

*Ngāti Mutunga o Wharekauri Iwi Trust*

*Chatham Islands Council Draft Annual Term Plan  
2013-14*

*Submission – 2013*

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## **Introduction**

The Ngāti Mutunga o Wharekauri Iwi Trust (“the 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. Although the Trust speaks for NMOW on a number of matters, the mana and decision-making powers remain with NMOW, according to NMOW tikanga/kawa. This then forms the basis for this submission from the Trust to the Chatham Islands Council (CIC).

## **Our Purpose**

- To be the repository of the collective Tino Rangatiratanga of Ngati Mutunga O Wharekauri
- To represent the collective interest of Ngati Mutunga O Wharekauri and be the legal representative of Ngati Mutunga O Wharekauri in relation to the collective interest
- To make and pursue the settlement of claims on behalf and for the benefit of Ngati Mutunga O Wharekauri under the provisions of the Treaty of Waitangi Act 1975
- To be the mandated iwi organisation for Ngati Mutunga O Wharekauri

## **Benefit Provision**

To advance the social and cultural development of Ngati Mutunga o Wharekauri beneficiaries and distribute benefits directly or indirectly to beneficiaries, irrespective of where they may reside, when and where the Trust may decide.

## **Tikanga**

To promote and preserve, protect and maintain the identity, mana, Tino Rangatiratanga, culture, history, traditions, arts and crafts, tikanga, reo, and taonga tuku iho of Ngati Mutunga o Wharekauri.

## **Overview**

The short term performance of our island relative to the long term viability and success of our motu remains the key focus of NMOW. NMOW are a critical component of the people who make up our unique island way of life. We are the owners of significant fishing assets which are used both as a basis for island employment, and to ensure our long term future as tangata whēnua of Wharekauri.

The viability and success we strive for is inextricably tied to the broader Chatham Island community. Our linkages to Moriori and Pakeha are by whakapapa and by our shared and lived experience.

## Draft Annual Plan 2013-14

### Maori, Moriori and the Chatham Islands Council (page 13)

The Trust notes the 'obligations' of council. We would prefer more active language that talks about 'commitment to 'take into account the provisions of the Treaty. We would ask this apply equally to a 'commitment to consult'.

The recognition of the 'two' Ngati Mutunga entities that purport to represent Ngati Mutunga o Wharekauri does not appear in the Long Term Plan. The Iwi Trust seeks clarification as to why this has appeared in the Annual Plan. The Trust is clear that it has the sole authority to represent the people of Ngati Mutunga. It further notes that it has developed an active and reciprocal relationship with Council in the delivery of that representational role.

We would reiterate a point made in the long term plan submission. Ngāti Mutunga (and its associated kanohi including Ngāti Haumia me Ngāti Tama) is the only Tangata Whēnua group of Maori on the island. Accordingly, the relationship Council is required to have with Tangata Whēnua is with Ngāti Mutunga. We would ask that Council change its section header to:

"Ngāti Mutunga, Moriori and the Chatham Island Council"

Council should note that this specific recognition does not in any way have the effect of watering down its general responsibilities to Maori on the island. Ngāti Mutunga acknowledges the various Iwi that are represented in the residents of Wharekauri. Equally, The Trust is clear that their responsibility as Chatham Islanders is to recognise the inherent Tino Rangatiratanga o Ngāti Mutunga and to actively support that.

The Iwi Trust is concerned to understand why specific recognition of Ngati Mutunga cannot be achieved!

**General:** The Trust has previously commented on consultation through its submission on the *Chatham Islands Marine Oil Spill Contingency Plan*. The need to consult in terms of Iwi/Imi is primarily through the descent groups. We reiterate the proposal we put in that plan noting:

*"NMOW see that the preparation of a MOU with CIC will allow for a clearer understanding of respective roles for both parties within their Treaty of Waitangi relationship, and will provide a solid, future-focussed platform to develop a more appropriate and informed working relationship. An MOU will also reinforce the goodwill and personal relationships which already exist between NMOW and CIC."*

And noting that:

- NMOW seek to work towards securing an over-arching MOU with the CIC, which recognises the mana and establishes the roles/responsibilities of both parties;
- An MOU based on the principles of the Treaty of Waitangi will provide a strong position for both parties to work together for mutual benefit on all resource management and policy matters, and will allow CIC to meet its statutory requirements;

- NMOW acknowledge the CIC work currently being undertaken by Edward Ellison to prepare an MOU with CIC/ NMOW Iwi Trust/ Hokotehi Moriori Trust, specifically focussed on tangata whēnua inputs to the Resource Management Plan review. A NMOW/CIC MOU would build upon the goodwill established by this relationship.

## **Infrastructure Services (Page 16)**

### **Roading**

The issue of roading remains a key consideration for The Trust. Whilst the issues facing Council are myriad we would draw your attention to the following:

- Te One has a significant number of children accessing the school and Kohanga
- The building of three, three bedroom homes will increase the number of children in the area
- The number of scheduled activities at Whakamaharatanga are increasing as The Trust takes a more active role in programme development and delivery.
- The current footpaths are inadequate and present a hazard to children and adults using the road
- The lack of adequate street lighting presents a hazard for all people who reside in the area

The Trust believes the Council must include appropriate footpaths and street lighting for Te One. This will address safety issues and have the added effect of enhancing the aesthetic appeal of the area.

### **Stormwater**

We remain concerned that the automatic response to stormwater run off into Te Whaanga is to open Hikurangi. This appears a policy response in the absence of a broader consideration of the implications of interfering in a natural process. NMOW believes this activity should be measured against a broader review of the natural environmental process and potential symbiotic relationship between land water run-off, stormwater build up in Te Whaanga, the natural biological responses that have historically occurred, and the pataka benefits that may be associated with this natural process.

The Trust is equally mindful of the land management impacts of rising lagoon levels and associated silting and phosphate build-up that may occur if Hikurangi is not opened. That said, we understand the tidal cleansing effect may only apply to areas adjacent to Hikurangi. We note that there is no specific reference to 'manmade' stormwater run off, natural land run-off, and the contribution each makes.

We are also concerned the plan in relation to the water build-up, does not address water quality issues both in Te Whaanga and in our roto, awa, and puna respectively. Non-specified references to water pollution do not go far enough. NMOW has a Kaitiaki responsibility to all our waterways. The impact of intensive land management and usage techniques, and their impact on our food gathering tikanga in relation to our waterways must be recognised. Property rights have to be

carefully measured against our long standing rights to gather our traditional foods. And those rights extend to protection of the natural mechanisms that ensure the ongoing supply of our kai.

### **Solid & Hazardous Waste**

NMOW remains concerned that koiwi are located in and around the Te One landfill. The dumping of rubbish over burial areas presents an immediate threat to the mana of our people. It should be noted that rubbish tips located on and around burial sites are unacceptable in any culture. This will be a welcome development.

### **Sewerage**

The issue of sewerage treatment has been brought into sharp relief with the 'Sandstone Issue' where we had a tenanted home septic tank overflow. Waste management facilities are a must for all major townships and associated housing.

### **Water Schemes**

The building of the Ngāti Mutunga whare in Te One brings this issue into sharp relief for us. Council should be aware that we intend to continue our development activities on the island both in the housing and Iwi building spheres. Te One is now the central focal point for Trust and NMOW activities. We are working closely with the Maori Committee on possible options for Whakamaharatanga; we are determined to continue housing development; we are taking active roles in the support of the school and Kohanga Reo; and we are exploring options for our Trust physical presence. The provision of a sustainable and reliable water supply for Te One is critical. We note that Te One has not been included in any of the proposed water scheme development phases. We would like to see this corrected.

### **Environmental Services (Page 23)**

The Trust would recommend that closer alignment of this section with Te Whaanga lagoon and stormwater occur. Biosecurity is an absolute and fundamental concern of NMOW and The Trust. This is particularly so in relation to marine and freshwater biosecurity. The expression of our mana is underpinned by our ability to utilise our mahinga kai. Equally, our economic livelihood is tied up with the same concern. They are inextricably linked to each other.

The Trust expects to take a place alongside Council when it comes to developing effective responses in this sphere. We have a number of our Iwi that, in their individual and whānau capacity, act as Kaitiaki on behalf of the Iwi. We seek to work alongside council in developing those Kaitiaki roles through the provision of training and specific up-skilling programmes.

The Trust equally welcomes a collective approach to the re-mapping of sites of significance and other initiatives for the identification and protection of them. Council should take an active role in promoting the role of Iwi with the likes of the Historic Places Trust. This will have a positive flow on effect for Council should this recommended approach be adopted and pursued.

### **Emergency Management (Page 26)**

The events in Otautahi, Japan and Tauranga remind us that we are not immune to the effects of natural and man-made disasters. Whilst such disasters are devastating to any community that has to face them, they are likely to be magnified by our isolation and lack of on-island resource should they be experienced here. The development of the emergency operations centre is a necessary initiative. The Trust expects to take an active role in both supporting the initiative and providing expert input to the development of emergency responses.

### **Coast & Harbour Management (Page 28)**

Our separate submission on the Navigational Safety bylaw refers..

### **Conclusion**

The Trust thanks Council for the opportunity to submit on the Long Term Plan. We reiterate our commitment to sharing knowledge and resources for the long term benefit (and viability) of our island.

Ngāti Mutunga o Wharekauri Iwi Trust welcomes the opportunity to discuss this proposal further with Council.



Ward Kamo  
Trust Secretary  
Ngāti Mutunga o Wharekauri Iwi Trust