adopts a target of 25 per cent below 1990 greenhouse gas emissions levels by 2030 which will serve as a transitional target towards a 50 per cent reduction by 2050.

SECTION C: OUR CONTRIBUTION TO THE INTERNATIONAL CLIMATE CHANGE AGREEMENT

- 7.1 Te Rūnanga welcomes the opportunity to comment on the level and duration of New Zealand post-2020 UNFCCC target.
- 7.2 Te Rūnanga is concerned that the discussion document provides an incomplete picture of the domestic and international climate change situation and some of the estimates of costs are misleading.

Recommendations

7.3 Te Rūnanga recommends:

- More detailed analysis of the real costs of climate change which includes the costs of inaction, role of complementary measures and the impacts and costs of adaptation on iwi, society and the environment over the long term.
- Accurate clear reporting to decisions makers on the mutual benefits for stakeholders of targeted climate change policy and low costs mitigation options.

OBJECTIVES FOR OUR CONTRIBUTION (QUESTION 1)

8.1 Ngāi Tahu whānau remain heavily reliant on the natural environment for traditional mahinga kai practices, which means Ngāi Tahu whānui are extremely vulnerable to the effects of climate change.

8.2 Te Rūnanga supports the high level principles behind the objectives for New Zealand's contribution, however:

- believes failings in past negotiations and the ineffectiveness of market mechanisms such as the Clean Development Mechanisms (CDM) will dampen the appetite for some countries to take on ambitious targets;
- encourages innovation and leadership to drive economic growth and development in less emission intensive sectors; and
- considers it critical that the valuation of costs and impacts on society is more accurately assessed. At present, the current objective only relates to cost on households and ignores the cost of inaction and benefits of complementary measures.

Recommendations

8.3 Te Rūnanga recommends:

- A review of domestic policy settings to ensure that New Zealand is able to transition to a low carbon economy.
- New Zealand adopts an ambitious, equitable and binding emissions reduction target.
- New Zealand's international commitment is not unduly influenced by other UNFCCC party commitments.

NEW ZEALAND'S EMISSIONS AND THE ECONOMY (QUESTION 2)

9.1 While it is true that the New Zealand has a unique emissions profile, it is also true that New Zealand stands to be majorly affected by the impacts of climate change and the make-up of our emissions profile as a direct result of a national push towards more intensive land use.

- 9.2 Te Rūnanga considers that the nature of emissions should have some bearing on the emission reduction target adopted, however, the full range of costs of the short and longer term need to be appropriately addressed and balanced.
- 9.3 Te Rūnanga notes that there have been significant advancements in research and development of CO2 emissions from livestock and encourages the continuation of such work. We recommend that priority is also directed towards working with the agriculture sector to encourage sustainable farming methods that reduce emissions.
- 9.4 Te Rūnanga supports New Zealand shaping post-2020 commitment rules through active involvement in the Land Use, Land-Use Change and Forestry (LULUCF) working group.

Recommendations

- 9.5 Te Rūnanga recommends:
- New Zealand views their emissions profile as an opportunity and shows leadership by taking on an ambitious emission reduction target.
 - New Zealand forge strong partnerships with countries that share a similar emissions profile.
 - New Zealand play a lead role in technical working groups to protect New Zealand's Interests.

WHAT LEVEL OF COST IS APPROPRIATE (QUESTION 3)

- 10.1 Ngāi Tahu whānau have a mean household income of \$27,500 which is below the national average and as a result Ngāi Tahu whānau are at risk of fuel poverty. As such, Te Rūnanga supports a comprehensive suite of complementary measures to protect low income households from bearing additional costs.
- 10.2 The key drivers behind fuel poverty are the energy efficiency of the property and the cost of energy and household income. To achieve enduring change in minimising the impact on households, the strategic response should address these factors in a consistent and complementary approach.
- 10.3 Te Rūnanga believes this question is too narrow in scope and while the impact on households should be analysed and mitigated, this aspect should be analysed in tandem with a range of other economic considerations.
- 10.4 The government has a range of fiscal levers which will impact on the cost borne by households. Complementary measures, incentives and subsidies should be maximised to mitigate the impact on low income households.
- 10.5 New Zealand is on track to meet its current 2020 target through a mix of reducing domestic emissions, use of forestry sinks, and recognising a surplus of emission

reduction units from the first target under the Kyoto Protocol. These targets have been met without a comprehensive suite of complementary measures and policies which means that New Zealand will likely be able to meet additional reduction targets at minimal cost through changes in existing policy settings.

Recommendations

10.6 Te Rūnanga recommends:

- More detailed analysis of the impact on households under different policies and settings over the short, medium and long term.
- Greater transparency of the nature and impact of different financial levers.

OPPORTUNITIES (QUESTION 4)

11.1 Te Rūnanga welcomes the acknowledgment of the range of opportunities presented as New Zealand moves to a low carbon future. Te Rūnanga supports this transition as this as it is essential to protect the natural environment for future generations. Taking an intergenerational approach in this regard gives effect to the vision '*Mō tātou, ā, mō ka uri a muri ake nei*'; which recognises that our actions are for the benefit of our children, and those generations that follow.

11.2 Te Rūnanga also welcomes acknowledgment that climate change outcomes will deliver outcomes across a range of other portfolios and encourages a more integrated approach to policy development.

Recommendations

11.3 Te Rūnanga recommends:

- An integrated approach which delivers a range of new opportunities with a focus on the protection and enhancement of the natural environment.
- A review of domestic policy settings to ensure that New Zealand is able to transition to a low carbon economy.

FUTURE UNCERTAINTIES (QUESTION 5)

12.1 As kaitiaki, Ngāi Tahu whānui have rights, responsibilities and obligations to the natural environment. This means that the health and wellbeing of the environment is paramount, whereas technical considerations are a secondary priority. As such, positive environmental outcomes should be the focus for decision making when considering adopting an international target.

Recommendations

12.2 Te Rūnanga recommends:

- Technological considerations should form part of the decision making process however, the health and wellbeing of the environment should come first and foremost.

APPENDIX ONE: TEXT OF CROWN APOLOGY

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

Part One – Apology by the Crown to Ngāi Tahu Section 6 Text

in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb 'He mahi kai takata, he mahi kai hōaka' ('It is work that consumes people, as greenstone consumes sandstone'). The Ngāi Tahu understanding of the Crown's responsibilities conveyed to Queen Victoria by Matiaha Tiramōrehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramōrehu wrote:

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”

The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.

2. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.
3. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.
4. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying 'Te Hapa o Niu Tirenī!' ('The unfulfilled promise of New Zealand'). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').

5. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
6. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
7. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.

Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu.”

APPENDIX TWO: NGĀI TAHU TAKIWĀ

