

Before the Waikato regional and Hauraki District Councils:

IN THE MATTER OF: The Resource Management Act 1991

AND

IN THE MATTER OF: Applications by Oceana Gold (New Zealand) Limited to the Hauraki District Council for resource consents associated with the Project Martha proposal at Waihi.

STATEMENT OF EVIDENCE OF Pauline Clarkin on behalf of Te kupenga o Ngati Hako.

### **Background**

1. My name is Pauline Clarkin I am of Ngati Hako descent. I have been authorised by my iwi to give evidence on their behalf. My current position is Manager for my iwi organization Te Kupenga o Ngati Hako Incorporated (Te Kupenga). I have held this position for the past 19 years.
2. I have been actively involved in resource management issues on behalf of my iwi Ngati Hako for the past 25 years at both a local and regional level. During this time, I have been fortunate to grow and learn from Ngati Hako and Hauraki kaumatua the tikanga practises associated with Te Taiao (The environment).

I have focused my evidence today to cover three areas.

- Cultural balance plan.
- The timeframe to closure.
- And recommendations for consent conditions.

### **Correnso Condition 64, Cultural Balance Monitoring Plan.**

3. The intent of the condition.

The goal is to achieve the restoration and or enhancement of the Mauri of Pukewa and the surrounding land forms. It seeks to achieve the goals by providing a framework for a collaborative approach between the company and tangata whenua on shared understandings, build and ensure effective collaborative relationships and build support for kaitaki capacity.

4. The central thinking of the plan was to find the balance for Pukewa for Ngati Hako seven generations of mining of Pukewa and in the lands of Ohinemuri our continued protest over this period did not get us tangible outcomes.

For Ngati Hako it was time to take some space and try to find another way to bring balance back to Pukewa and restore the mauri of the whenua.

For Ngati Hako a number of our Maunga have mineral extraction legacy's that effect the mauri of the whenua.

- Te aroha and the *tui mine*,
- Rae o te papa Tirohia quarry and landfill
- Whakamoehau *Golden cross*,
- Karangahake *talisman*.

5. The challenge over the past 10 years has been to find solutions towards avoiding the legacies that are being left behind in perpetuity from extractive mining in our rohe.

The example that was used in condition 64 was the Tui Mine Cultural Monitoring Plan. The vision of the Tui Mine CMP is "to heal and accelerate the regeneration of Te Aroha maunga". By healing and accelerating the regeneration of Te Aroha Maunga the mauri (life essence) will be returned to an acceptable state of wellbeing. The Tui Mine CMP has a number of goals:

- To preserve and protect the past;
- Restore, sustain and enhance the mauri (life force);
- Build and support kaitiaki capacity;
- Ensure effective decision making;
- Establish collaborative relationships; and
- Promote community awareness.

Tui Mine Cultural Monitoring Plan has a charitable trust that is responsible for the vision of the plan Healing Te aroha Maunga Trust. The Tui Mine Cultural Monitoring plan focus is to

accelerate the mauri of Te Aroha through water quality and restoration of the ecological values of the Maunga through cultural values.

In Pukewa we can not bring back the Maunga however we can work towards restoring the mauri of the Maunga from mauri mate to mauri tau (bring it back to a place of noa ) and in time mauri ora.

So, when we talk about balance then the balance of “ora” for Pukewa is our object aspirational at best. In the last 4 years we have been developing the preparation for the Cultural balance plan.

### **Collaboration**

6. Getting to a shared understanding of finding balance and creating a plan that restores the mauri for Pukewa on a number of levels this has been challenging both for ourselves as an iwi, and getting to a comfort level for the company and the community.

The change of mining company's soon after the Correnso consent required time to build new relationships,

from our perspective it became a game changer as we relied on the past undertakings to get closer to the stopping of mining in Pukewa, with the arrival of Oceana gold we needed to both find our level of comfort and mutual respect for each other.

#### **Cultural induction training**

The continuance of cultural induction supported the understanding at both a company and employee level towards the aspiration of balance and through these trainings it has given space for people to think about how they may contribute to cultural balance of Pukewa.

To date we have undertaken over 45 trainings for the company that have a duration of 5-6 hours we are now on maintenance every six months for new people,

7. At an iwi level our challenge has been to find process/examples that support our values and tikanga to achieve the desired outcome of mauri ora for Pukewa.

*Māori beliefs, custom, and values are derived from a mixture of cosmogony, cosmology, mythology, religion, and anthropology (Best 1942; Buck 1950; Marsden & King 1975; Henare 1988, 2001; Barlow 1991; Mead 2003). Within this complex and evolutionary belief system*

*are stories of the origin of the universe and of Māori people – the sources of knowledge and wisdom that have fashioned the concepts and relationship Māori have with the environment today (Marsden 1989; Henare 2001). From a Māori perspective, the origin of the universe and the world can be traced through a series of ordered genealogical webs that go back hundreds of generations. This genealogical sequence, referred to as whakapapa, places Māori in an environmental context with all other flora and fauna and natural resources as part of a hierarchical genetic assemblage with identifiable and established bonds.*

*Whakapapa (Roberts et al. 2004; Hudson & Ahuriri-Driscoll 2006) follows a sequence beginning with the nothingness, the void, the darkness, to a supreme god (Io-matua-kore), to emerging light, to the creation of the tangible world, to the creation of two primeval parents, Ranginui (the sky father), and Papatūānuku (the earth mother), to the birth of their children, such as the wind, the forest and plants, the sea, the rivers, the animals, to the creation of mankind. The two primeval parents, once inseparable, had many children, often termed departmental Ātua or Māori gods, each with supernatural powers. In a plan carried out by the children to create light and flourish, the parents were prised apart. The separation of the parents led to Ranginui (sky father) forming the sky and the rain as he continued to weep for his separated wife Papatūānuku (earth mother), and Papatūānuku forming the land to provide sustained nourishment for all her children. As part of this ancestry, a large number of responsibilities and obligations were conferred on Māori to sustain and maintain the well-being of people, communities, and natural resources.*

*Traditionally, Māori realised that shifts in mauri (life force, life spirit) of any part of the environment, for example through use, would cause shifts in the mauri of immediately related components. As a result, the whole system is eventually affected. All activities and relationships were bound and governed by mythology, tapu, and an elaborate system of ritenga or rules. The process used by Māori to guide resource use reflected this belief in the interrelationship of all parts of the environment.*

Mauri and its maintenance is the key to the Maori worldview of the environment. The maintenance of mauri is carried out by kaitiaki.

The maintenace of this relies on

- All things are tapu (sacred)
- Places and people have differing levels of tapu.
- Tapu does not prohibit access but does insist on a course of actions to be followed.
- Whakanoa is opposite to Tapu. This is the process of making something okay.

From our perspective Underground mining is about entering the womb of Papatuanuku (Earth Mother) and her children, Ruaumoko & Rongomatane

Traditional Māori culture aligns women with the land, because the land gives birth to humankind just as women do. As the world was born from Papatūānuku, so humankind is born from women.

A woman's womb, called te whare tangata (the house of humanity), is seen as the same as the womb of the earth.

The Ohinemuri are the tribal lands of Ruawehea a highborn woman of Ngati Hako.

8. Māori believe that each rock and mineral type emerges from the earth with its own story, its own whakapapa (genealogy) relating to its origin –  
“hei koha tū, hei kura huna a Papa.”

**Pūtoto**, the god of magma, constantly seeks outward paths towards the earth's surface. On his upward journey, Pūtoto leaves many deposits - a **koha** (gift) for his right of passage, for the guardians of the earth's bed rock and crust

Through the natural processes of heating, compression, solidification, weathering and erosion, Pūtoto generates new varieties of stones, rocks, sand and minerals.

The koha of Putoto requires reciprocity the obligation is to give back that which has been given something of equal value for kaitiaki there is an inherent responsibility for us to ensure that reciprocity, balance is achieved. Our generation takes that responsibility seriously.

#### **Developing a frame work for cultural balance.**

9. In the past 4 years Ngati Hako has been involved in a number research projects,  
We are currently have three key projects that contribute to the development of the plan

Two with CEMER Centre for Environmental Minerals Research, where we are on the governance board and working group for the newly released

The Mine Environment Life-cycle Guides (MELGs) these provide guidance for mining companies, regulators, and stakeholders. They are intended to provide consistency and transparency in decision-making for proposed mining operations, particularly those related to preventing or minimising environmental impacts. The MELGs are intended for use in internal decision-making by mining companies and to assist with certain regulatory requirements, such as access arrangements with the Department of Conservation (DOC), and in the resource consenting process, such as during consultation, assessment of environmental effects (AEE), and the setting of resource consent conditions. The MELG may also be useful in developing future regional plans for water quality and terrestrial ecosystems. MELGs have been developed for different mine environments: coal mining in potentially acid-forming and non-acid forming regions (this guide), epithermal gold, and mesothermal gold. These guides build on the previous New Zealand Minerals Sector Environmental Framework (Cavanagh et al. 2015) and the framework for predicting and managing the water quality impacts of mining on stream ecosystems (Cavanagh et al. 2010) by incorporating new science, economic considerations, and stakeholder engagement – particularly with iwi.

10. The second project is part of the collaboration we have with CEMER we work with a group of experts on rehabilitation of flora ,tuna enhancement, water quality ,passive treatment solutions for mining on Te Aroha Maunga.

And the third project we have a co funded project with GNS science

Where Ngāti Hako and GNS Science work together to integrate scientific data and Mātauranga-a-iwi (traditional knowledge of the tribe and its land base) to better understand and realise the mineral resources within the Ngāti Hako rohe (region).

All of these projects have set the base of our thinking in terms of the frame work of the plan. an integrated approach of indicators, actions, and monitoring across the following core concepts of

## Key Māori environmental concepts for the plan

11. Māori environmental concepts (Marsden 1989; Barlow 1991; Durie 1994; Kawharu 2000; Harmsworth et al. 2002, 2011; Mead, 2003) are derived from Māori values and mātauranga Māori. They form the basis for the Māori perspectives, assessments, and understanding ecosystems.

Some of the key environmental concepts in the plan are:

- Whakapapa – The connection, lineage, or genealogy between humans and ecosystems and all flora and fauna. Māori seek to understand the total environment or system and its connections through whakapapa. Their perspective is holistic and integrated
- Kaitiakitanga – sustainable resource management, an active rather passive relationship with the natural environment (Minhinnick 1989)
- Mana – having authority or control over the management of natural resources
- Ki uta ki tai – a whole of landscape approach, understanding and managing interconnected resources and ecosystems from the mountains to the sea (the Māori concept of integrated catchment management)
- Taonga tuku iho – Intergenerational protection of highly valued taonga passed from one generation to the next in a caring and respectful manner
- Te Ao Tūroa – intergenerational concept of resource sustainability
- Mauri – an internal energy or life force derived from whakapapa, an essential essence or element sustaining all forms of life. Mauri provides life and energy to all living things, and is the binding force that links the physical to the spiritual worlds (e.g. wairua). It denotes a health and spirit that permeate all living and non-living things. All plants, animals, water, and soil possess mauri. Damage or contamination to the environment is therefore damage to or loss of mauri.
- Ritenga – the area of customs, protocols, laws that regulate action and behaviour related both to the physical environment and to people. Ritenga includes concepts such as tapu, rāhui, and noa, which were practical rules to sustain the well-being of people, communities, and natural resources. Everything was balanced between regulated and deregulated states where tapu was sacred, rāhui was restricted, and noa was relaxed or unrestricted access

- Wairua, Wairuatanga – the spiritual dimension, a spiritual energy and dimension as a concept for Māori well-being.

The plan going forward

12. We support the inclusion of a time frame for completion of the plan one of the constraints has been the inactive members of the iwi advisory group on which this plan is tasked to while we have actively progressed the plan we too would like its completion so a 12 month time frame to completion is acceptable.
13. We support the Addition of the inclusion of a tuna habitat enhancement and abundance plan this could be an appendix to the plan and also act as a stand alone with the inclusion of other key stakeholders. The development of plan that enhances tuna and other native species for the ohinemuri is a positive step towards address our issues of the Mauri of the water.
14. Ngati Hako were not part of the rehabilitation plan so there is an undertaking from the company for us to review the plan and provide input.

Closure of mining in Pukewa.

15. The current consents sought leave open the potential for mining in Pukewa to continue for at least the next 10 plus years then then a further unknown period while underground mining occurs for dewatering, and then closure and filling of the pit.

To achieve balance then when will those time frames be in our view there needs to be timeframes so that we may get certainty.

We accept the economic benefits from the mining of Pukewa over the past 30 years has resulted in billions dollars to individuals, company's and community's the koha of Pukewa has feed many family's, the time has come to let Pukewa rest.

Directions towards dates would go someway towards our relationship with Pukewa this hearing today may not be able to do this, but the councils need to give account to our relationship . While we may not be able to stop mining in all of ohinemuri we seek at least the stopping of mining in Pukewa.

16. Refilling of the pit while we understand that having solutions for filling the pit are needed the frustration is that we are setting limits of take from the river in a future timeframe that is uncertain. We do not yet know what the river will be able to support in a timeframe across two decades or more into an environment that we have now projection of what the water demand and quality will be at that point in time or the effects that climate change will bring, We would encourage that and water take is reviewed and set so that the policy's and conditions of that time period are applied to the consent .
17. Development of passive treatment options for the pit lake needs to form part of rehabilitation.
18. Respectfully we oppose the continuance of mining in Pukewa we have now waited 15 years for it to close from the promise made by Newmont mining 2003 we can not change that the agreement was not kept they have left ōhinemuri we can again plea to the councils and this committee to look upon our request and give rise to expression of

our ancestor Pineaha Te Wharekowhai who In December 1868, said to those assembled that “This [Ōhinemuri] is the place for us to dwell upon”. Pineaha clearly articulated his opposition to goldmining at Ōhinemuri:

Do not give money to any of those who ask for rent for land, or for the gold. My land and the gold will not be given up. Your good intentions towards me will be best shown by leaving the place to myself. Although you are now striving to obtain it, send back your Europeans who are now crawling through the fern..... let these land be silent <sup>1</sup>

For seven generations we have sought the silence of mining in our rohe we plea again for the generosity of decision makers to make the right choices for Mauri Pukewa.

**Pauline Clarkin**

**Te Kupenga o Ngati Hako**

**November 15 2018**

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<sup>1</sup> 19 Dec 1868, 'Ōhinemuri – Meeting of the Natives – First Day's Discussion', *Daily Southern Cross*, Vol.XXIV, Issue 3564, p.4.