

He tono nā



Te Rūnanga o NGĀI TAHU

ki te

NEW ZEALAND GAME ANIMAL COUNCIL ESTABLISHMENT COMMITTEE

E pā ana ki te

OPTIONS FOR ESTABLISHMENT OF THE NEW ZEALAND GAME ANIMAL COUNCIL

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contact person

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INTRODUCTION

1. Te Rūnanga o Ngāi Tahu (Te Rūnanga) welcomes the opportunity to comment on Options for Establishment of the New Zealand Game Animal Council. We will be writing to the Minister of Conservation directly in respect to our concerns with the establishment of the New Zealand Game Animal Council, as outlined in this submission.

TE RŪNANGA O NGĀI TAHU

2. This submission is made on behalf of Te Rūnanga o Ngāi Tahu (Te Rūnanga). Te Rūnanga is statutorily recognised as the representative tribal body of Ngāi Tahu Whānui and was established as a body corporate on 24th April 1996 under section 6 of Te Rūnanga o Ngāi Tahu Act 1996 (the Act). We note the following relevant provisions of our constitutive documents:

Section 3 of the Act States:

This Act binds the Crown and every person (including any body politic or corporate) whose rights are affected by any provisions of this Act.

Section 15(1) of the Act states:

Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.

The Charter of Te Rūnanga o Ngāi Tahu (1993) constitutes Te Rūnanga as the kaitiaki of the tribal interest.

3. Te Rūnanga respectfully requests that this submission is accorded the status and weight due to the tribal collective, Ngāi Tahu Whānui, currently comprising over 45,000 members registered in accordance with section 8 of the Act.

TE RŪNANGA VIEWS OF THE DISCUSSION PAPER

4. Te Rūnanga opposes the establishment of the Game Animal Council. The reasons for our opposition are several and are outlined below. Our concerns carry significant weight, due to our status as a Treaty partner, the extent of public conservation lands within our tribal area, the cultural significance of those lands and the significance of game animals as mahinga kai. We will be dealing directly with the Minister over these concerns, and have outlined these as a submission, below.

PROCESS

5. Te Rūnanga o Ngāi Tahu was invited to the stakeholder group meeting that was convened by the Establishment Committee on 20 August 2009. It is noted that Te Rūnanga is not a stakeholder, but a Treaty partner, and would expect to have been approached by the Crown independently as such. Te Rūnanga was the only iwi represented at the stakeholder meeting and is aware that other iwi have not been approached to participate in the process.

We understand that the establishment of the Council has already been agreed by the government and it is only the detail of its role, function, structure and funding that is being consulted on. Te Rūnanga o Ngāi Tahu, however, has grave concerns with the actual decision to establish the new Council and opposes its establishment.

PROTECTION OF TREATY RIGHTS AND THE IMPORTANCE OF MAHINGA KAI

6. Game animals are an important mahinga kai for Ngāi Tahu, especially given the traditional need for subsistence hunting in the colder southern climate.

As most remaining indigenous fauna is protected under the Wildlife Act, introduced game animals have become a significant food source for many members of Ngāi Tahu. As such, the continued ability to hunt these game animals relatively unhindered on Crown land is considered to be part of the package of rights that were guaranteed by Article 2 of the Treaty.

DELEGATION OF RESPONSIBILITIES TO NON-GOVERNMENTAL BODY

7. Te Rūnanga o Ngāi Tahu is very concerned that the management of game animals on public conservation lands, including access to and authorisation of hunting is planned to be delegated to a non-governmental body. It is unclear how the Treaty partnership will be protected through this delegation.

Ngāi Tahu Whānui are currently alienated from decision making over native and introduced game species, through the Fish & Game Council model. For example, iwi are required to go to the Council to seek permission to gather native game birds outside of the regulations, with no involvement in the decision making process. For this and other reasons we strongly oppose the Fish & Game model for management of game animals.

NEED FOR A NEW AGENCY?

8. The concern over delegation of powers is enhanced by the fact that the discussion document is vague in respect to the purpose and function of the Council. It appears that the fundamental question of whether a Game Animal Council is actually required has been overlooked. This is especially the case given that the Department of Conservation has already addressed most of the recommendations of the Wild Animal Control Advisory Committee, for example by appointing a dedicated National Hunting Advisor.

COSTS TO HUNTERS

9. Te Rūnanga is further concerned that the cost recovery options discussed could result in the new Council charging hunters a fee to access a resource which is currently free. While the proposed cost is minimal, there is no certainty that these costs will not increase over future years. The risk is that Ngāi Tahu and other sustenance/recreational hunters in the future may be 'locked out' of accessing Crown lands due to cost. Again, this would be considered a breach of the Treaty. It is also noted that commercial interests disproportionately outnumber non-commercial interests in the proposed makeup of the Council.

SUMMARY

10. In summary, Te Rūnanga o Ngāi Tahu opposes the establishment of the Game Animal Council on a number of fronts. Firstly, due to the process which has not considered iwi interests, secondly over the potential delegation of control to a non-Crown agency which leads to iwi having no clear input into management of culturally significant mahinga kai, and thirdly over the potential costs to sustenance hunters, especially noting that the proposed Council appears to have an over-representation of commercial interests involved. Underlying these concerns is Te Runanga's awareness of the significance of game animals as a mahinga kai resource for many Ngāi Tahu Whānui.

Te Rūnanga will be discussing these matters directly with the Crown and look forward to how these issues may be resolved.