

Ngāti Mutunga o Wharekauri Iwi Trust

New Zealand Marine Oil Spill Response Strategy

Submission – August 2014

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 Maritime New Zealand.

Overview

The domain of Tangaroa is of immense importance for NMoW. Our direct whakapapa connection, the values and responsibilities we attach to this connection, has importance as a major generator of our economic well-being. Tangaroa’s domain also acts as a pataka (food store) for our people. Accordingly his domain remains an imperative for preserving the physical and spiritual health and fecundity. NMoW’s kaitiaki role is to actively ensure that collective behaviour and practices on Wharekauri are controlled and monitored to ensure that risks to Tangaroa (and the wider environment) are managed and avoided wherever possible.

The potential for an oil spill incident occurring on Wharekauri Islands remains a very real risk. The dramatic images of the unfortunate (and avoidable) grounding of the Rena on the Astrolabe Reef off the coast of Tauranga-Moana, the mobilisation of the Community (and in particular tangata whenua) as a key part of the clean-up, and the ongoing issues around this incident remain very fresh and clear in our minds as kaitiaki. We recognise that should an oil spill event of any magnitude (Tier 2/3) occur within our waters, the collective reaction and effectiveness of response on Wharekauri becomes of paramount importance. This reaction and effectiveness of response is, in the first instance, reliant on the human expertise/experience and technology available on-island.

We have previously submitted on the Chatham Islands Marine Oil Spill Contingency Plan in 2012. Our concerns remain the same.

We have reviewed the New Zealand Oil Spill Response Strategy and make the following comments and observations in relation to Consultation.

Contingency Plans (page 9)

We note the strategy requires organisations likely to respond at the various tiers are required to draw up contingency plans (page 9). We agree with the requirement. We believe a single contingency plan that details front line emergency response plans with Council, Works, Fire Brigade, Ngāti Mutunga and Moriori is the best way forward for Wharekauri. Wharekauri services will act as a first responder as the resource of regional and national bodies are brought in to deal with Tier 2 and 3 events.

We draw attention to the fact that Wharekauri is a significant contributor to the economy with its large inshore (and deepwater) fisheries worth hundreds of millions to the economy. The upfront investment to ensure Iwi and other authorities on the island are properly prepared and resourced to respond to (in all likelihood) Tier 1 and Tier 2 event is critical not just to the island, but to Aotearoa as a whole.

Consultation (Page 12)

The Strategy sets out a requirement for “*Partnership with Maori*”. This partnership is not just a ‘treaty requirement’. It is a fundamental relationship that exists at a community, social, commercial, and political level.

To put this in perspective - the mainstay of the Wharekauri economy is fishing. This industry contributes over 2/3rds of the islands income receipts. The Iwi Trust runs some \$14 million in quota assets generating upward of \$1.5 million in income annually. Any disruption to this would be both disastrous and unacceptable. An oil spill from a fuel carrying vessel has the potential to seriously impact the mainstay of the Chatham Island economy. Even a one season slowdown in fishing would be disastrous for fisher-families whose livelihoods are on a year by year basis.

Ngāti Mutunga o Wharekauri 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.

The current draft does not reflect the real and serious interaction between Maori social and commercial relationship with sea and the need for territorial authorities, who are subject to the vagaries of the electoral cycle, to understand that relationship on an ongoing basis. It is not enough to consult with local Maori. It is imperative the correct Maori entities and people are engaged early and included in emergency responses. We state again the consequences of oil spills to Maori communities are real and long lasting.

Accordingly, the strategy must identify at a minimum, the legal representatives of local Iwi/Hapū (even as an appendix). This must include an updated database of contact people within the Iwi / Hapū entity who are trained to sit at an oil spill response event and contribute in an effective and constructive way.

Expression of Values (page 20)

There is little in the document that gives any recognition to the partnership. For example there are no Maori language references, no tikanga matters addressed, and no addressing of the importance of spiritual and values for Maori and all New Zealanders. This document needs to address the cultural significance of the sea to all people. This was a critical issue to New Zealanders during the Rena incident.

Accordingly, the ‘New Zealand Marine Oil Response Strategy’ table on page 20 should be redefined. Only at Goal 4 are Iwi and community included. Yet the level of political (as well as

economic and social) risk is such that the 'people' component of the strategy is something more than 'the fourth goal'. The outcry from Maori and Pakeha during the Rena incident requires a greater recognition of community/Iwi roles to be played upfront. Therefore, goal 4 objective 4.1 should be moved higher in the illustration and given a fuller treatment as a key overarching component of the strategy.

Training (Page 22, Appendix D page 50/51)

We note in appendix D page 50, that the:

"...provision and coordination of training and exercising for regional responders is the responsibility of Maritime NZ. This takes account of the fact regional council personnel and resources also play a fundamental role in Tier 3 responses. In a significant incident that escalates to Tier 3, the Tier 2 responders maintain the response during the transition phase under the direction of the NOSC and still form an integral and vital part of clean-up activities at the tier 3 level."

Maritime NZ must extend this training and exercising to Iwi Authorities who can assist in identifying local resources to be trained as Iwi responders to make meaningful contributions that are more than just 'consultative' in any tier incident.

We similarly draw attention to page 51 paragraph one of the draft to always ensure;

"Maritime NZ works with regional councils to ensure there are always sufficient trained responders and resources to undertake a sustained Tier 2 or Tier 3 response."

Iwi must be included in this requirement. This is all the more important on Wharekauri where response times can be seriously hindered by the tyranny of distance and weather. A locally trained response team with appropriate first response equipment is vital.

Goal 3 – Evidence Based Information (Page 26)

We note Maritime NZ will commission research and gathering information on sensitive resources in areas around NZ that are at risk from Marine Oil Spills. We strongly urge the research pays specific attention not just to the Chatham Rise, but to the inshore areas of Wharekauri as well. Too often Wharekauri is an 'afterthought' for these types of studies.

Conclusion

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



Ward Kamo
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