



## PROACTIVE RELEASE COVERSHEET

<b>Minister</b>	Minister Shaw	<b>Portfolio</b>	Minister of Climate Change
<b>Title of Cabinet paper</b>	Governance Entity for the Māori Climate Platform	<b>Date to be published</b>	20/11/2023

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
18 September 2023	Cabinet paper - Governance Entity for the Māori Climate Platform	Office of the Minister for the Environment
2 October	Cabinet Minute - Governance Entity for the Māori Climate Platform	Secretary of the Cabinet

### Information redacted **YES**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

### Summary of reasons for redaction

Some information has been withheld for the reasons of confidentiality of advice tendered by Ministers, and free and frank advice between Ministers and crown officials.

## **Policy and Privacy**

### **In-Confidence**

Office of the Minister of Climate Change

CBC - Cabinet Business Committee

## **Governance Entity for the Māori Climate Platform**

### **Proposal**

- 1 This paper provides an update on the establishment of the Māori climate platform. It also seeks in-principle decisions to recognise the Oho Mauri Trust as the governance entity for the platform and seeks draw down of funding held in contingency for the Māori Climate Action initiative against the Climate Emergency Response Fund.

### **Relation to government priorities**

- 2 The Government declared a climate change emergency on 2 December 2020. Cabinet agreed that climate change “demands a sufficiently ambitious, urgent, and coordinated response across government to meet the scale and complexity of the challenge” [CBC-20-MIN-0097 refers].
- 3 Enabling a just transition to a low-emissions, climate resilient future is a Government priority. Cabinet declared its intention to “put the climate at the centre of government decision-making” [CBC-20-MIN-0097 refers].
- 4 The proposals in this paper relate to the Cooperation Agreement between the Labour and Green Parties. Achieving the purpose and goals of the Climate Change Response (Zero Carbon) Amendment Act 2019 is an agreed area of cooperation.

### **Executive Summary**

- 5 Cabinet agreed to establish a Māori climate platform (platform) in March 2022. This is part of the Government’s commitment to Māori climate action and a Te Tiriti-led approach to an equitable transition for Māori, through Aotearoa New Zealand’s climate response.
- 6 Phase one was for the Interim Ministerial Advisory Committee, Māori Climate Platform (the Committee) to provide me with recommendations, for a more enduring governance mechanism prior to seeking Cabinet agreement [MCR-22-MIN-0007].
- 7 The Committee has recommended the establishment of the Oho Mauri Trust (the Trust) as the governance structure for an independent Māori climate action platform.
- 8 The recommendations and high-level work plan to establish and progress the platform based on its proposed structure and functions aligns with the key objectives of the platform:
  - 8.1 enabling Māori climate action at place through greater partnership and representation for Māori in the climate response
  - 8.2 Māori community-facing strategies and tools

- 8.3 funding aimed at kaupapa Māori, tangata Māori solutions and needs [MCR-022-MIN-0007 refers].
- 9 The Trust intends to engage further on the recommendations and progress the platform by implementing their work programme over the next 12 months. This is an opportunity for the Government to demonstrate its commitment to embedding Te Tiriti across the climate policy response through a by Māori, for Māori initiative.
- 10 I propose Cabinet agree in-principle to a proposed governance structure for the platform. I also recommend that Cabinet agree to draw down the 'Māori Climate Action' Climate Emergency Response Fund (CERF) Budget 2022 tagged contingency for the Ministry for the Environment to enable the Trust to progress their work programme and funding for Māori climate action.
- 11 9(2)(f)(iv)

## Background

- 12 In March 2022, Cabinet agreed to establish a Māori climate platform to activate Māori community climate action. The focus of the platform is kaupapa Māori, tangata Māori solutions for climate resilience. This approach will support Māori through the transition to a low-emission economy [MCR-22-MIN-0007 refers].
- 13 To allow for a Māori-led process, it was agreed that the platform would be established in two phases. Phase one involved the Committee developing recommendations for the platform. Phase two would implement the Committee's agreed-to recommendations for the platform.

*The Interim Ministerial Advisory Committee, Māori Climate Platform has been working to design phase two*

- 14 In November 2022 Cabinet noted my appointments to the newly established Interim Committee for a term expiring on 1 February 2024 [APH-22-MIN-0225].
- 15 The Committee was charged with designing the platform. Some specifications were outlined in CAB-140 and further articulated as an appendix to their terms of reference, and included the following:
- 15.1 recommend a framework and mechanisms to embed Te Tiriti in the climate policy response and support the allocation of funding at-place, that helps communities plan and respond to climate change
- 15.2 include appropriate structure, governance, and representation recommendations to support allocation and administration of \$18M, as well as possible future funding to enable Māori climate action.
- 16 The Committee's recommendations were to be supported with evidence that they reflect feedback from Māori, and a plan for their implementation.
- 17 On 17 August 2023 the Committee presented their recommendations for a permanent Māori climate platform based on their work to date (see Appendix 1 for these recommendations).

## Proposals for phase two of the Māori climate platform

*The Interim Committee has proposed the Oho Mauri Trust as the governance entity responsible for implementing phase two of the Māori climate platform*

- 18 The Committee has established the independent Oho Mauri Trust (the Trust). They recommend that the Trust govern both the establishment and continuing operation of a Māori climate action platform.
- 19 I now seek your in-principle agreement to the Trust as the independent governance entity for phase two. This will establish and operate as a mechanism for Māori representation and partnership in the climate response, and funder of Māori climate action over the longer-term.
- 20 The Trust is independent, and the Crown's relationship and obligations under Te Tiriti remain with iwi, hapū, and Māori landowners. The platform is part of a multi-pronged approach to support Māori climate action and a Te Tiriti-led approach to an equitable transition for Māori through Aotearoa New Zealand's climate response.
- 21 Subject to your agreement, I will direct my officials to work with the Trust over the second phase of the platform's establishment.
- 22 9(2)(f)(iv)

## Analysis

- 23 Climate change (and our response to it) has the potential to exacerbate existing inequalities for Māori and create new ones. To mitigate this risk and avoid a top-down approach that minimises how tangata whenua contribute, the Government has heard that Māori must participate more in the climate response.
- 24 Cabinet agreed to establish a Māori climate platform, with a focus on greater partnership and representation for Māori in the climate response, community-facing strategies and tools, and funding aimed at kaupapa Māori, tangata Māori solutions. [MCR-022-MIN-0007 refers].

*The Māori climate platform will grow Māori participation in the climate response, develop climate resources and tools, and distribute funds for kaupapa Māori, tangata Māori solutions*

- 25 Once established, the platform will play a coordinating role to understand Māori perspectives on climate change and identify gaps or barriers to action. The funding function of the platform will distribute funding towards Māori communities across Aotearoa for climate action that is practical and rooted in Māori cultural and socio-economic needs.
- 26 Regular evaluation of funded projects will help the platform to build an evidence base about different Māori climate responses. This is so that they can support communities and individuals more effectively as funders over the long-term. The Trust has indicated that the platform will seek additional partners to support their funding functions, alongside the Government.

*Proposed governance structure for the Māori climate platform*

- 27 The Committee examined several options for an enduring mechanism for representation and partnership. They preferred a charitable trust model, as it allows for independent operation. This model also provides the ability to contract and employ staff. This is vital for the administration of the \$18 million intended for the platform and Māori communities.
- 28 The platform requires a dedicated and competent organisation to ensure its successful implementation. To facilitate the establishment of the platform, the Trust has been created to govern the establishment and operation of the Māori climate platform.
- 29 Between them, the founding Trustees have extensive governance experience and credibility on climate and environmental issues. They have already undergone a rigorous appointment process, including background checks, to be members of the Interim Ministerial Advisory Committee, and are therefore suitable for delivering on the purpose and function of the Trust.
- 30 The Trust's charitable purposes include:
- 30.1 asserting te ao Māori solutions for an equitable climate response
  - 30.2 enabling Māori communities to build resilience to climate impacts
  - 30.3 accelerating Māori climate action to reduce emissions and ensure the survival of the ao Māori
  - 30.4 receiving funds, with capital and income to be distributed in line with the Trust purposes.
- 31 I consider a charitable trust model to be an appropriate structure provided the Trust is funded to deliver the Māori climate platform's strategic objectives.
- 32 Officials have been working with the Trust on the detailed structural requirements to receive public funds. The Trust has made amendments to their trust deed and are now at a point where they meet the necessary requirements for receipt of public funds.

*Proposed workplan to establish the Māori climate platform in phase two*

- 33 The Committee's recommendations were accompanied by a provisional workplan for operationalising the platform. Work to implement it will progress over the next 12 months. The Trustees have signalled their commitment to broad and inclusive engagement in phase two. 9(2)(f)(iv)

*Treaty partnership and the climate policy response*

- 34 The Trust and the platform will help to enable Māori climate action. As an independent organisation, the platform will also advocate for diverse Māori needs in relation to government climate policy, working with iwi and hapū where requested.
- 35 However, the platform is not intended to be the only initiative to support Māori efforts to cut pollution or adapt to extreme weather events. Nor can it supplant the direct Treaty partnership between the Government and iwi, hapū and Māori landowners.

- 36 The establishment of the platform is part of a suite of Government initiatives to support Māori climate action and does not replace the responsibilities of the Government working with Treaty partners across the climate policy response.
- 37 One such initiative are the funding avenues available for regions affected by the recent severe weather events through the Kaupapa Māori Pathway and Regional Recovery Plans in the Government's emergency recovery response.
- 38 I anticipate the Government will also continue to develop multiple ways to strengthen Māori climate action through the next emissions reduction plan, national adaptation plan, and other initiatives to invest in iwi and hapū climate action at place.

*Draw down of contingency funding for the Māori climate platform*

- 39 The Climate Emergency Response Fund (CERF) Budget 2022 allocated \$18 million funding for the *Māori Climate Action* initiative. Funding is currently held in tagged contingency with an expiry date of 1 February 2024. Once appropriated it will cover the 2023/24 to 2026/27 financial years and outyears.
- 40 The contingency funding can be drawn down by the Minister of Finance and the Minister of Climate Change, acting jointly, if they agree to the proposal for phase two of the platform. This is non-departmental funding intended for the Māori climate platform, to activate kaupapa Māori, tangata Māori solutions to climate change.
- 41 I plan to phase the allocation of funding to the Oho Mauri Trust over time. Years one and two (Financial Year 2023/24 and 2024/2025) will release both departmental funding for operations and non-departmental funding to support a pilot programme for community activation via two Deeds of Contribution.

42 9(2)(b)(ii), 9(2)(f)(iv)

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- 44 This approach will provide the necessary resources for the Trust to implement their current workplan.
- 45 Officials will work with the Trust to determine the appropriate funding model for remaining non-departmental funds from year three onwards. By this time the independent operation of the Trust and ongoing distribution of funds to Māori communities will be underway.

## Next Steps

- 50 Subject to Cabinet’s decision to recognise the Trust as the governance entity for the platform, I intend to disestablish the Interim Ministerial Advisory Committee.
- 51 Establishing the platform as a Māori-led organisation requires significant work over the next 12 months. Over this period, the Trust will pilot a kaupapa Māori climate project(s) and focus resources on engaging and communicating with Māori. The Ministry for the Environment will continue to work with the Trust to develop an appropriate funding model for the platform’s organisational structure, strategic plan and operations, including funding allocations to Māori communities.
- 52 9(2)(f)(iv)

## Cost-of-living Implications

- 53 The proposals in this paper currently pose no cost-of-living implications.

## Financial Implications

- 54 There is existing tagged contingency from the Climate Emergency Response Fund (CERF) Budget 2022 funding for the *Māori Climate Action* initiative:

	Sm - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Contingency	-	-	2.000	6.000	10.000
Capital Contingency	-	-	-	-	-
<b>Total</b>	-	-	<b>2.000</b>	<b>6.000</b>	<b>10.000</b>

- 55 This paper recommends that Cabinet approve a draw down from the tagged contingency funding to the Ministry for the Environment. The draw down will allow for the establishment of the platform and an appropriate stage gate to determine the appropriate funding model for continued independent operation of the Trust and ongoing distribution of funds to Māori communities.

## Legislative Implications

- 56 The proposals do not have any legislative implications.

## Impact Analysis

### Regulatory Impact Statement

- 57 A Regulatory Impact Statement (RIS) has not been undertaken for this paper because it does not involve introducing or changing legislation.

### Climate Implications of Policy Assessment

- 58 The proposals in this paper will enable emissions reductions in the future and do not meet the CIPA requirements. Information will be provided to support any future decisions by Cabinet to implement policies that meet CIPA requirements.

## Population Implications

- 59 These proposals are intended to improve the ability for Māori to engage with climate policy and take climate action at national and local levels. They have a key focus on improving climate impact outcomes for Māori communities by establishing a Māori-led entity dedicated to targeted funding for Māori climate action and initiatives at place.

## Human Rights

- 60 This paper does not have implications for human rights.

## Consultation

- 61 The following agencies have been consulted about the contents of this paper: Te Puni Kōkiri, Te Arawhiti, Treasury, Ministry for Social Development, Department of Conservation, Ministry for Culture and Heritage, Ministry of Foreign Affairs and Trade, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Ministry of Transport.

## Communications

- 62 The Ministry for the Environment will announce a progress update on the platform once the Oho Mauri Trust and the Ministry have agreed some key deliverables for the next 12-month period. This will be through the Ministry's existing communication channels with Treaty partners.

- 63 9(2)(f)(iv)

## Proactive Release

- 64 I propose that this paper is proactively released on the Ministry for the Environment's website 9(2)(f)(iv) subject to redactions in keeping with the principles of the Official Information Act 1982.

## Recommendations

The Minister for Climate Change recommends that the Committee:

- 1 **note** that in March 2022, Cabinet [MCR-22-MIN-0007 refers]:
  - 1.1 agreed to establish a Māori climate platform
  - 1.2 noted the two-phase approach to establish the platform
  - 1.3 noted that subject to funding, the Minister of Climate Change would report back to Cabinet with options for phase two, which would seek agreement for a more enduring mechanism
- 2 **note** that as part of Budget 2022, Cabinet:
  - 2.1 **agreed** to activate kaupapa Māori, tangata Māori solutions for climate change, subject to the Minister of Finance and the Minister of Climate Change agreeing to proposals for phase two: the more enduring form of the platform to support Māori climate action;



2.2 **agreed** to establish a tagged operating contingency associated with the Climate Change portfolio of up to the following amounts to provide for this policy;

	\$m – increase/(decrease)				
	2022/23	2023/24	2024/25	2025/26	2026/27 & Outyears
<i>Maori Climate Action'</i> Operating Contingency	-	2.000	6.000	10.000	10.000
Capital Contingency	-	-	-	-	-
	-	<b>2.000</b>	<b>6.000</b>	<b>10.000</b>	<b>10.000</b>

2.3 **authorised** the Minister of Finance and Minister of Climate Change to jointly draw down against this contingency, subject to their satisfaction with the conditions described in recommendation 2.1 above

3 **note** the Interim Committee's recommendation to recognise the Oho Mauri Trust as the independent governance entity for the platform

4 **note** the Oho Mauri Trust is an independent Māori-led entity suitable for delivering on the core function of the platform: to enable Māori climate action

5 **note** my intention for the Trust to operate independently through an agreed upon funding model that contains the necessary conditions to ensure financial and performance reporting requirements are met.

6 9(2)(f)(iv)

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8 **agree** that the details in this paper are sufficient to meet the tagged contingency conditions

9 **note** that the contingency remains within the overall four-year spend as agreed in Budget 2022, and following draw down, the contingency would be exhausted and therefore closed

10 **approve** a draw down from the '*Māori Climate Action'* Climate Emergency Response Fund (CERF) Budget 2022 tagged contingency of \$18 million and out-years into the Ministry for the Environment to activate kaupapa Māori, tangata Māori solutions for climate change, to be released through agreed upon stage gates

11 **agree** to establish a new non-departmental output expense appropriation "*Supporting Equitable Transitions and Climate Resilience for Māori*" in Vote Environment, to be administered by the Ministry for the Environment

Vote	Appropriation Minister	Title	Appropriation Type	Scope Statement
Environment	Minister of Climate Change	Supporting Equitable Transitions and Climate Resilience for Māori	Non-Departmental Output Expenses	This appropriation is limited to contributing to funding kaupapa Māori and tangata Māori solutions for climate change and related operational costs

- 12 **approve** the following changes to appropriations to give effect to the policy decision in recommendation 9 above, with a corresponding impact on the operating balance and net core Crown debt

Vote Environment Minister of Climate Change	\$m – increase/(decrease)			
	2023/24	2024/25	2025/26	2026/27 & Outyears
<b>Multi-year appropriations Non-Departmental Output Expenses:</b>				
Supporting Equitable Transitions and Climate Resilience for Māori (MYA)	2.000	6.000	10.000	-
<b>Annual Appropriations Non-Departmental Output Expenses:</b>				
Supporting Equitable Transitions and Climate Resilience for Māori	-	-	-	10.000
<b>Total Operating</b>	<b>2.000</b>	<b>6.000</b>	<b>10.000</b>	<b>10.000</b>

- 13 **agree** that the proposed changes to appropriations above be included in the 2023/24 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply
- 14 **agree** that the operating expenses incurred under recommendation 11 above be charged against the '*Māori Climate Action*' tagged contingency established as part of Budget 2022
- 15 **note** the Minister of Climate Change will disestablish the Interim Ministerial Advisory Committee before their term expires in Feb 2024.

Authorised for lodgement

**Hon James Shaw**

Minister for Climate Change

## **Appendices**

### **Appendix 1: Ministerial Advisory Committee Recommendations**

**Appendix withheld under section 9(2)(g)(i) of the Official Information Act 1982**