



Briefing on Māori climate adaptation

Report of the Māori Affairs Committee

June 2023

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Arena Williams
Chairperson

Briefing on Māori climate adaptation

Recommendation

The Māori Affairs Committee has considered a briefing on Māori climate adaptation, and recommends that the Government take into account the following principles when developing and implementing law and policy relating to climate change adaptation.

Adaptation planning processes should:

1. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
2. inform Māori about the risks to their whenua, now and over time, with good data and information
3. recognise the value of mātauranga Māori equally alongside other knowledge systems
4. recognise and respect culture and identity, values, and practices of local communities
5. acknowledge and protect Māori rights and interests
6. enable negotiation where settlement land is lost
7. conserve, protect, and develop taonga, papakāinga, marae, urupā, and other significant sites
8. enable both the Crown and Māori to deliver on their respective roles and responsibilities
9. ensure local government also upholds Te Tiriti o Waitangi—the Treaty of Waitangi
10. encourage the sharing of best practice, data, and case studies among Māori communities.

Adaptation engagement processes should:

11. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
12. enable robust and deep conversations to be had between Māori communities, the Crown, and local government
13. enable local community leadership
14. enable joint, shared, or preferably delegated decision-making to Māori
15. foster positive, collaborative working relationships and co-creation between all parties
16. enable the inclusion of different communities of interest (for example, mātāwaka)
17. engage with the correct groups who are responsible for making decisions about the whenua in question (for example, Māori land trusts).

Adaptation funding policies and frameworks should:

18. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
19. compensate Māori fairly for any loss of land or culturally important sites

20. fund mātauranga Māori research
21. fund Māori to participate in adaptation plan development processes led by others or to develop their own adaptation plans
22. fund the implementation of Māori adaptation plans, including mātauranga Māori solutions.

Introduction

The implications of climate change have been dramatically demonstrated in the first half of 2023. In late January, Auckland declared a state of emergency after torrential rain caused widespread flooding across the city. Only a few weeks later, the northern and eastern parts of the North Island were devastated by Cyclone Gabrielle. Between 12 and 16 February 2023, the cyclone caused widespread destruction and resulted in 11 deaths.

Extreme weather events like Cyclone Gabrielle are likely to increase in frequency and intensity as a result of climate change. In the last decade, governments in Aotearoa have begun establishing legal and policy frameworks to mitigate and respond to these and other climate-related risks and threats. These developments include:

- establishing the Climate Change Commission
- completing the first climate risk assessment for Aotearoa¹
- publishing the first climate adaptation plan.²

The Government has announced its intention to introduce a climate adaptation bill in 2023. The bill is likely to govern how Aotearoa adapts to climate change, who will bear the related costs, and “address the complex technical, legal and financial issues associated with managed retreat”.³ Managed retreat is a form of climate change adaptation discussed in further detail later in our report.

Māori are among those likely to be most affected by climate change in Aotearoa, for reasons discussed later in our report. Iwi and other Māori have been active participants in risk assessment and adaptation planning. They have contributed to national-level planning by government agencies, as well as leading their own initiatives focused on te ao Māori.

On 22 February 2023, we initiated a briefing to receive information about how climate change adaptation—and managed retreat in particular—may affect Māori. Our intention is to contribute to and inform debate about issues specific to Māori that should be taken into account when developing policy and legislation relating to climate adaptation.

We wrote to several individuals and organisations to seek information to help guide our thinking. These included leading academics, iwi and other representative Māori

¹ Information about the national climate change risk assessment is available [on the Ministry for the Environment website](#).

² Information about the national adaptation plan is available [on the Ministry for the Environment website](#).

³ Hon David Parker, [Speech to Local Government New Zealand Rural and Provincial Forum 17 June 2022](#), 18 June 2022.

organisations, and those with a significant interest or expertise in Māori climate adaptation. We asked them the following questions:

- How are marae, hapū, and iwi affected by climate change now?
- What can be learned from the Māori experience with managed retreat to date?
- When does climate risk become intolerable to marae, hapū, and iwi?
- What is unmanaged retreat for marae, hapū, and iwi?
- How can the rights and interests of hapū and iwi be protected during managed retreat?
- How should we value sites of cultural importance and urupā?
- How can a worldview rooted in te ao Māori enhance decision-making about managed retreat?
- What at-risk infrastructure would impact most on Māori communities?
- How should Māori land be treated in managed retreat?
- What Māori assets are not adequately insured?
- What support should be provided to marae, hapū, iwi, or Māori business?

We appointed Te Puni Kōkiri—the Ministry for Māori Development and Manatū Mō Te Taiao—the Ministry for the Environment as our advisors for this briefing.

Background and context to our briefing

Climate change has arrived at our whare

In its sixth assessment report, published in 2022, the Intergovernmental Panel on Climate Change (IPCC) stated that the air temperature in Aotearoa increased by 1.1 degrees Celsius between 1909 and 2019. The years between 2013 and 2020 were among the warmest on record. The surface temperature of the sea increased by 0.2 degrees Celsius per decade from 1981 to 2018 and the sea level rose by 2.4 mm per year between 1961 and 2018, mostly due to climate change.⁴

These changes are expected to result in greater frequency of severe weather events, coastal erosion, changes to the productivity of the primary sector, and other risks and hazards. Many of these challenges will directly affect Māori.

Cyclone Gabrielle provided one example of the potential risks and costs associated with climate change for Māori. In response to the cyclone, the Government declared a national state of emergency for only the third time in the history of Aotearoa. The declaration initially applied to Northland, Auckland, Waikato, Bay of Plenty, Tairāwhiti–Gisborne district, and Hawkes Bay.⁵ These regions, which were the hardest hit by the cyclone, are home to many of the highest populations of Māori in Aotearoa.

⁴ IPCC, *Climate Change 2022: Impacts, Adaptation and Vulnerability*, Working Group II Contribution to the Sixth Assessment Report of the IPCC, 2022, p 1590, table 11.2b.

⁵ Hon Kieran McAnulty, *State of National Emergency Declared*, 14 February 2023. Later the same day, the declaration was extended to include Tararua district.

In late February 2023, the Government announced funding of \$15 million to support Māori to respond to and recover from Cyclone Gabrielle.⁶ The cyclone is estimated to be the second costliest natural disaster in the history of Aotearoa, behind only the 2010/11 Canterbury earthquakes. Treasury has estimated that the total cost of the damage from the cyclone and the Auckland floods could be between \$9 billion and \$14.5 billion.⁷

Māori are likely to be differentially and disproportionately affected

As tāngata whenua of Aotearoa, Māori have a long history of adapting to changes in the environment and natural hazards. However, the changes associated with human activity since the industrial revolution are predicted to result in unprecedented threats and hazards.

The first national climate change risk assessment for Aotearoa, published in August 2020, identified broad risks to Aotearoa that are likely to have a disproportionate impact on Māori or certain Māori groups. These include, among others:

- risk to social cohesion and community wellbeing from displacement
- risk of exacerbating existing inequities, and creating new inequities, due to differential distribution of climate change impacts
- risk to mental health, identity, autonomy, and sense of belonging and wellbeing
- risk to potable water supplies
- risk to buildings due to extreme weather events and ongoing sea-level rise
- risk to due democratic decision-making processes under pressure from an increasing frequency and scale of compounding and cascading climate change impacts.

In its sixth assessment report, published in 2022, the IPCC also noted specific risks to Māori from climate change.⁸ These include:

- economic risk due to the heavy investment by Māori in climate-sensitive sectors, including agriculture, forestry, fishing, and tourism
- large proportions of collectively owned land vulnerable to erosion, which is projected to be exacerbated by extreme rainfall
- changing drought occurrence, particularly across eastern and northern Aotearoa, projected to affect primary sector operations and production
- Māori-owned lands and cultural assets located on coastal lowlands vulnerable to sea level rise
- risks to fisheries and aquaculture from changes in ocean temperature and acidification
- exacerbation of health inequities.

The IPCC report stated that it was urgent to achieve better understanding of the social, cultural, and financial implications of sea level rise. This would include understanding “what

⁶ Hon Kelvin Davis, Hon Willie Jackson, Hon Peeni Henare, [Recovery package launched to accelerate Māori response to Cyclone Gabrielle](#), 28 February 2023.

⁷ National Emergency Management Agency, [Weekly Update from the Cyclone Recovery Unit](#), 22 May 2023.

⁸ IPCC, [Climate Change 2022: Impacts, Adaptation and Vulnerability](#), pp 1630–1631.

duties local and central government might have with respect to upholding Māori interests under the Treaty of Waitangi”.⁹

What is adaptation and managed retreat?

At a broad, global level, the two primary responses to climate change are mitigation and adaptation. Mitigation requires that societies reduce greenhouse gas emissions to minimise the severity of any changes to the climate. Adaptation is a process of planning for the changes that we know will or are likely to occur, and adapting the way we live to ensure that we are resilient against new and emerging risks as a result of those changes.

Managed retreat is one of the most dramatic forms of adaptation. New Zealand’s national adaptation plan describes managed retreat as follows:¹⁰

Managed retreat is an approach to reduce or eliminate exposure to intolerable risk. It enables people to relocate assets, activities and sites of cultural significance (to Māori and non-Māori), away from areas at risk from climate change and natural hazards.

For communities in areas of high risk, managed retreat is an adaptation option. It is usually not considered in isolation from other options, especially when planning for future rather than current impacts of climate change. In some cases, retreat may be a last resort, and in all cases the costs and benefits will need to be carefully weighed.

International law and obligations

As noted earlier, managed retreat poses many complex challenges. We consider that Te Tiriti o Waitangi provides the foundation for determining how the Crown and Māori will navigate these issues in partnership. However, Aotearoa has also accepted international obligations relating to climate change and human rights that are of relevance to these issues.

Climate change is a global issue requiring joint action by countries around the world. International treaties record commitments and obligations accepted by state parties to reduce and respond to its effects.

The United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement are the primary international treaties governing these obligations. Aotearoa ratified these treaties in 1993 and 2016, respectively. The commitments of particular relevance to Māori climate change adaptation are as follows:

- The UNFCCC states that parties shall formulate, publish, implement, and regularly update measures to facilitate adequate adaptation to climate change.¹¹

⁹ Ibid, pp 1631–1632.

¹⁰ Ministry for the Environment, [Aotearoa New Zealand’s first national adaptation plan](#), August 2022, p 80.

¹¹ Article 4(1)(b) of the [United Nations Framework Convention on Climate Change](#), New York, USA, 9 May 1992. See also article 4(1)(e).

- The Paris Agreement states that adaptation action “should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems...”¹²

Climate change and international human rights law and guidance

The intersection between international human rights law and climate change is a fast-developing subject area. The international treaties ratified by the Crown set out the international human rights obligations that it has accepted. These treaties include the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). These treaties set out rights and obligations which are relevant to Māori climate change adaptation. We summarise some of these below:

- The right of all peoples to self-determination, including the right to freely pursue their economic, social, and cultural development. They may not be deprived of their means of subsistence.¹³
- The right of all people legally resident in a country to liberty of movement and freedom to choose their residence.¹⁴
- The right to adequate food and housing.¹⁵
- The right to take part in cultural life, which includes an obligation for state parties to take steps to ensure the conservation of culture.¹⁶

Although it does not have the legal status of an international treaty, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) sets out several more specific rights and obligations of particular relevance to Māori climate change adaptation.¹⁷ It was endorsed by the Crown in 2010.¹⁸ Relevant rights and obligations include:

- The obligation of states to provide effective mechanisms for prevention of, and redress for, any action which has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources.¹⁹
- No relocation of indigenous peoples shall take place without their free, prior and informed consent and after agreement on just and fair compensation and, where possible, with the option of return.²⁰
- Indigenous peoples have the right to maintain, protect and develop their cultures, including archaeological and historical sites.²¹

¹² Twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change, Paris Agreement, Paris, France, 12 December 2015.

¹³ Common article 1 of the ICCPR and ICESCR.

¹⁴ Article 12(1) of the ICCPR.

¹⁵ Article 11(1) of the ICESCR.

¹⁶ Article 15 of the ICESCR.

¹⁷ UN General Assembly resolution 61/295, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted on 13 September 2007.

¹⁸ Hon Dr Pita Sharples, Supporting UN Declaration restores NZ's mana, 20 April 2010.

¹⁹ Article 8(2)(b) of UNDRIP.

²⁰ Article 10 of UNDRIP.

²¹ Article 11(1) of UNDRIP.

- Indigenous peoples have the right to participate in decision-making in matters that would affect their rights through representatives chosen by them in accordance with their own procedures. They also have the right to develop their own indigenous decision-making institutions.²²
- States shall consult and cooperate in good faith with indigenous peoples through their own representative institutions before adopting and implementing legislative or administrative measures that may affect them.²³
- Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.²⁴
- Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States are to establish and implement assistance programmes for such conservation and protection.²⁵
- Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their land or territories and other resources.²⁶
- Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.²⁷
- Indigenous peoples have the right to have access to financial and technical assistance from states for the enjoyment of the rights set out in UNDRIP.²⁸

Alongside Te Tiriti o Waitangi, we consider these rights and obligations should guide the Crown's planning in relating to Māori climate adaptation.

The jurisprudence regarding international obligations in relation to climate change and its effects will continue to develop in the coming years. Of particular note, in July 2022, the UN General Assembly declared that access to a clean and healthy environment is a universal human right.²⁹ Subsequently, in March 2023, it resolved to request an advisory opinion from the International Court of Justice on countries' obligations to respond to climate change.³⁰

Climate change adaptation work in Aotearoa to date

The challenges posed by climate change are diverse and complex. Over the last decade, Aotearoa has begun developing the legal and policy framework necessary to respond to these challenges. We set out some of the key developments relating to adaptation to provide context to our briefing and recommendations.

²² Article 18 of UNDRIP.

²³ Article 19 of UNDRIP.

²⁴ Article 20(2) of UNDRIP.

²⁵ Article 29(1) of UNDRIP.

²⁶ Article 32 of UNDRIP.

²⁷ Article 31 of UNDRIP.

²⁸ Article 39 of UNDRIP.

²⁹ UN General Assembly resolution 76/300, [The human right to a clean, healthy and sustainable environment](#), adopted on 28 July 2022.

³⁰ UN General Assembly resolution 77/276, [Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change](#), adopted on 29 March 2023.

In August 2020, the Ministry for the Environment published Aotearoa New Zealand’s first national climate change risk assessment. Earlier in our report we set out some of the risks that the assessment identified as being of particular relevance to Māori. We note the report’s statement that some iwi expressed their support for the development of a “subsequent, parallel risk assessment for Māori, by Māori”.³¹ We also consider that such a “for Māori, by Māori” risk assessment would be of value.

In August 2022, the Ministry for the Environment published Aotearoa New Zealand’s first national adaptation plan.³² The plan stated that the Government will:³³

...develop adaptation responses in partnership with Māori – including elevating te ao Māori and mātauranga Māori in the adaptation process – and empower Māori in planning for Māori, by Māori. The platform for Māori climate action provided for in the first national adaptation plan will be central to establishing a foundation for this partnership.

As noted in our introduction, the Government has announced its intention to introduce a climate change adaptation bill in late 2023 as part of its wider reform of resource management legislation. The Ministry for the Environment has stated that its areas of focus in relation to climate change adaptation include:³⁴

- ensuring local government and communities have better information on identifying the natural hazards they face
- preventing new development in high-risk areas
- supporting prioritisation of strategic adaptation planning, which the Ministry for the Environment has stated needs to have a clear role for Māori, incorporating mātauranga Māori for risk assessment and management, and funding and financing considerations for implementing this³⁵
- enabling managed retreat.

In relation to managed retreat, the Government has stated that its climate adaptation bill,³⁶

...will address the complex technical, legal and financial issues associated with managed retreat. The managed retreat framework will reduce or avoid exposure to intolerable risk and enable people to relocate assets, and activities, away from areas at risk from climate change and natural hazards within a planned period of time.

On 10 November 2022, the Minister for Climate Change announced the establishment of an Interim Ministerial Advisory Committee to develop a framework for te ao Māori responses to

³¹ Ministry for the Environment, National Climate Change Risk Assessment for Aotearoa New Zealand, August 2020, pp 10, 33.

³² Ministry for the Environment, Aotearoa New Zealand’s First National Adaptation Plan, August 2022.

³³ National adaptation plan, p 28.

³⁴ Ministry for the Environment, Our future resource management system: Developing the next stages, March 2023, updated April 2023, pp 47–48.

³⁵ Ibid, p 48.

³⁶ Hon David Parker, Speech to Local Government New Zealand Rural and Provincial Forum 17 June 2022, 18 June 2022.

climate change. According to the advisory committee's terms of reference, the aim of the resulting Māori climate platform would be to embed a partnership approach in the Aotearoa climate change response, and to provide "dedicated funding that enables Māori-led climate action planning and solutions".³⁷

Summary of submissions

We invited a targeted group of individuals and organisations to make submissions. We received written submissions from 23 submitters and heard oral evidence from 17 of them over six weeks on 15 March, 29 March, 5 April, 17 April, and 3 May.

We have grouped the matters covered by the written and oral submissions into five main themes, as follows:

- upholding the Treaty of Waitangi
- challenges associated with Māori climate adaptation
- whenua Māori
- mātauranga Māori
- bespoke arrangements.

Upholding the Treaty of Waitangi

Submitters stated that climate change legislation and responses should uphold Te Tiriti o Waitangi. They emphasised the importance of recognising tino rangatiratanga. Submitters considered that this would require joint decision-making in partnership with the Crown, rather than mere consultation.

Several submitters stated that Māori communities need to be involved in, and sufficiently resourced to co-design or lead their own adaptation plans and activities. One iwi stated that joint decision-making is necessary to enable them to meet their own responsibilities and obligations to their people in regard to sustainable environmental, economic, social, and cultural outcomes.

Submitters stressed the need for collaborative relationships between Māori and local and central government. One noted:

Managed retreat is complex and contextual. It must involve many actors if it is to be successful. Communities, through community leadership, must have the opportunity to work much more closely with actors such as regional and local councils and Crown agencies and these working relationships need to transform beyond transactional or temporary 'partnerships'.

Several submitters referred to the Crown's duty under the Treaty to actively protect the lands, resources, and taonga of Māori. Some submitters noted that this may be challenging under existing legislation that delegates powers relating to land use and management to local government. They noted that local governments are bound by statutes, such as the

³⁷ Ministry for the Environment, Māori Climate Platform and Ministerial Advisory Committee terms of reference.

Local Government Act 2022 and the Resource Management Act 1991, but are not directly accountable for honouring Te Tiriti o Waitangi.

Challenges associated with Māori climate change adaptation

Although submitters noted that Māori have adapted to changes in the natural environment for centuries, they also noted the scale and complexity of the changes that are occurring as a result of climate change resulting from human activity.

Submitters stated that Māori communities often lack the resources and data to undertake their own adaptation planning or contribute fully to plans led by others. Communities need data about the effects of climate change on the land and resources in their rohe (territories). Submitters also referred to the importance of being able to share best practices and solutions. This would include information-sharing between whanau, hapū, and iwi in Aotearoa, and examples of successful projects and processes adopted in other communities and countries.

One submitter stated:

We need government to provide us with the information, data and knowledge that government actually does have. We need them to be able to share that with us more easily, which will help us work through things ourselves. Government absolutely has a role, there's a huge amount of value in the knowledge and data that government has, but that needs to be shared more easily. And then we need to use it to work together in partnership.

Adaptation to climate change may pose a cultural challenge to Māori. One submitter referred to a lack of standard practices and behaviours—a “tikanga gap”—to guide climate adaptation. Submitters mentioned the spiritual and emotional significance of urupā (burial grounds) and other wahi tapu (sacred sites) and noted that it would be difficult for Māori to lose their connections to such sites.

Māori communities may lack trust in local and regional councils if there is a contentious history between them. Submitters stated that there is a lack of adequate protection for cultural taonga in existing laws and processes such as those provided for in the Resource Management Act and the Public Works Act 1981. They noted that there is a risk of further dispossession if problems in these processes are not addressed. One submitter stated:

Climate risks to our wāhi tapu, wāhi tūpuna and marae/pā need to be put into context of all that has already been lost through land use change, public works, urbanisation and development. It is little wonder that these conversations about losing or relocating these sites are made even more difficult.

Unique aspects of whenua Māori

Māori have a special cultural and spiritual attachment to their land. Hapū and iwi have strong connections to their traditional rohe. For this reason, challenges may arise if they need to relocate to other areas. One submitter stated that it was important to understand who holds mana whenua in the “safe places”. Another submitter stated that the Government would need to ensure that land is not inappropriately gifted or exchanged in areas where Māori have no rights, interests, or whakapapa.

From a practical perspective, submitters noted that Māori land is commonly a source of food and livelihoods through farming, forestry, horticulture, or other ventures. The loss of sustainable livelihoods may not be easy to compensate.

Submitters also noted several issues arising from collective ownership. One submitter emphasised the importance of local and central government speaking to the right groups, noting that Māori land is often held by Māori land trusts and other collective arrangements. These entities have different governance arrangements than those at the iwi level such as post-Tiriti settlement governance entities. Another submitter noted that Māori land is often leased, and emphasised the importance of talking to the correct owner rather than the current occupier of land.

There are also complexities associated with insuring whenua Māori that is held collectively. Submitters stated that many of their traditional buildings and sites of significance are difficult to insure. One submitter stated:³⁸

Our pepeha are not adequately insured. Our maunga, our awa, our marae, our where tīpuna. Our pepeha cannot be adequately insured and replaced by money because money is simply a medium of exchange.

One submitter suggested that further funding and dispute resolution tools may be necessary to help resolve issues relating to collective ownership. They stated:

As owners of collectively owned land Māori decision-making about land use will need more extensive dispute resolution mechanisms as the number of tough planning decisions increase with climate change. Without other mechanisms available the Māori Land Court will be called upon in those cases. Funding for the Māori Land Court will need to be expanded to assist Māori landowners to negotiate accommodations.

The need to utilise mātauranga Māori

Submitters considered it important to recognise mātauranga Māori alongside Western science when adapting to climate change. They noted that mātauranga Māori is a place-specific and adaptive body of knowledge based on generations of observation of the natural environment.

Submitters also emphasised the importance of recognising mātauranga a iwi, which is localised knowledge specific to an iwi and its rohe. Submitters stated that this cannot be homogenised into one singular body of knowledge—what works in one environment may not be appropriate or work elsewhere. One iwi stated that,

...a mātauranga a iwi approach is required when adapting and building Māori resilience to climate change, with funding and resourcing cascading to hapū to enable [the iwi] to develop guidance for us, by us. No iwi or hapū is the same. Each has its own opportunities and challenges shaped by the land, environment, and people of their place.

³⁸ Ministry for the Environment and Te Puni Kōkiri, Summary of submissions, 17 May 2023, p 19.

Bespoke arrangements

Several submitters discussed the need for bespoke climate adaptation processes for Māori. These would reflect the status of Māori as tangata whenua as well as historical breaches of Te Tiriti o Waitangi that resulted in loss of land and livelihoods. Submitters noted that land returned as part of Tiriti o Waitangi settlements may be lost due to flooding or sea level rise. Submitters suggested the Crown would need to appropriately acknowledge and compensate any such land loss. This could require it to renegotiate settlements.

Submitters emphasised that managed retreat cannot be addressed with a one-size-fits-all policy. One submitter stated that managed retreat should be talked about in the plural sense to recognise that there are “different risks, different contexts, different attachment to place, different cultural contexts, different abilities to move”. Submitters identified the need for distinctive planning processes to protect Māori rights and interests. They also stated that there would need to be compensatory arrangements for Māori where marae, or even whole communities, need to move due to extensive damage or to reduce exposure to risk.

Submitters recommended that both local government and central government share resources with Māori to enable them to lead and deliver work at the community level. This would include recovery from flood and storm damage, and ongoing mitigation and adaptation initiatives. One submitter suggested that local councils could use a portion of the rates they collect to support Māori communities to develop their own adaptation plans and solutions. Another submitter suggested special levies could be used to fund Māori adaptation projects.

Other issues we considered

Managing trade-offs

We asked for advice on a suitable framework that could be used by Māori to weigh options and trade-offs as they adapt to the effects of climate change. The Ministry for the Environment is developing a dynamic adaptive pathways planning (DAPP) framework to support communities faced with these decisions.

We heard that the DAPP framework can help communities:

- identify their values and objectives
- gain a greater understanding of the risks they face and how those risks may change over time
- understand their options, including the costs of those options
- develop a series of actions over time (pathways) that are dynamic and forward-looking, and help communities to change as the conditions change.

Insurance for Māori

We received advice about the state of insurance for marae, and Māori in general. Insurance can help to reduce the financial risk to people should their property be affected by climate-related disasters.

Te Puni Kōkiri told us that data on these topics can be difficult to obtain due to commercial sensitivity. However, a 2019 study by the Retirement Commissioner indicated that Māori

households have among the lowest insurance rates of all ethnic groups in Aotearoa.³⁹ Only 32 percent have house insurance (national average: 48 percent), and 40 percent have contents insurance (national average: 55 percent). Māori have similarly reduced rates of health insurance, life insurance, and car insurance.

A 2019 analysis estimated that only half of all marae have some form of insurance and only 20 percent are likely to be fully insured for the full value of the marae premises.⁴⁰ A separate 2009 study by Te Puni Kōkiri suggested that 66 percent of marae had full replacement cover for marae buildings, and 57 percent had contents insurance.

Different insurance classifications also affect whether insured persons can receive cover from Toka Tū Ake–Natural Hazards Commission (previously the Earthquake Commission). For example, under the Natural Hazards Insurance Act 2023 (which comes into force on 1 July 2024) building cover will be available to some residential buildings in the event of natural hazard damage.⁴¹ Whether a marae is defined as a residential building could affect its eligibility.

The 2009 report indicated that the cost of insurance premiums and financial positions of marae was a key factor in them struggling to arrange insurance. Other contributing factors could include the process being too time consuming and intensive for volunteer marae committee members, or those groups being heedless of the risks of not having insurance. Marae also commonly fit into high-insurance risk groups, which attract higher premiums, because they are rural (so lack emergency infrastructure) and have old buildings that are in disrepair.

Whenua Māori (Māori land) is often collectively owned, which can make applying for insurance more difficult. Commonly, for whenua that is used for productive purposes (for example, a working farm) the assets on the land might be insured but the land itself is not.

To counteract this, some iwi operate collective insurance schemes where they negotiate insurance directly with brokers for the benefit of affiliated marae. By reducing the risk to insurers, iwi can negotiate lower premiums. However, these programs are not available everywhere or require iwi to subsidise individual marae so may not be viable long-term.

Committee view

Submitters have told us, and we agree, that the following principles should guide work on Māori climate change adaptation. We therefore recommend that the Government take into account the following principles when developing and implementing law and policy relating to climate change adaptation.

Recommendation

We recommend that the Government take into account the following principles when developing and implementing law and policy relating to climate change adaptation.

³⁹ A summary of these findings can be found [on the Retirement Commissioner's website](#).

⁴⁰ This research was commissioned in relation to the Oranga Marae Program, which is jointly administered by Te Puni Kōkiri and the Department of Internal Affairs. The analysis is not publicly available as it contains commercial-in-confidence information.

⁴¹ [Natural Hazards Insurance Act 2023](#), part 2, subpart 2.

Adaptation planning processes should:

1. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
2. inform Māori about the risks to their whenua, now and over time, with good data and information
3. recognise the value of mātauranga Māori equally alongside other knowledge systems
4. recognise and respect culture and identity, values, and practices of local communities
5. acknowledge and protect Māori rights and interests
6. enable negotiation where settlement land is lost
7. conserve, protect, and develop taonga, papakāinga, marae, urupā, and other significant sites
8. enable both the Crown and Māori to deliver on their respective roles and responsibilities
9. ensure local government also upholds Te Tiriti o Waitangi—the Treaty of Waitangi
10. encourage the sharing of best practice, data, and case studies among Māori communities.

Adaptation engagement processes should:

11. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
12. enable robust and deep conversations to be had between Māori communities, the Crown, and local government
13. enable local community leadership
14. enable joint, shared, or preferably delegated decision-making to Māori
15. foster positive, collaborative working relationships and co-creation between all parties
16. enable the inclusion of different communities of interest (for example, mātāwaka)
17. engage with the correct groups who are responsible for making decisions about the whenua in question (for example, Māori land trusts).

Adaptation funding policies and frameworks should:

18. give effect to Te Tiriti o Waitangi—the Treaty of Waitangi
19. compensate Māori fairly for any loss of land or culturally important sites
20. fund mātauranga Māori research
21. fund Māori to participate in adaptation plan development processes led by others or to develop their own adaptation plans
22. fund the implementation of Māori adaptation plans, including mātauranga Māori solutions.

Appendix

Committee procedure

We met between 22 February 2023 and 28 June 2023 to consider this briefing. We heard evidence from submitters and received advice from the Ministry for the Environment and Te Puni Kōkiri.

Committee members

Arena Williams (Chairperson)
Tāmami Coffey (Chairperson until 28 March 2023)
Paul Eagle
Harete Hipango
Soraya Peke-Mason (until 3 May 2023)
Tama Potaka
Hon Aupito William Sio (from 3 May 2023)
Teana Tuiono
Rawiri Waititi

Advice and evidence received

We received the following document as advice for this briefing. It is available on the [Parliament website](#) alongside the submissions from members of the public.

- Ministry for the Environment with support from Te Puni Kōkiri, Summary of submissions, 16 May 2023.
- Te Puni Kōkiri, Briefing into Māori Climate Adaptation: further information on insurance levels, 25 May 2023.

