

fyng tangata whenua and their representatives. These authorities are also able to advise on and assist in facilitating the exchange of relevant information especially at the initial phase.

The District Maori Councils have been statutorily assigned the specific task of facilitating Maori community participation and are the only bodies statutorily recognised in this role with regards to Maori planning matters. The Department of Maori Affairs may become involved by either invitation or because its own interests are affected. It must be understood, however, that in facilitating Maori interests or the exchange of information these Maori authorities and the Department cannot assume the mantle of responsibility to represent the views of the Maori people.

The Wellington Harbour itself has associations to Maori groups from many areas. The Ngai Tara people originally from the Hawkes Bay region have significant early associations. The Ngai Tara built one of their early pa on Matiu (Somes Island) and named the harbour Te Whanganui-a-Tara. Ngati Ira inhabitants (again from the Hawkes Bay region) later inhabited the district and intermarried with Ngai Tara. Later occupations included Ngati Mamoe and Ngai Tahu some of whom intermarried with the prior occupants but later moved to other parts of the Wellington region (Ngati Mamoe) or to the South Island (Ngati Mamoe, Ngai Tahu). Intervening attacks by northern tribes drove many Ngati Ira into the Wairarapa but current ancestral claims in respect of the Harbour appear to lie principally with Te Ati Awa from Taranaki who are therefore now regarded as the mana whenua. The Ngati Toa who inhabit the Porirua Basin are regarded as the mana whenua of the Porirua Harbour area although exclusive claims by them may be disputed by some. The abovementioned tribes, therefore, are the proper sources of information on matters of Maori ancestral interest to be considered in the scheme. Special recognition, however must be afforded to the needs and perceptions of Te Ati Awa as the established mana whenua of the area.

b) Identification of Maori interests and values

Sections 3 and 4 of the Act provide ample scope for inclusion of Maori interests in maritime as well as regional and district schemes. It is noted that the third schedule to the Act which outlines matters to be dealt with in maritime schemes, does not explicitly provide for Maori interests in the manner that the first and second schedules do. This should not be interpreted to mean, however, that Maori interests are less important in the maritime context than they are in the regional or district context.

Whether they are explicitly provided for or not in provisions subsequent to

sections 3 and 4 of the Act, Maori values ought to be provided for in maritime schemes. As a relatively new requirement in town planning the inclusion of Maori values will understandably create a need for extra resources if only to establish a sufficient information base. Most other information needs relating to planning and development have been part and parcel of those processes for many years and may require only a constant update. Invariably, basic information is readily available or accessible within established Government agencies and authorities. This is not so, however, for information relating to the cultural circumstances and interests of Maori people. In most cases no research work has been carried out to identify significant Maori interests. Under such circumstances the knowledge of Maori elders and local historians becomes a vital and sometimes sole source of information in identifying these interests and in assessing their nature and the extent to which they inter-relate to other interests.

It was noted that basic Maori interests are not inconsistent with western interests and indeed they may align themselves amicably with the latter. Where this happens there would be very little concern. Where they do oppose each other, however, the absence of information counts against Maori values being given the consideration that they warrant.

Insufficient understanding of Maori values by administering authorities also prejudices the formulation of proper options when conflicts threaten to arise. Under such circumstances a premature decision may prevent further investigation into the reaching of a suitable compromise and create or escalate mistrust between Maori people and the authorities concerned.

Under the current statutory provisions governing maritime schemes, the Maritime Planning Authority must as a matter of national importance consider the relationship of the Maori people and their ancestral land. It must be noted that the dislocation of Maori people from their marine resources does impact detrimentally on the relationship established between Maori people and their ancestral lands. Under the third schedule to the Act, the Harbour Board is not compelled to include explicitly any Maori interests and values. The inclusion of such matters is discretionary and relies entirely on the decision of the Harbour Board once it has satisfied itself that the provisions in Sections 3 and 4 of the Act have been satisfied in respect of the Maori people of the region. In deciding whether or not to include specific and explicit reference to Maori values and interests the Harbour Board must, however, be satisfied that it has given full and just consideration to these values and interests. This would imply that it be fully informed of these matters

beforehand. It must also be noted that there are current developments in and adjacent to the harbour which threaten and compromise Maori interests and values. To omit references to specific Maori values and interests under these circumstances would further compromise Maori interests. This situation could easily be interpreted as a dismissal of the relevance and importance of Maori interests.

The findings of the Waitangi Tribunal on the Manukau Harbour claims is a bench-mark case which should be referred to in any exercise of this nature.

c) The inclusion of Maori interests and values

As indicated above, the decision to include or exclude references to Maori values and interests rests finally with the administering authority. Before any final decision is reached, however, it would be reasonable to expect that certain requirements are fulfilled. These include:

- i) A full and thorough knowledge and understanding of important Maori values and interests pertaining to the area under consideration.
- ii) An appreciation of the social cultural and economic significance of these values and interests and their inter-relationships.
- iii) An appreciation of the relationships which exist between Maori values and interests and each of those aspects noted for inclusion in maritime schemes.

Unless these very preliminary steps have been followed through, important decisions relating to Maori interests would be made on very shallow grounds indeed.

d) Giving due weight to statements

A criticism which may be levelled at not only current maritime schemes but also at some regional and district schemes is that statements don't guide or compel authorities to do anything other than that which can broadly be interpreted directly from the Act. In some instances the actual policy statements appear to understate even the intentions of the Act in circumstances where this is not warranted.

While references to Maori values and policies reflecting specific Maori interests can be contained in various chapters where this is deemed appropriate, it would be advantageous to provide an exclusive chapter on Maori values and interests. An exclusive chapter would provide an introduction and explanation of Maori values and contain broad policies reflecting these concerns. Rather than reiterate those policies contained in other parts of the scheme a cross-reference system could be set up within the principal Maori cultural section.