

**WHAKAWHITI WHAKAARO, WHAKAKOTAHI I A TATOU
CONVERGENCE THROUGH CONSULTATION**

An analysis of how the Maori world-view is articulated through
the consultation processes of the Resource Management Act
(1991)

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the Master of Arts

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Glossary

Ahi kā	keeping the home fires burning, authority over land through continued occupation or use
Aotearoa	land of the Long White Cloud, Māori name for New Zealand (pre European arrival)
Ariki tapairu	woman of high rank
Aroha	expression of love, care
Hapū	sub-tribe
Hawaiiki	ancestral homeland of the Māori people
Hui	gathering, meeting
Iwi	tribe
Kahungunu	principal male ancestor of the Ngāti Kahungunu people
Kairamua	act of reciprocity for the breach of rāhui
Kaitiaki	guardian
Kaitiakitanga	guardianship, stewardship
Kanohi ki te kanohi	face to face
Karakia	prayer/s
Karanga	call, wail to invoke ancestors and to welcome visitors and response to hosts during ritual encounters, performed by women
Kaumatua	elders, male elders
Kina	(<i>Evechinus chloroticus</i>), a common New Zealand shellfish, also commonly known as the sea egg

Korero	talk, conversation, chat, story, interview
Kurahaupo	one of the ancestral canoes that came during the great migration
Māhanga	small community in present day Māhia Peninsula
Mana	prestige, power (metaphysical concept)
Manaakitanga	care and respect for another individual, the highest expression of hospitality
Mana Atua	authority of the gods
Mana Tangata	authority over people
Mana Tīpuna	authority of the ancestors
Mana Whenua	authority over land
Manene	landless, alien
Māoritanga	Māori world-view
Marae	complex of buildings used for traditional gatherings for Māori
Maunga-a-Kāhia	pā of Kahungunu and Rongomaiwahine
Mauri	life essence, life principle (metaphysical concept)
Mihimihi	oral greeting, oral introduction, a speech
Nga ra o mua	days in front, refers to the past
Ngai Tama	hapū (sub-tribe) on the Māhia Peninsula
Ngai Tarewa	hapū (sub-tribe) on the Māhia Peninsula
Ngai Te Rakato	hapū (sub-tribe) on the Māhia Peninsula
Ngai Tu	hapū (sub-tribe) on the Māhia Peninsula
Ngāti Kahungunu Ki Te Wairoa	tribal grouping in Northern Hawke's Bay, East Coast, North Island, New Zealand
Ngāti Rongomaiwahine	tribal grouping in Māhia Peninsula, Northern Hawke's Bay, East Coast, North Island, New Zealand

Noa	state of neutrality, common, opposite of Tapu
Nukutaurua	name of present day Māhia Peninsula, pre arrival of Ruawharo
Oraka	small community in present day Māhia Peninsula
Pā	traditional fortified Maori village or community
Papatuanuku	Mother Earth
Pāua	(Genus haliotis), a common New Zealand shellfish, the Māori name given to a small group of monovalve molluscs endemic to New Zealand coastal waters. Similar to abalone
Pipi	(Paphies australe), a common New Zealand shellfish, with a white, elongated shell with the apex at the middle. It is abundant in sandy and silty mud in estuaries and harbours
Pepeha	a pepeha is a way Māori formally introduce themselves, giving their tribal identity, the canoe they descend from, geographic identifiers unique to their home territory (a mountain and river), their hapū or kin-based communities, their marae, and their family name. The pepeha identifies traditional territory within Aotearoa New Zealand, from which identity is derived.
Popoto	commander of the Kurahaupo canoe
Poroporoaki	depart, ceremony for departure
Pou	carved wooden post, carved wooden pole
Pōwhiri	ritual encounter, formal welcome ceremony
Pūrākau	stories, oral histories
Rāhui	dedication of a site, considered tapu
Rangatira Māori	Māori chiefs
Rongomaiwahine	principal female ancestor of the Ngāti Rongomaiwahine and Ngāti Kahungunu people
Ruawharawhara	original name of Blue Bay

Ruawharo	principal high priest of the Tākitimu canoe
Ruawharo Marae	marae complex named after Ruawharo located in Opoutama, Māhia Peninsula
Take	purpose
Tākitimu	ancestral canoe of the Ngāti Kahungunu people
Tamatakutai	first husband of Rongomaiwahine
Tangata whenua	people of the land, locals
Taniwha	mythical monster in traditional Māori stories, guardian spirit, guardian
Taonga	valued possession, something tangible or intangible that is highly valued
Tapu	sacred (metaphysical concept)
Tauiwi	refers to non-Māori
Te reo me ona tikanga Māori	the Māori language and the traditional customs and values associated with its use (both physical and metaphysical)
Tikanga	Māori customary practice
Tipuna	ancestors
Tohunga	high priest
Urupa	burial sites, cemetery
Utu	revenge, act of reciprocity
Wāhi tapu	sacred space, sacred place
Waiata	songs
Waikokopu	small port in Opoutama in present day Māhia Peninsula
Whakangahau	entertainment, humour
Whakapapa	genealogy, oral narrative history of genealogy
Whakataukī	proverb

Whakatuhonohonotanga relationship building, understanding common ground and connectedness

Whakawhanaungatanga relating to another individual as you would a member of your family, as kin

Whānau family

Whenua land, the natural environment, also refers to the placenta

Whetiko (*Amphibola crenata*), a common New Zealand shellfish, also commonly known as mud snails, they are found in harbours or on estuarine mudflats.

Chapter 1

Overview of the thesis

1.1 Introduction

The purpose of this research is to examine how the Māori world-view of the relationship Māori have with the natural environment is articulated through the consultation processes of the Resource Management Act (1991).

Through the processes of the Resource Management Act (1991) there are intersecting tensions that exist between the convergence of the Māori world-view and Western world-views in regards to the relationship to the natural environment. There is no doubt that tensions are present in resource consent processes. For instance, the construction of Ngawha Prison in Northland was nearly halted by the presence of a *taniwha*¹. This shows consideration of a Māori world-view that conflicted with the Western world-view.

This research will explore the consultation processes of the Resource Management Act (1991) to show the different relationships Māori and non-Māori have with the natural environment. The research is focused on the inclusion of a Māori dialogue process in the resource consent application process and the assistance this would offer in converging Māori and Western world-views. An underpinning assumption of the research is that such a convergence would create the possibility of a holistic, sustainable relationship with the natural environment.

The articulation of the Māori world-view is the desire and aim of Māori when engaging with Resource Management Act (1991) processes administered by local government organisations. However, even when the legal processes are

¹ Taniwha - mythical monster in traditional Māori stories, guardian spirit, guardian

followed, true dialogue is not always achieved between Māori and pakeha. In this research, I contend that the development of Blue Bay on the Mahia Peninsula delineates exactly that lack of dialogue. I focus, therefore, on the tensions that arose out of the administration of the Resource Management Act (1991) in relation to this particular case.

1.2 Research Questions

This research was undertaken to further understand the intersecting tensions that exist between the Māori world-view and Western world-view of the relationship that humans have with the natural environment. It was also undertaken to show that consultation and communication processes as allowed through the Resource Management Act (1991) give the opportunity to bring together these world-views and mitigate tensions that exist. This research will use the processes of the Resource Management Act (1991) to explore tensions that arise because of misunderstanding and ignorance of the Māori world-view. Throughout this research the following two research questions will be used to frame the research. Specifically, there is a need to place a dual lens over the research and to understand how humans relate to the natural world both from a Māori and Western world-view.

- What is the Māori view of an ideal relationship to the natural environment?

This question allows for the exploration of concepts and values within the Māori world-view and places a base framework for the development of my understanding of a Māori world-view.

- What is a Western world-view of an ideal relationship to the natural environment?

This question allows me to explore the development of the Western world-view, to understand the prevailing influences of how humans relate to the natural environment, how these influences were developed over time, the conceptual shifts of how humans relates to the natural environment and why they are

relevant today. This question also allows me to place a Western lens over the research to contrast the Māori world-view.

The initial two questions are used to establish a broad framework for the research. However, the following question was used to focus in on the primary aim of the research which was to understand the intersecting tensions of Māori and Western world views as they relate to the administration of the Resource Management Act (1991).

- How do the consultation processes of the Resource Management Act (1991) allow for the Māori world-view and the resolution of tensions over environmental development?

This question will allow a deep exploration of the parts of the Act which have particular significance for *tangata whenua*² and the sections of the Act that allow *tangata whenua* to discharge their responsibilities as *kaitiaki*³ and Treaty partners as expressed in the Act.

1.3 Thesis Overview

The research unfolds in the five chapters that follow. Chapter two will introduce my *pepeha*⁴ and my story, which not only places me in the centre of the research problem but also explores the importance of the research. This chapter backgrounds the case study and articulates why this particular case study is important to me. The case study at the centre of the research is not an unusual occurrence in modern New Zealand and the attitudes and beliefs around it are significant for all intersections of the Māori and Pakeha world-views. This chapter will also outline previous published research relevant to the development of an understanding of a Māori world-view as it is interwoven into my story.

2 Tangata Whenua – people of the land, locals

3 Kaitiaki - guardian

4 Pepeha - a pepeha is the way Māori formally introduce themselves, giving their tribal identity, the canoe they descend from, geographic identifiers unique to their home territory (a mountain and river), their hapū or kin-based communities, their turangawaewae or marae, and their family name. The pepeha identifies traditional territory within Aotearoa New Zealand, within which identity is derived.

Chapter three introduces further literature relevant to the development of a Western world-view of how humans relate to the natural environment, to bring to light the prevailing influences and conceptual shifts over time in regards to this relationship. In understanding a Western world-view, this will then lead into the development of environmental policy in New Zealand, particularly the Resource Management Act (1991), its purpose, Māori engagement with Resource Management Act (1991) processes and finally introducing the Māori dialogue process.

Chapter four explores the methodology and method used to conduct this research project. It focuses in particular on case study method and thematic analysis.

Chapter five will develop the case study and analyse the data collected using thematic analysis. The case study is the sub-division and development of Blue Bay on the Māhia Peninsula in my own home region in Northern Hawke's Bay. Blue Bay is located on the Māhia Peninsula in Northern Hawke's Bay and a number of *tangata whenua* groups and local residents opposed the development of this Bay into 44 lot subdivisions. This case study will be used to explore the consultation process that was undertaken during the resource consent application and hearing.

And finally, the discussion in chapter six will revisit the initial research questions, bring to light the main findings of the research and will also suggest further opportunities for research.

Chapter 2

My story and the Māori world-view

Māhia Peninsula is situated at the very tip of Northern Hawke's Bay, approximately 45 kilometres east of my hometown, Wairoa. Māhia Peninsula is rich in history, much of which I was taught in the oral traditions of my people. While I was growing up, I was told many stories of my history, and Māhia Peninsula featured strongly in these stories. More importantly I was learning my *whakapapa*⁵, my genealogy and my connections to the natural environment. *Whakapapa* is a key concept in this research. *Whakapapa* is not simply 'genealogy'. *Whakapapa* describes both a process of learning through oral traditions and a knowledge system of understanding physical and metaphysical principles that contribute to my identity and my connections to the natural environment. These stories and this *whakapapa* are particular to me, but this process of learning and knowing can be applied generally to many Māori across New Zealand. Furthermore, the learning of *whakapapa* through oral traditions and connectedness to the natural environment is relevant for many Māori today.

This chapter is written as a *whakapapa* of place and identity. Principles and concepts of the Māori world-view and background to the case study will be introduced and explored through the *whakapapa* of Māhia Peninsula and my identity in this chapter.

Tihei Mauri Ora

Ko Ngāti Kahungunu Ki Te Wairoa te iwi, Ko Tākitimu te waka

Ko Whakapunake te maunga,

Ko Te Wairoa Hōpūpū Hōnengenenge Mātangirau te awa

⁵ genealogy, oral narrative history of genealogy

*I te taha o tōku pāpā, Ko Ngāti Mākorō te hapū, Ko Whetu Mārama te marae
I te taha o tōku māmā, Ko Ngai Te Apatu te hapū, Ko Tākitimu te marae
Kia Ora mai no tātou – Ko Kitea Tīpuna tōku ingoa*

Tihei Mauri Ora

Ngāti Kahungunu Ki Te Wairoa is my tribe, Tākitimu is my canoe

Whakapunake is my mountain

Te Wairoa Hōpūpū Hōnengenenge Mātangirau is my river

On my father's side, Ngāti Mākorō is my sub-tribe, Whetu Marama is my marae

On my mother's side, Ngai Te Apatu is my sub-tribe, Tākitimu is my marae

I pay tribute to all – my name is Kitea Tīpuna

Through my *pepeha*, I proclaim my *whakapapa* and relationship to the natural environment. A *pepeha* is a way Māori formally introduce themselves and maintain identity. Tribal identity, the ancestral canoe ancestors migrated to New Zealand on, geographic identifiers unique to home territory (a mountain, river), *hapū*⁶, *marae*⁷, and family name are recited through the *pepeha* and furthermore the *pepeha* confirms genealogical lineage and geographic connectedness.

Metaphysical values and principles are implicit in the recitation of the *pepeha* and they will be explored in this research. The recitation of the *pepeha* links me physically, psychologically and spiritually to a specific geographic location and also to a concept that the world is physical, psychological and spiritual. These values and principles are central to an understanding of the unique relationship Māori have with the natural environment. My *pepeha* is particular to me; however, the practice of reciting *pepeha* and expressing genealogical lineage and geographic connectedness can be applied to many Maori across New Zealand.

Wairoa is my hometown and is on the East Coast of New Zealand in Northern Hawke's Bay. We are a coast people, and while I was growing up, I was taken to the sea to learn about my traditions. The teaching of history and *whakapapa*

⁶ Hapū - sub-tribe / kin based community

⁷ Marae – complex of buildings used for gatherings in Māori tradition and customs

through this process is particular to me but can be applied generally to Māori across the country. The use of the natural environment to teach traditional practices is typical of many Māori; moreover, the metaphysical connection to the natural environment through story telling of *whakapapa* is additionally enhanced through this practice.

Whakapapa is one of the many ways in which oral history has been transmitted by Māori throughout the generations through narratives of genealogy. Binney suggests (1987) that genealogy is essential to all Māori history. *Whakapapa* is a way of understanding the genealogical connectedness of all living things from the gods of ancient times to the present translated as layers of generations upon one another (Barlow, 1991). Barlow (1991) also says that everything has a *whakapapa*, from fish to birds, from trees to the soil, being the basis and organisation of knowledge pertaining to the creation and development of everything. *Whakapapa* provides Māori with a powerful knowledge of the past. Through *whakapapa*, the notion of past and present is irrelevant, the oral tradition is timeless and the re-telling of stories enhances my relationship to Māhia Peninsula. I stand looking towards the past and walk backward, blindly into the future as the present unfolds before me. This description of the flow of time is not particular to me; rather it applies to many Māori. Oral narratives illustrate how I use *whakapapa* to make sense of the past to make it relevant for the present.

Whakapapa illustrates the Māori view of the past. Binney (2001) says there is an ongoing relationship between the past and the present, so that, as the past is considered, the present is re-interpreted. This process is dynamic and fluid, creating a continuous dialectic in which history is seen as “cyclical”, and the past actually exists in the present. To interpret ‘the past’ into Māori, the phrase can be loosely translated as ‘days in front’, ‘*nga ra o mua*⁸.’ It is the wisdom and experience of the ancestors which are confronted and interpreted. Binney illustrates that what has survived in terms of Māori oral history, is not much about political stories, but family myth narratives.

⁸ Nga ra o mua – days in front, refers to the past

Whakapapa gives me a particularly strong sense of identity and generally enables Māori to uniquely view the surrounding world as kin and as a consequence, illustrates the unique relationship Maori have with the natural environment. Simply, *whakapapa* is the narrative of genealogy, the knowing and re-telling of Māori oral history. Furthermore it is an oral narrative of a genealogy of an individual, orchestrated and influenced by many ancestors aiding in the construction of future generations. The concept of *whakapapa* therefore is essential to a Maori world-view of identity, time and place.

Māhia peninsula was the place I was taught many of my traditions, for instance, I was taught the rules of the sea through oral traditions. I was taught to treat the sea with respect and to look after it. The concept of *kaitiakitanga*⁹ was instilled in me from a very early age. Thomas (1994) considers that *kaitiakitanga* is the Māori ethical principle of resource management. Nutall and Ritchie (1995) say that there is no universal definition of *kaitiakitanga* within Māori society but for the purposes of this research, the concept of *kaitiakitanga* will be defined as how Solomon and Schofield (1992) put it, that *kaitiakitanga* is taken to mean guardian, custodian, protector, advocate and resource indicator. Solomon and Schofield (1992) go on to suggest that *kaitiakitanga* is a subjective concept and that only *tangata whenua* can adequately define the role of a *kaitiaki* in respect of a particular resource and to their different geographic areas. The Resource Management Act (1991) recognises *kaitiakitanga* and in Section 7 of the Act states, “In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to (a) *Kaitiakitanga*: the exercise of guardianship by the *tangata whenua* of an area in accordance with *tikanga*¹⁰ Māori in relation to natural and physical resources (Ministry for the Environment)”.

During visits to the peninsula, we would drive past a particular geographic area (a hill, a bay, a field) and my father would say, “This is where your *tīpuna*¹¹ lived”. On the one hand, these were just stories to preoccupy a young boy

9 Kaitiakitanga - guardianship, stewardship

10 Tikanga - Māori customary practice

11 Tīpuna - ancestors

sitting in a car. On the other hand, the re-telling of these stories connected me further to this peninsula and to my *whakapapa*. Through these oral traditions, I was connected to my history and furthermore, connected to Māhia Peninsula.

I remember being told the story of the arrival of the canoe *Tākitimu*¹², which is sacred to my tribe. The importance of the ancestral canoe connects me to my genealogical ancestors who I descend from that migrated from *Hawaiiki*¹³ on this canoe and settled particular geographic areas in New Zealand, for example, ancestors aboard the *Tākitimu* canoe, settled Hawke's Bay, my home province. One of the landing points of the *Tākitimu* was Māhia Peninsula where my ancestor *Ruawharo*¹⁴ left the canoe to settle. The re-telling of the landing of the *Tākitimu* canoe and the settling of the Peninsula by my ancestors once again links Māhia Peninsula to me via *whakapapa*.

2.2 Arrival of Tākitimu

According to Mitchell (1972), on its arrival in *Aotearoa*¹⁵, in the fourteenth century, the *Tākitimu* canoe landed at a place called *Te Papa* near present day *Kaiuku Marae* on the Māhia Peninsula. It was there that the high priest, *Ruawharo*, left the canoe and decided to settle Māhia Peninsula.

Oral traditions enhance *whakapapa* and allow me to connect the past to my present. This story is particular to me; moreover it is a part of my *whakapapa*. Generally this story can be applied to many Māori across New Zealand and furthermore the concept of *whakapapa* with the natural environment is further enhanced.

12 Tākitimu - ancestral canoe of the Ngāti Kahungunu people

13 Hawaiiki – ancestral homeland of the Māori people

14 Ruawharo - principal high priest of the Tākitimu canoe

15 Aotearoa – land of the long white cloud, Maori name for New Zealand (pre European arrival)

2.3 Ruawharo and Māhia Peninsula

Ruawharo was the high priest of the *Tākitimu* canoe and ancestor of the Māhia people. *Ruawharo* was born in *Hawaiiki* and after leaving the *Tākitimu* he settled at *Nukutaurua*¹⁶ (present day Māhia Peninsula). Mitchell (1972) says he planted the *mauri*¹⁷ (life principle) of the whales and the fish at Māhia Peninsula. This story introduces a key concept in the research, *mauri*.

Barlow (1991) suggests that everything has a *mauri*, including people, fish, animals, birds, forests, land, seas, and rivers. It is the power of *mauri* which permits these living things to exist within their own realm and sphere. Simply put, *mauri* is a state; it can be described as life-force, life essence, life principle. Pere (1991, p. 12) defines *mauri* as “life principle, thymos, psyche”. Marsden (1988) says that *mauri* is the life-force which generates, regenerates and upholds all creation, it is the bonding element that knits all the diverse elements with the universe together giving creation its unity and diversity. It is the bonding element that holds the universe together. “*Mauri* helps one to relate and care for everyone and everything across the universe” (Pere, 1991; p. 12). Essentially linked to *kaitiakitanga*, *mauri* cannot exist or operate in isolation without taking into consideration the impact of other concepts. Although particular to me, this story can be applied generally to many Maori throughout New Zealand.

Being the principal high priest of the *Tākitimu* canoe, *Ruawharo* had the power to transcend both physical and spiritual realms and his placing of a *mauri* at Māhia Peninsula illustrates his ability to interact with these realms fluidly and dynamically. According to this story, the *mauri* placed at Māhia Peninsula is described as a physical object; however, this is a simple description of what *mauri* actually is. It is not only a physical object, but a state of being, an abstract notion of life force or energy that exists in all things animate and inanimate.

¹⁶ Nukutaurua - name of present day Māhia Peninsula, pre arrival of *Ruawharo*

¹⁷ *Mauri* – life essence, life principle

Mitchell (1972) notes that *Ruawhoro* gave the name Te Māhia to the peninsula because it resembled a part of his tribe's original homeland, *Te Māhia-maitawhiti* (the sound heard from a distance). Before that the place had been known as *Nukutaurua*, a name that is still applied to parts of the area.

The meeting house at Opoutama, on the Māhia Peninsula is named after *Ruawhoro*, in honour of his *mana*¹⁸. His abilities and skills to navigate dimensions of the Māori world, physical, spiritual and psychic, showed that he was a man of much *mana*.

Mana is another important concept which has been illustrated in this story. *Mana* can be loosely defined as prestige, power, authority, force, control and status. *Mana* has a multiplicity of meanings, rich and textured, commonly described as the ability of a person to hold status physically, mentally and spiritually. Barlow (1991) describes *mana* as power of the gods, with no beginning or end originating from the order of creation.

Durie (1994), Barlow (2001) and Marsden (2003) all identified that *mana* exists along four different perspectives, *Mana Atua*¹⁹, *Mana Tīpuna*²⁰, *Mana Whenua*²¹ and *Mana Tangata*²². *Mana Atua* refers to the *mana* or authority of the gods, *Mana Tīpuna* refers to the *mana* handed down through ancestors or chiefly lineage, *Mana Whenua* refers to the *mana* of the land, territorial rights or power by association of possession of land, while *Mana Tangata* is the power acquired by individuals in accordance with their skills, efforts, and knowledge within specific areas. *Ruawhoro* held sway over these four areas of *mana*, and furthermore, because of his skill, abilities, knowledge and lineage, his story illustrates how *mana* can be expressed and even what can be understood as *mana*.

Ka'ai (2004) describes *mana* as being the definitive attribute that encompasses one's ability to motivate, inspire, and ultimately lead people. On the one hand, *mana* helps distribute power within society, and on the other hand, it is also a

18 Mana – prestige, power

19 Mana Atua – authority of the Gods

20 Mana Tīpuna – authority of the ancestors

21 Mana Whenua – authority over land

22 Mana Tangata – authority over people

tool that explains how Māori are linked to physical and metaphysical aspects of the world around them.

The concept of *mana* unites the spiritual and physical. Māori believe the spiritual and physical realms interact with each other, that they are inextricably linked. The concept of *mana* helps explain the world according to Māori so that balance is achieved. Living in harmony and balance is an alignment of mental, spiritual and physical properties achieved through principles of *mana*.

In a broad sense *mana* represents control, influence, prestige, power, and authority derivative from gods, ancestors, land, and individuals (Barlow, 1991). Marsden (2003) describes *mana* as a divine authority and power bestowed upon a person appointed to that position, or delegated to fulfil the responsibilities of that position. These people have been confirmed and approved by elders, ancestors, or gods, empowering that person with *mana*. A contemporary perspective allows *mana* to be used widely enhancing a person with prestige, authority and power to initiate, organise, command, make decisions, guide, direct, or simply lead (Marsden, 2003).

Mana can be derived through lineage, and so the stories of the ancestors are always valuable to contemplate. The stories not only teach concepts like *mana*; they also enhance the understanding of *whakapapa*. *Rongomaiwahine*²³ is one ancestor whose story has taught me much about *mana*.

2.4 Rongomaiwahine

There have been many accounts and stories of *Rongomaiwahine*. Mitchell (1972) says that *Rongomaiwahine* was the principal ancestor of the people of the Māhia Peninsula. She was *ariki tapairu*²⁴, descended from both *Ruawhoro*, the *tohunga*²⁵ of the *Tākitimu* canoe, and *Popoto*²⁶, commander of the

23 Rongomaiwahine - principal female ancestor of the Ngāti Rongomaiwahine and Ngāti Kahungunu people

24 Ariki tapairu – woman of high rank

25 Tohunga - high priest

26 Popoto – commander of the Kurahaupo canoe

*Kurahaupō*²⁷ canoe. Her impeccable lineage gives her high status and great *mana*.

2.5 Kahungunu's pursuit of Rongomaiwahine

The story of *Kahungunu*²⁸ and *Rongomaiwahine* is very well known and is a tangible expression of my *whakapapa*. Furthermore, although particular to me, similar stories exist throughout New Zealand and can be applied to many Māori generally as an expression of lineage and *whakapapa*. *Rongomaiwahine* and her first husband *Tamatakutai*²⁹ lived at *Tawapata*, on the eastern side of the Māhia Peninsula. *Tamatakutai* was a carver. They had two daughters, *Rapuaiteangi* and *Hinerauiri*. *Rongomaiwahine* was pregnant with *Hinerauiri* when *Tamatakutai* was drowned.

Kahungunu was born in the region now known as Kaitāia. He had travelled southwards, marrying a number of women along the way. When he arrived at Māhia Peninsula, *Kahungunu* was determined to have *Rongomaiwahine* for himself although she was already married.

So he set about gaining the approval of *Rongomaiwahine*'s people by gathering enormous quantities of fern root. In a further attempt to impress and increase his standing in the community by enhancing his *mana* through his deeds, he climbed a hill behind the village at *Tawapata*, where he watched the shags diving and practised holding his breath until the birds reappeared. Then *Kahungunu* went diving for *pāua*³⁰. Holding his breath for long periods, he filled several containers, enough for all the occupants of the village. When he surfaced from his final dive he had covered his chest with the *pāua*, and everyone was very impressed.

Kahungunu then set out to create discord between *Tamatakutai* and *Rongomaiwahine*. He ate *pāua* roe and under the cover of darkness broke wind under the couple's bed coverings. They accused one another and an

27 Kurahaupo – one of the ancestral canoe that came during the great migration

28 Kahungunu – principal ancestor of the Ngāti Kahungunu people

29 Tamatakutai – first husband of Rongomaiwahine

30 Pāua - (Genus *haliotis*), a common New Zealand shellfish, the Māori name given to a small group of monovalve molluscs endemic to New Zealand coastal waters. Similar to abalone

argument resulted. In the morning *Kahungunu* joined *Tamatakutai* in the sport of surfing in a canoe. *Kahungunu* took over the steering and capsized it. *Tamatakutai*, unable to swim, was drowned.

In time *Rongomaiwahine* took *Kahungunu* for her husband. Their principal *pā*³¹ was *Maunga-a-Kāhia*³² (*Maungakāhia*), built by *Kahungunu*. They had five children: three sons, *Kahukuranui*, *Tamatea-kōtā* and *Māhakinui*; and two daughters, *Rongomaipapa* and *Tauheikurī*.

Because of the *mana* of *Rongomaiwahine*, the people of *Ngāti Rongomaiwahine*³³ hold strongly to their separate identity. Some identify themselves as both *Ngāti Rongomaiwahine* and *Ngāti Kahungunu*, but those who are descended from *Rongomaiwahine*'s first daughters identify themselves only as *Ngāti Rongomaiwahine*. Through this story we see a number of concepts explored. The concept of *mana* once again emerges. Because of the *mana* of *Rongomaiwahine*, her descendants through her first marriage hold strongly to their separate identity.

Whakapapa is also illustrated once again. Not just through the narrative and the description I shared of being told these stories, but through the description of genealogy and lineage. Moreover, that *Rongomaiwahine* had two husbands and their descendants claim separate identities. The significance of this is the value that *whakapapa* has for Māori. Kinship, tribal organisation and structure are achieved through *whakapapa*, which creates and provides an identity and social order. *Whakapapa* is structured around *whānau*³⁴, *hapū* and *iwi*³⁵ and it is through these social groupings, geography settled by the group and *whakapapa* that give identity to individuals, and in turn it is the ancestors connected to the *whakapapa* that are the source of *mana*. This story is particular to me, but can be applied generally to many Māori throughout New Zealand who have similar stories in their *whakapapa*.

31 Pā – traditional fortified Māori village or community

32 Maunga-a-Kāhia - pā of Kahungunu and Rongomaiwahine

33 Ngāti Rongomaiwahine - tribal grouping in Māhia Peninsula, Northern Hawke's Bay, East Coast, North Island, New Zealand

34 Whānau - family

35 Iwi - tribe

2.6 My memories of Māhia

While I was growing up, my family would go for day trips to Māhia. We never went to the beach to relax; we were there to work and learn. Instead of going to the beach to relax, my family would spend the day gathering sea-food. These were days spent in the water working, gathering shell-fish. Through these day trips to Māhia, my father would teach lessons, why things were the way they were, why we do things a certain way. The beach became not only a place to gather food but also a classroom.

We would spend all day gathering *pipi*³⁶ from Oraka Beach, *pāua* from Māhanga Beach, *whetiko*³⁷ from the Lagoon and *kina*³⁸ from Kinikini or White Rock. My father taught us that these were good places to get sea-food. He would say, “The *kina* are fat here,” and “This beach is good for you kids, the currents aren’t too strong, good *pāua* here too”. The tradition of food gathering and learning from the natural environment is a strong tradition for my family, especially from the sea. These experiences although particular to me can be applied generally to many Māori throughout New Zealand. Furthermore, these experiences enhance the unique relationship Māori have with the natural environment.

I remember my father being really angry as he came home from work one day. We were told that someone had trawled Oraka Beach; this beach is known as the ‘*pipi* bed’ to locals. When we went to Oraka Beach a few weeks later, there were no *pipi*. We went into the water and found nothing. Twisting our feet in the sand we came up with empty shells or tiny little *pipi*. I remember showing my father the baby *pipi* and he just told me to put them back in the water. We never went to Oraka Beach for the longest time. I remember driving passed Oraka and saying to my father, “You’ve just passed the *pipi* bed.” As we drove passed Oraka he said, “We can’t go there son, there’s a *rāhui*³⁹ on it.” My father later explained to me, “The *kaumatua*⁴⁰ put a *rāhui* on the *pipi* bed so we can’t go there until the *kaumatua* says it’s OK.” I never fully understood what my

36 Pipi - (*Paphies australe*), a common New Zealand shellfish, with a white, elongated shell with the apex at the middle. It is abundant in sandy and silty mud in estuaries and harbours

37 Whetiko - (*Amphibola crenata*), a common New Zealand shellfish, also commonly known as mud snails, they are found in harbours or on estuarine mudflats.

38 Kina - (*Evechinus chloroticus*), a common New Zealand shellfish, also commonly known as the sea egg.

39 Rāhui – Dedication of a site to be considered tapu

40 Kaumatua - elders, male elders

father meant, but when we were allowed to go back to Oraka Beach, it was great to twist my feet in the sand and feel all the *pipi*. I sat in the front seat with my father on the drive back to Wairoa and asked him, “So, what did the *kaumatua* do to bring the *pipi* back?” My father laughed and said “You remember those baby *pipi* you found last time we were here? We weren’t allowed to take those *pipi* because they were only babies, and we had to wait until they got big. That’s why we have a *rāhui*, the *kaumatua* made the beach *tapu*⁴¹, that’s the *rāhui*, to keep the people away so that those baby *pipi* could get big.” I understood that a *rāhui* was like a warning sign to say that a place had become *tapu*. Even at the age of 10 I knew what *tapu* was.

Pere (1991) suggests that there is no English word that defines the concept of *tapu*. She explains that *tapu* can be used as a protective measure, a way of imposing disciplines, social control, a way of developing an understanding and an awareness of spirituality and its implications, a way of developing an appreciation and a respect for another human being, another life force, life in general. Durie (1998) says that when the *tapu* was placed upon a place or person, it was essentially a safety measure, designed to instil a sense of caution and to warn of danger.

Marsden (1992) says the law of *tapu* is one of the highest laws of the Māori world, setting aside a place, person or object for the sole use of a particular deity. In fact, *tapu* suggested a contractual relationship between an individual and a deity. When a place, person or object was dedicated to the service of a deity it was considered *tapu*, untouchable, it could not be put to profane use and to do so was regarded as a transgression against the gods and such transgressions incurred vengeance.

In contrast to *tapu*, the term *noa*⁴² denoted a state of relaxed access, requiring no particular protective mechanisms or restriction. Simply put, *noa* was of the common realm, not of the sacred realm. The balance between *tapu* and *noa* was a dynamic one, moving to accommodate seasonal, human and physical needs.

41 Tapu - sacred (metaphysical concept)

42 Noa - state of neutrality, common, opposite of Tapu

From time to time and in the interest of conservation, food sources were also *tapu*. When a defined area of land, water, or bush required protection, a *rāhui* was applied, as with the example of Oraka Beach described earlier. In effect it was a conferment of *tapu* and a public statement restricting access to the region.

Best (1924) defines *rāhui* as a customary practice of prohibition and similar to the conferment of *tapu* on a particular place. *Rāhui* was a practice of placing an embargo on food products or natural resources. Firth's (1959) definition of *rāhui* is similar: *rāhui* was set up to prevent interference with natural and economic resources. The term *rāhui* applied to two types of prohibition, one being comparatively mild in its effects, while the other was believed to be destructive and harmful to the person who interfered with it.

Mild *rāhui*, or conservation *rahui* (Mead, 1984) was not particularly dangerous to life. It was instituted as a protection for resources and took the form of a mild prohibition, a ban placed upon taking the products of any particular area of forest, stream or fishing ground to restore productivity. The notion of conservation *rāhui* is ensured by the application of '*kairamua*⁴³' (Mead, 1984). When a *rāhui* is challenged or breached, it is expected that there will be *utu*⁴⁴, a reciprocal action to ensure balance.

The punishment for a *kairamua* varied. It could take the form of retribution, death, or in some cases where it was believed that magic may have been used to enforce the *rāhui*, an accident or disaster would befall the offender or members of the offender's family, so challenging *rāhui* was dangerous and foolish. If the *kairamua* was not affected by any magic which was used to enforce the *rāhui*, then it was most certainly open to reprisals or retribution. Mead (1984) says the most effective deterrent for breaching *rāhui* was fear of confrontation and retribution.

In terms of the unique relationship Māori have with the natural environment, *rāhui* illustrates clearly the ways in which Māori controlled, protected and

43 *Kairamua* – act of reciprocity for the breach of *rāhui*

44 *Utu* – revenge, act of reciprocity

sanctioned parts of the natural environment. These traditional practices ensured that the natural environment was not exploited and manipulated and these resources were protected for future generations. The practice of conservation *rāhui* was a pragmatic practice and enhances the *kaitiakitanga*⁴⁵ belief Māori held with regards to their relationship to the natural environment.

In the 1980s Māhia had a few villages dotted along the peninsula. Most homes were baches and there were only two shops on the whole peninsula. It was a rugged hilly place. During the winter months, the peninsula was home to a few hundred locals, but during the summer months, especially Christmas and New Years, the population throughout the peninsula swelled to five times this.

I remember what Māhia looked like in the 1980s while I was growing up. The last time I went back to Māhia was November 2006, and how things have changed. No longer are there sleepy little villages. Large three storey holiday homes have appeared across the whole peninsula. Back in the 1980s there used to be only one main tarsealed road. All the other roads used to be metal but now many new tarseal roads criss cross the peninsula, leading to new townships, where large homes and new developments have replaced wind swept hills.

Gone are the days of a rugged, isolated peninsula with wind swept hills, beaches and sand dunes as far as the eye can see, with not a bach or house for miles, an untamed wilderness of grass land, beaches and sand dunes. Now, new million dollar developments spring up across the peninsula. the 21st century has surely arrived at one of the last untouched places in New Zealand.

One of the last little havens of the old rugged peninsula is also about to go. Blue Bay, a little bay that was well known to many locals and visitors to the peninsula as a holiday camp site has disappeared. Before crossing into the peninsula, you have to drive through Blue Bay in Opoutama and all I remember of Blue Bay was a stretch of land that was covered with pine trees and all you saw were camper vans and tents of families holidaying during the summer months. The holiday camp had been there for as long as I could remember.

⁴⁵ Kaitiakitanga – guardianship, stewardship

Now the pine trees have been cut down and land has been cleared to make way for a whole new development worth millions of dollars. The focus of this research is the communication about this development at Blue Bay.

2.7 Blue Bay

Blue Bay was not always called Blue Bay. Originally it was called *Ruawharawhara*⁴⁶ Reserve. The original owners were the *hapū*, *Ngai Te Rakato*⁴⁷, *Ngai Tu*⁴⁸, *Ngai Tarewa*⁴⁹ and *Ngai Tama*⁵⁰. *Ruawharawhara's* history some of which has been explored earlier in this chapter, is rich and textured.

The Blue Bay campground and holiday park has been a part of the Māhia Peninsula for decades. Affectionately known as the Pines by campers and locals, Blue Bay was a peaceful camp, in among the pine trees, with the peaceful roar of the beach in the background. Generations of families camped there, parents bringing their children, then their children bringing theirs and so on. It became a family tradition for many families, Christmas at Blue Bay. For the locals, Blue Bay Reserve was a place to gather pine cones in the winter, easy firewood picking up the dead branches.

Blue Bay provided a holiday experience for about 10,000 people each year including up to 1,500 people at any one time over the summer period. It provided employment for up to 28 local people over the summer period and 6 – 8 people during the rest of the year. The Blue Bay Holiday Camp was owned by Graham Nash of Fern Holdings Ltd up until early 2004, when the land the Holiday Camp was on sold to Craig Nisbet of Blue Bay Resort Ltd.

The developers, Blue Bay Resort Ltd, intended to establish up to 40 new house sections at the former Blue Bay Campground and Holiday Park, replacing the existing motor camp, which hosted thousands of visitors to the Peninsula each year. The proposed development would cover 4.3 hectares and would change the nature of the district for ever.

46 Ruawharawhara – original name of Blue Bay

47 Ngai Te Rakato – hapū and sub-tribe on the Māhia Peninsula

48 Ngai Tu - hapū and sub-tribe on the Māhia Peninsula

49 Ngai Tarewa - hapū and sub-tribe on the Māhia Peninsula

50 Ngai Tama - hapū and sub-tribe on the Māhia Peninsula

The original research recorded in this thesis comprised an examination of the consultation that was undertaken for the granting of resource consent for the Blue Bay development. The scope of the case study includes the Wairoa District Council's administration of the requirements of the Resource Management Act (1991) and the issues associated with the consent process.

Chapter 3

Development of a Western world-view

This chapter explores changes in the relationship between humans and the natural environment within Western culture. The chapter will move chronologically through the different phases of the relationship which while interconnected nevertheless showed different characteristics.

Three stages of the Western world-view will be explored to inform the development of the current legislative framework of the Resource Management Act (1991) in New Zealand, and will conclude with a discussion of engagement with the current legislation.

The three stages covered in this section are, first, the “Pre-Enlightenment” view of the natural world as an organic, nurturing entity. The second stage explored is the “Rational” view that came to prevail as a result of the Enlightenment project. This is seen as the definitive period in laying the foundation for modern ideas of relating to nature. The third and final stage is the “Holistic” world-view of ecology and environmentalism, where “humans and the natural world are fundamentally interdependent” (Hendry & Cramer, 2005; p. 119).

This section aims to illustrate the changing character of the relationship between humans and nature by providing an overview of the development of Western ideas about nature and will show that these views have influenced the framing of the Resource Management Act (1991). As Marafiote & Plec (2006; p. 49) say, “Conceptual and ideological shifts in our attitudes towards the human relationship with the natural world reflect and shape knowledge, attitudes and behaviour”. It is these “conceptual and ideological shifts” that this section aims to uncover, in order to illustrate the development of the Western world-view and the major influences on attitudes today that still impact on the

relationship with the natural world (Hendry and Cramer, 2005; Capra, 1996; Merchant, 1980).

3.1 Pre-Enlightenment

The Pre-Enlightenment view of the material world shows people and nature as interconnected, originating from a single creative force. Creation myths of ancient and indigenous societies promulgated this view and helped societies find a purpose for life and a place for themselves in the immensity of the world (Glacken, 1967). In many cultures, the natural environment was perceived to have a life force deriving from the Earth itself, which is not seen as inanimate, but rather as a living and nurturing force (Merchant, 1980). In contrast, some modern societies consider the environment to be inanimate.

In some ancient cultures, the natural environment and the Earth were worshipped as an 'Earth Goddess', 'Mother Earth', 'Mother Nature', 'Gaia'. The Māori world-view, which depicts the land as *Papatuanuku*⁵¹, has this in common with ancient and indigenous cultures around the world. The feminisation of the natural environment supported the idea that the Earth was a nurturing force. This perspective of the Earth as mother, as nurturer, created such a bond between humans and the natural world that it acted as a mechanism of control preventing humans from over-exploiting natural resources. As Hendry and Cramer (2005, p. 118) say, "This nurturing mother image acted as a cultural restraint on how the natural world was seen, equating treatment of nature to treatment of one's mother." These sentiments echo Merchant's earlier (1980, p. 270) statement that nature was seen as "a kindly, beneficent female who provided for the needs of mankind in an ordered, planned universe". An ordinary sense of ethical behaviour prevented the destruction of a natural world that was viewed as alive and sensitive.

The organic view of nature was dominant in many indigenous cultures and still survives in today's more scientific and mechanistic world. Suzuki and Knudtson (1992) explore sacred stories and give many accounts and examples of native cultures and how they relate to the natural environment. The Haida Gwaii, a

51 Papatuanuku – Mother Earth

first nation society located in British Columbia, Canada, speak of the whales and ravens as brothers and sisters, and to fish and trees as finned people and tree people. The Haida Gwaii speak of a shared genealogy with the natural environment, and this society is not alone in feeling a family connection with the natural world (Godden, 2000). The sense of connection was beginning to be lost from the Western world by the seventeenth century, when views of nature began to transform. Although an organic view of the natural environment had exerted a powerful influence on Western attitudes towards nature, increasingly, nature became increasingly to be seen as an entity that needed to be subjugated by humans. As Hendry and Cramer (2005, p. 118) say:

The nature-as-nurturing–mother perspective changed with the scientific revolution and its technological advances. The constraints that inhibited the destruction of a living nurturing organism were no longer in place when nature came to be viewed from a mechanistic perspective, in which nature is perceived as something that can be bound into service and moulded by mechanical innovations.

The view of nature in Western culture changed quite rapidly from one that was predominantly feminine and organic to one in which nature was the repository of resources to be used for advancement. Nelson (2004, p. 47) says, “The spiritual and religious certainty which was the prevailing influence for classical thought began to break down in Western thinking when Copernicus blew apart the theory of an organic cosmos with the earth at its centre, replacing it with an infinite universe, a machine which obeyed immutable mathematical laws”. By the seventeenth century, what had been divine and mystical had begun to unravel. This spiritual detachment from nature allowed the natural environment to be seen as a set of measurable and observable materials, “inanimate matter in motion” (Sheldrake, 1991; p. 44) and created a shift in values that promoted progress and its travelling companion, industrialisation.

3.2 The Rational View

Humanism, which emerged in the seventeenth century, differentiated humans from the “natural”. This stage in the development of the Western world-view

celebrated individual achievement, the creative abilities of individuals and dominion over the natural environment and was the precursor to liberal philosophy in its insistence on the individual being at the centre of his own universe (Godden, 2000). This saw a conceptual shift from the organic view of nature to the rational mechanistic view of nature whereby the difference and separateness of humans from the natural world emerged as a prevailing influence on the relationship to the natural environment (Merchant, 1980; Williams, 1980; Capra, 1983, 1996; Sheldrake, 1991).

The relationship between people and the natural world, the unfolding of anthropocentrism as part of humanism was particularly significant (Godden, 2000). The effect this was to have on attitudes towards nature is still felt today. A clear order and hierarchy began to be established, with nature subservient to people. One outcome of this increasingly mechanistic view of nature was a widening divide in the relationship between humans and nature which, arguably, prevails in the Western world even today.

The development of philosophical and intellectual thought and Western scientific method, most closely associated with the Enlightenment age, signified a move away from the organic view of nature towards a view that the natural environment could be interpreted and understood as a machine (Merchant, 1980; Capra, 1983, 1996; Sheldrake, 1991). Capra (1996) describes this as a period when nature was dissected, analysed, understood, and finally, harnessed, and according to Godden (2000), this effected the distancing of humanity from interconnectedness with the universe. As I have already said, the Enlightenment age promoted progress, which was future-oriented and had the specific, calculated purpose of improving the world.

Harvey (1996) suggests that the philosophical arguments coming out of the Enlightenment age, which favoured ideas of domination, mastery, control, or the humanisation of nature, came strongly into their own in the seventeenth and eighteenth centuries. Bacon and Descartes are most associated with the development of scientific and rationalist thought in the seventeenth century. Godden (2000) argues that the goal of the new science was the active manipulation and understanding of nature, the quest to unlock the secrets of

nature. Critical thought emerged as a predominant view, promoting the belief that reason and common sense could solve practical problems. With Western thought developing to this stage, nature as a whole was viewed as being “devoid of any teleological ends” (Godden, 2000; p. 57).

The systematic and deductive systems of the seventeenth century, associated with Bacon and Descartes developed into the observational and analytical systems view most closely associated with Newton and Locke (Harvey, 1996). Newton’s work dramatically altered the way in which not just the sciences, but society in general, thought of the natural world (Godden, 2000). Newton's view of a mechanistic universe implied that the universe could be understood without reference to religion or God. This approach allowed religion and the divine to be removed from the debate and furthermore, made the world of material and human phenomena rational, predictable, and manipulable. Human reason could grasp the workings of things and change those workings.

With the development of the rationalist view of the Enlightenment period, the mechanistic view of nature emerged and continued into the modern period. Interconnectedness with nature became less relevant when rationalist views emphasised analysing, observing, measuring, and understanding the individual parts of nature. With humans being viewed as dominant and superior to nature, the cultural and social restraints of the pre-Enlightenment period that restricted the exploitation of nature were no longer valid. Nature could be reshaped, manipulated, exploited and dominated into a form more suitable for human use (Godden, 2000). According to Harvey (1996, p. 123), “These Enlightenment principles powerfully shaped attitudes to the natural world”, and continue to influence the view of nature in modern times. If this view is accepted, then it represents a culturally specific way to understanding the people-nature relationship which is quite different from other cultural perspectives, particularly indigenous understandings of the relationship (Suzuki & Knudtson, 1992; Rose, 1996; Godden, 2000). In the Enlightenment period, growth in the scientific understanding of the natural world promoted the view that only when people are adequately separated from nature can they appreciate its instrumental potential.

Modernism also promoted the view of this conceptual separation and domination of humans over nature. Wells (2004) says that modernity generally refers to that time in Western history which promoted scientific rationality, the development of commerce and capitalism, education, surveillance, urbanism and atheism. Modernity is concerned with the experience of progress and the achievement of what Cahoone (1996) calls "Western goals". Modernism is often characterized as a capitalist, largely secular culture supporting liberal democracy, individualism, rationalism, and humanism. It is a positive and presumptive self-image that assumes Western culture's "humanistic" goals of scientific (and therefore rational) knowledge, social progress through hard work, and understandings of "truth," "freedom," and "justice" are simply correct (Cahoone, 1996; pp. 11-12). Modernism assumes that individuals are essentially "sovereign" over the natural world and united by the pursuit of Western goals (Cahoone, 1996; Krause, 1996; Wells, 2004). One of the implications of this view is that since humans are "sovereign", the notion of the divine, the spiritual has been further distanced in the relationship that humans had with the natural environment. This confirms that not only are humans superior to nature, but humans are able to harness the power of and dominate nature as an instrument for the achievement of Western goals.

Suzuki and Knudtson (1992) say that science has made sense of the natural world by breaking it up into conceptual fragments. The achievements of modern science in rationally dissecting the natural world also contributed to a sense of psychological, emotional and spiritual detachment from the rest of the natural environment. This detachment has had an effect on not only the way in which the natural environment is viewed, but also the way in which humans relate to and conceptualise the natural world.

The rational view allows a lens to be placed over this research whereby the view of Western science which emerged during the Enlightenment period and continues to be a prevailing influence in modern times promoted a shift in the relationship that humans have with the natural world from one of interconnectedness to one of superiority and domination.

3.4 The Holistic View

According to Godden (2000; p. 65), during the mid twentieth century “signs of dissent” with the rational view were evident. This dissent was based in part upon a resurgence of romantic wilderness views of nature. For the purposes of this research this stage in the development of the Western world-view, the emergence of environmentalism will be called the ‘holistic view’. This period also saw the emergence of laws which were put in place to protect the natural environment. A view opposing the exploitative relationship with the natural world was gaining momentum.

Capra (1996; p. 6) argues for a new paradigm, a holistic view which sees the world “as an integrated whole rather than a dissociated collection of parts”, and Hendry and Cramer (2005; p. 119) agree, saying “What is called for is an alternative discourse that challenges the view of nature as a sharply separated inferior realm and critiques the oppressive conceptual framework that justifies and maintains a human/nature relationship of domination and subordination”. This shift from rationalism has influenced the development of the view that humans and nature are mutually co-dependent, and has brought about a renewed emphasis on equilibrium and balance. The idea of balance has modified the relationship that humans had with the natural world from that developed during the Enlightenment period, and has encouraged environmentalism, a new phase in the West’s relationship with nature.

‘The environmentalism movement’ marks a return to taking a holistic view of nature and progress, and the politics of environmentalism are an attempt to bring about what is, essentially, a paradigm shift. Essentially, environmentalism is a concern for the preservation, restoration, or improvement of the natural environment, such as the conservation of natural resources and prevention of pollution. Changes to public policy and legislation were avenues that environmentalists took in terms of placing the relationship with the natural world on the political agenda. Conservation organisations like Greenpeace and World Wildlife Fund are movements that have used the politics of environmentalism to further the cause of the holistic view to the natural environment.

This section of the chapter illustrated the fundamental difference in the way Māori and non-Māori relate to the natural world. Māori continue to relate to the natural world as interconnected and linked through genealogy. The modern Western world-view described the human relationship with the natural world as predominantly distant, across a widening divide. The way in which humans view and relate to nature has been influenced by these stages and it is with this understanding that the research moves into the convergence of the Māori and Western world-views through the development of environmental policy in New Zealand, in particular, the Resource Management Act (1991).

3.5 Convergence: The Resource Management Act (1991)

This section of the chapter will explore the convergence of the Māori and Western world-views of nature and the relationship with the natural world. The convergence of these world-views will be explored in this section by the development of environmental policy in New Zealand, in particular, the Resource Management Act (1991). The image below illustrates how the previous chapter and this chapter has been organised to reach this point.

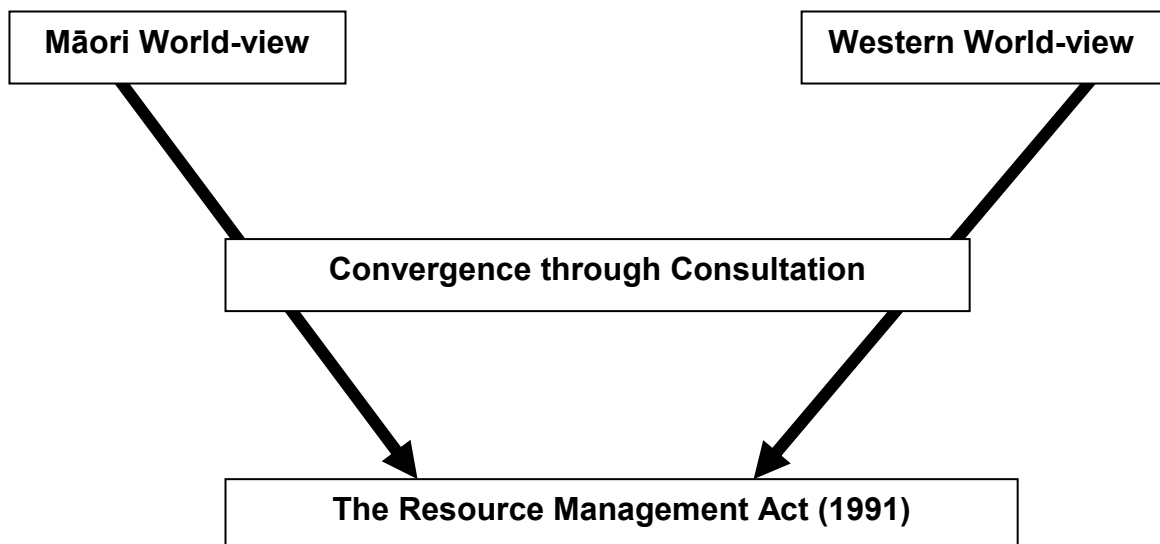


Figure 4: Convergence through Consultation model

With an understanding of the modern relationship with the natural environment it is important to understand the mechanism currently used in New Zealand.

The Resource Management Act (1991) in particular is the main piece of legislation that is used to relate to and conceptualise the relationship to the natural environment.

The Resource Management Act (1991) is New Zealand's main piece of legislation intended to help achieve sustainability in New Zealand. By bringing together laws governing land, air and water resources and concentrating on the environmental effects of human activities, the Resource Management Act (1991) introduced a new approach to environmental management. The Act's purpose is to promote the sustainable management of natural and physical resources. According to the Act, "Sustainable Management" means, managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment (section 5: The Resource Management Act (1991))

The Resource Management Act (1991) controls how people can use natural and physical resources, land and buildings, water, air, plants, animals and the coast. It does this in two main ways. First, the Act requires councils to prepare regional policy statements and regional and district plans which cover how resources are used. These plans set out whether permission (resource consent) is required from the council before a resource is used and, if so, what the council considers relevant when deciding whether that permission should be granted. Second, the Act provides for a system of granting resource consents. This system includes detailed processes (including the preparation of assessments of effects on the environment and opportunities for public

participation) that must be followed by councils when receiving, considering and deciding on applications, (*About the Resource Management Act (1991)*).

The development of environmental policy like the Resource Management Act (1991) had to take into account what Bührs and Bartlett (1993; pp. 38-39) call the “three dimensions of the environmental problematique”. They are ecological, economic and social dimensions. The ecological dimension refers to those aspects of the government policy that affect ecosystems. The economic dimension refers to the management of natural resources which may serve human needs and are used to maintain or improve the human standard of living. The final dimension is social and refers to policies that affect quality of life and the availability of public goods in general. The allowance for the articulation of the Māori world-view is captured in this final dimension with reference to historical and cultural values.

The Act allows for the Western world-views of ecological and economic attitudes to be articulated, as well as the allowance for the Māori world-view to be articulated through the social dimension. The incorporation of ‘Māori rationality’ into resource management legislation promoted a view of the environment that is not predominantly instrumental but holistic and assigns intrinsic value to the natural environment, taking into consideration the unique spiritual and cultural relationship with the natural environment, essentially, allowing for the articulation of a Māori world-view through the administration of the Act (Marsden, 1988).

The Crown acknowledges the special relationship that *tangata whenua* have with the environment. This relationship is expressed through *whakapapa*, *pūrākau*⁵², *whakatauki*⁵³, *pepeha*, *waiata*⁵⁴ and in many other ways that reflect this relationship. The Crown acknowledges that these special relationships are not privileges, but rather the expression of rights that were secured between the Crown and *rangatira* Māori⁵⁵ when the Treaty of Waitangi was signed. This relationship is recognised through the Resource Management Act (1991), giving

52 Pūrākau – stories, oral Histories

53 Whakatauki - proverb

54 Waiata - songs

55 Rangatira Māori - Māori Chiefs

tangata whenua a special position in resource management. Through various sections the Act recognises:

- the importance of places and resources of value to *tangata whenua* (section 6 (e): The Resource Management Act (1991)).
- the potential value of *kaitiakitanga* as a way of managing resources (including the specific means of *iwi* management plans) (section 7(a): The Resource Management Act(1991))
- the principles of the Treaty of Waitangi, including the notion of good faith consultation (section 8: The Resource Management Act (1991)).
- the legitimacy of consultation with *tangata whenua* in policy-making affecting the use of resources. (sections 6(e), 7(a), 8: The Resource Management Act (1991)).

The Act recognises that the relationship *tangata whenua* has with the environment is a fundamental cornerstone of their identity as a people, which makes the resource consent process a key mechanism for the protection of *tangata whenua* values. There are opportunities in the process that provide for *tangata whenua* to actively seek the protection of their *taonga*⁵⁶ (Marsden, 1988; Durie, 1998).

However, tensions have occurred regarding the Resource Management Act (1991) and success lies not only in the use of the process but in other factors as well. For example, the relationship with the local council is important, as is the willingness of the council to explore mutually acceptable solutions with *tangata whenua*, and overcoming the resourcing issues faced by *tangata whenua* in discharging their responsibilities as *kaitiaki* and as Treaty partners. The Resource Management Act (1991) allows for a process for *tangata whenua* to discharge their responsibilities as *kaitiaki* and as Treaty partners when considering resource consent applications.

⁵⁶ Taonga – valued possession, something tangible or intangible that is highly valued (metaphysical concept)

It is important to consider the unique relationship Māori have with the natural environment. The challenge for local authorities and applicants is the metaphysical and intangible world of Māori. “Māori have usually been able to invoke sections 5, 6(e), 7(a) and 8 of the RMA together in seeking to protect matters of cultural and spiritual value. There is often an overlap between tangible and intangible values, as many tangible values (e.g., *urupa*⁵⁷ sites) have intangible values associated with them. Tangible and intangible values are equally important” (Ministry for the Environment, December 2003:sec4.4).

Much tension exists for local authorities and applicants in the engagement of the metaphysical, psychological and intangible world of the Māori. Furthermore, the level of expertise involved and the costs associated with consultation can be very high. An issue for Māori is the cost of being involved in the consultation process. It is difficult to be apart of the process when the costs of involvement are beyond many *iwi*, e.g.: resource consent hearings and the perception that according to Durie (1998) that the best brains are bought by the biggest budgets. Examples of *iwi* authorities being paid by local authorities or applicants to carry out the consultation process exist, “the RMA does not preclude this from happening it simply does not set up a mechanism whereby it must happen” (Ministry for the Environment, June 1999: p. 21).

3.6 Convergence through Consultation: The Māori Dialogue Process

Communication, engagement, consultation are all terms and processes that Māori are continuing to understand and make relevant when working with the procedures of the Resource Management Act (1991). In their own culture, Māori have developed sophisticated and culturally specific processes in terms of notions of communication, engagement or consultation. These processes have been influenced by a myriad of values and traditions unique to Māori. Winstanley et al. (2005; p. 20) say, “Rituals of encounter (e.g. *pōwhiri*⁵⁸), proverbial sayings (e.g. *te kai a te rangatira, he korero* – discussion is the food of chiefs), and key concepts (e.g. *manaakitanga*⁵⁹ – hospitality) underpin these

57 *Urupa* – burial sites, cemetery

58 *Pōwhiri* – ritual encounter, formal welcome ceremony

59 *Manaakitanga* – care and respect for another individual, the highest expression of hospitality

processes.” Ceremonial procedures like *mihimihi*⁶⁰ and *poroporoaki*⁶¹ are important mechanisms for clarifying expectations at the beginning and end of a gathering as well as looking after people and putting them at ease. Entertainment and humour (*whakangahau*⁶²) and the use of food are also essential components of *tikanga* based dialogue processes.

Dialogue is not seen just as a mere transmission of messages; dialogue can be a full ritual encounter. The values inherent in the process are uniquely Māori and take into consideration principles and values that are physical and metaphysical. Moreover, engagement is not only at a physical level, but also at a spiritual and psychological level.

Metge (2001) looked at communication processes and discussion patterns derived from *tikanga* Māori and adapted from traditional *marae* procedures, and say the emphasis is on talking together as a cooperative enterprise, based upon trust and respect, in which all parties can achieve their goals more effectively than they would alone.

Wellington (2002) acknowledges Metge’s view and notes that when people of different ethnic backgrounds meet together in discussion, the rules and language of the majority often predominate. As a result, ethnic minority members of the group feel at a disadvantage and fail to contribute to their full capacity. Metge (2001; p. 5) asserts "We need a procedure that is acceptable and enjoyable to all."

Winstanley et al. (2005) suggest that if *tikanga* is the base framework for Māori dialogue processes, then it is the *marae* which is the dialogue hub. It is integral that the social processes surrounding the idea of establishing trust and connecting to individuals is established before and after *marae* based dialogue and that this process of relationship building is also influenced by key concepts from *tikanga* Māori. Processes which enhance the concepts of *Whakawhanaungatanga*⁶³ (relating to individuals as kin),

60 Mihimihi – oral greeting, oral introduction, a speech, also an informal ritual encounter

61 Poroporoaki – depart, ceremony for departure

62 Whakangahau – entertainment, humour

63 Whakawhanaungatanga – relating to another individual as you would a member of your family, as kin

*whakatuhonohotanga*⁶⁴ (connectedness, common ground) and *whakapapa* (genealogical ties) are enacted to ensure that the idea of relationship building is a key component to the Māori dialogue process. Winstanley et al. (2005) say these procedures of engagement are subtle tools.

Developing relationships within a spiritual and historical context through procedures like *pōwhiri* and *mihimihi* are driven by a need to connect to people and acknowledges relationship of Māori to the land and the spiritual realm. Winstanley et al (2005) says the importance of developing relationships with people is central to *tikanga* Māori and places this process at the heart of all ritual encounters. Taking time to share who you are and where you are from is at the core of binding people together spiritually.

Māori dialogue is grounded in the basic Māori values of respect for the spiritual dimension, ancestral connections, attachment to the land, generosity to and care for others, peace, and unity. While Metge does suggest that these processes are not appropriate for all settings and occasions, she does not address the underlying issues of power, authority, and ownership of the process.

The Māori dialogue process acknowledge oral forms of communication, consultation and engagement and does not refer to written forms of communication, consultation or engagement. The traditional approach for Māori in terms of communicating, consulting and engaging has been through oral transmission. Oral narratives, histories, stories, songs, proverbs were all tools for communicating and transmitting information. The transmission of information via writing does not allow *tikanga* Māori, metaphysical and psychological values and principles to be fully expressed, hence a preference for *kanohi ki te kanohi*⁶⁵ (face to face).

Kanohi ki te kanohi refers to the importance of meeting with people face to face. As discussed earlier, the notion of relationship building is an important value in the Māori world-view. Cram et al. (2004) say face to face encounters are

64 Whakatuhonohotanga – relationship building, understanding common ground and connectedness

65 Kanohi ki te Kanohi – face to face

regarded as critical within Māori communities. This form of consultation allows for the safe and secure articulation of both world-views.

Chapter 4

Research Methodology

This chapter outlines the research methodology utilised in this research. A general overview of the research philosophy, data collection strategies and data analysis techniques will be presented.

This research sets out to broaden understandings of the ways in which people experience the material world, the ways they interact together and the settings within which these interactions take place. It seeks to enrich understanding. The research also aims to explain and make sense of subjective meanings that constitute social reality.

With this context and knowing that the research is concerned primarily with socially constructed realities, oral histories, life experiences and sense making which reside in the subjective world, the primary research paradigm used in this study will be the interpretive paradigm. Also, the research will be using non-directive interviews, public documents and building case studies as the main data gathering techniques. These research methods are firmly based within an interpretive research paradigm.

4.1 The Interpretive Research Paradigm

Burrell & Morgan (1979, p. 28) say:

The interpretive paradigm is informed by a concern to understand the world as it is, to understand the fundamental nature of the social world at the level of subjective experience. It seeks explanation within the realm of individual consciousness and subjectivity, within the frame of reference of the participant as opposed to the observer of action.

Why use an interpretive research approach? This research methodology allows flexibility in the gathering and analysis of data. One of the concerns I had when selecting a research methodology was the possibility of defining and locking Māori reality within a Western framework. Because I will be looking at a number of socially constructed realities and subjective experiences, this research methodology allows me the flexibility to work with these realities, allowing space for difference but at the same time acknowledging similarities. Also this methodology allows me the opportunity to move quite fluidly between a Māori world-view and a non-Māori world view. Metaphysical values and concepts in terms of data gathering will also be employed in this research and this research paradigm allows me the opportunity to include these data gathering techniques within this research.

Using an interpretive research paradigm allows me to look at socially constructed reality through words, symbols and behaviours. Putnam (1983, p. 31) says, "Interpretation centres on the study of meanings, that is, the way individuals make sense of their world through their communicative behaviour."

4.2 Data Gathering Techniques

For this research to be successful, it is important to note that the data gathered for this research will look at life stories, subjective experiences, oral histories and narratives. Data gathering techniques will include the following:

Archival Documents: I will collect data from a District Council which relate to the resource consent application process for my case study. Using archival records allows me to use an unobtrusive method of data collection. This data is public record.

Non-Directive Interview Technique: This interview method allows for a flexible, non-structured interviewing style. I will identify and interview key stakeholders, relevant to the case study being researched. The interviews will focus on the participant's stories and experiences with regards to the resource consent application process for the Blue Bay development case study.

These methods are firmly grounded in the qualitative research approach and in using these methods; they are also informed and grounded in the interpretive approach. A more comprehensive exploration of these methods will be explored later in this chapter.

4.3 Thematic Analysis

In order to analyse, organise and reduce the information gathered, Owen's thematic analysis was utilised in the research. Thematic analysis is a way of perceiving the world. As Boyatzis (1998, p. 4) says:

It is a process of encoding qualitative information. It can be used as (1) a way of seeing, (2) a way of making sense out of seemingly unrelated material, (3) a way of analysing qualitative information, (4) a way of systematically observing a person, an interaction, a group, a situation, an organisation, or a culture, (5) a way of converting qualitative information into quantitative data.

Thematic Analysis, a method for encoding qualitative information, was used to organise and understand the data collected during the interview process. This particular analytical strategy enables researchers to use a wide variety of types of information in a systematic way that increases accuracy, understanding and interpreting observations about people, events, situations, and organisations (Boyatzis, 1998).

On analysis, qualitative information yields patterns and themes. Themes are patterns found in the information and at minimum, describes and organises the observations and at maximum interprets aspects of phenomena (Boyatzis, 1998). Because a non-directive interview technique was utilised during the data gathering process, thematic analysis as a data analysis method was seen as beneficial because it allowed the data to be organised as well as showing connections across all the data gathered. Themes emerged from the data collected and are pieced together to form a comprehensive picture of their collective experiences.

For the purpose of this research, Owen's thematic analysis was determined to be the most appropriate means of analysing the data gathered. Owen's thematic analysis outlines a systematic approach to "sense-making" in the interpretation of the interview and provides a logical means of progressing from data to observation to conclusion (Owen, 1984; p. 286).

In addition, Owen's thematic analysis as a framework enabled me to identify and categorise key relational themes that have a significant impact on the study. Although Owen uses thematic analysis to define relationships between people, it is appropriate, for the purpose of this study, to use this same method of analysis to uncover emerging themes in relation to the understanding individuals have with regards to the Māori metaphysical world and its intersection with the consultation process as articulated in the Resource Management Act (1991). Owen (1984, p.274) states that a thematic analysis uses "unimposed lay conceptions of actual communication episodes" to identify themes that interpret the way that people understand a concept and offers insights into the way people interpret.

For the purpose of this study a theme is defined as "the patterned semantic issue or locus of concern...a range of interpretations that are used to conceptualize and constitute the topic of study" (Owen, 1984; 274).

According to Owen (1984) a theme is identified when three criteria are present: (1) recurrence, (2) repetition and (3) forcefulness. The first criterion, recurrence is identified when the same thread of meaning is seen in at least two or more parts of a transcription. Different words can be used, but the wording must portray the same conceptual meaning. Repetition is an extension of the first criterion and involves the repeating of the same word, phrase or sentence. The recurrence of meaning and repetition of the same words and phrases show how a person uses a thematic mode of interpretation.

Owen (1984; p.275) says forcefulness, the third criterion, refers to the way in which words are spoken during the interview. It refers to "vocal inflection, volume, or dramatic pauses which serve to stress and subordinate some utterances from other locutions". Forcefulness reflects the assumption that a

participant can and does make sense of the topic of discussion as evidenced by their choice to use forcefulness to express their discourse.

Because the corpus of data gathered was from a variety of sources both primary and secondary and from varying perspectives, Owen's thematic analysis was appropriate and allowed me a means to identify prominent themes that showed how individuals engaged with the Resource Management Consent process when the process intersected with the Māori metaphysical world. Analysing repetition, recurrence and forcefulness in the interviews provided a "sense-making" process that enabled me to interpret and conceptualise these perspectives by revealing inherent themes.

4.4 Building Case Studies

According to Berg (1998), case study methods involve systematically gathering enough information about a particular person, social setting, event, or group to permit the researcher to effectively understand how it operates or functions. It is not actually a data-gathering technique in itself, but a methodological approach that incorporates a number of data-gathering measures. Berg goes on to say this approach may employ a number of data gathering technologies such as life histories, documents, oral histories, in-depth interviews, and participant observation.

4.5 Document Retrieval through Public Archives

Data collection methods are integral to any research and the data gathered for the purposes of this research was both primary and secondary. Primary data included interviews with research participants and secondary data included the collection of publicly and electronically available sources from newspaper articles and local council documents. This section will explore the data collection methods used in this research, starting with secondary data.

4.6 Secondary Data

Secondary data were collected from newspapers and the Wairoa District Council. The collection of this data gave insight and background to the case

study being explored and an understanding of the case study as it developed chronologically over time. I was interested in taking a snapshot in time, developing a chronological timeline of the case study, developing an understanding of individuals and their interactions with and relationship to the case study. The collection of secondary data allowed me to pick a moment in time and begin from that point in terms of telling the chronological story of the case study and how it developed over time.

There were no problems regarding access to the information and confidentiality and privacy as all secondary data were held within the public domain. Two forms of secondary data were identified from a variety of sources.

4.6.1 Newspaper Articles

A number of newspapers were initially identified as being the most relevant to this case study; they included the *New Zealand Herald*, *Hawke's Bay Today*, *The Gisborne Herald* and *The Wairoa Star*. The *New Zealand Herald* was initially selected as the main daily newspaper; an electronic search of the *New Zealand Herald* archives was undertaken with the key word 'Blue Bay'.

Through this process, the three other newspapers were identified. An electronic search through the internet of the archives of the other newspapers was undertaken and the *Gisborne Herald* and the *Wairoa Star* were identified as key news providers for the Blue Bay development case study.

Fourteen articles from the *Gisborne Herald* and thirty one articles from the *Wairoa Star* were sourced and collected for the purposes of this research. Individually, each article described a moment in time relevant to the development of the Blue Bay case study. When pieced together like a jigsaw puzzle; a chronological story of the case study began to emerge. By using newspaper articles I was able to pick a moment in time to start the story of the Blue Bay development case study. The date range for the articles was from December 27, 2003 through to 22 March 2006. Through secondary data, the chronological story of the case study is developed and explored.

The analysis of secondary data also allows for tone to be established. Descriptions of individuals quoted in the newspaper articles articulate emotion and tone and add a further dimension to the chronological story of the case study.

Direct quotes taken from newspaper articles also allow for the analysis of certain text and words used by individuals relevant to the case study. Analysing the text in newspaper articles using Owen's Thematic Analysis framework allowed me to establish an initial set of themes which were further developed when looking at other secondary and primary sources.

4.6.2 Documents from the Wairoa District Council

A number of secondary sources were also obtained from the Wairoa District Council, these data was held within the public domain and access to it was not an issue. There were three sets of documents collected in the total corpus in data collected from the Wairoa District Council: agendas and minutes from meetings of the Wairoa District Council, the Resource Consent application and submissions from local residents and *tangata whenua* regarding the case study. This section will outline each set of documentation gathered, how it was collected and its relevance to the overall research.

The initial sets of documents explored were the agenda and minutes of the meetings of the Wairoa District Council. The collection of newspaper articles allowed me to refine my search of Council documents within a specific timeframe, a set of parameters and key word searches. An electronic search of the Wairoa District Council archives through the internet allowed me to identify six key documents for the purposes of this research; this was the initial search as it was the most easily accessible by me. They included:

- Special Meeting of Council – Minutes 07 October 2004

General Business - Late item – Blue Bay Resort Ltd Consent Application

- Special Meeting of the Resource Management Committee – Agenda 23 & 24 Feb 2005 - To consider an Application for Landuse Consent by Blue Bay Holiday Resort
- Special Meeting of the Resource Management Committee – Minutes 23 & 24 Feb 2005 - To consider an Application for Landuse Consent by Blue Bay Holiday Resort
- Special Meeting of the Resource Management Committee – Resolution 23 & 24 Feb 2005 - To consider an Application for Landuse Consent by Blue Bay Holiday Resort
- Ordinary Meeting of Council – Agenda 10 May 2005 - General Item – Consultation with *tangata whenua* of Māhia
- Ordinary Meeting of Council – Minutes 10 May 2005 - General Item – Consultation with *tangata whenua* of Māhia

These documents assisted in understanding the process the Wairoa District Council undertook in regards to the case study, its role in the case study and the eventual outcome of the case study. The purpose of this research is to look at how the processes of the Resource Management Act (1991) are administered by local government organisations and how the administration of these processes allows for the consultation of and articulation of a Māori world-view. These documents describe process and record conversations by individuals involved in the case study and the data collected added a further dimension to the case study. The texts used in these documents are formal and the inclusion of data gathered from these sources shows the discourse used by the Wairoa District Council in its administration of Resource Management Act (1991) processes.

An email request to the District Planner of the Wairoa District Council for this information was sent and it took almost two weeks before a response was received. The response received stated that the level of photocopying would be quite large and I would have to pay for the photocopying charges and labour. Five days following my response confirming I would pay, I received the relevant

documents from the Wairoa District Council. The specific documents analysed for the purposes of this research include:

- The Assessment of Effects Report
- The Minutes of four consultation *hui*⁶⁶ with *tangata whenua* carried out before the submission of the Resource Consent application
 - 9 July 2004
 - 30 July 2004
 - 16 August 2004
 - 22 August 2004
- And the Cultural Audit undertaken by Mana Cracknell, dated 28/29 August 2004

These documents allowed me to look at the processes of the applicant, compare text and language used, and identify any particular issues coming out of the consultation *hui* with *tangata whenua* and the role the applicant played within the story of the case study.

The final set of documents analysed was the submissions to the Resource Consent application. On the 18th of September 2006, I travelled from Auckland to Wairoa, Hawke's Bay to meet with the District Planner of the Wairoa District Council to go through my specific requirements for the documents I had requested. I believed it was important to travel to Wairoa in person so that I could develop a relationship with the District Planner, articulate my requirements and physically go through the necessary data myself. In accessing this information, the face to face interaction proved positive as I was able to access the information with ease. In total, twenty four submissions opposing the Blue Bay development case study were available. Sixteen of these submissions emerged as key sources of data for the purposes of this research. The submissions were a rich source of data, describing stories,

⁶⁶ Hui – gathering, meeting

narratives, perceptions, emotions and different world-views. The texts within these submissions were analysed once again using Owen's Thematic Analysis framework and further refined the identification of themes for data analysis. The analysis of the submissions also allowed me to identify potential research participants to interview for this research.

The process for identifying research participants was articulated in my ethics application. According to my ethics application (2006), "the recruitment and selection of research participants would be done in a nonbiased, non-power-based manner". Research participants would be identified through the archival record data collection process, which is public record. These participants would have had significant narratives to explore with regards to their experiences with the Resource Consent Application Process.

Ideally, Māori would be targeted in the first instance; however, this would not exclude *tauiwi*⁶⁷ participation. Other criteria for selection included, but were not limited to the following:

- that the research participant has been directly involved in making a submission through the Resource Consent process for the identified case study.
- that the research participant has both in-depth and personal knowledge about the Case Study.
- that the research participant has knowledge of *te reo me ona tikanga* Māori⁶⁸.
- that the research participant has knowledge of the Resource Consent process.

These criteria made the selection of potential research participants very easy. By overlaying these criteria onto the submissions, four key submitters emerged

⁶⁷ Tauiwi – refers to non-Māori

⁶⁸ Te reo me ona tikanga Māori – the Māori language and the traditional customs and values associated with its use (both physical and metaphysical)

who met the requirements of the criteria. Each was approached and only two submitters agreed to be interviewed for this research.

4.7 Primary Data

As mentioned earlier, two forms of data were collected for this research, both secondary and primary. Primary data were gathered through interviews. Two interviews were carried out for this research, which allowed me to gather the data first hand and to also explore stories and narratives held by the interviewees in relation to the case study. A major aspect of the process for the interviews took into consideration values and principles within *tikanga* Māori, in particular *kanohi ki te kanohi* (face to face), *manaakitanga*, *aroha*⁶⁹ and *whakawhanaungatanga*. These values are key concepts for engaging with individuals on an interpersonal level and have been covered in the previous chapters. Because the criteria for research participant selection included knowledge of *te reo me one tikanga* Māori, I believed that the research participants interviewed would be more comfortable in a cultural setting appropriate to them because they would see the world through a Māori world-view. Creating a suitable environment, therefore, would be likely to allow a free flow of information, create comfort and security for the participant and mitigate any possible negative emotional reaction they might have in reliving their experiences and re-telling their stories.

4.8 Non-Directive Interview Technique

Data relating to the research problem were obtained via literature, print media, archival material, but primary data generally was gathered from observational and verbal sources. Observations and verbal confirmations are best achieved from interviewing techniques especially relevant in the context of this research.

Frankfort-Nachmias and Nachmias (1996) define an interview as a face-to-face exchange within an interpersonal situation in which an interviewer asks respondents questions designed to bring out answers.

69 Aroha – expression of love, care

There is a number of interview techniques designed to achieve a particular outcome. The questions asked, the wording used, the sequence in which questions are asked and the environment usually define the most appropriate interview technique and style to employ for the purposes of the research. In the context of this research, the non-directed interview technique was used to provide opportunities for participants to express their perceptions and realities.

The non-directed interview is the most flexible of all the interview techniques. The researcher does not use a scheduled list of predetermined questions, nor are questions asked in a specific order. With little or no direction from the interviewer, respondents are encouraged to relate their experience, to describe whatever events seem significant to them, to provide their own definitions of their situations, and to reveal their opinions and attitudes as they see fit. The interviewer has a great deal of freedom to probe various areas and to raise specific queries during the course of the interview (Frankfort-Nachmias & Nachmias, 1996).

The flexibility and openness of the non-directed interview technique allow the researcher not only the opportunity to record responses from the interviewee but also the opportunity to note observations and gain additional information about various phenomena they observe by asking questions of participants (Berg, 1998). Not only are the responses relevant to the purpose of the research but because Owen's thematic analysis criteria was utilised, it was important for me to note responses that had an aspect of forcefulness in the interviewees discourse. These non-verbal triggers are best captured through the use of the non-directed interview technique.

This type of interview technique is also useful in developing rapport with the interviewee. It is important that the interviewee is able to fully express their opinion, to feel comfortable with sharing his or her subjective reality and Berg (1998) notes how this particular technique is useful in developing rapport through this type of interaction.

The general aim of the non-directed interview technique in this particular research is to focus on a specific situation in the participant's life, notably their

involvement in a resource consent process, how they felt about it and the issues they faced when engaging with that particular process. This interview technique allowed me the opportunity to hear their story, their subjective experience and their perceptions. Therefore the interview must not be a form of interrogation where rapport is lost or never gained. Instead the use of the non-directed interview should be seen as a friendly conversation. When rapport is gained so too is trust, so I would be likely to gain access to sensitive issues and obtain deeper insight into answers and behaviour.

The non-directed interview does not use a set of predetermined questions and allows for flexibility throughout the interview. This technique assumes that not all subjects will necessarily find equal meaning in like-worded questions (Berg, 1998). This is an important aspect of this technique because the subjective realities of each participant are important to this research, and this interview technique allows participants to share their unique stories.

As mentioned earlier, a non-directed interview technique was employed. This was deemed the most appropriate interview technique as it was the narratives and stories of the interviewees that were of interest. This technique is also considered the most flexible and I was able to not only record a rich corpus of data, but also observe and note the non-verbal communication of the interviewee.

The interviews were done face-to-face and in a setting chosen by the interviewees. I had to travel to Hawke's Bay to conduct both interviews. The flexibility of the non-directed interview technique allowed me to incorporate a relationship building process within the interview which was governed by values and principles within the Māori world-view. As mentioned earlier in the research, the relationship building exercise is an important aspect of *tikanga* Māori and this process was extremely advantageous as it allowed a rapport to be developed, a bond and connection to be established and most important of all, that trust emerged between the interviewer and interviewee.

The first interview was conducted in interviewee #1's home at the request of interviewee #1. Initial steps in terms of contacting interviewee #1 were made

via an email on December 4, 2006, followed by a telephone conversation on December 6, 2006. Interviewee #1 was also mailed the participant information pack and consent form on December 6, 2006. I received an email from interviewee #1 on December 11, 2006, signalling that an interview had been agreed to, and that the necessary documents had been signed. I was then asked to phone interviewee #1. On December 12, 2006, we discussed dates for the interview and process.

The interview was conducted in interviewee #1's home on December 18, 2006, the interview took just under two hours and it was an open ended interview with no set questions. Following this interview, the notes were transcribed within two weeks and these notes were sent back to interviewee #1 for confirmation, amendment or correction.

Contact was made with Interviewee #2 via an initial email on December 4, 2006, followed by a phone call conversation on December 6, 2006. Interviewee #2 was then mailed the participant information pack and consent form on December 6, 2006. On December 13, 2006 I contacted interviewee #2 via phone to confirm interest and consent to being involved in the research. This was agreed to by interviewee #2 but an interview could not take place until January 2007. I telephoned interviewee #2 on December 28, 2006 to confirm availability for a January interview date and January 5 was agreed to. The interview was conducted at my mother's home in Hawke's Bay, where I was staying at the time. I telephoned interviewee#2 on February 27, 2007 for clarification of further information and asked for a further interview. Interviewee#2 did not want to be interviewed over the phone and had a preference for a face-to-face interview. The final interview was held at the Te Puia Springs in Rotorua on May 11, 2007. Accessing interviewee#2 was particularly difficult, with regards to time and availability.

Both participants were extremely well versed in the case study and were highly competent in *Te Reo me ona Tikanga*. I asked both interviewees if they would prefer the interviews to be done in the Māori language. Both declined, with one

saying that “My *korero*⁷⁰ when I see it on paper does not fully articulate the *tikanga* which accompanied it.” It was decided, therefore, that all interviews would be conducted in the English language.

Secondary and primary data were gathered to develop the Blue Bay case study story chronologically and to also add layers and dimensions to the story that would not otherwise be there if one particular source was used. Themes began to emerge very early on in the data gathering exercise and it is from here that the story of Blue Bay, the analysis of data and the key themes in this research are discussed.

⁷⁰ Korero – talk, conversation, chat, story, interview

Chapter 5

Case Study: the Development at Blue Bay

5.1 Introduction

This chapter builds a case study about the Blue Bay development, setting the events out chronologically, and analysing the stories told by my research participants. In doing so, I examine many texts which include individual submissions and media articles relating directly to the proposed development of the Blue Bay Camping Ground and Holiday Park. As already stated in the methodology chapter, this section will be guided by Owen's (1984) thematic analysis. The discussion of the stories focuses on the different themes which emerged during the changing phases of the case study. The stories, which were my raw data, were classified as themes when three criteria were present: recurrence, repetition and forcefulness.

Some sub-themes identified in the stories were relationships to the land, emotional connectedness to the land and its history, and the significance of time and money in story-telling and the Māori world-view. The sub-themes all contributed to one major, over-arching theme: that of inadequate consultation during and about the Blue Bay development. Through this theme of inadequate consultation, I will show the inability of Māori to fully articulate a Māori world-view as the Resource Management Act (1991) seems to suggest they should be allowed to do.

5.2 The case study

Overwhelmingly, one theme in this research dominated the data: inadequate consultation. However, a number of sub-themes contribute to this broad theme: relationships to the land, emotional connectedness to the land and its history, and the relevance of time and money in story-telling and the Māori world-view.

The following questions guided my thinking in dealing with the data:

1. in the process for consultation, who is recognised as *tangata whenua*?
2. why is this group (or individual) recognised as *tangata whenua*?
3. what are the tensions that arise due to the notion of ‘the spirit of the Act’ v. ‘the letter of the law’?

These questions all seemed to lead back, in some way, to the notion of time and money for in this story of the Blue Bay development, the theme of inadequate consultation will be developed alongside a timeline which will show that time has a considerable impact on consultation, for, from the Māori point of view, if time is too short, consultation cannot be considered effective or adequate. Consultation in relation to this case study will be based on the Māori dialogue process which considers the Māori world-view and values and principles central to the Māori world-view.

The story begins

• **November 2003**
Wairoa District Council Meeting - Blue Bay Camp Ground and Holiday Park to formalise the move from Reserve Land

○ **Early 2004**
Blue Bay camping ground sold to developer

• **July - September 2004**
Resource consent application and cultural assessment being prepared, consultation taking place

In November 2003 a Wairoa District Council survey revealed that a number of buildings and a good part of the camp site of the Blue Bay Camping Ground and Holiday Park were and had been for many years situated on Council reserve. Council gave a dispensation of one year from the 4th of December 2003 for the owner to either formalise this occupation by way of lease, or to move the buildings from the reserve to the area within the owner’s title. Before these arrangements could be implemented the property was sold to a developer, Craig Nesbit of Blue Bay Resort Ltd.

This is the real beginning of the story of the Blue Bay development case study. It begins with the Blue Bay Campground and Holiday Park site being sold to developers in early 2004. This is important to note because one of the first public meetings held with regards to the development of the site was over six months after this event.

My emphasis on time here derives from the fact that concepts of time for *tangata whenua* are quite different from the way that District Councils apply time when they interpret the Resource Management Act (1991). As Binney (2001) suggests, Māori see time as cyclical rather than linear. For instance, when Māori talk about *whakapapa*, time is incidental because we note time in relation to *whakapapa* as timeless. In Western thinking, time is closely linked to money and the costs of the consultation process. When groups are asked to prepare resource consent submissions, time and money conjoin as powerful influencers of the process. The notion of time in relation to inadequate consultation is important, because as discussed in the literature review earlier, concepts of time for *tangata whenua* in particular are quite different to those used by District Councils in interpretation of the Resource Management Act (1991).

• **9 July 2004**
Initial *hui* with members of the Māhia Māori Committee to establish consultation procedures with *tangata whenua*

On the 9th of July 2004, the developers met members of the Māhia Māori Committee, the group that the Wairoa District Council officially recognises for consulting Māhia *tangata whenua*. This *hui* was an initial meeting to establish process and procedures, terms and fees for the consultation process for the developers in consulting with *tangata whenua* of the Māhia Peninsula for their resource consent application.

According to the Minutes of this meeting, “There was a willingness on the part of the developers to see that the process would move in a businesslike and congenial manner.”

The use of the word ‘businesslike’ in these Minutes, suggests a preference to move away from the Māori world-view of the dialogue process. ‘Businesslike’ suggests a discourse that is Western, capitalist, and determined by cost, for, as they say in business, ‘time is money’. The use of this word at the very first *hui* to set procedure and process sets the scene for how the developers approached the consultation process with *tangata whenua*.

• **30 July 2004**
First Public Meeting held by developers with locals and *tangata whenua*

An article in the Gisborne Herald, (August 5, 2004), describes the intentions of the new owners to develop the Blue Bay Campground and Holiday Park site and also describes one of the first meetings held by the developers with locals and *tangata whenua*. The article stated that the developers, Blue Bay Resort Ltd, headed by Craig Nesbit, were keen to talk to Opoutama residents before anything

was set in concrete, and they got the chance to do that on Friday the 30th of July 2004 at *Ruawhoro Marae*.

Members of Blue Bay Resort Ltd spoke to an audience of more than 30 people at *Ruawhoro Marae* and the mood was described in the article as “initially sceptical and it took some time before order was established”. During this meeting, Blue Bay Resort Ltd was keen to stress that the development would not be a gated community and there would be no fences, no restriction of public access and only native plantings.

The article says that the developers almost immediately came under fire for not consulting with local *tangata whenua* over an archaeological survey. Mr Nesbit is quoted in the article as saying, "That's why we're here, and this is just the start. The Resource Management Act requires us to consult; we have not written the resource consent application yet." However, after the meeting, Rongomaiwahine chairwoman Mini Westrupp said the developers should have come to *tangata whenua* first. The land in question was the subject of a claim before the Office of Treaty Settlements, she said. (*Gisborne Herald*, August 5, 2004).

It is at this point that the theme of inadequate consultation is emerging. The article describes the mood of the meeting as “initially sceptical” and “taking some time to establish order” and states “that the developers came under fire for not consulting with *tangata whenua*’. Clearly, those people at the meeting felt mistrust, suspicion, and doubt and moreover, saw the possibility of hidden agendas, and this is alien to the Māori concept of a true dialogue process. For Māori, consultation is about establishing trust, building relationships, and being open. It is about preparing to negotiate, accommodate and compromise and being prepared to listen. If the mood of a meeting is noted as ‘sceptical’, it is unlikely that for Māori, at least, the antecedents of good consultation were present. It is more likely that both parties went into the meeting with preconceived notions of a possible outcome, rather than consulting and working together to develop a mutually advantageous outcome.

The Minutes of the meeting from the resource consent application describe the negative mood of this meeting, but says Craig Nesbit “made clear that before anything ***the support of the Community was a prerequisite***” and “**There**

were no *Tangata whenua* issues raised” (italics, underlining and bold in the original). This emphatic formatting in the Minutes is an example of forcefulness (Boyatzis, 1998) and shows how much the writer wanted to stress these statements, as though by making them stand out so strongly, they could be made more truthful. The Minutes were used by the developers in their resource consent application, and appear to show that they wanted to emphasise their positive attitude towards Māori and the consultation process. This is the only example of such formatting in the Minutes, and is a subtle use of power to direct and control opinion.

- **30 July 2004**
First Public Meeting held by developers with locals and *tangata whenua*

Blue Bay had been purchased in early 2004 by the developers and one of the first public meetings held was at the end of July 2004. Over six months had lapsed before the first round of public meetings had begun and locals were obviously keen to hear what the plans were for Blue Bay. They are described as being keen to have been consulted earlier before developers had set their plans in place.

In an ideal world, the developers would have discussed their desire for the land and their intentions for development with local residents and *tangata whenua*. The sale of the land had already gone through, and before the development could get underway, consultation was required, in accordance with the Resource Management Act (1991). A round of public meetings therefore took place, but the fact that consultation was a requirement, rather than a gesture of neighbourliness, framed it negatively as merely a process for putting ticks in various boxes on various forms.

- **July - September 2004**
Resource consent application being prepared, consultation taking place, Cultural Assessment being prepared

Development had been occurring on the Māhia Peninsula for a few years, Māhanga Beach in 2003 and Māhia Beach in 2004 and the consent process for these developments had already taken place. The issue over perceived extensive development on the Māhia Peninsula had concerned many locals, and now with the proposed development at Blue Bay, locals were becoming alarmed and worried at the spread of development across their rural peninsula.

With public anxiety growing over developments on the Peninsula, residents and *tangata whenua* were alert for inadequacies in the consultation process. What

should have been an exemplar of best practice was always likely to be scrutinised.

• **July - September 2004**

Resource consent application being prepared, consultation taking place, Cultural Assessment being prepared.

Mini Westrupp, Chairwoman of the *Rongomaiwahine* Trust quoted in the Gisborne Herald article already mentioned earlier said the land in question was the subject of a Treaty claim before the Office of Treaty Settlements. (*Gisborne Herald*, August 5, 2004).

Nearly all research participants mentioned that the Blue Bay site was subject to Section 27B of the State Owned Enterprises Act 1986. Mini Westrupp's words signalled quite early in the case that tensions were present because *tangata whenua* were attempting to have their claim to the land heard by the Office of Treaty Settlements. *Tangata whenua* wanted their acknowledgement that their Treaty claim was significant, for that would have shown that non-Māori understood their emotional connection to the site. Such a small gesture might have considerably mitigated later problems that occurred in the consultation process. *Tangata whenua* felt that their Treaty claim should have signalled their strong connections to the Blue Bay site to the developers and the Wairoa District Council and should have strengthened commitment to robust and meaningful consultation.

• **July - September 2004**

Resource consent application being prepared, consultation taking place, Cultural Assessment being prepared.

Section 27A of the SOE Act requires that a memorial (a formal notation or record) be placed on all titles to Crown land transferred to any state-owned enterprises under that Act. The effect of such a memorial is that under section 27B of the State Owned Enterprises Act 1986, the Waitangi Tribunal, in specified circumstances, can order the Crown to take back or 'resume' a property to be used in settling a Treaty claim, unless the Crown and claimant groups first agree on a settlement. There is provision for similar memorials to be noted on the titles of former Crown railway land, and land transferred by the Crown to tertiary educational institutions.

These memorials remain on the titles even if they are sold to third parties, and are not removed until claims over the area concerned have been settled, or affected Māori groups agree to their removal. The memorial warns third parties that the property may be used for settling Treaty claims through resumption by the Crown. If this happens,

compensation is paid as if the property were being acquired under the Public Works Act 1981. (Reading and interpreting certificates of title, March 26, 2007).

This is an important aspect of the consultation process, because many of the stories in the submissions to the resource consent hearing mention the Treaty claim.

Mere Whaanga's submission to the council was typical of these (see Text 2 on the facing page). The fact that the claim was ignored was widely resented by *tangata whenua*. This submission makes it quite clear that the Blue Bay site should not be considered for development. Although this submission opposes the development outright, it is there to inform the Wairoa District Council of the strong opposition held by certain individuals in the community. The emotional connection that *tangata whenua* have with this site needed to be included in the Council's decisions. *Tangata whenua* perceptions of the process were that the developers and the Council were interpreting the Act literally and not engaging with the spirit of the Act when implementing process.

Local *iwi* have felt the loss of the land deeply. As one research participant put it:

Tangata whenua have been unable to have a physical relationship with this land for decades. Access was restricted while the camping ground was in operation. Now that the land has been sold, the *tangata whenua* have been further alienated from their ancestral connections and usage rights. The term that best expresses the physical aspect of connection with land is *ahi kā*⁷¹. It means that the home fires of occupation have been kept burning on the land, that the descendants of the original owners have lived there, walked there, gathered food and/or other resources from the land and its waters" (personal communication, December 18, 2006).

Ahi kā can be loosely defined as a constant principle of occupation or observable long-term use of the land typified by the smoke from a fire. The concept of *ahi kā* took into account the fact that people needed to move to where food resources could be best utilised at different times of the year. This

⁷¹ Ahi Kā – keeping the home fires burning, authority over land through continued occupation

concept reflects the unique relationship *tangata whenua* had with this site as well as allowing for the metaphysical notions of *tikanga* as a way of determining land possession. The language used in this vivid description reflects the physical connection to the land.

The notion of connection to the land is one that is central to this research. Although others in Aotearoa New Zealand feel a deep connection to the land, the unique relationship Māori have as first people is recognised in the Resource Management Act (1991). As already mentioned in the literature review, section 6(e) of The Resource Management Act (1991), Matters of National Importance, recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, *wāhi tapu*, and other *taonga*.

However, the way this relationship is enacted and honoured in daily social life is another matter entirely. Restricted access to the Blue Bay site has been for many years a grief, and ultimately, a grievance, to the *tangata whenua* of the Māhia Peninsula, and the grievance needed to be factored into the consultation process. The opportunity to air and resolve the grievance during the consultation process was not offered, and because of their lack of trust in the people or the process, *tangata whenua* felt unable to express their world-view. Consultation was therefore limited and unsatisfactory.

Eventually, some of these views were communicated to Council in the hope that Council would understand that the Treaty claims on the land and the loss felt by *tangata whenua* with regards to *ahi kā* to the proposed site would influence their decision and cause them to decline the application for resource consent. Because there was a strict interpretation of the Act, there was no allowance for *tangata whenua* to engage in a process that fully allowed them to articulate their grievance and their world-view. In the end, *tangata whenua* did not seek financial remedy from the Wairoa District Council for the Treaty claim on the site. They asked instead for an acknowledgement of both their grievance and also the impact the approval of the consent would have in compounding a Treaty claim.

- **22 August 2004**
Third public meeting held by developers with locals and *tangata whenua*

“A remark by one of the developers at the so-called consultation *hui* of 22 August 2004 that *tangata whenua* would ‘get more money’ in settlement of their claim because the subdivision would raise the value of the land was plain wrong and demonstrated a remarkable ignorance of the nature of the *tangata whenua* concerns” (personal communication, December 18, 2006).

She goes on to say, “In much of the debate surrounding Blue Bay, the Treaty of Waitangi claims based on it have been dismissed as irrelevant. It was never suggested that the Wairoa District Council should hear the Treaty claims or resolve them in the Resource Consent process. The substance of the submissions that referred to the claims was that enough injustice had already been visited upon the *tangata whenua* associated with the land in question,” (personal communication, December 18, 2006).

This individual’s reaction to the consultation process is entirely negative. Her language is laden with words that describe her feelings that the meeting on the 22nd of August was not a useful meeting. She describes the meeting as a “so-called consultation” meeting, labels one of the developers as “remarkably ignorant”, and describes the debate over the Treaty claim as being “dismissed” as “irrelevant”. She also says that the *tangata whenua* have suffered enough “injustice”.

The strength and passion in the language suggest that recurrence and forcefulness are forming a theme around the idea that consultation was a sham and more or less inadequate. There was distress and anger that the developers and the Wairoa District Council did not consider the prior Treaty claim and dismissed the concerns of the *tangata whenua* as unimportant and irrelevant.

- **22 August 2004**
Third public meeting held by developers with locals and *tangata whenua*

Craig Nesbit of Blue Bay Resort Ltd, the developer of Blue Bay, is quoted in the *Gisborne Herald* (October 6, 2004) as saying that he was aware of the Treaty claim on the land but believed that these claims could not affect private property.

This perception by the developers obviously runs contrary to local *iwi* beliefs and is the cause of much tension and distrust because it was taken as a facile excuse for failing to consider obligations adequately.

Further comment on the public meeting of 22 August

Mere Whaanga, a local resident, *tangata whenua*, New Zealand author and historian, stated that she believed that the public consultation process before Blue Bay Resort Ltd submitted its Resource Consent application had been inadequate. She says, “I was at the meeting of 22 August 2004 at Opoutama, and personally witnessed the concerns expressed by numerous people at the hui and that issues raised were not properly addressed.”

The public meeting held on the 22nd of August 2004 produced obvious confusion as to whether the *hui* was for consultation on the Blue Bay Resort proposal or whether it was a regular meeting of the Māhia Māori Committee. An advertisement in the Wairoa Star invited “members of *tangata whenua* for final consultation in respect of the development of the Blue Bay Area” and the discussion that took place after 1.00pm was about another matter entirely. That public meeting questioned who the developers had actually consulted with, and attendees expressed surprise that this was a “final consultation”.

Tangata whenua felt that the meeting failed to meet basic requirements for real consultation. Evidence for lack of regard for true consultation was shown in the advertisement of the meeting. It was advertised as “final consultation for the Blue Bay development”, but discussions in the meeting covered many other areas.

• **27 October 2004**
Blue Bay Resort Ltd application for resource consent for development

In applying for resource consent, Blue Bay Resort Ltd stated that it had consulted with *iwi* and affected persons. Craig Nesbit is quoted in the *Gisborne Herald* (6 October 2004) as saying they “had held four public meetings, attended by up to 60 or 80 people. These meetings have been very positive. I have gone out of my way to consult with the community at two public *hui* and two small meetings, which goes beyond the requirements of the Resource Management Act”.

When Blue Bay Resort Ltd purchased the Blue Bay site with the intention of developing it, they were obliged by the application process of the Wairoa District Council to consult with local *iwi* and any affected persons. Mr Nesbit suggests that four public meetings are more than enough to meet, and even exceed, the requirements of the Resource Management Act (1991). This is an example of taking a number of events as evidence of their quality: for *iwi*, however, the number of meetings was irrelevant in determining the quality of the consultation.

- 28/29 August 2004
Cultural Audit
presented by Mana
Cracknell

Local *iwi* were keen to be involved in the consultation process of the Blue Bay site because of previous developments that had already occurred. One development in particular was Māhanga Beach in 2003. Blue Bay *tangata whenua* were especially aware of this particular development because of the cultural assessment that was undertaken by the developers to support their application for resource consent.

Mana Cracknell, a well-known Māori academic based at Massey University, who was raised on the Māhia Peninsula, was asked by the New Zealand Māori Council to undertake the cultural assessment of the Blue Bay site. The assessment took several weeks and advised on the location of the sites of cultural significance. It also presented evidence that the area was a flood plain and therefore unlikely to have been used as an *urupa*, as claimed by some *tangata whenua*. This assessment ran counter to the belief of local *iwi* that Blue Bay is the site of an *urupa* and therefore of cultural significance.

One research participant held real concerns about the cultural assessment undertaken by Mana Cracknell and particularly that the community most affected by the subdivision was not invited to tell its stories. “There is a wealth of history pertaining to this land, places where *tīpuna* (ancestors) lived, fought, walked, learned, taught and were buried.” This participant goes on to say, “This community was left out of the processes and decision-making associated with the cultural audit and assessment carried out by Mana Cracknell and signed off by Bill Greening of the Māhia Māori Committee.” The findings and records in the audit were not brought back to *Ruawhoro Marae* and the people of Opoutama.

This is a significant grievance. When dealing with *wāhi tapu*⁷² and the history of a Māori community, it is imperative that the *tangata whenua* community, the people of the *marae* and village, are involved in any recording of information and decision-making about sites that are significant to them. The *tangata whenua* found it disturbing that the opinion of only two men was sought without reference to the Opoutama community and the people of *Ruawhoro Marae*. Māori believe that the knowledge pertaining to land and *wāhi tapu* is owned by and scattered throughout the community. “Working with the community can be a very enriching experience. Ignoring them or closing them out from decision-

⁷² Wāhi tapu – sacred space, sacred place

making about their ancestral sites creates major divisions and tensions within the community, and deep-seated anger” (personal communication, December 18, 2006).

- **28/29 August 2004**
Cultural Audit
presented by Mana
Cracknell

The cultural assessment undertaken by Mana Cracknell is described in an interview he had with the Wairoa Star (March 1, 2005). The cultural assessment took several weeks of painstakingly walking the site and negotiating.

There are four essential components to a cultural assessment, according to Mr Cracknell. The first component is spiritual and requires “speaking to the ancestors”, which he defined as a gut instinct about a place. “It’s spiritual, you can’t control it.” The second component is the intellectual domain of a place, which is assessed by talking to elders who know the stories and have the experience of walking the place. The third component involves considering the social impact of the proposed work. The fourth component deals with the material world, covering *urupa* (cemeteries) and other sacred sites, artefacts or relics, which are located on the site.

Cultural assessments have been a growing requirement for resource consent applications around the country for the past five years, and Mr Cracknell conducts an average of four to five assessments a year.

“Council needs us to have a robust process”. In this article, Mr Cracknell acknowledges that *tangata whenua* concerns were real, but mitigated that comment by saying that there was no agreement between marae and *iwi* authorities. The needs of the Council were placed above those of *iwi*. Council’s need for a ‘robust process’ was placed ahead of the equally great need for a robust process for carrying out the cultural assessment.

The purpose of the cultural assessment was to determine sites of cultural significance, in particular the original boundary of the *Ruawharawhara urupa*. This particular cultural site is frequently mentioned in submissions to the Council and those submissions challenge the validity of the cultural assessment undertaken. Mr Cracknell’s cultural assessment said this area was a flood plain and therefore unlikely to have been used as an *urupa*. A number of submissions challenge this. In particular, one submission by Yvette Ramsay (December 15, 2004) stated that the burials on the site were a key issue. She

goes on to describe a war that occurred in ancient times resulting in the burial of many warriors along that stretch of the isthmus. The story was handed down in the oral tradition of story telling: “I was told this by my mother, and she was told by her father”.

Ms Ramsay also describes Māori carved *pou*⁷³. She says:

Like totem poles, these *pou* are sacred and have *tapu* on them. Some locals including my family can recall these *pou*. The one in the Domain was burnt, and the *tohunga* of the time, who were my grandfather and my granduncle, they picked the ashes up and scattered them along the Opoutama Reserve.

The re-telling of history in this submission shows that there were others in the community who had stories to contribute. These stories, filled with deeply personal, vivid language, were not, however, brought to light during either the cultural assessment or the consultation process. The integration of all perspectives is important in achieving understanding of the cultural significance of the site,

The cultural assessment process in particular gives a vivid example of inadequate consultation with *tangata whenua*. The view that two people can speak for the local community runs contrary to what *tangata whenua* believed appropriate consultation to be. The process that was used to develop the cultural assessment supporting the development of the Blue Bay site is another example of the inadequate consultation that took place.

• **27 September 2004**
Resource consent application submitted to the Wairoa District Council

The application for resource consent in itself is interesting to note, because although according to Blue Bay Resort Ltd that consultation had occurred with local *iwi* and affected persons, it goes onto say through the Minutes of the three public *hui* with *tangata whenua* that “**There was no Tangata whenua issues raised.**” or “**As can be seen from the minutes no issues relating to tangata whenua or development were apparent or raised.**” (bolded and underlined in original).

⁷³ Pou – carved wooden post, carved wooden pole

Newspaper articles and the Minutes of the public meetings show that the mood at the *hui* was one scepticism and mistrust. Submissions and personal communications suggest that consultation procedures were not adhered to, creating confusion and surprise, and also that there was a collision of differing realities, where developers saw increased property values and local residents and *tangata whenua* saw increased rates. The Minutes of the meetings do not record the inadequacies of the consultation process, but rather, simply record that consultation had occurred and that no *tangata whenua* issues had been raised or were apparent. One local describes it as going to a meeting to be “notified about the development rather than being consulted about the development” (personal communication, December 18, 2006).

• **4 October 2004**
Letter received by
Te Whānau o
Rongomaiwahine
Trust

A few days following the submission of the resource consent application by Blue Bay Resort Ltd, the Wairoa District Council received a letter from *Te Whānau o Rongomaiwahine Trust* dated 4th of October 2004.

The letter signalled strong opposition to the Blue Bay development and recommended that Council should not approve the development themselves but rather, should publicly notify the resource consent application. The letter describes a number of issues, in particular, the concern *Te Whānau o Rongomaiwahine Trust* had that the proposed development was moving ahead too quickly, that time was needed so that *Te Whānau o Rongomaiwahine Trust* could discuss the proposal with Council and undertake the necessary research to clarify certain issues. One of those issues was about consultation processes under the Treaty of Waitangi.

Te Whānau o Rongomaiwahine Trust declared that that no direct consultation had taken place with them although they are the *iwi* authority with *mana whenua* (traditional authority) on Māhia Peninsula.

The policy for consulting *tangata whenua* is given in section 4.4.2 of the Wairoa District Plan. The policy reads:

Within the spirit of the Treaty of Waitangi, the Wairoa District Council must consult with Māori who are the descendents of the original inhabitants, who own the land, who currently reside in the area, and who exercise traditional authority over the areas made sacred by their ancestors.

Through this consultation process the aspirations of each area within Wairoa District will be realised in accordance with the Treaty of Waitangi". The Council's mechanism for consulting with *tangata whenua* is through its Māori Committee, an internal committee of the Wairoa District Council made up of individuals who represent the various *hapū* and *marae* of the Wairoa District. One part of the Wairoa District Council Māori Committee is the Māhia Māori Committee; and it is this sub-committee that is the Council's only recognised and mandated mechanism and voice for consultation in resource consent matters for *tangata whenua* of the Māhia Peninsula. Te Whānau o Rongomaiwahine Trust claim to be the *iwi* authority with *mana whenua* on the Māhia Peninsula, but because of the existence of the internal sub-committee of the council, the Trust was not consulted about the proposed development.

The letter also refers to the cultural assessment undertaken by Mana Cracknell. Te Whānau o Rongomaiwahine Trust believe their community's local, heritage and traditional ecological knowledge about the site and its vicinity should also have been taken into account and used to inform the Council's consideration of the proposed development. This is effectively the same issue that Mere Whaanga raised about the need to valorise and give space to the stories of *tangata whenua*, to have a robust process for gathering those stories and to understand who should tell those stories. For Māori, the gathering and preserving of stories is a process governed by the physical and metaphysical concepts of *tikanga* Māori.

The Trust writes that the consultation process and the cultural assessment undertaken has not brought these stories to light, and they strongly encourage Council to allow time for them to discuss these issues among the local community, to research the stories and to reveal detailed and intimate knowledge about the *whenua* itself and the layers of historical occupation of the *whenua*.

The issue of time and cost emerges again. Allowing *tangata whenua* the appropriate amount of time to carry out the research with their community to have their stories brought to light is an issue being raised in this letter. Having the time to fully explore and research the multi-layered and multi-faceted stories

and histories can be difficult when the timeframe is a locked, specific linear timeframe. The cost of preparing this research is also a factor in the ability of *tangata whenua* to fully contribute the appropriate information.

• **7 October 2004**

Meeting of the Wairoa District Council to consider the late application for resource consent by Blue Bay Resort Ltd.

Resolutions:

- 1) To receive the application
- To publicly notify the application

The first consideration the Wairoa District Council had with regards to the resource consent application for the development and subdivision of the Blue Bay site was recorded in the Minutes of a Special Meeting of the Wairoa District Council on 7th of October 2004, as an item listed as;

LATE ITEM - APPLICATION FOR RESOURCE CONSENT
– SUBDIVISION CONSENT/LAND USE CONSENT – BLUE
BAY RESORT LTD RM 040040

The Minutes of this meeting contain the following note: "The District Planner spoke briefly to the report, which required Council to make a decision as to whether or not this application would be dealt with as "non notified" or "notified"."

The outcomes of this meeting were two resolutions: (1) that the Special Meeting of the Wairoa District Council resolved that the application for resource consent for Blue Bay Resort Ltd be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter was required now in order to respond within the timeframe allowed and (2) that Council publicly notify the application for subdivision consent and land use consent (earthworks) received from Blue Bay Resort Ltd, as the environmental effects of this proposal are deemed to be more than minor.

These decisions by the Wairoa District Council are important because they emphasise time in relation to the consultation process. The application was not received at the time of the compilation of the Agenda and that Council had to consider the matter "now" in order to respond within a given timeframe. In other words, the Council had to respond with urgency to something that was being rushed through a process. Scarcely two months had elapsed between the first round of public meetings with locals at *Ruawharo Marae* and the receipt of the application for resource consent. The timeframes are arbitrary, and are determined by a business model developed within the council, for the council's convenience, with no regard to the need or wishes of the publics who might be involved.

The *iwi* request for more time was not taken into consideration, but the process for publicly notifying the application is. A public notification of an application for resource consent follows a timeline set out in the Resource Management Act (1991). Once again, time is a factor in this application and has had an impact on the ability of *tangata whenua* in particular to adequately prepare for the submission process.

- **12 October 2004**
Māhia locals becoming restive about the proposed development

An article in the *Wairoa Star* on the 12th of October 2004, five days following the Special Meeting of Council which resolved to publicly notify the resource consent application by Blue Bay Resort Ltd, stated that Māhia locals sought an injunction on the proposed subdivision of the Blue Bay campground and holiday park.

This article signalled that tensions were developing over the proposed development, and that an impetus for the unrest was a strong and growing feeling that consultation had been inadequate. Wairoa District Council chief executive Peter Freeman was quoted in the same article as saying that he agreed that Māhia people have been “poorly advised” in relation to the Opoutama Reserve transactions. (*Wairoa Star*, October 12, 2004).

- **9 November 2004**
Article in *Wairoa Star*

The scale of development is described as disruptive to a traditional way of life. Survey pegs and bulldozers are beginning to dot the landscape at Māhia, bringing both positive and negative implications for an area that has managed to maintain its peaceful isolation amidst the country’s most significant property boom in decades.

The past year had seen various property proposals pass through the consent process, sparking reaction throughout the Māhia community, and clearly further development was unavoidable. According to Māhia property consultant Trevor Lyall, “Māhia is going to develop regardless. It’s a matter of developing in the right way.” The anxiety felt by locals centred not on stopping the development, but on being consulted so that their views would be incorporated into “the right way” to develop. Development could still proceed as long as local residents and in particular local *iwi* were fully involved in the process.

At this time, a new area of contention was raised: property values. A recent development at Māhia Beach saw an escalation in the property values with an associated increase in rates. The submission by Mere Whaanga, already cited

in this chapter, details the social impact of escalating property values and increased rates. She says that many of the locals currently occupying “their *Whānau* land ”are on low and / or fixed incomes” so that the increase in land values and rates will be detrimental to “traditional land ownership” and that *tangata whenua* will be forced to sell their land because they could no longer afford to pay their rates. The outcome of this change will be that *tangata whenua* will become “*manene*⁷⁴ in the lands of their *tīpuna* - landless in their homeland”.

Mere Whaanga’s submission underlines the fact that to *tangata whenua*, the value of land is enormous, yet immeasurable. These deep and real fears needed to be addressed in the consultation process, but although the developers acknowledged that the surrounding property values would increase, they could see nothing but advantage for local residents and *tangata whenua* because when they wanted to sell the property, the increase in value would be a positive outcome.

This variation of cultural values was not accommodated or even addressed in the consultation process. A single, quite instrumental view of property was adopted and pushed through; the attitude was that the development was doing *tangata whenua* a favour. This collision of world-views shows once again the theme of inadequate consultation.

• **11 October – 26 January 2005**

The Wairoa District Council asked for further information from the developers so that the resource consent application could be fully notified. The idea behind the notification process is to enable the community to be involved in the decision making process on applications that may affect them. Additional information was received by the Council on the 17th of November 2004 and on the 19th of November 2004; the Resource Consent Application was fully notified.

The Hawke’s Bay Regional Council was not notified of the resource consent application until 7th of December 2004 and therefore their submission date was extended to 26th of January 2005.

⁷⁴ Manene – landless, alien

Following notification of the resource consent application, Council set 17 December 2004 as the close date for any submissions relating to the resource consent application. For local *iwi*, the locking in of a timeframe meant that they had only one month to fully research the stories of their community so that the hearing would be able to fully consider the application before them. Western time imposed on the consultation process once again emerged as a factor in the decision process.

At the close of the public submission date on the 17th of December 2004, 24 public submissions opposing the resource consent application were received by Council. The Hawke's Bay Regional Council's submission was received on the 26th of January 2005, and it also opposed the proposed development. A two-day hearing date of 23rd and 24th of February 2005 was scheduled to hear the submissions relating to the subdivision of the Blue Bay site and the resource consent application lodged by Blue Bay Resort Ltd.

- 6 February 2005**
 Protest Action:
 Creative Occupation
- Māhia residents and former Blue Bay campers rallied on Waitangi Day in front of the Blue Bay camp boundary on the Opoutama reserve protesting against the proposed Blue Bay subdivision and development and the felling of Pine trees on the site.

The protest action called "Creative Occupation" was held prior to the 23rd and 24th February resource consent hearing to create public awareness over the issue of "injustice of procedure" and "lack of consultation" and around 30 people attended the protest action. In an article in the *Wairoa Star* (8 February, 2005) protest spokesperson, Lis Battes said, "There was a lack of consultation and a wrongdoing when the land was transferred into private ownership."

- 7 February 2005**
 Blessing ceremony
 and Pine Trees
 Felled, first action by
 developers for the
 clearing of the Blue
 Bay site
- The protest activity did not stop the development from taking its first symbolic step, a day after the protest occupation of the site. On the 7th of February 2005, a ceremony was conducted to bless the Blue Bay Campground and Holiday Park site as work began to fell the Pine Trees that had stood on the site for decades.
- The emotional blessing ceremony was conducted by retired reverend and Opoutama *kaumatua* Randolph Whaanga. The felling of the trees marked the final day of Blue Bay Campground and Holiday Park as it was known.

During the ceremony Mr Whaanga led a group of Māhia residents to the site through the several hundred pines trees. The atmosphere was pierced by an emotional *karanga*⁷⁵ by Valetta Smith before Mr Whaanga began his *karakia*⁷⁶. The prayer was interrupted by sobs from those gathered who relived their childhood memories and acknowledged the end of an era. New owner Craig Nesbit of Cabernet Capital, who was present at the ceremony, said it was important the area was blessed before the process started.

This description clearly illustrates the emotional loss felt by the local residents and *tangata whenua*. The sadness described in the article is likened to that of a description of a funeral, a sense of loss and nostalgia, with the description “the prayer was interrupted only by sobs from those gathered”.

The developers believe that involving local residents and *tangata whenua* in blessing the site is an important and positive component in the process of development because it allowed residents and *tangata whenua* to say goodbye to what was, and also to realise that a new phase is about to begin. The article does not suggest that the locals and *tangata whenua* were supportive of the new phase, but the opportunity to participate in a ceremony like this allowed *tangata whenua* some sort of involvement. Following the blessing ceremony, on the 7th of February 2005, the first pine trees at the former Blue Bay Campground and Holiday Park site were felled.

- **23 and 24 February 2005**

- Special Meeting – Hearing Resource Management Committee.

On the 23rd of February 2005 a Special Meeting of the Wairoa District Council was convened at the Wairoa War Memorial Hall. According to the Minutes of the meeting, it is titled “Hearing Resource Management Committee (Consideration of Application for a Landuse Consent by Blue Bay Holiday Resort Ltd)”. This meeting was attended by the Mayor and the full Council, by three staff of the Wairoa District Council, by the applicants, Blue Bay Resort Ltd, represented by seven people and by submitters, all in opposition, also represented by seven people.

Submissions to the hearing varied, but overwhelmingly, the main theme to emerge from the submissions is once again inadequate consultation in reference to process and procedure, with respect to *tangata whenua*, understanding

⁷⁵ Karanga – call, wail to invoke ancestors and to welcome visitors and response to hosts during a ritual encounters, performed by women

⁷⁶ Karakia – prayer/s

tangata whenua history and connection to the site, the Treaty claim on the site and the claims of *waahi tapu* within the site, extracts from selected submissions follow.

- *Joan Ropiha – “I request the Council defer the hearing of the application, until proper information on these impacts has been done and consulted on”.*
- *Tohuawa Kereru – “There was no proper consultation with tangata whenua”.*
- *Lis and Carl Battes – “The Community had absolute commitment from the Council to CONSULT with ALL stakeholders and develop plans in conjunction with the COMMUNITY as stated at a community meeting 15th November 2004. We ask the Council to stand by this commitment.”*
- *Māhanga Marae Trust –Māhanga Marae has had no representation on the Māhia Māori Committee for approximately a year and as original owners, we have not been consulted.”*
- *Te Rakato Marae Trustees – “The consultation process has not been conducted in a manner that provides any confidence that the consent is a representative consent from iwi. There is no consent from the Rongomaiwahine Trust, a recognised iwi entity. The applicants have failed to meet the requirements of a full, independent and transparent process of consultation with all recognised iwi groups.”*
- *Te Whānau o Rongomaiwahine Trust – “The title of the land is subject to Section 27B of the State Owned Enterprises Act 1996. The memorial was placed on the land in 1996, but was sold privately by the Crown without consultation with tangata whenua. We are seeking redress for this breach of our Treaty rights.”*
- *Opoutama Community Submission – “There is a section 27B State Owned Enterprises Act memorial on the title of the land of the proposed subdivision. The community expects the Wairoa District Council to recognise this memorial. If the proposed subdivision goes ahead, it will be much harder to get their land back and there will be no possibility of a proper archaeological assessment of the site.*
- *Trustees of Ruawharo Marae and hapū of Ngai Tama – “Knowing this is our land, but being excluded from it, deeply impacted on our pakeke. There has been a lot of mamae that sat with them for years. We have inherited this mamae and generations after us will, until it is settled. When our claim over this land is successful we will have our land back.”*

Of note from the above extracts is the concept of who constitutes *tangata whenua*. The Māhia Peninsula is home to two *iwi*, *Ngāti Rongomaiwahine* and *Ngāti Kahungunu*. The issue at hand with regards to the consultation over development is that *Te Whānau o Rongomaiwahine* Trust and the many *marae* that represent the interests of *tangata whenua* of Māhia Peninsula were not directly involved in the formal consultation process. Since the Blue Bay

development, the Council has changed its policy and has created another mechanism that represents the interests of all *tangata whenua* groups on the Māhia Peninsula, but at the time of this Hearing, a significant group were excluded.

Although Council has new policy in place, during the Blue Bay case back in early 2005, its only mechanism for consulting with *tangata whenua* was through the Māhia Māori Committee and it was through this committee, the cultural assessment undertaken by Mana Cracknell and the very strict interpretation of the Resource Management Act (1991) that the Council developed its recommendation to approve the consent for development at Blue Bay. The Council concluded that consultation had taken place and their formal recommendation follows.

- **23 and 24 February 2005**
Special Meeting –
Hearing Resource
Management
Committee.

The Wairoa District Council resolved to approve resource consent to Blue Bay Resort Ltd for the development of the Blue Bay campground and holiday park site subject to a number of conditions.

In approving the consent, the Wairoa District Council stated that it took into account the Principles of the Treaty of Waitangi insofar as it is able to by giving particular consideration to the consultation undertaken, the submissions received and the evidence presented in the Hearing. The application proposes recognition of sites of cultural significance within the site by way of memorials prepared and constituted in accordance with the protocols established with the Māhia Māori Committee, the recognised *tangata whenua* liaison authority for this area.

The Council acknowledged the submissions received from other *tangata whenua* parties but considered on the basis of the evidence submitted and the conditions proposed in mitigation that the potential effects on the cultural landscape were minor or less than minor, in particular the effects on the *Ruawharawhara urupa*. Particular account was taken of the evidence of Mr Mana Cracknell, who advised on the location of the sites of cultural significance and on historic evidence that the area was probably a flood plain area associated with the adjacent stream and therefore unlikely to have been used historically as an *urupa*.

By strictly interpreting the Resource Management Act (1991), the Wairoa District Council also based its recommendation on the fact that although there was a memorial on the title registered to the Office of Treaty Settlements, this did not in itself indicate that the site is of heritage value or is of significance to the *tangata whenua*. It does, however, reserve the land if required as part of any future settlement to a claim to the Waitangi Tribunal. This memorial would be brought down on all future certificates of title and all future owners are in that way advised of the potential for the ownership of the land to be changed. That process is independent of the resource consent process which manages the use and development of the land but does not determine the ownership of that land. The outcome of this current process does not compromise any future decision of the Waitangi Tribunal or the Office of Treaty Settlements.

The basis for the decision of the Wairoa District Council approved the resource consent is very clear. The Council interpreted the Resource Management Act (1991) very strictly and the language used in the description of its approval of the consent suggests that the approval process is free of emotional or spiritual considerations. Their clear, sterile language contrasts to the heavily emotional language used in the submissions and letters to Council, and to the descriptions given in interviews by research participants.

This section illustrates the collision of two worlds by contrasting the language and text and tone of the language and text used. The use of very clear, direct, sterile, emotionally free language and text allows the Wairoa District Council to interpret the Resource Management Act (1991) to the very letter of the law, without allowing their judgement to be seen as clouded and influenced by emotion, tone or mood. Their judgement can be described as purely evidence based and not influenced by the more subjective abstract written and oral histories of *tangata whenua* as articulated through a Māori world-view. Therefore a Māori world-view was not clearly articulated or expressed in terms of the judgement of the Wairoa District Council to approve the consent to Blue Bay Resort Ltd.

- 10 May 2005

Meeting of the Wairoa District Council – One voice for Māhia

Following approval by the Wairoa District Council for resource consent for Blue Bay Resort Ltd to start developments of the former Blue Bay Camp site, locals were extremely concerned and angered by the perceived lack of process, with one of the submitters stating “I just feel like we’re invisible, the Council hasn’t even heard a word we said”.

The Council began moves to establish one voice for consulting *tangata whenua* on the Māhia Peninsula with the establishment of Te Mana Taiao o Rongomaiwahine. Previously Council had channelled *tangata whenua* consultation at Māhia through the Māhia Māori Committee but ran into problems with the proposed development of the Blue Bay Campground and Holiday Park. In that case, the Māhia Māori Committee supported the consent application but four of the five *marae* represented on the committee objected to it. According to the Minutes of Council (10 May, 2005), a report was tabled by the CEO, Peter Freeman which informed Council of the formation of a single forum for consultation on resource consent matters for the Māhia Peninsula and also sought a change to Council’s Policy. He added that Council should proceed with establishing the single forum concept having agreement for the single forum from 4 out of the 5 *Marae*, the Māhia Māori Committee and Te Whānau o Rongomaiwahine Trust. The new forum would be known as Te Mana Taiao o Rongomaiwahine.

Both Council and *tangata whenua* of Māhia have been seeking a more satisfactory process for consultation, especially as there is now considerable pressure for development in the area. At that meeting, one of the Councillors asked that the item be held over so that they could make sure they had full agreement from all five *marae*, CEO Peter Freeman responded by saying “further delays could put back progress on a sewerage scheme for Māhia, with the possible loss of two million dollars to three million dollars in subsidy, and the Isthmus Structure Plan to set the strategic direction for the Māhanga, Opoutama, Waikokopu, Kaiwaitau and Oraka communities. “In the best of all worlds, we could wait for *Te Rakato* to come on board, but it has implications,” (Wairoa Star, May 12, 2005).

The Council’s proposal to find a solution to the issue of consultation with *tangata whenua* on the Māhia Peninsula is well-intentioned, but only four of the five *marae* are in agreement and the Council recommended proceeding with establishing the new structure anyway. Although at first glance, the proposed structure seems better than the previous arrangement, another possible reading

is that Council's initiative was influenced not by a real desire for consultation, so much as the fear of losing up to three million dollars in subsidies. This once again shows that consultation is determined by money and time rather than the spirit of the Resource Management Act (1991).

• **July 2005 –**

March 2006

Protest, Land
Occupation at Blue
Bay Development
site

Following the approval of the Blue Bay resource consent application to develop the site, local residents, *iwi* and former campers converged on the site in protest. These protest actions were carried out from July 2005 through to March 2006.

Protestors occupied the site to ensure that public awareness was raised about the Blue Bay development and the inadequate consultation that took place. The final record of the protest and occupation is described in a *Wairoa Star* article (March 21, 2006), with Joan Ropiha saying, "For over two years, we have engaged in the formal processes of submissions and letters to local and central government, writing letters to the media, resource consent processes, appeals to the Environment Court, consultation meetings, deputations to councils, e-mails to councils, marches, occupation protests and placard protests". Although the development is still going ahead, one of the locals said that they "are pleased with the actions they have taken, the Council has initiated some change to the way they consult with us now, it's a beginning at least".

Throughout this case study the main theme to emerge has been inadequate consultation. Such lack of consultation meant that *tangata whenua* were unable to articulate and express a Māori world-view through the consultation process and the administration of the Resource Management Act (1991) by the Wairoa District Council.

Chapter 6

Discussion

In this chapter, the research questions which have guided this research will be re-examined, and the key findings will be reviewed. The chapter will conclude with recommendations for further research.

The research dealt with the consultation processes connected with the resource consent application for the development of Blue Bay on the Māhia Peninsula and examined how the Māori world-view of the relationship Māori have with the natural environment is articulated through the consultation processes of the Resource Management Act (1991).

6.1 Research Question – Focusing the Research

The main research question was used to focus in on the primary aim of the research which was to understand the intersecting tensions of Māori and Western world-views as they relate to the consultation processes of the Resource Management Act (1991). This section of the chapter will specifically answer that research question and relate it to not only the literature used in the research but also to the data and stories relevant to the case study explored in this research.

- How do the consultation processes of the Resource Management Act (1991) allow for the Māori world-view and the resolution of tensions over environmental development?

With prevailing attitudes towards nature being influenced by predominant Western world-view 'rationalist' and 'holistic' perspectives (Merchant, 1980; Williams, 1980; Capra, 1983, 1996; Sheldrake, 1991; Suzuki & Knudtson, 1992,

Godden, 2000), consultation processes of the Resource Management Act (1991) are applied with these approaches in mind.

The incorporation of 'Māori rationality' into resource management legislation promoted a view of the environment that is not predominantly instrumental but holistic and assigns intrinsic value to the natural environment, taking into consideration the unique spiritual and cultural relationship with the natural environment, essentially, allowing for the articulation of a Māori world-view through the administration of the Act (Marsden, 1988; Manatu Māori, 1991).

The Crown acknowledges the special relationship that *tangata whenua* have with the environment. This relationship is expressed through *whakapapa*, *pūrākau*, *whakataukī*, *pepeha*, *waiata* and in many other ways that reflect this relationship. The Crown acknowledges that these special relationships are not privileges, but rather the expression of rights that were secured between the Crown and Māori when the Treaty of Waitangi was signed. This relationship is recognised through the Resource Management Act (1991), giving *tangata whenua* a special position in resource management. Through various sections the Act recognises:

- the importance of places and resources of value to *tangata whenua* (section 6 (e): The Resource Management Act (1991)).
- the potential value of *kaitiakitanga* as a way of managing resources (including the specific means of *iwi* management plans) (section 7(a): The Resource Management Act(1991))
- the principles of the Treaty of Waitangi, including the notion of good faith consultation (section 8: The Resource Management Act (1991)).
- the legitimacy of consultation with *tangata whenua* in policy-making affecting the use of resources. (sections 6(e), 7(a), 8: The Resource Management Act (1991)).

While Māori values and *tikanga* (Binney, 1987; Barlow, 1991; Pere, 1991; Solomon & Schofield, 1992; Durie, 1994; Marsden; 2003) have been

recognised within the Resource Management Act (1991), the administration of the Act at local levels lets down these important principles. The recognition of sections 6(e), 7(a) and 8 of the Resource Management Act (1991) are dependant not on law, but on the chances that a Council's culture embraces the spirit of the Act. The additional issue facing local government organisations and *iwi* alike is the cost associated with implementing this approach. The issues of a diametrically opposed understanding of time also have implications in terms of costs with the effective articulation of a Māori world-view. Of course consultation takes time, and time costs money.

Through the use of Owen's thematic analysis (1984) as the research method to uncover emerging themes in the research, it is clear that the consultation processes for the Blue Bay case study were inadequate. The theme of inadequate consultation as described in the analysis of the data produced through the Blue Bay case study showed that *tangata whenua* in particular were resistant to and opposed the development at Blue Bay. The desire by the developers, Blue Bay Resort Ltd and the Wairoa District Council to progress the resource consent process compounded the issue of inadequate consultation. The submission of a resource consent application without consultation with all *tangata whenua* groups of the Māhia Peninsula showed that such consultation as took place was inadequate and did not follow the spirit of the Act. The data suggests *tangata whenua* did not have the ability, time and resources to articulate their world-view effectively. The tone of the data suggest scepticism and frustration with the process and the lack of confidence that *tangata whenua* have with the administration of Resource Management Act (1991) processes by the Wairoa District Council.

6.2 Findings

The first finding in my research was feelings of frustration, disappointment, sadness and anger held by *tangata whenua* as a result of perceived inadequate consultation. *Tangata whenua* believed the process did not allow for the articulation of their stories and *whakapapa*. During the initial consultation *hui* carried out by the developers, descriptions of 'scepticism and mistrust' were

detailed in newspaper articles and minutes. A submitter who attended the initial consultation *hui* describes one of the developers as ‘remarkably ignorant’ and also describes the debate over the Treaty claims on the Blue Bay site as being ‘dismissed’ or ‘irrelevant’. A number of submissions referred to the Treaty claim on the Blue Bay site, with one submission saying: “Enough injustice has already been visited upon the *tangata whenua* associated with the land in question.” Following the approval of the consent, one submitter was quoted as saying: “I just feel like we’re invisible, the Council hasn’t even heard a word we said.” *Tangata whenua* frustration, disappointment, sadness and anger are evident throughout this research. *Tangata whenua* utilised the limited resources at their disposal to participate as adequately as possible in the consultation process for the Blue Bay case study. *Tangata whenua* did not resign themselves to accepting the outcomes of the process and after exhausting local government and legal processes eventually occupied the development site to raise awareness of their frustrations.

The significance of this finding is the hardening of attitudes. Development had been occurring on Māhia Peninsula for a number of years, and *tangata whenua* were becoming alarmed and worried at the spread of development across their rural peninsula. Consultation processes cannot be adequate if participants are entering into the process with hardened attitudes. If local government processes do not effectively allow for the articulation of the Māori world-view as is intended through the Act, then *tangata whenua* will take further action, which may include protests and land occupation.

The Blue Bay development has since gone ahead, but after a six month occupation by *tangata whenua*, much local media coverage and the creation of a documentary highlighting *tangata whenua* frustrations towards the consultation processes, the Wairoa District Council reviewed its processes for consulting *tangata whenua* of the Māhia Peninsula. The second finding of my research has shown that local government organisations are prepared to look at their processes and adjust where necessary to ensure that voice is given to the whole community and allow culturally appropriate recognition of that voice as is intended in the Resource Management Act (1991).

Following the approval of the consent to develop Blue Bay and the negative reaction by *tangata whenua* towards Council, moves to amend consultation processes were put in place. According to minutes of the Wairoa District Council (10 May 2005), “Both Council and *tangata whenua* of Māhia have been seeking a more satisfactory process for consultation, especially as there is now considerable pressure for development in the area.” Councillor Bill Shortt was quoted in the *Wairoa Star* (12 May 2005) as supportive of the decision to create a new forum to consult with *tangata whenua*, saying, “We certainly don’t want to go through a Blue Bay fiasco.” The description of the consultation process for the Blue Bay case study as a ‘fiasco’ speaks to the frustration and disappointment of not only *tangata whenua* but also by local government officials.

The significance of this finding is that this is not a one-sided story. Frustration and disappointment impacted both sides of the process. The negative publicity and public reaction surrounding this case affected the Wairoa District Council in so far as to force Council to change its current policies on consultation. Although the impact to Council has been an amendment to current policy, the impact on *tangata whenua* is unknown at this point and this is an opportunity for further research.

The third finding in my research is the resourcing inadequacies in terms of expertise, funding and time. The developers had significantly more resources to fight their cause than did the *tangata whenua*, and the disparity meant that the consultation was unbalanced. For a whole community to participate equally in consultation, some sort of balancing of resources is necessary. One of the resources that needs particular consideration is time, which, for Maori in particular, lies at the heart of full and adequate consultation.

The Resource Management Act (1991) is well intended; however, this research has shown that the administration of the Act at the local government level is where tensions arise. More explicitly, these tensions relate directly to inadequate consultation processes as demonstrated by the Blue Bay development case study and the stories collected in this research.

This research has shown that the Act allows for the articulation of the Māori world-view through sections 6(e), 7(a) and 8. The data and stories gathered throughout the Blue Bay case study have shown that inadequate consultation as perceived by *tangata whenua* of Māhia Peninsula took place. If the local government organisation has the will to administer the Act to ensure sections 6(e), 7(a) and 8 are applied as intended to allow for a Māori world-view through consultation, then *tangata whenua* would have no need to be suspicious of the process.

The Act recognises that the relationship *tangata whenua* have with the natural environment is a fundamental cornerstone of their identity as a people, which makes the resource consent process a key mechanism for the protection of *tangata whenua* values. There is potential in the Resource Management Act (1991) to allow for the clear articulation of a Māori world-view, for the full expression of Māori histories, stories and *whakapapa*. The research suggests that continued frustration with the application of the Resource Management Act (1991) contributes to an identity of grievance for Māori. The Act is not always used to its full potential as demonstrated through the Blue Bay case study and it is this process that has created a culture of suspicion and mistrust and an identity of grievance. If not dealt with effectively, the damage and hurt felt as a result of inadequate consultation will be passed on to further generations and the cycle will continue.

The Resource Management Act (1991) allows for a process for *tangata whenua* to discharge their responsibilities as *kaitiaki* and as Treaty partners when considering resource consent applications. The stories held by *tangata whenua* need to be fully explored in the resource consent process. The Act allows for the protection of these stories, but if the re-telling of these stories is not clearly articulated then the Act is not being used to its full potential. These stories, and more importantly, the *whakapapa* of *tangata whenua* are not expressed as the Act allows them to be expressed.

It is the recommendation of this research that through an effective and adequate consultation process, a holistic communication process, the use of principles from a Māori dialogue process, that these frustrations and anger can

be mitigated so that Māori and Western world-views no longer collide, that there is a convergence of world-views, convergence through consultation.

Developers and local government organisations need to be aware of what is deemed adequate consultation, engagement and involvement. Who is mandated to speak for *tangata whenua* and *iwi*? That councils need to establish robust mechanisms for the effective consultation with all *tangata whenua* groups within their catchment areas and understand how well resourced are *tangata whenua* and *iwi* in their abilities to effectively contribute to Resource Management Act (1991) processes.

6.3 Opportunities for Further Research

The prospect of understanding organisational culture at local government organisations is a key opportunity for further research in determining the influences in the administration of Resource Management Act (1991) processes. Undertaking analyses of local government organisations, understanding organisational culture and looking at organisation structure and behaviour in local government organisations would provide a wider understanding of how Resource Management Act (1991) processes are administered and what the key influences are on those processes.

There is also limited organisational research on Māori and *iwi* organisations. This research did not look into the deeper organisational and resourcing issues of *iwi*, *tangata whenua* and *marae* authorities mentioned in this research. The opportunity to investigate and analyse Māori organisations would produce a rich tapestry of information for the enriching of knowledge about Māori communities and Māori organisational development.

An opportunity exists to develop tools and approaches for local government organisations and *iwi* for active engagement with the Resource Management Act (1991) in such a way that a Māori world-view can be articulated and considered. This research is a catalyst for further investigation into best practice communication and engagement processes for local government and *iwi* organisations in relation to the Resource Management Act (1991).

Continuing to build best practice communication processes that enhance the convergence of the Māori and Western world-views and mitigate Resource Management Act (1991) tensions would be very valuable, not only to local government organisations and resource consent applicants, but also to Māori.

Tangata whenua and *iwi* are increasingly engaging with Resource Management Act (1991) processes. In the process, the resourcing implications have become apparent. The opportunity to develop research with *tangata whenua* that looks at their ability to actively engage with these processes could assist in understanding the resourcing implications, not only for *tangata whenua* and *iwi*, but also for local government organisations and developers alike. The ability for *tangata whenua* and *iwi* to be an active partner, as articulated in the Resource Management Act (1991) could provide for a rich piece of research. This particular research has been limited to communication and consultation processes, but a widened focus could cover best practice research methods for collecting *tangata whenua* stories, narratives, histories and *whakapapa*.

The journey of understanding the convergence of world-views through consultation has been a personal one for me. Having my feet firmly in two worlds allows me to broaden understanding and bring clarity to tensions that exist between the Māori and Western worlds. Consultation with *tangata whenua* is becoming increasingly important. If tensions continue over inadequate consultation, Māori will continue to develop an identity of grievance rather than an identity of advancement, actions of protests and occupations will continue, grievances will be inherited by future generations and the cycle will continue. Effective and adequate consultation will allow not only for Māori but also for wider New Zealand the ability to develop an identity of advancement as well as a culture of trust rather than suspicion when engaging with the processes of the Resource Management Act (1991).

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