

TAURANGA MOANA, 1886–2006
REPORT ON THE POST-RAUPATU CLAIMS

Introduction

On Saturday 3 September 2010, the Tribunal released its report *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*.

In stage 2 of its inquiry into Tauranga Moana claims, the Tribunal examined issues relating to the decades since the confiscation (the latter having been the subject of stage 1). Over 50 claims had grievances needing investigation in this second stage, including three claims from groups that had not appeared in stage 1, namely Ngāti Mahana, Ngāti Motai, and Ngāti Hinerangi. The key findings of the report are outlined below.

Loss of land

Tauranga iwi and hapū continued to lose significant amounts of land after 1886, notably through Crown purchasing, public works, pressures caused by actual and potential rates debt, and the processes of urbanisation and subdivision. The tangata whenua could ill afford to lose any land at all, and the scale of the loss has compounded the prejudice they suffered from the raupatu and its aftermath. Particularly disappointing was the lack of adequate protection or assistance for those groups that were left landless or nearly so. However, no group was totally unaffected by land loss.

Problems with land and resource development

Even where Māori managed to retain land, they faced considerable difficulty trying to develop it. To a large extent, the cause of this was the land tenure and administration system imposed by the Crown on Māori owners. While the Tauranga panel acknowledges that the Crown made efforts at times to assist Māori to overcome the disadvantages created, it is in no doubt that overall the Crown failed to provide the level of protection and support promised under the Treaty.

Local government issues

Rating has often been a particular problem for Māori land held in multiple ownership, and the report recommends the introduction of new valuation legislation that is more consistent with the Treaty. The report also looks at the planning legislation that has underpinned

urbanisation and economic development over the years, and concludes that such legislation has often failed to reflect Māori needs, perspectives, and aspirations. Also discussed is the lack of political representation for Māori at the local level. It is only in recent years that legislation to encourage Māori participation in local government has been put in place, with Environment Bay of Plenty leading the way in creating Māori seats and electorates. There needs to be much more vigorous pursuit of such policies if development sensitive to Māori views and aspirations is to flourish.

Environmental issues and cultural heritage

Along with their loss of land, Tauranga Māori suffered reduced access to, and use of, traditional resources from the rivers, sea, and forests of Tauranga Moana. Then, too, the intensification of economic activity and the accelerating pace of urban development often led to degradation and pollution of those environments. Alongside that, development has endangered the cultural heritage of Tauranga Māori: despite some protections, many sites of cultural, spiritual, and historical importance have been modified or even destroyed. Where their environment and cultural heritage are concerned, the tangata whenua have had to fight hard to maintain even a faint shadow of the tino rangatiratanga and kaitiakitanga they exercised at the time the Treaty was signed. The report recommends various ways by which the Crown can assist in restoring a measure of rangatiratanga to the iwi and hapū of the district.

Conclusion

The cumulative and interlinked effects of different Government processes and legislative provisions have created considerable prejudice to Tauranga Moana Māori, all too often marginalising them socially, culturally, and economically in the area that has for centuries been their home. Further, the economic marginalisation has resulted in lost opportunity costs that impact on their ability to recover. The report notes that, despite some improvements over recent years, Māori socio-economic statistics still lag some way behind those of non-Māori. Looking forward, the report urges greater collaboration and information flow between various arms of Government in order to redress the prejudice suffered and assist Māori in their future development. It recommends that the settlement of claims of Tauranga iwi and hapū be addressed as a matter of high priority, and urges that substantial redress be made for post-1886 breaches, separately and in addition to redress for the raupatu. It particularly stresses the importance of returning land wherever possible.