

## **Statement from the Aotearoa Independent Monitoring Mechanism**

TeHuia Bill Hamilton

Tena tatou katoa Greetings to everyone

I am TeHuia Bill Hamilton and I speak on behalf of the Aotearoa NZ Independent Monitoring Mechanism and want to extract from our report a case study that talks about lessons we have learned when trying to apply “good practice in protecting our environment. In developing our monitoring report, we facilitated workshop discussions centred on seabed mining off the Taranaki coast.

In August 2017, the Environmental Protection Authority (EPA) granted Trans-Tasman Resources (an Australian company) 35-year consents to annually mine up to 50 million tonnes of iron sand in the South Taranaki Bight. That activity will devastate our traditional fishing grounds. Ngā Rāuru and Ngati Ruanui (tribal entities) were two of seven groups who appealed the decision to the High Court. The appeal decision has yet to be delivered.

The workshops told us that our participation in the engagement process was unsatisfactory. Our Treaty rights especially regarding the protection of our Rangatiratanga (self-determination) were ignored. Our responsibilities of being Kaitiaki (guardians) for our environment were dismissed in favour of possible short term economic gains by an Australian mining company. Any opportunity to respect a genuine partnership as promised by our Te Tiriti o Waitangi (Treaty of Waitangi) were ignored.

Instead, the ultimate decision to grant the consent was made by a former mayor and business man who exercised his casting vote as Chair, against the dissenting votes of two members of his panel who had considerable experience in community and Maori development.

Specific barriers to effective engagement by Māori included:

- a. location of hearings away from the affected Māori communities;
- b. being expected to provide translations of Iwi expert evidence given in Te Reo (the Māori language);
- c. unreasonably short timeframes to review and respond to reports and information; and
- d. overwhelming information requests, followed by long periods without any information, and having to monitor the EPA website for updates.

Workshop participants highlighted a lack of meaningful participation in decision-making, and consultation practices where opportunities for Māori input are limited. There was a strong view that these processes didn't reflect or enable rangatiratanga (self-determination) or meet the standards of free, prior and informed consent. There was also frustration at the lack of commitment to genuine partnership and disappointment at the lost opportunities for real co-governance, innovation and change.

The main lessons we have learned from this experience is that the implementation of good practice needs to overcome the colonizing behaviour of people in positions of power most of whom in our country are Pakeha. We cannot rely on "good will" and need to continue to fight for legislative and policy changes where significant Tiriti issues and environmental decisions are addressed independently of party politics.

Thank you for this opportunity to comment on this agenda item.

Nga mihi ano ki a tatou katoa. Once more, greetings to all of us.