**Template Submission on He Waka Eke Noa** **Agricultural emissions pricing options**

**We ask that your submission is completed and sent to** [**teaukaha@foma.org.nz**](mailto:teaukaha@foma.org.nz) **by Tuesday 22 March 2022 so that we can compile and submit formally to**

**He Waka Eke Noa by Sunday 27 March, 2022**

Feel free to:

* Provide feedback online at <https://hewakaekenoa.nz/your-say/>

OR

* Complete this template submission as a Microsoft Word Document or PDF document and email to [teaukaha@foma.org.nz](mailto:teaukaha@foma.org.nz)

[ ] March 2022

By Email: [teaukaha@foma.org.nz](mailto:teaukaha@foma.org.nz)

**SUBMISSION ON HE WAKA EKE NOA Agricultural emissions pricing options**

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| --- | --- |
| Individual Name / Name of Organisation |  |
| Postal Address |  |
| Telephone number |  |
| Email address |  |

[Name of Individual /Name of Organisation] agrees to the publication of this submission, subject to removal of postal address, telephone number and email address.

OR

[Name of Individual / Name of Organisation] do not agree to the publication of this submission.

**Introduction**

1. This is a submission by [insert name of Incorporation / Trust] on the He Waka Eke Noa Agricultural emissions pricing options: Consultation Document. [If on behalf of Incorporation / Trust, please identify your role].
2. [Option to insert a short statement about your Incorporation / Ahuwhenua Trust. Please describe your lands – including their area (and area in ngahere), land-use, grass etc.]

**Overarching statements**

1. I/We support a pricing system that recognises the Te Ao Māori view of Te Taiao (the entire interdependent system of the environment that sustains life), and the responsibilities of those who are kaitiaki of their whenua (the appointed guardians of their lands).
2. I/We support a pricing system that prioritises and upholds the principles of Te Tiriti o Waitangi, which will ensure that there is an equitable transition for Māori landowners towards a low-carbon future.
3. I/We support a pricing system that achieves the legislated emission reduction targets that are needed to contribute to the global efforts under the Paris Agreement, and the Climate Change Response (Zero Carbon) Amendment Act 2019.
4. I/We support a pricing system that recognises:
   1. The unique circumstances of Māori landowners and the rights and interests of Māori collectives within the sector,
   2. The imposed, historical impediments and legislation that have and continue to constrain the development and use of whenua Māori.
5. I/We support a split gas levy pricing system.
6. I/We support the farm-level pricing option which encourages recognition of on-farm reductions in emissions through management changes, sequestration and current/future mitigation opportunities.

**Implications of He Waka Eke Noa for Māori landowners / Farmers**

1. Whenua Māori is ‘taonga tuku iho” of special significance to Māori.’ A gift connecting past generations to future generations.
2. Maori land is legislated by Te Ture Whenua Māori Act (TTWM). This Act creates multiple layers of decision making and significant costs. He Waka Eke Noa will add a further layer of complexity and compliance for Māori land owners which other landowners, farmers and growers do not face.
3. There are 8,467 Ahu Whenua Trust, Whenua Tōpū Trusts, Pūtea Trust, and Māori Incorporation governing Māori Freehold and Customary land in Aotearoa New Zealand[[1]](#footnote-2). Māori land blocks with a trust have an average size of 100.12 ha and average 2013 owners. Overall, an average Māori land block has a size of 50.99ha and 107 owners. [[2]](#footnote-3)
4. Many Māori land entities are diversified in horticulture, agriculture, forestry and other land uses.[[3]](#footnote-4)
5. However, there are concerns within the He Waka Eke Noa Consultation document of:
   1. Whether different solutions, timeframes, transition arrangements and tangible support might be required to enable the exercise of rangatiratanga, kaitiakitanga and manaakitanga by Māori landowners.
   2. Māori landowners facing challenges in terms of access to capital. To explain, Māori authority land activities are taxed at the lower tax rate of 17.5%. This reflects the earning levels of average Māori landowners. The lower earning levels may impact on the range of options available to Māori landowners, including mitigation strategies.
   3. Māori freehold land is not akin to general freehold land – it holds a collective interest across multiple owners, over multiple generations. The operational drivers for whenua Māori are specifically for the health, well-being, and development of the land and its people. It ought not to be treated as if it were general freehold land. Rather the unique and particular contribution whenua Māori makes to the community, the environment, and the challenges of New Zealand society should be fully recognised.
   4. Other landowners and growers have more options available to them, including sale of their assets. This is **not an option** for Māori landowners. In recognition of the Treaty of Waitangi, any transition towards a pricing scheme must support Māori landowners to transition to other land use options should that be necessary or preferable.
   5. All data relating to whenua Māori arising from the pricing regime is a taonga tuku iho. Appropriate regulatory proposals for Māori sovereignty over this data must be protected and be provided for through an appropriate governance, management and protection regime.[[4]](#footnote-5)There is a clear need for further work and modelling that recognizes and accounts for the different land structures associated with whenua Māori. Modelling assumptions, data and variables that more appropriately reflect the behavioural drivers and responses of tangata whenua and whenua Māori, are necessary i.e., beyond farm surplus and profits.
   6. The proposed pricing options do not provide specific mitigation practices, tools and technologies that respond to a whole-of-whenua approach (kotahitanga) towards land development (mana tangata), and environmental sustainability (kaitikaitanga). Primary Sector Climate Action Partnership is required to ensure research, science and innovation activities are relevant and respond to the distinct and long-term needs of Māori Agri-business. The proposed pricing options do not uphold the He Waka Eke Noa agreement with Māori.
6. Our support for the proposals in this consultation document are subject to further work on the issues identified above, and solutions being identified, developed and promulgated in advance of confirmation of a regulatory agricultural emissions pricing system.

**Agricultural emission pricing options**

*Subject to clause 13 of this submission:*

1. I/We support a unique levy rate for methane based on a consideration of relevant factors, as outlined in the consultation document.
2. I/We support the factors to consider, in setting or updating levy rates, as outlined in the consultation document
3. I/We support the establishment of an independent Māori board, funded directly out of the levy fund to determine how revenue will be spent to ensure an equitable transition for Māori landowners, managers and users.
4. I/We support a price ceiling where the overall cost would be no more than if agriculture entered the New Zealand Emissions Trading Scheme.
5. I/We do not support the investment of revenue raised through the levy being co-managed between the agricultural sector, Māori/Iwi and Government. Existing levies paid by Māori do little to provide the support for Māori, that others benefit from. This is a result of the failure to understand Māori, or a lack of empathy for Māori land owning structures.
6. I/We support the ability to collectivise reporting on emissions, and potentially to reduce or offset them. This both acknowledges and supports the ability to manaaki whānau, hapū, iwi groupings, trusts, and incorporations.
7. I/We support the on-farm level definition, but recognise that where the burden is unequitable, future work must be undertaken for all emitters to be accountable for their emissions impact.
8. I/We support the point of responsibility for reporting and paying for emissions, including receiving recognition of sequestration, as being held by the landowner - with the ability to delegate to the business owner.
9. I/We support a detailed method for calculating on-farm emissions. However, the ability to participate in a detailed system requires a specific Māori extension programme built on Māori cultural and environmental prerogatives to be delivered amongst Māori agribusiness networks in a way that informs, motivates and mobilises an effective Māori agri-business response. These calculation methods must include recognition of specific mitigation practices, tools and technologies that respond to a whole-of-whenua approach (kotahitanga) towards land development (mana tangata), and environmental sustainability (kaitikaitanga)—including specific Te Hau Ora o te Ao outcomes.I/We support the ability to offset on-farm emissions with on-farm sequestration.
10. I/We support the ability for landowners to utilise their sequestration assets, on their lands, to either: financially offset emissions, receive revenue for on-farm sequestration, and/or receive credit that can be banked for future use.

**Implementation of He Waka Eke Noa**

1. The consultation document has not detailed how tangata whenua will be supported to partner in these and other aspects of the He Waka Eke Noa system.
2. Before putting an agricultural pricing system into regulation, the Government must develop with ahi kā, hapū, iwi and Māori a plan for how it will support and resource tangata whenua to undertake these roles, including Māori landowners. This is required before final decisions are made on the content of an agricultural pricing system. As agreed by the Primary Sector Climate Action Partnership, this will include specific and distinct Māori agribusiness programmes, guidelines, new tool promotions, and uptake and leverage opportunities to assist Māori land owners’ transition to a farm planning and management framework the integrates a whole-of-whenua approach to calculating on-farm emissions. This will also necessitate comprehensive funding and resourcing work to be undertaken to meet the long-term needs of all Māori farmers and growers. In particular, I/We wish to highlight the gap in research, knowledge, understanding, and extension skills required to assist Māori farmers and growers in improving their whole-of-whenua (kotahitanga) and environmental sustainability (kaitikaitanga). A comprehensive funding and resourcing response must be established as a condition, to any progress in emissions pricing.
3. This work must be integrated with other reform work in the area of Three Waters, Resource Management reforms, and reform of Local Government. Consistent funding and resourcing principles are required across current reform areas, therefore ensuring an integrated and cost-effective approach.
4. I/We strongly recommend that the Ministry for the Environment and Ministry for Primary Industries field test key elements of the He Waka Eke Noa system before final regulations are made. This must include field testing a whole-of-whenua approach with Māori landowners / farmers.
5. I/We do not want to be subject to regulation that is simply not practical and feasible and does not recognise the cultural prerogatives of Māori landowners / managers / users, at the farm level.

**Concluding Statement**

1. In conclusion we consider it appropriate to quote from the Federation of Māori Authorities recent submission to the Climate Change Commission, 29 March 2021.

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| *“Our history is long – we know what it is to experience unfair Government policies, such as a dog tax to gain our lands, or the use of the Public Works Act (historic and current) to acquire lands, or perpetual leases that disempower us and have no regard for inflation, or the Māori Trustee holding onto revenue from Māori lands, or unfair rating charges from local authorities on lands without utility services, or water and oil on our lands being nationalised without compensation, etc. The list goes on.”*  *Traci Houpapa JP MNZM Chair, Federation of Māori Authorities*  *29 March 2021* |

1. Government needs to learn from its mistakes of the past, and make sure that proposals going forward give effect to te Tiriti, partner with Māori, and co-design policy and regulatory initiatives which enable and support Māori landowners to exercise rangatiratanga, kaitiakitanga and manaakitanga over whenua Māori, a taonga tuku iho.

1. Māori Land Court Update – Ngā Āhutanga o te whenua, June 2020. [↑](#footnote-ref-2)
2. Ibid [↑](#footnote-ref-3)
3. Summary of usage of Māori Rural Land: Pastoral 63%; Forestry 27%; Dairy 9%; Horticulture 0.5% and Arable (cropping) 0.5%, Federation of Māori Authorities Innovation Insights on Māori Rural Land & Governance developed by Will Workman Enterprises. [↑](#footnote-ref-4)
4. See Te Kahui Raraunga as a regime example - <https://www.kahuiraraunga.io/tawhitinuku> [↑](#footnote-ref-5)