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## Permit Holder guidance for iwi engagement reporting

### OVERVIEW

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#### **Purpose**

This guide provides New Zealand Petroleum and Mineral's (NZP&M's) guidance to permit holders on how to complete an Annual Iwi and Hapū Engagement Report.

#### **Regulatory background**

The Crown Minerals Act 1991 states all Tier One permit holders need to report annually on their engagement with iwi/hapū whose rohe includes some or all of their permit area, or who otherwise may be directly affected by their permit.

The purpose of the report is to encourage permit holders to engage with relevant iwi/hapū in a positive and constructive manner and to enable NZP&M to monitor progress in this regard. Additionally, the report is one of the agenda items on the annual work programme review meetings between permit holders and NZP&M. NZP&M will take into account any comments received from iwi/hapū on a permit holder's engagement with relevant iwi/hapū.

Furthermore, NZP&M believe constructive engagement with iwi/hapū is an important part of responsible resource development. 2014 was the first year Tier 1 operators were required to report on their iwi/hapū engagement. NZP&M has reviewed 2014 reports and, based on the content, is providing this guidance on what the reports should include.

#### **Iwi/Hapū consultation on the Annual Report**

Permit holders are encouraged to contact relevant iwi/hapū before submitting their report and, where possible and appropriate, to include in the report their feedback on the content of the report.

In reviewing a report we may follow up with relevant iwi/hapū to discuss the content of the report to form a clear picture of the engagement that has occurred.

Permit holders should be mindful any participation imposes a cost of time and/or resources on iwi/hapū. Permit holder expectations of participation should be clearly stated and agreed between the permit holder and the relevant iwi/hapū group.

For further information on consultation and engagement with iwi/hapū, please refer to our website: <http://www.nzpam.govt.nz/cms/iwi-communities/working-with-iwi-hapu/industry-engagement-with-iwi>



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### **Open and honest information**

The Annual Report provides a useful opportunity to examine any issues or concerns that arise, both from the permit holders and the iwi/hapū perspective. Our objective is for engagement to occur in a manner that addresses the interest of all parties. Where this was not possible, we would like to understand the circumstances and issues that affected the engagement process. Permit holders should include any lessons learnt from engagement during the period and any steps that may be taken to improve the engagement process for the parties involved.

### **When in doubt, ask**

Should you have any questions about the content or structure of your report, please feel free to call or email us. We are happy to answer questions or arrange a time to meet to discuss. Our contact email is: [contactNZPAM@mbie.govt.nz](mailto:contactNZPAM@mbie.govt.nz)



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## REPORT STRUCTURE AND CONTENT

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The following section provides suggestions for the structure of the report based upon the information that we expect to see as part of an effective engagement programme:

For each iwi/hapū group that you have engaged with over the last twelve months, we expect a summary of engagement that includes, but is not limited to, the following information:

- 1) Iwi or hapū group/s
  - a) Who are you engaging with? List the name of the iwi, hapū and/or mandated representative group. Include the group's key contacts where applicable.
- 2) Nature of engagement
  - a) What was the nature of the engagement? This would include:
    - i) engagement related to permit holder activities (e.g. attending ceremonies, scholarship presentation, work programme matters, update on work activities, environmental monitoring activities, seeking input on work programmes); and
    - ii) engagement required under other legislation/policies (e.g. engagement required by the district or regional council, the Environmental Protection Authority).
  - b) Provide supporting documentation or evidence where applicable and appropriate.
- 3) Outcome of engagement
  - a) Has feedback provided by iwi or hapū been incorporated into the activities of your company?
  - b) Have outcomes arising from engagement or the approach to engagement been agreed or formalised in writing or otherwise?
  - c) Provide supporting examples/relevant documentation where applicable and appropriate.
- 4) Iwi or hapū feedback on this report

This information should be included if you have provided a draft engagement report to the iwi and hapū groups for comment before submitting the report to MBIE.

  - a) What feedback did iwi or hapū have?
  - b) Did any iwi/hapū decline to review the report? Did they indicate why?
- 5) Additional reflections
  - a) Is there anything else you would like to share in relation to your engagement in this reporting period?



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## **Appendix: Excerpts from the Crown Minerals Act 1991 and Minerals Programmes**

### Crown Minerals Act

#### **Section 33C Iwi engagement reports**

- (1) Every holder of a Tier 1 permit must provide to the Minister an annual report of the holder's engagement with iwi or hapū whose rohe includes some or all of the permit area or who otherwise may be directly affected by the permit.
- (2) Every holder of a Tier 2 permit of any class or kind specified in the regulations must provide to the Minister an annual report of the holder's engagement with iwi or hapū whose rohe includes some or all of the permit area or who otherwise may be directly affected by the permit.
- (3) Regulations may specify—
  - (a) an annual period to which annual reports must apply, which may vary for different classes or kinds of Tier 2 permit:
  - (b) a time by which annual reports must be provided, which may vary for different classes or kinds of Tier 2 permit.
- (4) The first report to be provided under subsection (1) must relate to the period of 12 months ending with 31 December 2014

### Minerals Programme for Petroleum 2013

#### **Section 2.11 Iwi engagement reports**

- (1) Section 33C of the Act requires petroleum permit holders to provide an annual report (an iwi engagement report) to the Minister on the holder's engagement with iwi and hapū whose rohe includes some or all of the permit area or who otherwise may be directly affected by the permit. The report must be made at the time and in the manner specified in regulations.
- (2) The purpose of the report is to encourage permit holders to engage with relevant iwi and hapū in a positive and constructive manner and to enable NZP&M to monitor progress in this regard.
- (3) Permit holders are encouraged to consult with relevant iwi and hapū before submitting their report and, where possible and appropriate, to include in the report the views of those iwi and hapū on the content of the report.
- (4) The report should note any engagement with or notification to iwi and hapū that has taken place as a requirement of any other legislation.
- (5) The annual report on engagement with relevant iwi and hapū will be one of the agenda items on the annual work programme review meetings between permit holders and NZP&M (see clause 11.7). NZP&M will take into account any comments received from iwi and hapū on a permit holder's engagement with relevant iwi and hapū.
- (6) NZP&M may, as appropriate, discuss with relevant iwi and hapū the outcome of the review of the permit holder's iwi engagement report, as part of NZP&M's ongoing discussions and liaison with iwi and hapū.



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Minerals Programme for Minerals 2013

**Section 2.13 Iwi engagement reports**

- (1) *Section 33C of the Act requires Tier 1 permit holders to provide an annual report (an iwi engagement report) to the Minister on the holder's engagement with iwi and hapū whose rohe includes some or all of the permit area or who otherwise may be directly affected by the permit. The report must be made at the time and in the manner specified in regulations.*
- (2) *The purpose of the report is to encourage permit holders to engage with relevant iwi and hapū in a positive and constructive manner and to enable NZP&M to monitor progress in this regard.*
- (3) *Permit holders are encouraged to consult with relevant iwi and hapū before submitting their report and, where possible and appropriate, to include in the report the views of those iwi and hapū on the content of the report.*
- (4) *The report should note any engagement with or notification to iwi and hapū that has taken place as a requirement of any other legislation.*
- (5) *The annual report on engagement with relevant iwi and hapū will be one of the agenda items on the annual work programme review meetings between permit holders and NZP&M (see clause 11.8). NZP&M will take into account any comments received from iwi and hapū on a permit holder's engagement with relevant iwi and hapū.*