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10 June 2016

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Ngati Mutunga o Wharekauri Treaty of Waitangi Claim Negotiations

Tena koe

Ngati Mutunga o Wharekauri Iwi Trust (NMOWT) has the mandate to negotiate a settlement of all Treaty of Waitangi claims on behalf of Ngati Mutunga o Wharekauri:

- "Ngati Mutunga o Wharekauri" in this sense includes those hapu who migrated alongside Ngati Mutunga (to Wharekauri in 1835) including (but not limited to) hapu with affiliation to Ngati Haumia, Kekerewai and Ngati Tama.
- "All claims" in this sense includes all historical claims which are made on the basis of Ngati Mutunga o Wharekauri whakapapa (as defined above) whether registered or unregistered. These include WAIs, 65, 54, 480, 1382, 2279 and your particular claim (WAI181).

The Crown has appointed its negotiation team led by Fran Wilde and NMOWT has appointed three negotiators: Tom McClurg, Hariroa Daymond and Geoff Mullen. So far there have been 3 meetings between the Crown and NMOWT negotiators. The Crown is simultaneously seeking to negotiate a settlement of all Treaty of Waitangi claims by Moriori on the Chatham Islands.

At the third meeting (8 and 9 June 2016) between Crown officials and ourselves, we received a series of presentations from Government Agencies and Ministries on the potential content of Protocols between the Ngati Mutunga o Wharekauri Post Settlement Governance Entity (PSGE) and those agencies. On 8 June, we received a

very good presentation from Terry Lynch (National Co-ordinator of Maori Fisheries for MPI). It quickly became clear to us that the Protocol with MPI is going to be an important document which provides an excellent opportunity to both review and revitalise the general relationship between the Chatham Islands and MPI and to agree some of the issues that we believe should provide the current focus of that relationship in the short to medium term.

Fisheries management issues are obviously central to this agenda but issues relating to agribusiness and biosecurity are also important to us. The purpose of this letter is to provide you with an initial list of issues that we would like to discuss over the coming months with your staff to determine whether (or how) they might be reflected in the MPI protocol. This list is not a list of grievances; rather it is intended to give you a 'heads up' about the range of MPI personnel that we would like to engage with so that better planning and management of that engagement is possible.

Customary Fisheries

At present there are 14 rahui areas (non-commercial fishing areas) in the Chatham Islands. There is widespread concern within both Iwi that existing arrangements are not providing adequate protection for customary fishing activities and there is considerable interest in reviewing these arrangements and replacing or supplementing them with Mataitai. The goal of that review must be to better provide for customary fishing while recognising the central importance of commercial fishing to the Chatham Islands economy. The only way of ensuring this balance is achieved is for the review to be comprehensive (looks at the customary fishing needs of both iwi and introduces new arrangements that involve co-ordination between Iwi and integration with the management of commercial fishing).

The overlapping nature of Moriori and Ngati Mutunga fishing interests in the Chatham Islands means that MPI may need to be open to the implementation of somewhat innovative customary fishing arrangements reflecting that situation.

Commercial Fisheries

Commercial fishing is the backbone of the Chatham Islands economy at present. There are a number of issues that we would like to explore around the operation of the QMS:

- TACC setting. The central importance and undiversified nature of commercial fishing interests on the Chatham Islands means that there can be considerable tension between local attitudes to fisheries management risk (conservative) and the attitudes of non-Island interests who have a wider set of fishing opportunities (less conservative).
- Bluenose 3. The BNS3 fishery (shared stock with much of east coast NZ) is an example where local interests believe that the bluenose fishery around the Chatham island (FMA4) would be better conserved and managed if it was separated from BNS3.
- New species. Diversification of the existing portfolio of commercial fisheries on the Chatham Islands is important for the economic resilience of the Chatham Island community. The process by which exploration and development of new fisheries is handled in the Chatham Islands would benefit from customisation.

Agribusiness

The existing agribusiness model for the Chatham Islands (the export of live store lambs and cattle to New Zealand) is producing very weak results (the economic value of agricultural land is close to zero). The historical farming system on the Chatham Islands needs a fundamental makeover and the evidence is that this makeover is not happening spontaneously. Possibilities for new agribusiness need to address the isolation, high costs of energy and the imperative to protect the water quality of the Chatham Islands. These are, of course, issues for New Zealand generally but writ large in the Chatham Islands and this makes Chatham Islands an interesting potential laboratory for the development of new technologies.

We are most interested in working closely with MPI on fresh approaches to restore agribusiness as a strong pillar of the Chatham Islands economy.

Biosecurity

The Chatham Islands has been described as 'a land apart' and the isolation of the Chatham Islands is often a handicap. However, in biosecurity terms, this isolation may be a potential asset. We would like to know what biosecurity issues are present in New Zealand that are not yet issues in the Chatham Islands so that timely measures can be taken to prevent such problems. It is our experience that consideration and resourcing of measures to protect the special interests of the Chatham Islands cannot always be taken for granted.

This is not meant to be a comprehensive list of issues of mutual interest between MPI and Ngati Mutunga o Wharekauri. However, it may indicate a broader agenda for the protocol than we might both have first envisaged. Please consider the MPI personnel (in addition to Terry Lynch) who might be identified as contact points for the development of a protocol. We are positive that the application of MPI resources to this process will not only benefit Ngati Mutunga o Wharekauri and the Chatham Islands but is likely to produce outcomes of great interest elsewhere as well.

Please contact me if I can be of any assistance to you or your staff.

Naku noa na,



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