

# Ngāti Mutunga o Wharekauri Submission on Rock Phosphate

Chatham Rock Phosphate Mining Proposal

New Zealand Petroleum & Minerals

Draft Prepared by:

Ngāti Mutunga o Wharekauri Iwi Trust

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## **1. INTRODUCTION**

This document establishes a view of Ngāti Mutunga o Wharekauri in response to the proposal from Chatham Island Rock Phosphate to mine the Chatham Rise. The purpose of this submission is to inform deliberations regarding the proposed mining of the Chatham Rise for rock phosphate.

## **2. BACKGROUND**

### **2.1 Who is Ngāti Mutunga o Wharekauri?**

Ngāti Mutunga o Wharekauri share common lineage with their whanaunga based at Urenui in Northern Taranaki. The Iwi Waka include Tokomaru, Okoki, Tahatuna, and Manaia. All Ngāti Mutunga whakapapa from the eponymous ancestor Mutunga and his wife Te Rerehua.

Ngāti Mutunga played a pivotal role in the migration of Northern Taranaki Iwi and Ngāti Toarangatira from Kawhia and Mokau / Urenui / Waitara in the late 1820s eventually settling at Pito One (Petone) in Wellington. In 1835, Ngāti Mutunga, along with Ngāti Tama, Kekerwai and Ngāti Haumia, migrated to the Chatham Islands and established a permanent tribal base.

### **2.2 Population**

At the 2006 census estimates the Ngāti Mutunga population as follows:

- Ngāti Mutunga o Wharekauri – 1,389
- Ngāti Mutunga (Taranaki) – 2,091

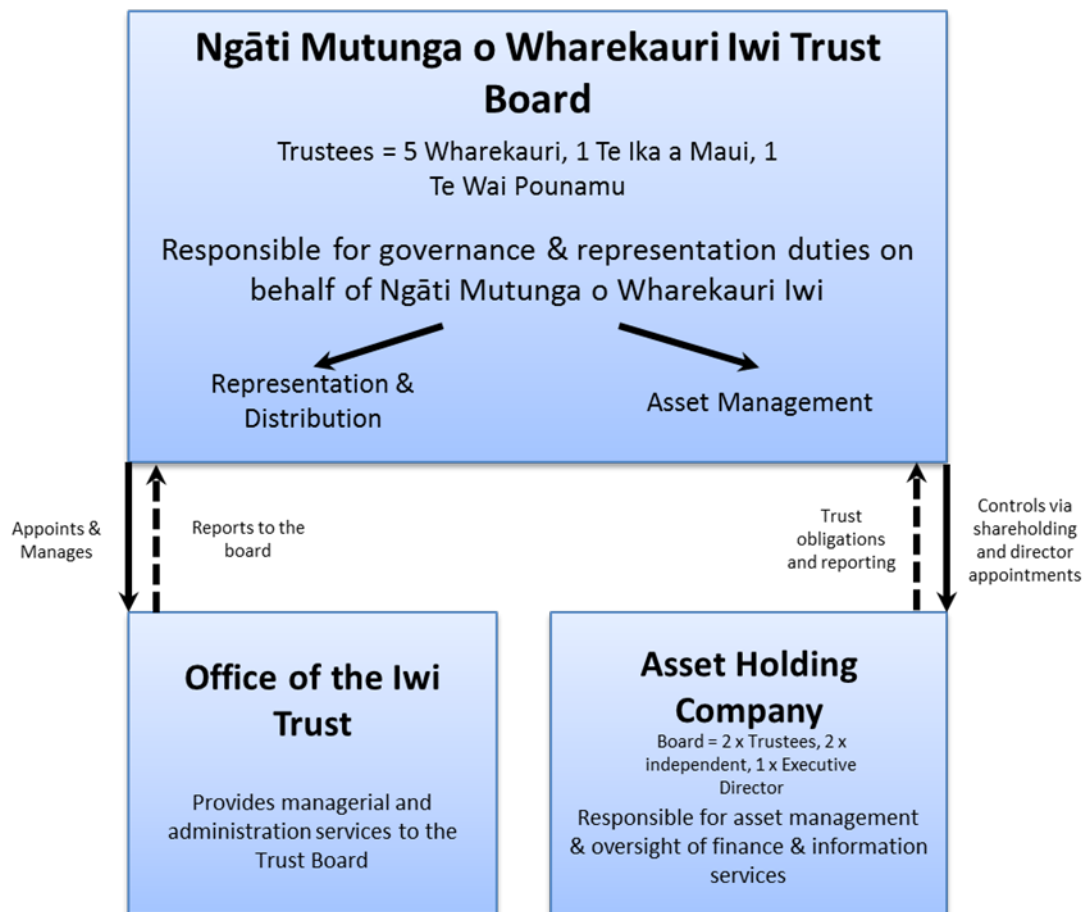
The differentiation in numbers is somewhat misleading. All Ngāti Mutunga people can trace a direct lineage to each rohe. The differentiation is potentially a product of the legal entities that reside within each rohe as opposed to any differentiation in whakapapa rights. It is likely the true population of Ngāti Mutunga lies in the 2,500 range (noting that many will tick both boxes in the census data).

### **2.3 Ngāti Mutunga o Wharekauri Iwi Trust**

The Ngāti Mutunga o Wharekauri Iwi Trust (“Iwi Trust”) represents the collective interests of Ngāti Mutunga o Wharekauri (NMOW), and is a mandated iwi authority for the purposes of the Resource Management Act 1991 and the Māori Fisheries Act 2004.

The Iwi Trust in its Trust Deed is mandated to represent the view of Ngāti Mutunga o Wharekauri Iwi.

## 2.4 Ngāti Mutunga o Wharekauri Iwi Trust Structure



Iwi Trust Board Trustees	Asset Holding Company Directors
Paula Page (Chair)	Joseph Thomas (Chair)
John Kamo (Deputy Chair)	Robin Page
Monique Croon	Tom McLurg
Melodie Fraser	Andrew Harrison (executive director)
Mark-Shane Tuuta Rurehe (Te Waipounamu Representative)	
Gail Amaru (Te Ika a Maui Representative)	
Office of the Iwi Trust	Asset Holding Company Management
Ward Kamo – Chief Executive	Andrew Harrison (Koau Capital Partners Limited)
Jo Clark – Office Administrator	Richard Coleman (Koau Capital Partners Limited)

## 2.5 Ngāti Mutunga o Wharekauri Rohe

Ngāti Mutunga o Wharekauri boundaries (rohe) encompass all of the Chatham and Auckland Islands. Specifically but without limitation:

- Wharekauri / Rekohu
- Rangiauria (Pitt Island)
- Rangatira (South East Island)
- Mangere (The Fort)
- Tapuenuku (Little Mangere)
- Motuhope (Star Keys)
- Rangitatahi (The Sisters)
- Motuhara (The Forty Fours)
- Tarakoikoia (The Pyramids)

- Maungahuka (Auckland Islands) including:
  - Adams Island
  - Enderby Island
  - Disappointment Island
  - Ewing Island
  - Rose Island

### 3. PURPOSE OF THE ASSESSMENT

The purpose of this document is to provide information and insight into the concerns of Ngāti Mutunga in relation to their taonga. These concerns are summarised as:

- Seabed and sea life disruption;
- Interference with cultural heritage and whakapapa;
- Impact on other cultural values relating to the Moana (sea) and other general water rights;
- Tino Rangatiratanga;
- Economic Development;
- Fisheries Risk;
- Sinkholes and Underwater aquifers; and,
- Chemicals and other potentially harmful agents in the mining process.

The Ngāti Mutunga o Wharekauri Iwi has no cultural aversion to economic development. And this includes mining whether on or off shore. Rather, the Iwi has a Kaitiaki role for both current and future generations in ensuring the sustainability of proposed ventures.

Each of these concerns is now considered in detail.

### 4. SPECIFIED IWI CONCERNS

#### 4.1 Seabed and Sea Life Disruption

Our Toroa venture far out to sea. There have previously been issues with long liners and the impact of those boats on our bird stock. Whilst we appreciate the miners are not long lining, we have no information on whether there is any risk to our birds as a result of have these boats within the region our birds frequent.

We have read the NIWA Rock Lobster report of September 2012. Whilst the report outlines the eddy systems that contribute to larval flows from mainland NZ to the Chathams, it provides no measured risk rating to the claim that:

*“it is unlikely there will be any direct impact of the proposed mining operations” (page 5).*

We are not reassured by the terms ‘unlikely’ and importantly ‘direct impact’. This suggests some likelihood risk and certainly points to potential indirect impacts. These must be detailed further.

We note for example, that the NIWA report at page 7 states:

*“The size of the plume, the depths affected and the areas impacted are still uncertain as these are dependent on the size distribution of the particles released and whether these are released near the surface or near the seafloor.”*

This is a critical statement that requires more research.

We have also reviewed the report of Dr Mike Patrick of 14 May 2013 on eel migration patterns. We are concerned to note that there have been no studies done of Chatham Island eel migrations. Whilst the studies suggestion direct north migrations from New Zealand would not see the eels migration affected, the fact the migration may occur via geomagnetic cues would require some specification in relation to the Chathams (e.g. are these cues directly related to magnetic poles or

some other magnetic lines generated via the seabed itself).

#### **4.2 Interference with Cultural Heritage & Whakapapa**

It is said amongst Maori:

*“Kaore te kumara e ki ana tona reka” (the kumara does not talk of how sweet it is)*

That said, Ngāti Mutunga is renowned the length of the country for the bountifulness of its koura, ika, me paua. It is equally renowned for its generosity in providing these taonga at hui.

All iwi have an identity that makes them unique. Ngā tamariki a Tangaroa is our identity. The sea that surrounds Wharekauri is ‘te pa a Tangaroa’. Tangaroa provides for the wellbeing of all on the island.

Any negative impact on fish stock on the island would not just be economic. It would create a terrible impact on the identity of Ngāti Mutunga o Wharekauri. Our people take pride in the food they provide their manuhiri and their whānau. The cultural identity of Ngāti Mutunga is inherently tied to the island and te pa a Tangaroa.

Much of the Ngāti Mutunga whakapapa relates to our fishermen (and our farmers). Any impact on the fishery impacts our whakapapa, our heritage, and our identity. Ngāti Mutunga o Wharekauri will actively protect its whakapapa if there is a perceived threat to it.

#### **4.3 Impact on Cultural values relating to the Moana**

In section 4.2 we refer to the cultural value of the sea’s bounty to Ngāti Mutunga. We place equal weight on the sea itself. Many of our whānau still engage in karakia, ceremony and other practices that relate to the spiritual relationship to the Moana. It is not enough to be grateful for the bounty of Tangaroa. Tangaroa must also be acknowledged. That acknowledgement includes the responsibility to actively protect Tangaroa’s interest (thereby protecting the Iwi’s interests)

#### **4.4 Tino Rangatiranga**

This relates to the management and control of sea and our resources. This includes the coastal waters of the Chatham Islands. Section 2.5 outlines the Ngāti Mutunga o Wharekauri boundaries (rohe). Our rohe extends into the proposed mining area. It was a pathway of migration for both ourselves, and our whanaunga the Moriori. The management and control of all resources in our rohe comes under our direct authority as tangata whēnua.

#### **4.5 Fisheries Risk**

The mainstay of the Wharekauri economy is fishing. This industry contributes over 2/3rds of the islands income receipts. To this in perspective, the Iwi Trust runs some \$15 million in quota assets generating upward of \$1.5 million in income annually. Any disruption to this would be both disastrous and unacceptable.

We remain concerned that no study on the impact of mining on deep sea wetfish has been undertaken. We have significant quota for bluenose and orange roughy. We need to be reassured the proposed mining will not place undue risk on these deep sea species.

Fishing itself represents at least 2/3rds of the Wharekauri economy. But this may be an underestimation. That figure probably doesn’t account for both up and downstream activities that flow from fishing (freight, employment, shop keeping, schooling etc). Any activity that adversely affects the fishing industry has almost immediate impacts on ancillary services and employment related to fishing.

We are still not reassured the mining plume drifts are properly measured. Plume drift need not be large or visually present to have an impact. Rather, the accumulation of mining by-product over time is the real risk. Sediment build up over time on paua spawning grounds, koura habitat, and the migration of eel (tuna) to the Chathams must be considered in any environmental impact

assessment. Those assessments must include real input from both cultural and commercial interests on the island.

#### **4.6 Economic Development**

We are well aware there is no '100%' certainty on any environmental risks. And nor is the Iwi an adherent of the 'cautionary principle' of not allowing activity 'just in case'. To that end, any activity that opens up new economic prospects for the island would ordinarily be seriously considered.

In this instance, the returns to the island of agreeing to mining would have to outweigh any risk weighting attached to probabilities of harm should there be some negative environmental impacts to the fishery. Given the disastrous impact of harm to the fisheries, the Iwi would expect to see a combination a high premium return to the island.

What we can't put a price on is the cultural impact should there be a negative consequence of the mining. This is priceless and intergenerational (including the negative impacts). No economic development package could fully cover or potentially compensate Ngāti Mutunga o Wharekauri.

#### **4.7 Sinkholes & Aquifers**

Ngāti Mutunga Kaumātua have korero amongst themselves in relation to the migration of Ngāti Mutunga to Wharekauri. Those korero suggest that there may have been interaction of our Tīpuna with the rise in relation to freshwater lenses emerging through the sea. Whilst we have no scientific evidence that verifies this, we do require further consideration of these korero as Environmental Impacts are considered.

#### **4.8 Chemicals**

The absence of information on the types of chemicals to be used as part of the extraction process is concerning. We require more information to be made available for our consideration.

### **5. NGĀTI MUTUNGA O WHAREKAURI IWI POSITION**

#### **5.1 Risk To Iwi**

Ngāti Mutunga o Wharekauri are deeply concerned that the risk / return offering is totally askew. To put this into perspective the Iwi Trust notes the following:

- The risk to CRP is a large amount of upfront capital. The reward is a large profit generated. This is not a problem for the Iwi.
- The risk to the Iwi is as follows:
  - Its fishery economic base
  - Its cultural base
  - Its whānau base
  - Its identity
- Currently the return to the island (and the Iwi) if the initiative succeeds, is precisely zero.

There is simply no reason to agree or support the application. We as an Iwi, and a people of the island, are being asked to put our whole life on line with no prospect of any benefit to our island or our Iwi.

We have outlined our concerns in section 4 of this report. These concerns of such magnitude to our people that we cannot support the CRP application.

### **6. CONCLUSION**

Ngāti Mutunga o Wharekauri NZ Petroleum and Minerals meeting with our people on the island. The process of engaging our people was appreciated.

Naku noa

Paula Page  
Trust Chair (on behalf of Trustees)