

This is a final summary report of the hui as recorded by Te Puni Kokiri. It is not a full transcript or a full record of the hui. Names and personal information of attendees have been removed from the transcript under section 9(2)(a) of the Official Information Act 1982 to protect the privacy of natural persons.

I NOTES REPORT: The Government's Proposed Genesis Energy Share Offer

Kaupapa	To discuss the proposed change in status of Genesis Energy Limited from a State Owned Enterprise to a Mixed Ownership Model company, and the subsequent sale of a minority shareholding by the Crown.		
Location	Whakamarino Lodge, Tuai, Waikaremoana		
Date	6 November 2013		
Start time	6:30pm	Finish time	8:30pm
Facilitator/Chair	Benita Cairns (Wairoa District Councillor and Trustee of Ruapani ki Waikaremoana Whenua Toopu Trust (Whakamarino Lodge))		
Presenter and officials	Office of the Deputy Prime Minister	Hon Bill English Amohaere Houkamau	
	The Treasury	Vicky Robertson Rachel Robson Angela Graham Simon Carey	
	Te Puni Kokiri	Selwyn Parata Mere Pohatu Tui Ferris Marsha Wyllie	
Note taker	Marsha Wylie (Te Puni Kokiri)		
Attendance	Approximately 23 people, excluding officials.		
Format	<ul style="list-style-type: none">▪ Mihi from James Waiwai, Tangata whenua▪ Response from Selwyn Parata▪ Welcome from Chair and outline of proceedings▪ <i>Meeting was adjourned for 10 minutes as Minister was invited to view the Whakamarino Lodge</i>▪ Presentation from the Minister▪ Open discussion▪ Refreshments Hard copies of the presentation were made available.		
Presentation	[See attached electronic copy of the presentation slides] Mihi from the Minister. Acknowledged previous meeting held in Tuai on 27 August 2012 about the <i>Shares Plus</i> proposal. Local interests were discussed, which highlighted the direct interest in Genesis rather than Mighty		

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	<p>River Power.</p> <p>The Māori Council took the Government to the Supreme Court, to test if they were behaving in a way consistent with the Treaty. Today's meeting is part of a formal process required by legislation and the Supreme Court.</p> <p>The Government is focussed on developing positive relationships between Crown, Iwi and Māori, for which the Iwi Leaders Forum has been instrumental.</p> <p>Not seeking to promote Share sales, rather to seek a good understanding of rights and interests through Kanohi ki te Kanohi (face to face) discussion rather than a legal court process.</p> <p>Section 9 of the State Owned Enterprises Act has been retained in the MOM legislation to ensure government follows the Treaty of Waitangi principles.</p> <p>If the Float of Partial Sale was to proceed, need to be clear that this will not compromise government's ability to deal with other rights and interests Maori might have.</p> <p>This is a new discussion topic between the Crown and Māori, when you consider how long the land discussions have been happening.</p> <p>Two different processes being worked through now. Treaty Settlements allow the Crown and Iwi to talk about each iwi's own specific interests. The RMA water reforms demonstrate the variety of interest groups around high quality fresh water. A national objectives framework will be released, in which the Iwi Leaders Forum played a critical role in bridging the varying interests in the Land and Water Forum. There will also be measures to improve iwi say in water planning. The policies being put in place come from the Land and Water Forum.</p> <p>The Supreme Court found that if the Crown were to sell 49% of Genesis, it would not compromise its ability to address Māori rights and interests.</p> <p>The Court thinks the Crown has good processes in place for their discussions with Māori and is monitoring them. The Court was realistic and recognised that these discussions will take time.</p> <p>The Crown doesn't decide who is in the Freshwater Iwi Leaders Group or have any influence over how they operate, rather the membership is decided by the Iwi Chairs Forum. The Forum comprises approximately 300 members, who challenge the Crown and keep them on task. The Freshwater ILG devised the concept "Te Mana o Te Wai" as a general expression of their interests in water and this concept has been built into the National Objectives Framework.</p> <p>Government has undertaken a lot of work to outline greater measures for good water quality and knows more about the Waikato River then did 5 years ago, for example. Need to</p>
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	<p>understand what is going on now, farming practises and their impact.</p> <p>Relationships between local government and iwi have their own issues. Government is making it clear that iwi and Crown expect that iwi will be part of any decision making process with water.</p> <p>The government has to manage national obligations, i.e. the Christchurch rebuild. Selling Genesis interests would enable money to be redirected into other national priorities, such as a new hospital and schools in Christchurch.</p> <p>The government would remain the majority shareholder at 51%. No one else can own more than 10% of Genesis shares.</p> <p>The Government is keen to do business with iwi as long term owners, and are aiming for 80% domestic ownership of these companies by encouraging New Zealanders to buy them. Some iwi who have not yet settled have chosen to participate in the 'on account' process, which has helped to accelerate their Treaty settlement process too.</p>
Questions / discussion	<p>[Speaker]</p> <p>Apologies from the Chair of Ngāi Tūhoe, who will make a formal response at a later date.</p> <p>[Speaker]</p> <p>Referred to written submission made in Gisborne on 15 February 2012. Expressed concern with the generating capacity of Genesis in this region and concerns for this resource in Waikaremoana.</p> <p>Concerned for rights of Lake Waikaremoana owners, when Genesis is generating electricity back into the national grid. Is there a method or process that will enable the owners to have some kind of consideration from the Crown?</p> <p>Response from Minister English</p> <p>The sale of the shares makes no difference. There are two ways in which this gets discussed: either through direct discussion with the company and or the Treaty Settlements process.</p> <p>There is a mix of legal and moral issues presented here. Care and on-going work is required. The next round of discussions requires government to look at the consents process. Working on some processes but have no answers yet.</p> <p>[Speaker]</p> <p>Referred to the RMA and consents process. Iwi currently have no say in the consent process and suggest that needs to be worked out. Māori have interests as owners of the land on which these water sources originate.</p>

	<p>Response from Minister English</p> <p>Government is undertaking RMA changes, which will statutorily describe the role of iwi, for which there will be a chance to make submissions to the Select Committee. Thank you for identifying this issue. The National Water Objectives Framework is focussed on balance and fairness.</p> <p>[Speaker]</p> <p>Support Tuhoe Te Uru Taumata, who will meet and discuss matters later (spoke in Te Reo Māori).</p> <p>[Speaker]</p> <p>The Crown doesn't have a good name historically, but I am pleased that the Crown is involving its Treaty partner in this process.</p> <p>Who represents Tuhoe on that Iwi Leaders Group? Who represents me?</p> <p>Response from Minister English</p> <p>The Crown has nothing to do with how the Iwi Leaders Forum chooses its representatives, and you are best to ask them. The government can talk about issues with the Iwi Leaders Group, but its fundamental relationship is with individual iwi.</p> <p>[Speaker]</p> <p>According to the Local Hauora Needs Analysis Report, Waikaremoana is one of the poorest communities in New Zealand.</p> <p>Why is it that we have three power stations but Tuai pays the second highest power bill and we remain pohara (poor)?</p> <p>[Speaker]</p> <p><i>Reading from written submission.</i></p> <p>Seeking to undertake direct negotiations with the Minister. Seeking a representative voice on Genesis Board.</p> <p>The Tuhoe Waikaremoana Trust Board is going to close – assume that it would come back to the landowners.</p> <p>[Speaker]</p> <p>Interested in how Ahi Kaa would benefit from the shares of Genesis, the lake and the national grid.</p> <p>Maybe we could learn to come together as kotahi tātou- to be one regardless of our differences and past history (i.e. Tūhoe, Ruapani, Kahungunu).</p> <p>[Speaker]</p> <p>We have easement issues with Genesis on the Heiotahoka land blocks. Easement rights that have not been settled.</p>
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Closing remarks	<p>The Chair thanked the gathering and handed over to the Minister for his closing comments.</p> <p>The Minister acknowledged the localised issues that the government needed to work through. Thanked attendees, acknowledged Te Puni Kokiri and the local hospitality.</p> <p>James Waiwai thanked the Minister for his presentation and noted that Tangata whenua would get together and talk about how they would move forward together.</p> <p>Closed with karakia.</p>
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