

Submissions

To

**Crown Minerals Group
(MeD)**

**PROSPECTING PERMIT APPLICATION 51239 BY
L & M OFFSHORE NORTHLAND LTD**

Date: 21 October 2008

Submitter: Abraham Witana

Organization: Te Rūnanga o Te Rarawa

Number of Individuals we represent: Approximately 15,000.¹

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¹ Based on the 2006 Census iwi population count. However, on our own iwi estimations our iwi population is nearer to 30,000.

1. INTRODUCTION

Te Runanga o Te Rarawa is the iwi authority representing the interests of the marae and hapu that make up the iwi of Te Rarawa. The Runanga is made up of one Trustee and one alternate Trustee for each of the affiliated marae in the rohe of Te Rarawa. Currently there are 23 marae affiliated.

The traditional rohe of Te Rarawa is described as the area from Hokianga to Maungataniwha, down through Victoria Valley river to Maimaru, across from Awanui Bridge west to Te Oneroa a Tohe (the Ninety Mile Beach) at Hukatere, then down to Mitimiti and Hokianga.

The Runanga meets every third Wednesday of the month at Toka Tumoana, Kaitaia. The Runanga appoints the Chair and Deputy Chairperson. The Executive Officer oversees the operations of the Runanga working alongside an elected Executive. The Runanga offices are based in Kaitaia and it employs more than 50 staff who undertakes a variety of social, environmental, economic, and administrative functions.

Vision

Ko nga whanau o Te Rarawa, kei te tukaha ki to ratou tuakiri tangata, kei te piri pumau ki to ratou marae, kei te mau tonu te manawa ki nga mahi awhina.

Te Rarawa whanau strong in their identity, active with their marae, and making a contribution.

Mission

Ko nga tatai anga mua o Te Runanga o Te Rarawa, he atawhai i te hunga kai arahi, mo te whakatupunga o te hapu, me te oranga o te whanau.

The mission of Te Runanga o Te Rarawa is to provide leadership and support to enable the hapu to develop and the whanau to flourish.

2. BACKGROUND

The Crown Minerals Group (MeD) has received a prospecting permit application from L & M Offshore Northland Ltd to a proposed programme of data review, airborne geophysics and reconnaissance drilling for the area adjoining the coastline from North of Manukau Harbour to the Northern tip of Northland.

For the following minerals:

Aggregate, Aluminium, Andesite, Antimony, Basalt, Bismuth, Conglomerate, Copper, Dacite, Decorative Pebbles, Decorative Stone, Diatomite, Dunite, Gold, Granite, Gravel, Ignimbrite, Ilmenite, Iron, Ironsand, Lead, Limestone, Magnesium, Marble, Marl, Molybdenum, Mudstone, Nickel, Perlite, Phosphate, Platinum Group Metals, Pumice, Rare Earths, Rhyolite, Rutile, Sand, Sandstone, Schist, Scoria, Serpentinite, Silica, Silica Sand, Siltstone, Silver, Slate, Tantalum, Tin, Titanium, Tuff, Tungsten, Volcanic Ash, Zeolite, Zinc

Prospecting permits under the Crown Minerals Act 1991 are the allocation of a right to prospect for Crown Minerals. The permit will not have conditions which regulate the environmental effects of the activity. Environmental Effects are managed through resource consent process under the Resource Management Act 1991.

3. Te Tiriti o Waitangi/ The Treaty Principles

Te Tiriti o Waitangi

Article 2 of Te Tiriti o Waitangi states that tangata whenua shall have undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession

The Treaty Principles

Taking into account the principles of the Treaty of Waitangi means an honest appraisal of the principles and their application in terms of relevance to the Application and their significance to Maori.

Below are relevant Principles of the Treaty to be taken into account when further considering the Application:

1. The principle of partnership
2. The principle of mutual benefit
3. The principle of active protection
4. The principle to make informed decisions
5. The principle of self-management

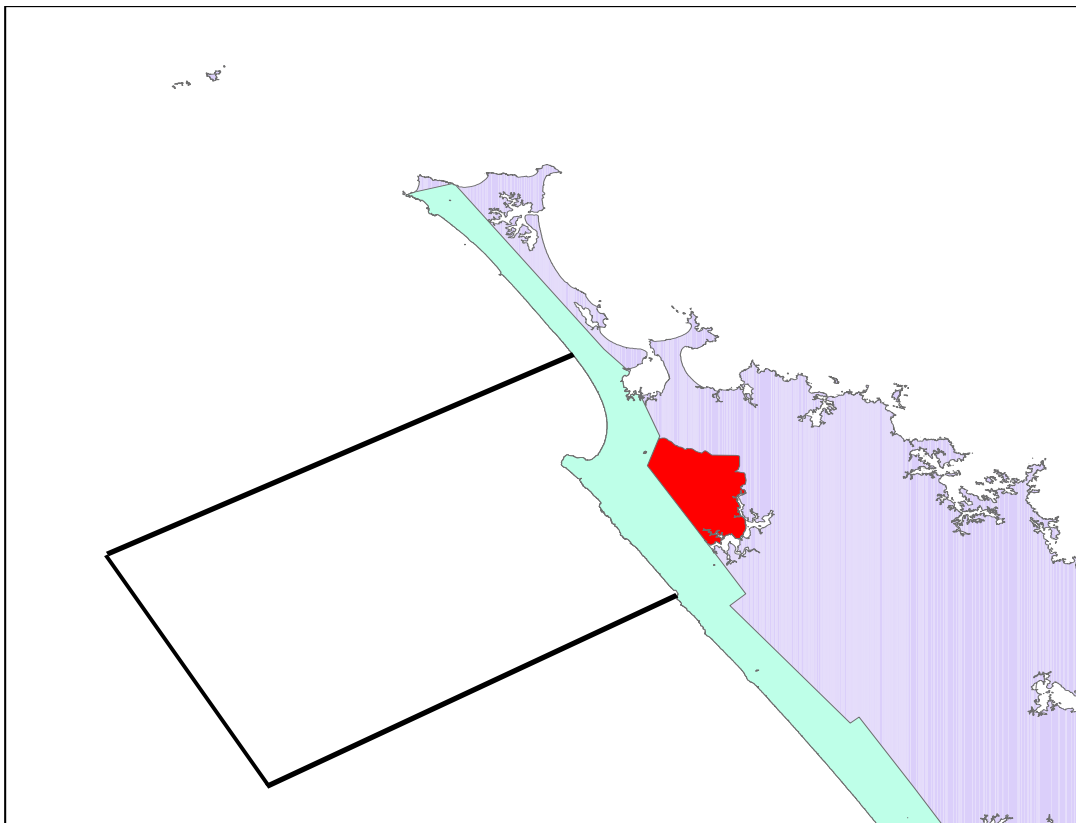
4. SUBMISSIONS

As Part of the consultation process, hapu and iwi may request defined areas not be included in this or any other permit to protect areas of significance. A detailed definition of the area and the reasons why it should be excluded will be required to support such request.

Submission 1

The Crown entered into Historical Treaty Negotiations with Te Rūnanga o Te Rarawa (on behalf of participating hapū of Te Rarawa) to determine how their interests in the Te Rarawa Settlement Area of Interest will be **recognised** and **provided for.**

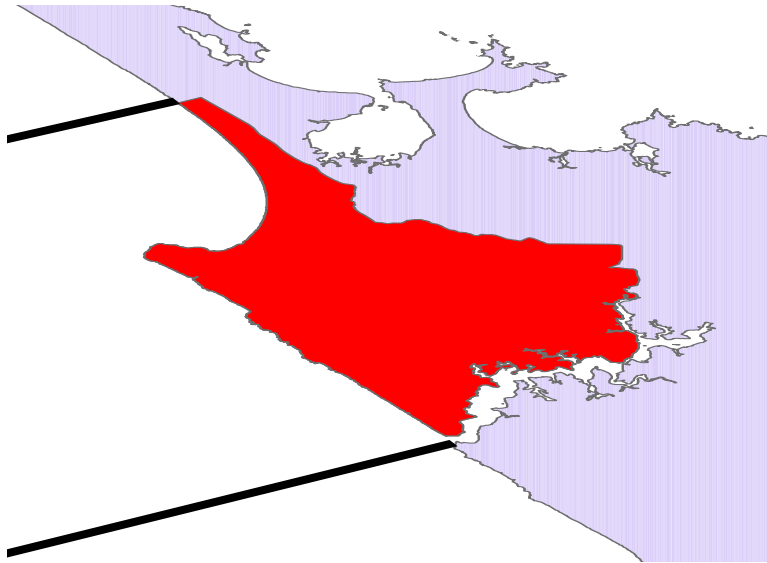
The parties are now in formal negotiations and are working towards a Deed of Settlement.



Te Runanga o Te Rarawa therefore seeks that the Applicant **recognises** that the application area applied for (*Light blue*) impacts on Te Rarawa Hapu Authorities territorial customary rights claim over a specified area (*Red*) of the Te Rarawa Area of Interest

Submission 2

The Te Rarawa Area of Interest is of major significance to the mana of Te Rarawa Hapu Authorities collectively the Tribal Rohe stretches from Hukatere in the north to taking in and to the centre of the Hokianga Harbour at a place known as Te Pokapu. The map indicates the Coastal Te Rarawa Area of Interest (Red)



Te Runanga o Te Rarawa therefore seeks that the Te Rarawa Area of Interest must not be included until:

1. Te Rarawa Hapu Authorities are fully **engaged**; and
2. Te Rarawa Hapu Authorities are **recognised** and **provided** for; and
3. Te Rarawa Foreshore and Seabed Negotiations process entered into with the Crown has been completed; or
4. When Point 1 and Point 2 have been implemented by MED and the Applicant

Submission 3

Te Runanga o Te Rarawa seeks that consultation with iwi and hapu must be carried out in accordance with the consultation principles set out in **Schedule 4²** Part 1 and Part 2 of the **Minerals Programme for Minerals (excluding Petroleum) 2008**.

5. CONCLUSION

Te Runanga o Te Rarawa acknowledges the Crown's Maori consultation process undertaken and the development of the Minerals Programme for Minerals (Excluding Petroleum) 2008.

Te Runanga o Te Rarawa requests that the Te Rarawa Area of Interest be **recognised** and that the Minerals Programme for Minerals (excluding Petroleum) 2008 be amended and updated.

Furthermore Te Runanga o Te Rarawa invites the Applicant to enter into a more meaningful relationship and a more meaningful engagement process that can be agreed to that **provides** for Hapu Authorities of Te Rarawa.

We believe **more information is required** particularly to the Te Rarawa Foreshore and Seabed Area of Interest.

Te Runanga o Te Rarawa can assist the Applicant as a central contact point and by providing and facilitating Hui between Te Rarawa Hapu Authorities and the Applicant.

We look favourably upon our invitation being accepted by the Applicant and continued participation in this application.

Nga mihi,

Kevin Robinson,
Chief Executive Officer,
Te Runanga o Te Rarawa

² MED (2008) Minerals Programme for Minerals (excluding Petroleum) Schedule 4 Provisions relating to Consultation with iwi and hapu (p44)