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A CONFLICT BETWEEN CULTURE AND TECHNOLOGY

A CASE STUDY OF A MAJOR INDUSTRIAL COMPANY AND A MAORI SUBTRIBE

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by

GARRY HANLEY

University of Waikato
Hamilton

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ABSTRACT

This thesis is about the conflicts of interest that arise when particular attitudes, beliefs and cultures of indigenous people concerning their heritage, their land, and their perceived inalienable obligations, confront those of resource developers with a different perspective. It is about the resultant tensions and about the different forms that their resolution took with regard to one specific project - the Government authorised utilisation of the ironsand in the Waikato region by New Zealand Steel Company Limited. It describes both the Maori tribal systems and the evolution of the company and its management philosophy.

It details the major conflict that emerged, backgrounds the rise of the Maori protest movement and focuses upon the strategies employed by the Tainui Maori Trust Board in response to the New Zealand Steel Company's expansion plans.

In any industrial development the relations between developers and various stakeholders is a matter of crucial concern. In the presented case one of the protagonists was a newly formed organisation that was sponsored by the Government and initially partly owned by the Government.

At first the Company proceeded cautiously to mine the ironsand on the Crown land at Maioro on the north side of the Waikato River, having secured the appropriate permits to do so which included drawing water from the Waikato River and discharging processed water and stormwater into the Manukau Harbour.

Initially the local Maori subtribe was silent about its feelings but that silence did not betoken full acquiescence. Its people were employed and housed if necessary by the Company as were other local people, and enjoyed the benefits of an improved local economy. The Company's venture to mine and export ironsand from Taharoa, located on the coast some one hundred and ninety kilometres south of the Waikato River mouth, was successful and in the absence of indications to the contrary it assumed that it was not acting in any offensive manner with regard to cultural values.

However, the Company was surprised when at the 1978 Water Rights hearing relationships between the parties became acrimonious, and again when Maori protests emerged following the issue of the Environmental Impact Report in 1980. But even then the Management did not foresee the trouble that was brewing.

This thesis explores the issues from both sides as it developed from a single concern to one that became highly complex. The thesis shows that inspite of the Company's willingness to find solutions to the problems, it did not at any stage publicise its concerns for the people it dealt with. The Company hoped that by its actions it would be fairly judged.

At the present time the issues of land ownership and mining rights have still to be satisfactorily resolved. But from reference to similar conflicts between developers and indigenous peoples in other parts of the world the hope is that a satisfactory settlement is not far off. Although having said this, it should be noted that the latest development in the continuing saga was a 'sit-in' by members of the Ngati Te Ata sub-tribe at the Maioro mine site. (Manukau Courier 30.1.90) There has also been a conciliatory meeting between the parties at the Tahuna Marae.

The claim here is that all parties in future technological and anthropological disputes were better to try to learn lessons from the past if they are to reach any satisfactory settlement.

PREFACE

My hope is that this present study might make a contribution toward the development of some guidelines to help future participants in the adjustment of cultures to technological change. It concerns a case in which I was closely concerned as the General Manager - Personnel and Industrial Relations. It involved me in some six years of negotiations both on behalf of New Zealand Steel as a member of management and also at times as a mediator between the Company and the other side to the dispute - the Tainui subtribe - Ngati Te Ata. Later when I retired I took the opportunity to retrace my steps and to make a critical examination of the warp and weft of the cross currents that had arisen. The result is now to be seen in the form of the present thesis.

The undertaking has not been without role conflict and difficulties concerning the alternate discussions of various issues but in seeking to verify them I am indebted to my former management colleagues, especially John Ingram - Managing Director and Sir Alan Hellaby - former Board Chairman, who encouraged me to embark on this project and facilitated my entree to official records and Board minutes by making me a consultant to the Company.

Not the least of my role conflicts was the realisation that try as I might, as a European (Pakeha) I might not represent fairly the Maori point of view. Despite the helpful guidance I received from such formal and informal scholars as Sir Hugh Kawharau, Dr Ranginui Walker, Horri Forbes and Robert Mahuta there could still be gaps in my full understanding of the Maori position. I take comfort from the conferment on me of the honorary Kaumatua status which went with the presentation of a carved walking stick (Toko Toko). That indicated my endeavours were at least in the right direction.

In the organisation of my Thesis I must acknowledge the help of my supervisors, Professor James Ritchie and Professor Don Gilling for providing ready discussions and advice to settle some of the contentious matters that arise. But also in the inevitable fluctuations of personal issues and questions I must mention the

constant support of my wife Wynette Hanley and the occasional stimulation from a long time personal friend Tony Taylor of Wellington.

The Company was appreciative in having as its Maori Advisers the Taharoa 'C' Block Incorporation members, the Tainui Maori Trust Board and the Centre for Maori Studies and Research at University of Waikato. Probably it would be invidious to single out individuals but Robert Mahuta and Professor James Ritchie played a significant role in the early attempts to find a resolution to the Ngati Te Ata problem. Their advice and guidance was regularly sought by Managing Director, John Ingram. However, the person who was closest to the management and the Board of New Zealand Steel was the late Horri Forbes who was variously Tainui Maori Trust Board member and secretary, member and chairman of Taharoa 'C' Block Incorporation. He made many visits to New Zealand Steel at Glenbrook where he frequently explained Maori history, Maori protocol and Maori feelings of importance to the Company. He was the moving force in arranging for and presenting an historical carving to the Company which depicted many of the virtues exemplified by the Company in its relations with its stakeholders. The researcher was indeed fortunate in personally having the advice and guidance of Tainui in his earlier role and later in writing this thesis.

My special thanks also goes to K.M. Hay who proof read the script adding his views where it appeared necessary, and to Ian Cowper who ran his experienced legal eye over Chapter 6.

The person who has spent most time with this manuscript other than myself is Mrs Cathy Berry whose unfailing patience with the many insertions, corrections and modifications has made the printed text possible to read. A special vote of thanks is for her efforts.

HE KUPU WHAKATAU

(A preparation)

The irrepressible Maui caused the
might of the Sun to slow in its
path in the interests of human needs;
in the same way the subtribe Ngati
Te Ata in pursuit of their traditional
concerns have helped to fashion a new
style of management in New Zealand.
This thesis records with appreciation
this story.

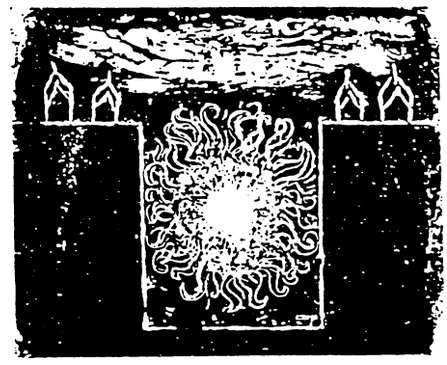
Before the events that are related in this story the days were shorter than they are and the nights were longer. Maui, with the help of his brothers, altered this to man's advantage.

HOW MAUI MADE THE SUN SLOW DOWN

ONE day Maui said to his wife: 'Light a fire and cook some food for me.' She did so, but no sooner had she heated her cooking stones in the earth-oven than the sun went down, and they had to eat their food in the dark. This set Maui to thinking how the days might be made longer. It was his opinion that they were shorter than they needed to be, and that the sun crossed the sky too quickly. So he said to his brothers: 'Let us catch the sun in a noose and make him move more slowly. Then everybody would have long days in which to get their food and do all the things that have to be done.'

His brothers said it was impossible. 'No man can go near the sun,' they said. 'It is far too hot and fierce.' Maui answered: 'Have you not seen all the things I have done already? You have seen me change myself into all the birds of the forest, and back again into a man as I am now. I did that by enchantments, and without even the help of the jawbone of my great ancestress, which I now have. Do you really suppose that I could not do what I suggest?'

The brothers were persuaded by these arguments, and agreed to help him. So they all went out collecting flax, and brought it home, and sat there twisting it and plaiting it. And this was when the methods were invented of plaiting flax into tuamaka, or stout, square-shaped ropes, and paharahara, or flat ropes; and the method of twisting the fibre into round ropes. When they had made all the ropes they needed, Maui took up the jawbone of Muri ranga whenua, and away they went, carrying their provisions



The sun came up from his pit

with them, and the ropes. They travelled all that night, having set out at evening lest the sun should see them. When the first light of dawn appeared, they halted and hid themselves so that the sun should not see them. At night they resumed their journey, and at dawn they hid themselves again, and in this way, travelling only when the sun could not observe them, they went far away to the eastward, until they came to the edge of the pit from which the sun rises.

On each side of this place they built a long high wall of clay, with huts made of branches at either end to hide in. There were four huts, one for each of the brothers. When all was ready they set their noose and saw that it was as strong as they could make it. The brothers lay waiting in the huts, and Maui lay hiding in the darkness behind the wall on the western side of the place where the

sun rises. He held in his hand the jawbone of his ancestress, and now he gave his brothers their final instructions:

'Mind you keep hidden,' he said. 'Don't go letting him see you or you'll frighten him off. Wait until his head and his shoulders are through the noose. Then when I shout, pull hard, and haul on the ropes as fast as you can. I will go out and knock him on the head, but do not any of you let go your ropes until I tell you. When he's nearly dead we'll let him loose. Whatever you do, don't be silly and feel sorry for him when he screams. Keep the ropes good and tight until I say.'

And so they waited there in the darkness at the place where the sun rises. At length the day dawned, a chilly grey at first, then flaming red. And the sun came up from his pit, suspecting nothing. His fire spread over the mountains, and the sea was all glittering. He was there, the great sun himself, to be seen by the brothers more closely than any man had ever seen him. He rose out of the pit until his head was through the noose, and then his shoulders. Then Maui shouted, and the ropes were pulled, the noose ran taut. The huge and flaming creature struggled and threshed, and leapt this way and that, and the noose jerked up and down and back and forth; but the more the captive struggled, the more tightly it held.

Then out rushed Maui with his enchanted weapon, and beat the sun about the head, and beat his face most cruelly. The sun screamed out, and groaned and shrieked, and Maui struck him savage blows, until the sun was begging him for mercy. The brothers held the ropes tight, as they had been told, and held on for a long time yet. Then at last when Maui gave the signal they let him go, and the ropes came loose, and the sun crept slowly and feebly on his course that day, and has done ever since. Hence the days are longer than they formerly were.

It was during this struggle with the sun that his second name was learned by man. At the height of his agony the sun cried out: 'Why am I treated by you in this way? Do you know what it is you are doing, O you men? Why do you wish to kill Taina nui te ra?'

That was his name, meaning Great Son the Day, which was never known before.

After this feat of taming the sun, Maui and his brothers returned to their house and dwelt there.

It is said that one day Maui was exceedingly thirsty. No doubt this was after his visit to the sun. He asked the tieke, or saddleback, to fetch him a drink, but the bird paid no attention, so he threw it in the water and called another bird, the hihi, or stitch-bird. The hihi also took no notice, so he threw it in the fire and its feathers were singed, which accounts for the colour of that bird. He next tried the totoara, or robin, and when it also disobeyed him he placed a streak of white near its beak as a mark for its incivility. At last the kokako, the crow, complied with his request. It went to the water and filled its ears, and returned to Maui. He drank, and as a reward he pulled kokako's legs to make them long, because it had done as he asked. This is true.



Kokako

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CHAPTER 1

INTRODUCTION

This study focusses in particular on the cultural processes, beliefs, and attitudes of a Maori community which was in closest proximity to the site of a Steel Works. It touches on many of the vestigial attitudes of Maori to the whole of the European settlement in New Zealand. It involves the New Zealand Steel organisation on the one hand and the Tainui people and one of its sub-tribes, the Ngati Te Ata on the other. The documentary evidence to pursue these issues is incomplete and as many of the main 'actors' in the sequence of events are dead the investigation has had to rely on interpretative viewpoints rather than direct personal contact.

When considering how this study might commence its research, there was an obvious point to focus upon, namely the occasion when the Company faced its first serious objection in 1978 when it filed its application to renew its water rights under the terms of the Town and Country Planning Act 1977. The Company failed to note the important statements made by the objector, its neighbour the Tainui sub-tribe Ngati Te Ata who repeatedly described their feelings on subsequent occasions culminating in the hearing before the Waitangi Tribunal in 1984.

Whilst this period of six years was significant and much of this research study focusses on the events that occurred during this time, the researcher found that the explanation for the attitudes and approaches used by the main parties in the case required a broader perspective. To provide this it was necessary to background the Maori protest movement which had its beginnings in 1835.

However, the New Zealand Steel Company began its operations in 1966 so for practical purposes a period of twenty years was chosen from 1966 to 1986. During this twenty year period the Company evolved a management style which helped it develop reasonable working relationships with most of its stakeholders whether they were unions, Govermment departments, customers, and most of its neighbours comprising farmers and market gardeners but not with its Maori

subtribe, the Ngati Te Ata. This case study is about the issues and attempted solutions.

In order to provide context it was necessary to examine the earlier and later scholarly works on the subject of the Treaty of Waitangi. These included the different interpretations of the Treaty and the Maori reactions both to the interpretations and to the manner in which they were administered over the years since the Treaty was signed in 1840. Similarly it also became necessary to identify the basic attitudes of the particular Maori subtribe, that was the Steel company's neighbour in this study, and to trace their development over a period that began even before the European migration. But for specific purposes the study begins with the incorporation of the New Zealand Steel Company in 1966. It pays attention to the evolution of the Company's philosophies of management, and its experience handling similar issues with Maori people who owned the minesite at Taharoa in the Waikato, where the Company operates an ironsand mining export venture. (Pictures of these sites are provided).

The choice of New Zealand Steel as the instigator of technological change was opportune. The present researcher had been one of the main intermediaries in the relationships between the company and its Maori neighbours. As a result he had access to company records, and had obtained permission to refer to Board minutes and confidential reports where other researchers would most likely have been denied such privileges. The continuing association with the company since retirement, as consultant adviser also facilitated access to material hitherto previously stored in archives. As General Manager (Personnel) at the time of the negotiations he was the leader of the team handling the negotiations between various sections of the operating management and the Maori representatives. Sometimes he had to intervene to clarify issues and to seek compromises when the debate became acrimonious. But wherever possible he turned to an intermediary operating manager to give an answer to the questions raised by the Maori representatives and then to follow these through to a satisfactory conclusion. However, this active involvement of the researcher in the attempts to resolve the issues between the sub-tribe and the company now raises the question of a possible company bias on his part. But he made every endeavour to attain neutrality by

considering material from diverse sources and by developing alternative explanations for any event or series of events before detecting and confirming patterns in the reactions and counter reactions that occurred in this continuing saga.

The researcher also had access to the detailed minutes which were kept of the various meetings between the Company and the Ngati Te Ata, and these proved invaluable resource documents. These minutes now provide the basis for a separate chapter which outlines the attempts that were made by both sides to resolve conflicts between Company policy and Maori beliefs and cultural attitudes. Minutes of these meetings were augmented by minutes of the Board of Directors of the Steel Company and reflect the policy formulation of the Company. They made clear the attitude of the Company not only towards it employees and its neighbours but also towards environmental concerns about all forms of pollution. Other relevant material was drawn from local, provincial and major newspapers that reported local speeches and carried leading articles. But the necessary academic perspective was drawn from the resources of Auckland, Waikato and Australian National University libraries. These included theses on local issues that affected the missionaries, land confiscations, and early land court decisions.

The company was commended by the Waitangi Tribunal in its finding on the Manukau Claim (1985) when it stated, 'it has gone much further than most to consult with and actively assist them (the local subtribe Ngati Te Ata).' For that reason this study might be of use to other Companies, and to tribes negotiating with them either as a reference point or as the basis for educating managers who might face similar issues. Tribal elders who are becoming more involved than before in various dealings with industrial concerns might find the study helpful to see how the issues developed in a particular industrial area.

The New Zealand Steel Company during the period of twenty years we are considering, had two industrial sites one at Taharoa and the other at Glenbrook that were involved with technological development. In each case the management at the two sites had to deal with subtribes of Tainui. In the Taharoa case the relationship between the Company and the subtribe was far more harmonious than with the sub-tribe near Glenbrook. One ready explanation for the difference might be that the

subtribe at Taharoa owned the ironsand deposit and received royalties from the Company but the subtribe at Glenbrook did not, and this matter will be explored further in the present study.

The chapters following this introduction have a simple logical sequence. The second chapter puts the Company and the steel industry into a historical perspective. It makes clear that the steel industry in New Zealand, using local ore resources, required great ingenuity to perfect the steelmaking process. It required highly competent and intelligent people who sought solutions analytically to resolve technical and managerial problems. Yet at the same time the Company required them to be sensitive to human problems arising both in the workforce and in the community.

The third chapter sets out how the practice and policies of the New Zealand Steel Company developed as it strove both to become efficient and to meet its social obligations. It shows how the Maori protest emerged when the company attempted to meet its legal obligations under the Town and Country Planning Act 1977 and sets that protest in the social context of what was happening generally in the social relationships between Maori and Pakeha. But because this particular Act was only one of many that were concerned with steelmaking, later it will be considered again in Chapter 6 in the context of other legislation.

The fourth chapter sets out the cultural reactions to technological change that affected everyone living in New Zealand after European settlement. This chapter also attempts to distinguish the significant Maori attempts to establish roles for themselves from the mainstream protest that had its beginnings in the 1830's. It tries to place the Waikato Maori people in their historical context, and this leads to the fifth chapter which establishes the role of the Tainui Maori Trust Board and its influence upon the sub-tribe the Ngati te Ata and the contributions of the Centre for Maori Studies and Research at the University of Waikato to resolve the issues.

The sixth chapter sets out the special legislative resource requirements to be met by the Company and their adverse effect on the style of managing the Company that had evolved and which is described in Chapter 3.

The seventh chapter details the efforts made by various parties to resolve the problems existing between the company and the Ngati Te Ata sub-tribe and it also describes the development and work of the Huakina Development Trust. The eighth chapter puts the industrial and cultural conflict in an international context. It describes problems associated with technological development that were faced by indigenous people in parts of Australia, America and Canada. This chapter is included for many of the issues faced by the people elsewhere are similar to those raised by the Maori people in their endeavours to seek recognition and resolution of their problems.

The ninth chapter returns to the New Zealand scene with an outline of the problems and concerns of the Maori people that found expression in the Waitangi Tribunal 'Manukau Claim'. There an attempt was made to resolve not only the local issues but many wider national questions as well. The Tribunal made what might seem not unreasonable recommendations to Government but at the time of writing some four years after the hearing none have been implemented. In the tenth chapter a review has been made of the alternative negotiating strategies used by the parties which undoubtedly contributed to the lack of resolution of the issues. Finally the last chapter covers the summary and conclusions.

A review of chapter content is an important part of an introductory chapter but what should not be overlooked are the series of significant events which generally influenced the Company during this twenty year period. The early chapters detail the process of establishing the Company and how its style of managing emerged in the first four to five years. This was an exciting time for all employees for the process of extracting iron from ironsand and converting it into steel was new in steelmaking technology. The challenge for everyone was to overcome the setbacks created by this innovative process. Management and the Board of Directors were also seeking ways to control costs and to produce profits from this fledgling industry and did so later.

The Board then initiated its plans to seek approval to export ironsand concentrate to Japan. Markets had to be secured, approvals from Government and Maori owners had to be negotiated. The offshore

loading buoy to load ironsand slurry was an innovative technology to perfect. The early seventies was a period when the relationships at Taharoa had to be developed in order to ensure that this venture was successful and profitable to all parties. Dealing with the Maori owners of the Taharoa deposit for the utilisation of this resource was important as well as coping with the special needs of the predominant Maori workforce required rapid skill development and sensitivity on the part of management.

During this period of five to six years from 1970-1976 the Industrial Relations problems in New Zealand did not leave New Zealand Steel unscathed. The disruptions caused Management to rethink its style of managing if it was going to harness the energy of its people and divert them from indulging in strikes to more positive working to improve productivity. By 1978 the Company was profitable and was considering expanding its production facilities. However, before these events occurred the approvals obtained in the early seventies to use water from underground bores and to discharge waste water into the Manukau Harbour, had to be renewed. The Company applied for these renewals to the appropriate local authorities and to its surprise objections were made by a neighbouring Maori subtribe the Ngati Te Ata. Until that point in 1978 a period of twelve years, no adverse criticism of the Company had been made to it by its Maori neighbours. Local Maori people who had been employed were good employees in every respect and numerically represented approximately twenty percent of the Glenbrook work force. This was an active policy on the Company's part.

It will be seen in Chapter 5 that this protest by the local Maori people was part of an overall strategy of the Tainui Maori Trust Board who had successfully negotiated with the New Zealand Electricity Department for special arrangements when the coalfired power station was built at Huntly.

The next six years from 1978 saw New Zealand Steel involved on several major fronts. Decisions were made by the Board of Directors to expand the steelmaking facilities which required approvals for expanded water supplies and discharge of waste water. This decision in turn meant Environment Impact Reports and also for Government guarantees of

finance. The expansion plans stretched management ranks who not only had the existing operation to run smoothly but also needed to be involved in the expansion planning and control with no extra people.

Paralleling this came the Maori protests between 1978 and 1984 and the need for management to handle these new and inexplicable reactions from a group who had been quiescent up until then. Help was sought from the Taharoa people and these events are chronicled in Chapter 7, leading up to the Waitangi Tribunal hearing in 1984.

The final two years of this study saw the relationships again deteriorate between the Company and the Ngati Te Ata who were dissatisfied with the findings and recommendations of the Waitangi Tribunal. This reaction was to seek United Nations forums to express their concerns. The Company in its turn suffered when the newly elected Labour Government in 1984 refused to support the previous Government's financial backing culminating in the Labour Government taking over New Zealand Steel totally in 1987.

This period of twenty years 1966-1986 was an extremely interesting time for the management of New Zealand Steel who with one exception remained in their jobs over the whole time. The two retirements in the late 70's were internally filled so continuity was maintained. Some very interesting productivity programmes were installed and worked effectively reflecting the changed style of managing which emphasised consultation rather than confrontation.

In retrospect an independent observer might conclude that despite the evident and perhaps the inevitable friction that arose, the negotiations between the New Zealand Steel Company and the Ngati Te Ata tribe were initially remarkably successful in developing a workable compromise for a time although the issue of resource ownership has proved to be a serious obstacle. While the ownership issue was unexamined, unresolved or left in an ambiguous state no basis of trust could be firmly or finally built. With the benefit of hindsight it is now clear that had the participants been more aware of the wider implications of their work, their compromises might have been better. It was not indeed until the later 1980's that the issue of resource ownership became more generally controversial after the

formation of State Owned Enterprises. It is now very clear with hindsight that the Company had embarked on its development believing that resource issues were clear. In fact, they were not. Both water and ironsand were unresolved issues from a Maori point of view. The implications and issues will gradually be made clear, but in essence the study is concerned both with the continuity of access to the ironsand resource, and to its processing, without either abusing or destroying the culture, the attitudes, and the beliefs of the indigenous peoples.

CHAPTER 2

DEVELOPMENT OF A CORPORATE CULTURE

This chapter will describe the evolution of a corporate culture of the major company in the steel industry in New Zealand. It will also describe the history of the steel making industry in New Zealand. The chapter will also outline examples of environmental and cultural issues and how they were managed to illustrate the developing attitudes within the Company. The chapter will end with an overview of some of the Company policies and will touch on the complex cross cultural issues which will later emerge and how management dealt with them.

The development of a corporate culture at the New Zealand Steel Company had its roots within the industry itself, especially in New Zealand. It evolved from the struggles and problems faced in the past in the various efforts to make steel from the indigenous ironsands. These struggles meant that the company had to develop innovative methods to be an effective steel producer. However, the process of innovative thinking was not limited to solving the iron and steel making process but extended to the development of the company culture and spilt over to a style of management and its human relations practice.

The culture of an organisation is the embodiment of thought, speech, and action of its members which is passed on by example, and by education and training to succeeding generations of new employees. (Massie, 1964) It starts from the top and works its way down to the lowest member - by example, by the way it manages, by the attitudes of its top management, by the standards it sets for itself, by the people it recruits and by the behaviour it collectively presents.

Early History of the Industry

The development of an Iron and Steel Industry in New Zealand based on the use of local resources such as Coal, Electricity and Ironsands and

had been contemplated in the early 1930's. It lead to the passing of the Iron and Steel Industry Act 1937. This early piece of legislation was the culmination of many earlier attempts to convert ironsands into iron and steel. The earliest recorded attempt was made at Onehunga near Auckland in 1848, but it failed because the method used was that of the conventional Blast Furnace technique. Further attempts were made in 1882 to convert ironsand to wrought iron by using coal gas, but after relatively successful experiments the project failed commercially. These experiments attracted international interest, especially in the United States of America and in England, and a company was registered in 1883 called the New Zealand Iron and Steel Company with a capital of £200,000. The Company based in Onehunga, struggled to perfect the process but finally ceased operations in 1886 because it could not maintain heat for a complete reduction of the ore. Further attempts were made later at Onekaka in the Nelson Province where 41,000 tonnes of iron were made in the thirteen years of operation from 1922. Initially the Government recognised the importance of the industry and encouraged its development by granting bounties on production. (Sutch, 1965)

The Iron and Steel Industry Act 1937 was an expression of support for the fledgling industry by the newly elected Labour Government. Under the terms of this Act an Iron and Steel Commission was set-up with a Government Officer appointed as the Steel Commissioner. A United Kingdom industry consultant, H.A. Brassert & Co was engaged and in some early unpublished reports in 1935 and 1937 the Government was advised on the installation of plant to make 100,000 tonnes of pig iron annually. Then in 1939 a further report from the consultants drastically reduced the estimate of the resource at Onekaka from 60 million tons to 13 million tons.

The commissioner launched various activities such as drilling and estimating but the resources proved to be too limited for viability, and the investigations ceased in 1946. In 1954 the National Government decided that the industry should be carried on by private enterprise and it repealed the 1937 Act.

With the return of the Labour Party to power in 1957 and in the face

of an acute balance of payments crisis, there was renewed interest in the steel industry. The country had been so totally dependent on grass and its by-products of meat, wool and butter that it needed to diversify the economy by processing more of its raw materials. The steel industry obviously fitted this plan.

In June 1958 the Government set up an interdepartmental committee composed of representatives of the Departments of Industry and Commerce, Mines, Labour, Works, Scientific and Industrial Research, Electricity and Treasury, whose task it was to report to Cabinet upon the various matters of concern to the Government in establishing an Iron and Steel Industry in New Zealand. Its first task was to examine and report on a proposal to establish a plant in Auckland to process scrap metal into steel and later an industry based on the ironsand resources, and its second task was to report on the processing of titanium from ironsand. In an interim report submitted in October 1958 the Committee recommended that approval be granted in principle for the establishment of a merchant bar mill to use New Zealand resources of steel-scrap. Subsequently in 1964 a mill was established in Otahuhu under the name of Pacific Steel. The New Zealand Steel Company later secured a forty percent interest in this new mill, and the balance was held by merchants including Fletcher Steel.

In this interim report, the Committee also said that a great deal of further work would be necessary before any decision could be made on the possibilities of establishing a major industry based on ironsands.

The Labour Government acccepted these recommendations. The Committee's response to this encouragement was to investigate and report on the best form of organisation to undertake research and to investigate the feasibility of establishing an iron and steel industry.

Finally the committee recommended that a private company be set up in which Government should have 51% of the investment and that appropriate legislation be drawn up and passed to give effect to this recommendation.

The Labour Government then in 1959 passed the Iron and Steel Industry Act. This reserved to the Government sole rights until January 1968

to prospect and mine ironsand in New Zealand. In June 1960 the New Zealand Steel Investigating Company Limited was set up comprising W. Fisher (Chair), Sir Leonard Wright, Mr E.R. McKillop and W.M. Smale and three public servants Dr W.B. Sutch, D.W.A. Barker and I.D. Dick. It had a nominal capital of a quarter of a million pounds. Its job was to determine the practicability and feasibility of establishing an Iron and Steel Industry in New Zealand and the Company's brief memorandum of association was

i) To investigate the advisability of establishing an iron and steel industry based on ironsand and other local resources.

ii) To conduct research or arrange for it to determine the technical issues likely to be faced.

iii) To consider best means and location to conduct such processing.

iv) To report and make recommendations.

(Sutch, 1965)

The investigating company members knew that they would need advice from overseas institutions with international experience and knowledge, and in March 1961 they engaged the Battelle Memorial Institute of the United States of America.

Drilling to establish ironsand resources commenced at Raglan in November 1960 but was discontinued in January 1961 when the results were not satisfactory. Further drilling followed in December 1960 at North Waikato Heads (Maioro) and by mid 1961 results established this site as having a good deposit of approximately 150 million tonnes of relatively lower grade material with an iron content of approximately 56-59%. Drilling was also done at New Plymouth and surveys made of other ironsand deposits further north of the Waikato River mouth. Coal from Huntly and limestone deposits at Te Awamutu were also tested.

A detailed evaluation of the processes to be used was then conducted. Of the six methods utilising local resources viz Electricity, Waikato

Coal, and ironsand that were considered only three appeared feasible and these were followed up.

A decision was made to establish the Steel Works somewhere near Auckland because nearly half (46%) of New Zealand imports were consumed in the Auckland region.

In December 1961 the investigating company declared that a New Zealand Iron and Steel Industry could and should be established as soon as possible. It recommended that the Government initiate the formation of a New Zealand controlled company, with Government participation not falling below twenty five percent of equity.

New Zealand Steel was established

The Government accepted the recommendations in principle and on 2 May 1963 it set up a provisional board comprising Sir Woolf Fisher (Chair), F.R. McKillop, Sir Leonard Wright plus four Government representatives, D.W.A. Barker, I.D. Dick, R.A. Simpson and W.B. Sutch. The Board began operations by involving two United Kingdom engineering consultants W.S. Atkins and McLellan & Partners. The consultants had placed a joint proposal that was based on the premise that the new company would sell its products at a price to match the average price of imported similar products from Australia, United Kingdom and Japan. Subsequently they checked the reports and data which had been collated by the earlier investigating company, and they made their own study of methods for supplying water to potential plant sites.

In their siting study Atkins and McLellan made minimal mention of a concern for the environment or for other issues of impact on a local area. There were a few comments about access roading, and the provision of churches and schools to attract workers and their families, but there was no mention at all of likely Maori concerns. They presented a report to the Government in November 1964 and on 9 March 1965, the Ministry of Industry and Commerce announced approval of the scheme to set up a Steel Industry. The provisional board was authorised to form an operating company. The new company was incorporated on 26 July 1965 and two extra directors, Messrs A.U.

Wells and F.R.A. Hellaby, were appointed to the board. Dr W.B. Sutch in a paper given to the Canterbury Branch of the Economic Society of Australia and New Zealand said 'The establishment of the iron and steel works will probably be, the most important single step taken in the industrialisation of New Zealand'.

Board minutes from 7 May 1965 to the incorporation date show that concerns about people were expressed from the outset. Establishing satisfactory employment conditions for permanent staff were in this first minute. The minutes also disclosed the new company's attitudes to land acquisition, i.e. that it could acquire land under current legislation, the Public Works Act 1928, but it would not compulsorily force owners to sell which was provided for under this piece of legislation.

It was during their early meetings that the Company developed a general policy in regard to land, people and the environment.

At a meeting in 1965 the Board met the Franklin County Council and the Regional Planning Committee whose members had stated publicly that 'traditionally steel works were poor neighbours'. This was confirmed later when management, technicians and operators struggled to perfect the ironmaking process which initially caused clouds of dust and smoke to float over neighbouring farms and houses. At this same meeting in 1965 the use of Waikato River water for steelmaking was discussed. No single member voiced any concern about offending Maori values, and it is perhaps not without significance that at this meeting none of the elected representatives was a Maori. Maori concerns about the river were not publicly expressed at this time. The Company had no way of knowing that this method of meeting its water needs might cause concern at that time or in the future.

In a paper presented to an Auckland Unversity seminar on 16 July 1966 Gerhard Rosenburg, Senior Lecturer in Town Planning, referred to some local implications of the siting of New Zealand Steel at Glenbrook. He stated that the balance of advantages between a North Island site and a South Island site was close and if the power cable across Cook Strait had not been in existence the Steel Investigating Committee might have favoured a South Island location if power alone was the

TAHAROA

An aerial photograph taken from 1500ft showing in foreground the Taharoa village, lake Taharoa and the mining operation on the sand dunes to the south and west of the lake.

Taharoa is isolated by approximately one to one and a half hours of winding road to the nearest township of Otorohanga.



major criterion. However, proximity to ironsand, limestone and suitable coal as well as the biggest internal market for steel shifted the balance.

Rosenburg went on to discuss the value of a canal to transport coal to the Steel Mill at Glenbrook. This would have required a canal lock to be built at the Needles on the Manukau. However, he quoted a report made by the Interdepartment Steel Investigating Committee established in June 1958 that the handling costs of coal transported by canal would be far greater than by rail.

Mention was also made in his paper that this area was 'rich in archaelogical sites' but he had no comment to make about the problem that a canal would create by offending local Maori sensitivities. The balance of his paper dealt with roading, town development, amd the impact of population increases. Brief mention was made of the need to provide Maori housing in the area.

There was no mention in Board minutes of this paper and certainly no comment on the canal prospect.

The Board at this time decided to employ a landscape consultant to give effect to the Chairman's promise to beautify the site. Subsequently the consultant arranged for the planting of hundreds of trees. In December 1967 the Company was granted its first water right to draw water from bores. There were protests at the time mainly from a few Pakeha farmers, but to no avail. Although there were no early protests from the local Glenbrook Maori population some concerns must have been there.

It was at Kawhia near the Taharoa ironsand deposit in January 1970 that the first concern for the evironment was expressed by the Ngati Mahuta people who were the owners of the Taharoa deposit. The Waikato Times reported that George Kana, the resident Kaumatua was worried about the likely effects of mining upon the burial grounds and other Tapu areas. He voiced these fears at a large meeting at Maketu Marae, Kawhia. His concerns were answered by Chairman Sir Woolf Fisher who stated that such areas would be treated with great respect. He gave similar assurances later in response to some thirteen points which

emerged from numerous meetings of owners at Taharoa. These points included lake water usage, shore-line protection, urupa and wahi tapu, the employment of local people, royalties to be paid and the replacement contours of the land to be mined.

The local people at Taharoa foresaw problems of air pollution, noise control, the influx of outsiders, but they could also see the benefits of a better school in the area, improved roads, more employment, families returning to the area, good employment conditions, and some return for the use of their ironsand.

However newspapers elsewhere throughout New Zealand (New Zealand Herald, Auckland Star, The Dominion) were skeptical about the sale of ironsands because it was an indigenous irreplaceable resource. The Labour Party now in opposition, was also very critical of the Company's plan to sell ironsand, although when it was the Government it had supported the new industry. Some papers (Waikato Times) even carried stories about the ease by which drugs could enter into New Zealand and speculated about this possibility occurring through the ore carriers visiting the new port to be developed at Taharoa.

However, nothing could be done at Taharoa until the necessary approvals had been secured from the Government, namely mining rights and export licenses. The Company also had to secure contracts for the sale of ironsand and settle negotiations with the representatives of the owners. Meanwhile there was a growing interest from the Maori people and other archaelogical interests in the environmental aspects of the development project: for example, the possible construction of an administration building on the site of an old Pa located on the Wainui Stream.

These environmental aspects attracted the interest of the Historic Places Trust who had a small team investigate the site to locate building posts. It also found adzes, drill points and grinding slabs. Articles appeared in the New Zealand Weekly News and Auckland Star in November and December of 1970 about Taharoa and the likely effect of development on its people. The Centre for Maori Studies and Research at University of Waikato announced its intention to conduct a field study at Taharoa but this was not done until 1980/1981 (Higgs, 1981).

Whilst investigations were being undertaken at Taharoa the steel works had been constructed at Glenbrook. The galvanising plant was commissioned in 1968 and in the following year the iron and steel making plants were commissioned. The iron making plant had problems with its air cleaning facility and scattered dust over the countryside. A growing group of farmers and residents north of the works were particularly vociferous in their protests. The Company tried various methods to reduce pollution but despite this, emissions continued to the wrath of its neighbours.

Then after a particularly violent storm in September 1970, surface water and oil escaped into the Manukau Harbour and the company was fined by the Auckland Harbour Board. There was resulting neighbourhood pressure which led the Board of New Zealand Steel to meet the Franklin County Council again to discuss noise and air pollution. The Board gave assurances that everything possible was being done to deal with the problem and from all accounts they satisfied the Franklin County Council. Chief Engineer Alan Cameron told the Auckland Star that the Company had devoted 20% of its capital budget to correcting the pollution problems.

At about this time the Health Department began to monitor the air polution levels and the 'Franklin Courier' reported that the air pollution levels measured by the Department were now the lowest since 1967.

While the company was attempting to solve its environmental and process problems at Glenbrook, work on construction had been started and completed at Taharoa. Fifteen houses for worker families had been erected on land leased from local Maori owners, the roads had been improved, and the first Japanese ore carriers had been successfully loaded in August 1973. The 'C Block Incorporation' was set up to manage the affairs for the Maori owners. One of the Incorporations early achievements was to negotiate a royalty which included a cost of living indexed increase. The results inspired a journalist in the Auckland Star (26.11.73) to say 'if others could carry out their promises with similar vision there would perhaps be greater harmony between Maori and Pakeha'.

At Taharoa



The symbolic canoe prow created by Para Matchitt and cast by A&G Price Thames. The Korotangi (Stonebird) is clearly seen as the prow points out to sea.

(Faintly an ore carrier can be seen below the carving)

Taharoa was formally opened in November 1973. It was given prominence by the New Zealand press, and special mention was made by Norman Kirk, Prime Minister, of the emblem shaped as a canoe prow which he unveiled. In its centre was the Korotangi - the Stone Bird symbol. He said that designer Para Matchitt could not have done a better job by incorporating the elements dear to the Tainui people. However, many of the myths associated with this carved bird have recently been disputed by researcher Christine Mackay at the National Museum. (Mackay, 1973).

Miss Mackay said that carving was not of Maori classical style, and it had been made from a dark green serpentine stone that is not found in the Central Pacific. However, the symbolism and appropriateness of the carving are important for their portent in many cultural traditions.

Another writer believed it to be of Chaldean or Hebrew flood tradition. Another claimed it to be one of the oldest relics of primitive man. Several myths and legends obscure its origins such as the following.

> A little Maori girl found a grey duck wandering on the beach on the Aotea Harbour and took the duck home caring for it until it was fit and well. The duck grew into a beautiful bird as did the little girl grow into a beautiful woman. She was given in marriage to Te Maika a chief and had many children.
>
> The grey duck 'Parera' became lonely and was not cared for as well as she had been earlier so the duck decided to go home to Aotea Harbour. She did so and dived into a pool at the foot of a big Pohutukawa tree where a spring fed a big pool and turned to stone. (Schnackenberg, 1935).

It is known that the stone bird was dug up in late 1870's by a man called Neiha or Nazer and it was sold to a Wellington curio dealer. This later point differs from Christine MacKay's research in that she claims the stone bird was discovered at the foot of a big Manuka Tree in Kawhia by Albert Walker. He sold it to Major Wilson in Cambridge in 1879, and it was his family who gave it to the National Museum in 1938. However, the interesting point of the whole story was that Van

Haast referred to the stone bird in a speech in 1881 and he asserted that the Stone Bird was of Japanese origin. It was this reference that Prime Minister Norman Kirk used to illustrate the possible linkages between the Maori and Japanese. This point has not been forgotten by the local Taharoa people nor by the Japanese steel representatives who were present.

In 1974 Sir Woolf Fisher stepped down as Chairman of the Board and Alan Hellaby who had been a Board Member since the company's inception, took over from him. There were no observable changes in policy with the change of Chairman. The subtle influences of Sir Woolf Fisher were a compound of complete dedication to the task, an uncanny sensitivity to the changing moods of politicians, a strong feeling for people, their land and their needs whether they were customers or staff and a generous attitude toward others. But there were people who thought otherwise, who saw him as a people manipulator. That view was not the experience of the New Zealand Steel management.

In August 1974 New Zealand Steel announced it was initiating a study to expand the existing works at Glenbrook so as to give expression to the original objectives of the company at incorporation.

During 1975 there were murmurings that the tribal shareholders at Taharoa were not satisfied that their interests were being prudently looked after. Matters came to a head in September 1975 when the Land owners took a case to the Maori Land Court requesting an investigation into the affairs of the 'C Block Incorporation'. They complained of excessive administration expenses and of purchases of property made without shareholder knowledge. Eventually after about twelve months the Judge concluded that the investigation had revealed no malpractice and he exonerated the management committee. Yet the complaints did place restraints both good and bad upon the executive powers of the office-holders and it seemed at the time that the Maori shareholders wished to have more involvement in their incorporation affairs than do Pakeha shareholders in their companies. The style of Marae meetings where all parties can have a say exemplifies this point. On the other hand Pakeha shareholders are more content to invest their money for the financial reward and take no further interest.

Prior to the Judge reporting his findings, the Company announced that it needed to secure a larger ironsand sales contract because the Japanese intended to use ore carriers twice the size of the earlier ships. This would require positioning the port loading buoy further out to sea in order to accommodate the larger ships, and to build expanded storage and loading facilities at the Taharoa site. Inevitably it followed that this plan would employ more people and therefore a need to build more houses. The Company accepted the extra social responsibilities and supported the introduction of early childcare facilities by building a special building. It upgraded recreation facilities and expanded medical services to include a visiting doctor and dentist. It developed the village shop to include postal facilities and encouraged the shop keeper to install a petrol pump.

The Company also made attempts at Taharoa to foster a Community Council because it wanted to reduce demands to provide every facility and service, but the residents were resistant and the Community Council failed to attract any enthusiasm or support. The Company was criticised in the press (Waikato Times) for not investing enough of its funds in the local community, but the contributions it made to the Waitomo County Council for road improvement and the investment of funds from the New Zealand Steel Employee Pension Fund in the Waitomo Electric Power Board were not acknowledged.

During 1976 the New Zealand Electricity Department began investigations to build a thermal power station in the Waiau Pa area on the south side of the Manukau Harbour. Protestors appeared, petitions were signed, fears were voiced of hot water making its way into the Harbour. The Company shared these matters of concern.

The next facility to improve productivity at the Works was located at the Iron Plant where multi-hearths were needed. This expansion meant that management had to make application to the Franklin County for a permit. The response of the Council was to grant the permit but to lay down stiffer conditions under the terms of the Clean Air Act 1972. When New Zealand Steel announced publicly its plans to build the multi-hearths the activity from protestors was mounting.

In 1976 the local farmers complained more vociferously about dust blowing over their farms. Yet the Auckland Star reported that six of the seven Health Department monitoring stations over the preceding two years were recording lower dust levels than required by the terms of the company's permit. The New Zealand Steel Board at this time was grappling with expansion plans. It had approved the expenditure of capital on improved employee amenities, such as a Cafeteria and a Medical Centre, and a New Laboratory, Works Design Office and an Administration Centre, all of which were in anticipation of major capital expansion in the near future. Its profits were increasing, and as a vote of confidence in its staff the Board introduced an employee share purchase scheme. Under this share purchase scheme, Maori employees as a group benefitted considerably because they had a higher proportion of participants than any other ethnic group, and among them the employees who were of the Ngati Mahuta tribe gained doubly because their Taharoa Incorporation Trust also had shares in New Zealand Steel Company and these brought them dividends as well.

During 1980-81 the University of Waikato Centre for Maori Studies and Research encouraged two of its post-graduate Social Science students to research a community needs programme at Taharoa. One of the reasons for the study was to provide information for the community to assist itself but the researchers concluded that since nothing significant emerged there was no point in their reporting back. There was subsequently a small resurgence in action song training and a concert party but beyond this no serious cultural or artistic expression evidenced itself. Management felt that not a great deal emerged from the extensive questionnaires and interviews conducted. The local residents did express some annoyance that the findings of the researchers were not made known to them as had been promised. The conclusions of the study revealed little that was not already known.

One suggestion made by the University of Waikato students was that efforts be made to establish a Community Council to take over the assets of the town under Trust control. But moves towards such a scheme had to wait until 1987, when a modified form of community Council was formed with a paid official from the Company to take over all village concerns. What the researchers did not know was that the houses, built by the company on land leased from the local owners,

reverted to the land owners when the company ceased to operate. The buildings could not be sold.

The researchers pointed up another issue which could have caused confrontation with the local Maori population, namely a proposal to build a sewerage disposal unit to replace the septic tanks that were attached to each house. These tanks although properly constructed, tended not to function after a few years because the effluent could not seep away in the sandy soil. The County Council put pressure on the Company over several years to install a proper system but the management was aware of the Maori attitudes to effluent disposal who felt it desecrated land to scatter human excreta over its surface. Therefore the tanks were emptied by a contractor who specialised in this type of work. However before any new sewerage system could be brought into operation the water supply would need to be expanded. When six local residents who relied on rain water for their water supply and had primitive toilet facilities were offered reticulated water from the company village system, the ban on the sewerage unit was withdrawn. They acknowledged the benefit of the modern services and made it possible for the company to install its new sewerage unit. This decision came after approximately three years of talks and discussions by which time the cost of the installation more than doubled. This example of the company waiting to find a solution to a problem which could have become a major matter of contention illustrates the overall philosophy of its respect for cross cultural values.

Following the Centre for Maori Studies and Research survey and the resolution of the village amenity already cited, a tragedy occurred at Taharoa which involved the Company in spiritual issues. Rough weather caused a hawser on the ore carrier to break and kill four Japanese seamen. The Company believed this incident might concern the Maori community and after a discussion with the elders it made arrangements for a Kaumatua to conduct a brief memorial ceremony on shore. However, despite the adoption of what appeared to be a conciliatory policy on race relations the actions of the Company in other areas were steadily coming under close public scrutiny. Air pollution criticisms were frequent and mounting yet the Manukau Harbour Protection Society said 'New Zealand Steel is always very

co-operative, helpful and showed a high degree of public responsibility.' (Auckland Star 26.8.78).

The history of the New Zealand Steel Company's formation illustrates the attempts that were made to establish a local industry that utilised indigenous resources. It shows the struggle to find a method whereby the special iron ore resource could be commercially exploited. It was not only the peculiar qualities of the ironsand which made iron and steelmaking difficult; it was also the quality of the coal resources. The difficulties prevented all of the earlier attempts to develop a method which was both commercially and economically viable from succeeding. With the formation of the New Zealand Steel Company there was a new set of problems. Initially the problems were with the process of steelmaking and subsequently they were with the Company's community and Maori relations.

The experience of problem solving produced a good teamwork attitude among all its employees. Innovation was required at all levels. No idea was brushed aside in the search for solutions and even sugar was used in an attempt to prevent the pellets of ironsand and coal from breaking up. On another day (or evening it is claimed when most employees including management had departed for the day) a decision was made to let non pelletised ironsand flow into the ironmaking kiln. Spectacular events followed - this coarser material did not 'clog up' to form enormous lumps of iron and it converted to iron just as effectively as before.

During this early period of frustration the Company faced community criticism for its air pollution but it had the skills and confidence to deal with complaints from Health Department, local authorities and individual farmers. The associated cost of operating the plant and its maintenance resulted in losses for about five years amounting to nearly $30 million. The Board supported the Management team, and morale was high with the goal of a viable enterprise in sight.

The Introduction of a Participative Style to Improve Productivity

Soon after the start of operations, the Company introduced a Suggestion Scheme to encourage employees to make suggestions on ways

to improve methods, forms and equipment. The first steps towards developing its style of managing to a more participative one was a drive to improve productivity and by so doing improve labour relations. The 'Suggestion Scheme' waxed and waned in effectiveness. Sometimes there was a lack of investigative open-mindedness and in many cases the people vetting the ideas were too busy trying to solve simple production problems to give enough time to the suggester's idea. The Company persevered with this objective and in a few cases very large monetary rewards were made to successful suggestors.

After some time it was realised by management that there were too many barriers to good communications both up and down the hierarchy. The Company was not heavily layered by appointments of assistant managers and sundry other support levels which could have contributed to the problems associated with informing people of things which affected them or hearing how they felt about changes the Company was contemplating. The barriers were just the normal human ones of people being either too busy to talk or to listen or reluctant to share information because they were new to the job.

Management's strategy to overcome this was to organise meetings in the plants in company time to disseminate information to all employees. This method was a heavy task for the busy senior managers. Committees were installed to share the information whether it was to discuss market problems or to be informed about cost increases. These consultation committee meetings carried on the role of information sharing and later became involved in the special programme called C.I.P. or the Common Interest Program. In these meetings, ideas were shared to reduce costs of operating, progress was monitored and monthly payments were paid to all employees if the targets for cost reductions were achieved. The targets were to reduce costs of operating by ten percent and these objectives were achieved.

So over a period of twenty years the Company had developed a participative style of managing, developed by the Chief Executive with Board support. Progress was slow because the various levels of management needed to develop confidence that their real responsibilities were not being eroded by sharing information. Often there were problems of measurement and of setting standards of

performance, but there were benefits also. The programme highlighted areas where measurement was of a less satisfactory quality and improvements followed.

At the outset many of the suggestions were trivial, but as the committees developed confidence and encouraged by their managers, the objectives were shared and goals realised. There was no doubt in top managements mind that there were benefits to be gained by reinforcing behaviour through using short term goals and publicising results for all to see. The programme reinforced group behaviour where the earlier suggestion plan rewarded an individual's idea.

This common-interest program then moved to a greater emphasis upon quality control in response to market demands. This placed even more emphasis upon employee responsibility to ensure that the plan and equipment produced the best quality product to meet changing customer needs. At the time of writing both management and employees were mutually working towards new goals.

Other examples of encouraging greater employee involvement is the pension plan which is administered by a Board of Trustees and includes elected employee representatives, as well as a highly participative wage and salary policy. By participative is meant that in setting the pay levels of jobs throughout the Company those doing the jobs and their managers followed a procedure known as the (CWS) Cooperative Wage Scheme borrowed from the Steel Company of Canada with the approval of the American Steelworkers Union. This scheme remained in operation for the whole period under review. However, in the later part of this period refinements were being introduced to recognise and reward incumbents for what they knew as well as what they did. This new scheme is gaining recognition and has even more involvement by union and employees than the former CWS programme.

All of these activities gave management confidence to openly discuss problems not only with its employees but also with the Maori owners at Taharoa which lead to the resolution of problems as they arose. Management could share the concerns of the Taharoa Maori people when the fish ladder appeared to be failing or when the Wainui Stream

outflowing from Lake Taharoa needed dredging out to clear the weed growth. For example, when the manager decided to clear the Wainui Stream, he consulted the local Kaumatua in case there might be some special significance to take into account. He found that there was a Taniwha in the stream which needed to be appeased and when this was attended to by the Kaumatua, dredging commenced. These two matters demonstrate the Company's growing sensitivity to Maori values and the method it used to handle them. The action taken helped build trust in the area.

At Taharoa the Board was developing the ironsand export diversification that produced valuable dollars immediately, primarily because the process of mining was simple in comparison with the problems at Glenbrook. The sensitivities in handling relationships being developed at Glenbrook with employees there also enabled management to handle the negotiations for Taharoa in Japan effectively.

This notion of a partnership at Taharoa influenced attitudes on a number of fronts, the most significant being in the development of the township of Taharoa. The township grew from a few scattered farm houses to approximately eighty houses built in close proximity to the Marae with a kindergarten, a shop, a fire station, a library and a community hall which housed a social club. The predominantly Maori community was satisfied with the house designs yet it did need time to talk over matters concerning sewage and water.

The local Maori employees helped to develop an employment policy to favour local families, but this was not always easy to administer if applicants had a very poor employment record or lacked skills for the particular vacancy. Another recognition of Maori values was to close the plant for several hours during a Tangi (funeral) and if requested it provided a vehicle to transport supplies on such an important occasion. But the mention of death brings up a particular example of Company and tribal accommodation of values. It concerns the arrangements for handling any human remains which were unearthed during dredging operations. Early in the Company's history at Taharoa a decision was made to designate land as urupas and no mining would enter these areas if the boundaries indicated that more human remains

were located there. Initially the areas were extensive but as mining proceeded it became obvious to both parties that the estimated boundaries were not as accurate as tradition suggested.

Such aspects of culture became a part of the company's policy at Taharoa because of its desire to work towards a partnership with the local Maori tribe that was mutually beneficial. The Taharoa people owned the resource of ironsand which they knew was limited and could be exhausted. They knew they had to rely on New Zealand Steel's marketing expertise to win new contracts for its use, or to help them plan for the longer term should the ironsand export cease.

The company encouraged the Management Committee of the Incorporation to develop long term plans such as a tree planting programme that would in time provide alternative employment for the local people.

By contrast, the Ngati Te Ata subtribe at Glenbrook had none of these benefits except for employment and the express wish of the company to cooperate with the tribe. The Company made early efforts to establish a better working relationship through the establishment of a Liaison Committee. The function of this committee is covered in Chapter 7. What the Company under-estimated was the depth of feeling over the confiscations following the land wars of the 1860's and the possible desecration of the urupa. The Ngati Te Ata knew that the Maioro area was a place where the dead had been buried temporarily as was the custom and New Zealand Steel's mining appeared to be a flagrant abuse of such sacred places. The issue then became the target for tribal concerns. The Company could do little to solve this problem, for the Government had confiscated the land, the Government had granted a mining licence and the Government had set the industry up but the Government was too difficult a target. Not so the New Zealand Steel Company which was a much easier target to focus upon. All of these matters emerged in detail at the Manukau case heard by the Waitangi Tribunal which will be considered in Chapter 9.

Company management had established lines of communication with employees at Glenbrook to good effect and this style worked at Taharoa with the local Maori subtribe but the inability of the Company to resolve issues at Glenbrook with the Ngati Te Ata was frustrating.

To understand how this local subtribe felt it is necessary to review the historical causes of Maori protest and land confiscation which is dealt with in Chapter 4.

CHAPTER 3

EVOLUTION OF THE STYLE OF MANAGEMENT

'THE COMPANY STYLE'

The previous chapter outlines the history of steelmaking in New Zealand and an overview of New Zealand Steel's installation and mentions its consistent efforts to meet the various external pressures. The Company was developing what appeared to be a liberal policy to deal with its various relationships so that its operating targets could be met. It is appropriate therefore to consider the origins of that policy in more detail. This will overlap similar instances in Chapter 2 and will not be chronological in its presentation of the various themes as they developed.

The Company reflected two philosophies of management - that of the successful entrepreneur in the person of Sir Woolf Fisher and his Board, which comprised other entrepreneurs with successful company experience. The other approach was exemplified in the background and experience of George de Young the successful steel maker and professional executive general manager from Canada. He was assisted in developing policy and management by his management team who all recognised the need to set up the company in a professional and internationally recognised manner. This management group all reporting to de Young comprised Company Secretary, Development Manager, Marketing Manager, Finance Manager, Supply Manager, Personnel Manager, Mining Manager, Chief Engineer and Works Managers.

There is no doubt that Sir Woolf Fisher and his Board of Directors at New Zealand Steel exerted a degree of paternalism on the Company and its management style. This attitude was not resisted by the senior managers who had been academically qualified in the immediate post World War II years. The philosophy permeating the theories of management in those years was humanistic and leaned heavily on the findings of Elton Mayo and his Hawthorne investigations (Mayo, 1953). Chairman Fisher was determined that this new company was going to start off in the best way possible.

The contrast of this very personal style of management was exemplified by the efforts of de Young who could see that whilst the philosophy was workable the Company needed good systems and policies put in place to support such a philosophy. This researcher, as Personnel Manager, could see advantages in both strategies, for his management experience had been gained in the international oil business which blended both. Chairman Fisher saw systems and written policies as restrictive. There were problems between these two strong personalities which ended when de Young returned to Canada after two years.

It was necessary to develop policy early in the Company's existence because the senior management came from different companies and different countries. There was also an expectation that the Company was going to expand quickly. If common objectives and procedures were to be put in place and controls were to be established, then formal arrangements in the shape of written policies would be needed to prevent major misunderstanding with resulting communication difficulties, conflicts and confusion (Dale, 1960).

Policy is by definition a guide for making decisions which helps team building for it makes the actions of each member of the team more predictable to the others. (Koontz and O'Donnell, 1955)

This means, in other words, it reflects the way the company wants to think about its decisions, and the way it establishes consistency. Furthermore if no policy exists or is not passed down to the lower echelons in the organisation, policy making will occur inevitably in its absence.

At the outset the company comprised nine operating managers and twenty support staff. Their joint task was to develop a common philosophy on matters likely to become issues for the company, such as marketing and distribution requirements, pricing and all the typical employment matters. The managers met daily and often had difficulty reaching agreement on policy and at times there were enormous gulfs between the locally recruited New Zealanders and the overseas recruited steel managers. One illustration was the matter concerning the employment of close relatives. New Zealand companies generally are most careful about the employment of relatives where one might supervise the work

of another. American companies operating in New Zealand have restraints in this respect. However, the British expatriates employed in senior management could not understand the need to prevent the employment of relatives. Their proud boast was to speak of their good fortune in hearing a relative was employed in the company they wished to work for. This attitude towards the employment of relatives Maoris would understand. However, New Zealand Steel was to be a New Zealand owned and managed company and the locally recruited managers' views prevailed.

When the managers achieved agreement on all facets of the policy under consideration it would be written out and presented to the Board by the General Manager. Achieving agreement between the managers was much easier than persuading the entrepreneurial chairman and his deputy that such common philosophies were professional and effective. As de Young once said 'Fisher wants a North American type, cooperatively managed company. In truth he (Fisher) was the sole manager changing decisions, or overriding decisions made by others and generally pervading the whole show'. (Personal Communication 1987).

The Board took a long time to consider the various policy statements and finally approved them with few changes. The first policies to be approved were those associated with recruitment because it was necessary to get the company up and running in the shortest possible time. The policies paid attention to recruitment standards, approvals for appointment, salaries to be paid, sick leave, vacation leave and pension plans. The policies had to be sufficiently attractive to recruit top calibre people and motivate them to work for the new company.

In the meantime, whilst the process of obtaining approval was proceeding, the management team at least could operate knowing it was making decisions within a consistent framework. When clear policies had evolved in this participatory form the Chief Executive was able to delegate more authority and so increase job satisfaction down the managerial chain.

A foremost contributor to management practice, Peter Drucker, stresses

New Zealand Steel Works at Glenbrook



An aerial photo facing due south showing the Waiuku Estuary with New Zealand Steel Works lower left and the township of Waiuku at the head of the Estuary. In the top right the dark green indicates the location of the Maioro Mine site and the Pine forest on the north bank of the Waikato River mouth. (On the skyline is Mount Tongariro and Ruapaehu)

the vital importance of involvement of the Board of Directors as representatives of the owners. Very few of the Company's early policies have been changed over the twenty year period under review. In two cases directors saw the value in these policies and they implemented similar policies in their own independent companies. Two examples as an illustration were a common cafeteria for all staff, and a well planned training programme.

Yet it can be said that the first Report of the Provisional Board of the New Zealand Steel Company (1964) contained no statement of overall corporate objectives let alone subsidiary ones concerning people or the environment. The report, concluding more than two years of detailed study by consultants, was based on the technical and economic feasibility of a vital industry using indigenous raw materials. It made no reference to people either as employees or neighbours.

The consultants (W.S. Atkins and Company) in their 1964 Report gave consideration to the ore resource and thought it would be adequate for at least fifty years. It noted that large quantities of water would be required for both mining and concentration of ore and for steel making and the consultants recommended the Waikato River as an attractive source of supply. It stated that there should be no difficulty in obtaining the required quality and quantity of water and made no mention of the likely impact on Maori values.

It was the same consultants who said that South Auckland was an ideal place for the site of the Steel Works because it was close to raw material, coal and the market. The exact site at Glenbrook was chosen after exhaustive studies. It met a number of major factors such as the proximity of road and rail to Auckland, the most important market, closer proximity to the ore resource than to the coal resource because of the higher ratio of ore to coal in steel making; proximity to supply of water and electric power. Finally the geological subsurface features of the area included basalt and Waitemata breccias that were suited to the heavy foundations required to support massive machinery and plant appropriate to the steel industry. Other areas further up the Waikato valley were ruled out because of extensive peat or volcanic clays that would be costly to excavate before foundations could be properly laid.

No studies were made into likely sociological or environmental impact apart from consideration of land valuation trends, population trends and labour availability.

In November 1964 W.S. Atkins, the English consultants, presented the company with a development plan for the steel industry. It contained recommendations which could be considered as a statement of objectives for they stated that the relationship between New Zealand Steel and the existing Pacific Steel was to be competitive in efficiency but not in product. They considered that the concentrated iron ore mined at Waikato North Head could be pumped as a slurry or transported by road but no comment was made about the environmental impact of such recommendations. They did however draw the attention of the company to the likely impact of the labour force on the local community with its demands on education, roading, housing and entertainment.

The responsibility therefore fell on the Board of Directors and the management of the New Zealand Steel Company to think through and state the position of the Company on a number of these factors.

Most theorists in the field of policy making would firmly claim that unless an organisation has formed a corporate image and stated its goals to guide its activities it will have problems of management. Furthermore as Buchelle (1967) states, new firms, worldwide, make mistakes by not employing key managers with well rounded experience, and by failing to put accounting systems in place early enough to provide control data for decision making. However, New Zealand Steel did not make those mistakes. 'Its management team,' in de Young's words (the General Manager), 'were the best he had ever worked with' (Personal Letter 1988). He considered it to be an added benefit that the team had little steelmaking experience but were experienced managers from wide backgrounds. He also commended policy making as a method of team building especially because it was vital to the Company's effectiveness.

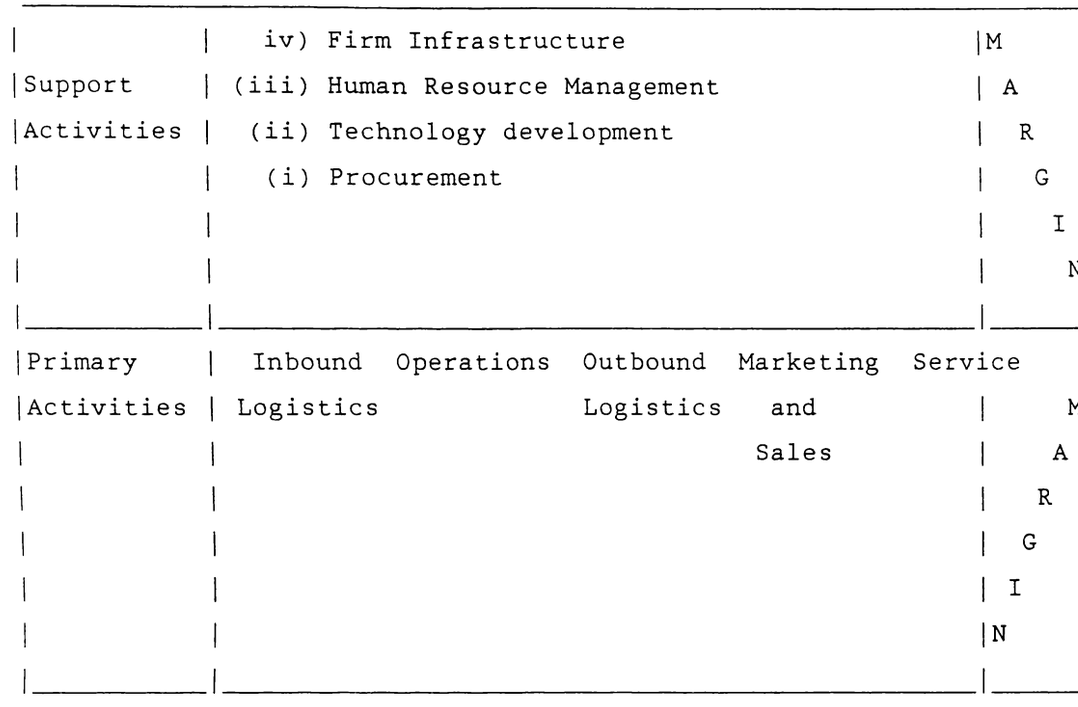
In developing policies Sir Woolf Fisher, the Chairman of the Board preferred to hold the ultimate responsibility. There were two reasons for this. One was the need to keep Government support and the other to avoid the pitfalls attendant upon directing a monopoly -

particularly as regards the financing and import control exercised in the Company's favour. From speeches, interviews, discussions and in Board decisions it was clear that the Chairman exercised a strong influence. The Chairman wished this new industry to be progressive, forward thinking, research directed and to act like an exemplary citizen. The concerns with pollution and its control will be mentioned later. He was very sensitive in his dealings with all the company's stake holders, whether they were banks, neighbours, Maoris, employees, customers, or Government Departments.

The Board also was very sensitive to the company's relations with external consumer groups. Its philosophy guided management in its relationships with its employees (exemplified through its policy decisions) its unions, its customers and the general public. It quickly developed a social philosophy, although not written or clearly identified, that guided its actions in personnel relations, community relations and other business relationships, especially with shareholders, customers and competitors. It was involved with a collection of activities that can be broadly analysed as a 'value chain' which reflects its history, its strategy and the way it goes ahead achieving its objectives. The importance of the 'value chain' concept is such that some space will now be given to its simple explanation.

The concept of a 'value chain' (as proposed by Porter, 1985) sets the criteria whereby a company can evaluate its strategies and activities in order to understand its way of managing its affairs. There is no evidence that New Zealand Steel regarded its activities in these terms but in retrospect it behaved in this way for the reasons of commercial survival and international success. It knew it had to be an efficient producer of steel and believed that its methods would produce the best results. It believed that it would achieve the best results in making steel if it had employees of high quality who were well managed, rather than to install bonus systems to buy employee cooperation and effort.

Diagram 1: Showing the Elements of Porter's 'value chain'



(Source - Porter 1985)

According to Porter the above nine factors must all combine to give the company under review its competitive advantage.

The primary activities are - **'Inbound Logistics'** the activities of materials handling, warehousing, and inventory controls before the product is made. **'Outbound Logistics'** are the activities associated with delivery of product to customers.

The four activities grouped as support are:

i) Procurement is the activity under the heading of what the firm buys to support its functions, includes raw materials, fuels, transport to name some.

ii) Technology development is the effort put into improving methods, research and new product development.

iii) Human Resource management is the effort put into training, organisation, development, management and staff career planning as well as paying properly, and so on.

iv) Firm Infrastructure - this means all the general management activities including planning, financing, legal and quality control to name a few. This is the support given to all the company's affairs. Too often these matters are regarded as 'overhead' but if they are effective they can assist the company be more competitive.

It is said that in an organisation which has no clear policies or if it does have them and they are not promulgated, the method of determining policy is made by individuals appealing to the next in line of command, whose response invariably is to meet the exigency without regard for its impact upon other sections of the company's activity.

Such methods of policy formulation are responses to sporadic need and are often erratic, incomplete, and uncoordinated. For example on one occasion a very good employee was selected for a National representative, horse orienteering team, and required time off. The uniqueness of this request was a problem but as the company did not wish to create a precedent it gave minimal support.

As a further example of policy developing to meet specific needs a very popular man was chosen as a Counties Rugby representative and an All Black trialist and he sought Company support. At the time no one realised that touring teams moved about the country frequently, trials were instituted to select representatives and there was also the likelihood of an imminent overseas visit. The request for full pay would make a mockery of legitimate vacation absences, yet without pay the person's family would have suffered financially. Therefore, policy emerged which took into account the quantum of annual vacation due, and the likely number of days away and the pay geared to the length of absence. It guaranteed a minimum of annual vacation time recognising the social responsibility of the employee to his family, and maintained the overall employee relationships within the organisation. These two examples illustrate how policy emerges from individual cases.

Another factor in policy formulation was the pressure that external forces exerted on the organisation, notably Government, Trade Unions and Trade Associations. The company faced up to Trade Union issues by

developing a basic policy in collaboration with them which in 1969 was unique in New Zealand.

Broadly speaking the Company's Industrial Relations Policy included statements to the effect that the company recognised legitimate trade unions and their right to bargain for conditions for their members. However, the company wished to recognise the right of each individual employee to have a voice to be heard and it set up procedures to protect that right. The company reserved the right to make the final decision about working conditions and it recognised the rights of unions to seek their objectives by legitimate methods. Finally the company declared its intention to operate its activities in such a way that all those affected by its decisions would have a say in how those decisions might be implemented. This was the first step in evolving a participatory management style and this began initially through communication meetings to discuss company markets, successes and failures, and later lead up to the installation of the Common Interest Program described in Chapter 2.

As a consequence of the written policy in Industrial Relations, the major cause of grievances, e.g. unfair terminations, was eliminated because of the step by step procedure to be followed if unsatisfactory performance or some other offence was to be fairly dealt with by each level of supervision. In twenty years of operating only one work stoppage occurred over 'firing' an employee unfairly, which in the New Zealand scene during the mid 1970s was an extremely good record.

This Industrial Relations Policy remained in force until 1984 when it was redrafted to form the basis for discussion groups between management and union representatives. Much of the early policy wording was retained with greater emphasis placed on the need for more participation and consultation. These changes arose from management's recognition that there was a need for more consultation with the work force if it were to achieve greater efficiency and productivity.

Early consideration was given to operating policies and the first dealt with was the Marketing and Distribution policy in April 1967 (Board Minutes 1967) with the first saleable product not for sale until late 1968. The development of these policies was as political

as it was practical. Prior to the decision to proceed with the building and operating of a steel industry, the bulk of steel products were imported and these importing companies represented industries in Australia, United Kingdom, Japan and Europe and they could see threats to their viability and survival. The importers lobbied the Government Trade and Industry Minister and extracted commitments from Sir John Marshall which formed the basis of the Distribution policy. These commitments were related to prices of the local product and their continuance as agents for the company in the sale of products. This meant that the company's marketing was not controlled by the Company's management, not an enviable position. All the company could do was to set up a very strong market research team to determine customer preference and follow this up with a customer servicing unit to deal with complaints which were not able to be handled by the agents. The agents survived for several years and were slowly replaced by a company sales team and normal marketing management methods could then be applied.

Policies to be effective cannot exist in a vacuum and the Board of Directors was reluctant to promulgate these policy matters. When it was pointed out to them that the benefits of consistency were greater than any minor infractions it was agreed that all managers should be provided with copies instead of the restricted few they originally favoured.

Some Board members expressed concern that their own companies which had been going for a long time - in one case for over one hundred years and in the other about thirty years - seemed to get along without the need for written policies. They also felt that some employees might take advantage of the limits in the policies for example paid sick leave but management's experience dispelled this concern.

Management believed that promulgating policy manuals was in fact good management! They specifically based their case on the following points:

- Policies should be consistent to enable basic strategies to be followed.

- Policies must be flexible to reflect the current situation yet fit in with the long term goals of the organisation. While most policies stood the test of time as changes occurred in organisation structure, there was a need to broaden the area of decision making left at the managers' discretion.

- As policies were written down they were able to be studied and promulgated so that everyone could know and understand the intent and desire of the Board.

- The major error in this management function was the failure to continue to explain, interpret, and teach the content of policy sufficiently well or frequently enough. As manpower numbers increased and as labour turnover brought about changes in composition of the work force, top management assumed that the levels of management below the senior managers would communicate better laterally and downward than was the case.

In the examples stated, whether organisations were sales agents, trade unions, supervisory groups or individual employees all had a stake in the effectiveness of the company, all were involved. This more open style of managing characterised New Zealand Steel and was encouraged by the Board.

In researching the background to policy development recourse was made to company records, chiefly Board minutes, press clippings, and finally interviews with Board members and management representatives who were still available. Surprisingly some interesting factors emerged about how a large enterprise clarified its thinking and established policy guidelines for its operating management to follow.

The most important influence was the personality of the first chairman of both the investigating company and later the operational company, New Zealand Steel Ltd. Sir Woolf Fisher, self-made entrepreneur and developer of the nationally accepted white goods manufacturer Fisher & Paykel, was chosen by the Government to head up the steel industry investigation.

Sir Woolf Fisher was sensitive to public opinion, and anxious not to

irritate the Government who had appointed him. As a consequence he held tightly to the portfolio of public relations in this new industry. He held many meetings with groups of people which included Maori groups, some of which he initiated and some to which he was invited. Unfortunately there is only one set of notes of these meetings held in the mid sixties (Appendix).

In one report Sir Woolf Fisher made it very clear that any land acquired by the company, would not be compulsorily taken under current legislation but would be properly purchased by willing parties through negotiation. This researcher can recall attending various meetings in the Glenbrook area where local residents recalled statements made by Sir Woolf Fisher about the company's role and the intended support to be given to local groups. Management became competent in coping with these for the Chairman could 'paint' a future in sufficiently general terms for all listeners to draw from his talk whatever they wished to hear.

However where a local reporter was present the important issues were recorded. The Waiuku News of September 1969 reported that the site of the Steel Mill was being kept attractive as had been promised. What was not reported but was recorded in the Board Minutes of the fourth and fifth meetings 23.7.65 and 12.10.65, 'The Deputy Chairman A.U. Wells will have responsibility for the care and management of the Steel Mill landscaping and Mr E.H. Latimer of Cornwall Park Auckland was to advise the company on its requirements'. In these minutes a report was tabled setting out the tree planting programme and costs. This sensitivity to the public and to special groups will be illustrated frequently in the following pages.

The Board met with the Franklin County Council and was told that 'Steel Works were traditionally dirty and dusty and usually poor neighbours'. Sir Woolf Fisher assured them that New Zealand Steel would conduct its production activities in a parklike setting and would do its best to minimally disturb its neighbourhood.

Another meeting of significance occurred when the Chairman of the New Zealand Maori Council met with Sir Woolf Fisher and others to discuss employment prospects and housing possibilities. Sir Turi Carroll,

Chairman of the Council, accompanied by members of the Maori Affairs department met in November 1965 (Board Minutes) but no other details have been recorded by the company and no policy issues were written to reflect the direct result of this meeting. Sir Woolf Fisher was not of course in a position to know that neither the New Zealand Maori Council nor the Maori Affairs Department carried much weight with the local Maori people of the Waiuku area or Tainui generally. These tribes and subtribes gave primarily allegiance to the King Movement not to Governmentally created bodies like the New Zealand Maori Council or to the Department. However, Sir Woolf Fisher's positive feelings towards Maori people influenced the operating management of the company when later dealings with the Maori owners at Taharoa occurred. This is an example of the way in which Sir Woolf Fisher tried to meet with all parties likely to have some influence on the company.

A further example was an early discussion in December 1965 about the height of the chimney stacks which were built to reduce pollution rather than simply to meet minimal requirements or some obligation under legislation (Board Minutes 11/65). This positive attitude to environmental issues has been a factor in the Management style of the company and manifests itself throughout its operation.

By December 1965 all approvals required by the Town and Country Planning Act 1953 were obtained and the Board now was able to give attention to the construction phase. The Works Manager, Chief Engineer and Mining Engineer were appointed in April 1966. These decisions were followed by decisions on housing. After some discussion it is recorded that no discriminatory locations or allocations of company houses were to be made to special groups of employees. Houses were to be allocated upon the basis of size of family not on status. This early policy decision of non discrimination was continued and was reflected in policies relating to employee benefits, cafeteria and share purchase plans where all employees shared in the benefits.

No one, in 1965 anywhere in New Zealand was ready to put in place explicit policies of affirmative action - indeed the term had not been formulated then. Even now positive discrimination is not generally

accepted in employment policies, though the phrase 'equal opportunity employment' sums up the general sense of the Board's policy, making it the first industrial organisation to do so.

In March 1967 the Board debated the pros and cons of another basic people policy, i.e. the Pension Plan. It will be recalled that in the nineteen sixties there were not many large companies operating in New Zealand or for that matter in the international steel industry who were prepared to treat all employees equally. The pension plan was to have two elements, a non-contributory life cover for all and a contributory pension plan for all eligible employees who wished to join (Board Minute 5/66). Initially the membership of contributory employees was low but as the years passed and employees made a commitment to stay (usually after about four years), the proportion of contributory members to total employees rose to over 90%. This in itself was high in the New Zealand context especially when a Government survey reported in the early seventies that approximately two thirds of employees were not covered by or even offered a superannuation scheme.

Probably as a result of Sir Turi Carroll's visit in late 1965 another policy decision was made in November 1966 to the effect that Maori applicants were to be employed in jobs suited to their level of competence and housing was to be offered to them on the same basis as any other employee. Drafting of a policy on housing was not difficult after these Board decisions. The Company was very free of traditional discriminatory policies with its single cafeteria for all employees, its one pension plan, sick leave and annual holiday policies whatever the status of the employee.

The two policy decisions affecting housing and pension coverage then influenced other decisions, e.g. one cafeteria for all employees managed by a Company employee not a contractor (Board Minute 2/68), one sick leave plan for all employees, and the share purchase plan to be available to all employees were three examples. It was an interesting fact that there were Directors on the Board whose companies did not extend such benefits to all their employees as they were advocating at New Zealand Steel. The directors certainly led the way in their approach to personnel policies and management responded

to this very positively.

Because New Zealand workers had been encouraged to look to the welfare state and Labour Governments to protect their interests 'from the cradle to the grave' neither unions nor employers were motivated to produce pension plans or other industry or Company welfare schemes. New Zealand Steel pioneered in these areas but often in the face of suspicion or opposition from employer groups.

These egalitarian policies did not meet with the approval of all employees. A group of supervisors bitterly argued with the company management about the fairness of such egalitarian schemes. Many of these supervisors had immigrated to New Zealand in the post war years as skilled tradesmen and had carried with them ideas about privilege from the country of their origin and wished to continue similar practices here.

Early in 1967 concerns were expressed by the Board (Board minute 3/67) to the designers of the new plant about the need to control fume and related airborne pollutants. It is not clear whether this resulted from organisations pressuring the company or genuine concern by the Directors. Probably the Directors felt that a new industry should not be fashioned in the image of the 'dark satanic mills' of the English industrial revolution. As events proved it was possible to create a clean working environment but this did require a great deal of effort.

An interesting development in the Board's role was formalised in late 1965 when approval was given for a subcommittee of the Board to be known as the Auckland Executive Board which comprised those members who lived in Auckland. This group met frequently and acted as a Board of Management and even continued after the appointment of the chief executive.

This group checked the progress of construction, arranged finance, considered policies, regularly met with the project engineers and considered expansion well ahead of implementation. It was this group chiefly comprising Sir Woolf Fisher, A.U. Wells, F.R.A. Hellaby, who really put the stamp of their personalities on the company and to whom functional managers would refer their problems and when appropriate

attend their meetings. It is interesting to note that General Manager de Young encouraged this practice for he could see that it was an effective method, but some other chief executive might see it as undermining his authority.

To illustrate some of these points - the Auckland Executive Board began enquiries into export of ironsand to Japan in December 1965 some seven years before the first shipment. They gave consideration to the need for recruitment policies and benefit plans before the appointment of additional staff in late 1966/67. A company medical adviser was appointed in July 1967 and at this time also drafts of personnel policies were submitted to the Auckland Executive Board and they recommended to the full Board of Directors, that approval should be given.

Another far reaching policy decision was made to recruit only limited numbers of overseas people (Auckland Board 9/65). This decision placed a heavy emphasis on high calibre recruitment standards and good training methods to compensate for the apparent benefits of previous steel industry experience (Auckland Board 2/66). To overcome this lack of industry experience familiarisation visits were made to overseas steel mills by all those in Management as well as metallurgists, specialist engineers and accountants. One company in particular the Steel Company of Canada proved to be especially welcoming and helpful. The conscious decision to make steelmakers out of New Zealanders rather than New Zealanders out of steelmakers was radical at the time. This approach was different from most other employers who depended on immigrants - which saved training costs one assumes.

The Auckland Executive Board also showed real concern for pollution problems. There is no doubt that at the various meetings in the neighbourhood of the steel mill, questions were asked by local residents who gardened or had heard of pollution problems created by the steel industry overseas. As early as March 1967 the Chairman checked again with the consultants as to the efficacy of the fume cleaning and effluent cleaning plants. These plants were to be a problem later as the iron making process created massive dust

emissions and occasional human failure allowed effluent to escape into the Manukau Harbour.

In his 'New Theory of Management' Rensis Likert (1961) describes a style of management in which each level of the organisation links to those above by overlapping membership. The management chain depends upon these link persons carrying accurate information (beyond memos and written instructions and the like) to overcome the natural barriers which tend to develop in a hierarchical management structure. de Young used this principle in two ways - encouraging meetings with vertical organisation attendees and insisting that members of dependent sections or departments take part in promotional discussions and selection of appointees.

By the end of 1967 most of the personnel policies were approved which enabled recruitment in New Zealand and overseas to proceed with confidence. One interesting unwritten policy at this time emerged for overseas recruits was whether they should be 'bonded' or not. Checks with other employers revealed that not only was bonding normal practice but accommodation was also minimally provided. New Zealand Steel did not bond the people it recruited nor did it limit the accommodation and transshipment costs for such recruits. The Board even approved a loan scheme to purchase furniture which encouraged overseas recruits to transship less and thereby lower shipping costs. Management found that this arrangement worked extremely well and very few overseas people were recruited who wished to leave the company's employ. Some of those who did, returned to New Zealand later to be re-employed. Whilst this re-employment was not a written policy it did seem to fit in with the overall strategy of the Board, and management considered it appropriate. It fitted with the philosophy of the company.

The first brush with a Government Department responsible for soil conservation and rivers control occurred in December 1967 when the weir built on the Waitangi Stream at Waiuku was damaged by a surprise flood. New Zealand Steel paid 50% of the costs to repair the weir damaged by the flood (Auckland Executive Board minutes 12/67).

As was mentioned earlier the Auckland Executive Board was appointed in

an executive capacity during the construction period. Meetings were held fortnightly and strict controls on expenditure were maintained. For example all increases in manpower had to be approved by the Auckland Executive Board which the General Manager found frustrating.

As a further example of the Board's attitude to the environment and following the appointment of Mr Latimer to advise the Board on landscaping, tree planting, etc, a budget item was included to cover the costs of annual shelter belt tree planting along the boundaries of the works and tree/shrub planting in the village (Auckland Executive Board minutes 7/67). Mr Latimer also recommended that the Company maintain the grass verges in the Company housing block in Waiuku.

As the houses were being completed and new residents were arriving in the Waiuku township, the town's four religious leaders approached the company to arrange a meeting to keep them informed on Company progress and to provide names of new recruits. A monthly meeting was held over a period of two years and this proved to be a most successful communications forum not only from management to the churchmen but also resulted in feedback from the community to the company. The composition of the group changed with transfers out of the area and finally it ceased to meet. As the purpose of the meeting was to assist with the integration of newcomers into the township, its objective had been met. To continue the job of assisting new employees settle into the company a person was employed for two years to continue and extend this service until it became clear that there were sufficient employee tenants to carry this on normally.

Another positive move by the Board came with the granting of second mortgage finance to employees who wished to purchase their own houses (Board minutes 7/67). The Board decided it was important for employee rental housing to be limited because the cost burden of rent subsidy and maintenance was paid by the company. The mortgage policy had other benefits for it supported employee independence, helped to stabilise the work force and scattered New Zealand Steel employees throughout the communities within the recruitment catchment area. The major union on site (Engineers) was suspicious of this policy at first but their members did not complain, thereby reducing the areas of grievance in which the union officials could become involved.

These decisions of the Board reflect the attitude of their members who had very positive views of their responsibility to their employees and to the community.

As was earlier mentioned the first brush with Government agencies was in connection with water control and the small dam. The next was coping with the growing concern of air pollution (Auckland Executive Board 7/67). The Health Department set up cameras in strategic places to monitor air pollution. These cameras could be actuated at any time, and the film would be developed and shown to senior management. This caused some consternation when it happened especially from the Chief Engineer. The occasional discharge of either black irondust or the brown dust from the steel making process was neither inevitable nor acceptable but it did occur. In this respect the environmental control plants were brought under control to meet the stringent standards set but there were occasions when breakouts occurred and the company needed regular reminding of this.

It was stated earlier in this chapter that the Auckland Executive Board were investigating the possibility of exporting ironsand to Japan as early as 1965 and in 1968 the decision was taken to pursue this more vigorously (Auckland Board 3/68). As the Maioro sand deposit was needed for Glenbrook it was necessary to recheck the resources further south for quantity and quality. The deposits at Kawhia and Raglan were checked but the deposit at Taharoa was regarded as having the highest quality and adequate reserves. To check this a drilling and sampling programme was begun after the necessary approvals were secured from the Mines Department and also from the owners of the deposit, the Ngati Mahuta people at Taharoa.

Meetings were held at Kawhia in September and October 1968 where final approval was given by the owners - whose legal adviser, Mr B. O'Shea, recommended that they formalise themselves by setting up a corporation. This latter point took time and it was not until March 1970 that formal approval was granted and the Incorporation was applied for and was known as Taharoa 'C' Block. (See Appendix for copy of his address to the owners).

This was the company's first and most formal relationship with Maori

people. Management and the Board moved forward, in a positive manner as they did with all their stake holder relationships whether they were with Unions, neighbours, community leaders or in this instance with the Maori owners.

At the Kawhia meeting a number of points were raised by the Maori Elders which required answers from the company and the Board. These points reflect many of later Maori concerns and for that matter they are the wider concerns of indigenous people everywhere. They include sacred sites, water pollution, land contours, fishing, employment of their people, their traditional responsibilities as guardians of the land, and so on.

At Taharoa the primary concern was that the Urupa (burial ground) be respected and not disturbed. This also included a Wahi Tapu, the Pa site located near the mouth of the Wainui stream. At this meeting Sir Woolf Fisher and others accompanying him spoke with the emphasis on Maori values as well as benefits. The second point related to the shoreline and the sand dune contours, for the Elders thought that the mining practices would distort the appearance of the coast line. When the methods of mining were explained to the meeting, the Elders were satisfied.

Long term employment prospects were also of great concern to the owners especially for local people for their families had moved elsewhere to seek jobs. The local people wanted as much work as possible done on the product at Taharoa before it was exported. The prospects for long term employment was more difficult to make as commitments for the reason that other parties to the approval viz Government and the Japanese Steel Mills were involved and neither might wish to enter into long term buying arrangements. Fortunately a twenty year sales contract was agreed by all parties, which reflects positively on the skill of the negotiators and the confidence of those involved.

Sir Woolf Fisher was most adamant that all financial agreements must be flexible and must benefit the Maori owners as well as the company. He persuaded the owners that initially no royalty should be paid, to be followed by a fixed royalty to be paid for five years, and after

that the royalty was to be indexed to the rises in the cost-of-living. This has meant that the royalty payments have increased by a factor of six over the fifteen or so years of operating the company at Taharoa (Board minute 12/69 and 3/70).

Finally the elders were concerned about the environmental integrity of Lake Taharoa. Its protection has not presented a problem. The proximity of the Lake to the edge of the dredge pond has been restrictive to the mining operation but by careful planning it is manageable. The most contentious matter has been the migratory fish. As the operation requires water the Wainui Stream was dammed and so it became necessary to construct a fish ladder which enabled the fish to swim upstream to live in the Lake. It was found that mullet especially, were lazy swimmers so the fish ladder has had to be rebuilt and extended several times to ensure the fish migrate to the lake. This has been a costly exercise over the years but there has been no question about the need to do it.

Finally the elders requested that the company would ensure that the 'used' sand (tailings) would be contoured to merge in with the normal skyline and then be prepared for planting of lupin, then marram grass and later pine trees.

The Ngati Mahuta elders never fully revealed to the Company the full significance of some Wahi Tapu which were of deep importance to their historic occupation of the Taharoa region. Battle sites, places of sacred retreat for example were never regarded as matters which the Company needed to know.

In a press article in February 1970 the late Harry Dansey in the Auckland Star, wrote about Taharoa which he had visited some ten or so years earlier. During this early visit as he roamed over the Sand Dunes he picked up an adze of argillite (stone) and reflected on the possibility of making an adze of steel from these black sands. In this same article he referred to the Iron Man (Te Rauparaha) who had roamed these areas until the Waikato tribes got tired of having this restless man in their neighbourhood and chased him away. This was the period when the Ngati Mahuta arrived.

Michael King, in March 1970 wrote an article in the Waikato Times about a prophesy made by a Rangitira of the Ngati Mahuta whom King inferred spoke about the 'gold' which would come to the area. So with these portents of good things to come and with the assurances made by the company to the list of points, progress was made and drilling commenced.

It would be a serious omission here not to record the important relationships developed by that first drilling crew and their ability to make friends with the resident Maori families. Whilst the crew brought in new equipment and news they also needed fresh milk and fresh vegetables which they received from the four local families who were eking out a living on their farms. Board minutes record this excellent relationship.

Having now secured the approvals a working relationship had to be developed which was built on the very good practical friendships which emerged between the drilling crew of four men and the local residents. The drilling programme ended in September 1969 at Taharoa and moved northwards up the west coast of the North Island as far as Muriwai, West of Auckland.

The next move was to secure a firm contract with the Japanese steel works and to this end the General Manager John Ingram and Development Manager Bruce Goodfellow went to Tokyo in October 1969. Whilst there they were approached by an American Mining company who were planning operations near Wanganui to join forces with them to sell ironsand to Japan. Though initially this looked attractive from capital costs and experience the Board decided against this liaison chiefly because of the possibility of some loss of control (Board minutes 10.69).

All of these issues were discussed with the Maori owners again at Maketu Marae at Kawhia with Chairman Sir Woolf Fisher and a party representing New Zealand Steel. Then in February 1970 approval to the sale of ironsand was given by the Japanese steel companies and the project was underway. Special problems were associated with the mining this resource in such an isolated area where there were no normal loading facilities for ore carriers or moorings or service facilities, or even good roads. The offshore slurry loading buoy is

an example of the innovative thinking the Company needed to employ.

About this time Taharoa 'C' Incorporation was formed from a committee of management with local Maori people predominating. Before final Government approval could be obtained it was necessary that the Maori land owners (some 607 of them) approved of the mining and also of all other issues of importance to them. When the new mining company had its first meeting on 30 April 1970 the project moved into action, after some four years of exploratory work and negotiations.

Whilst this project was proceeding at Taharoa preparatory work had been proceeding on a feasibility study to manufacture pipe at Glenbrook. Resources were stretched to conduct and manage two major projects simultaneously. Perhaps this fact allowed the Taharoa project to move ahead largely unhindered by any Auckland union influences or by management.

Projects in isolated areas, usually require an infrastructure of roads and power supply and housing which had to be tackled very quickly. It was also normal practice for local authorities to approach the developer for financial support if upgrading of roads and power supply were required and New Zealand Steel Mining was to be no exception. The company subsidised the County as well as the Electric Power Board to help provide these services. Later the New Zealand Steel Pension Fund invested money in loans issued by both these local authorities. This was not only to meet local needs but was also to meet requirements laid down by Government.

As outside interest focussed on Taharoa the Waikato Times reported that a field study would be made by the Centre for Maori Studies and Research at University of Waikato. The Historic Places Trust also conducted an exploratory archaeology study at the Pa site on the banks of the lower Wainui Stream near the Administration Buildings (Auckland Executive Board minute 6/70), which was reported in the Auckland Star and the Taranaki Herald.

Project buildings were also being erected near the Pa site and Management agreed to pass over any artifacts that might be found during their excavations. There is no record of anything being found (Board minute 12/70).

The project at Taharoa proceeded with roads, power lines, houses and buildings for workshops and administration being erected on time and within budget. Securing land for erecting houses was not easily granted by the land owners in close proximity to the Marae. Finally four land owners agreed, so roads were laid out, a hall, kindergarten, social hall, shop and fire station were all erected and a further fifty seven houses were added to the village of fifteen houses already there.

The bores which supplied household water failed because of increased draw off and became a problem for the company as other bores needed to be drilled. The septic tank overflows caused blockages in the heavy sandy soil and these also needed attention by regular cleaning until the sewerage system was installed. Securing permission from the local Maori Elders to reticulate the sewerage system and to increase water supply presented difficulties for several years. The problem was that the effluent waste was to be treated in tanks and then pumped out on to the sand dunes. Spreading human waste offended Maori values but in the end local opinion changed and the system was approved. Fortunately at Taharoa no Town and Country Planning approvals were required.

Because the population was small and compact, management found that grievances were quickly heard and were dealt with promptly. An example of this was the problem of daily transporting perishable goods into the Taharoa area. When freight costs were added to such household necessities the cost became very expensive. An arrangement was made with the shop owner to subsidise the cost of freight into Taharoa so that his prices would be the same as those charged in the nearby townships of Te Kuiti and Te Awamutu.

About two years after mining commenced the company had to deal with its first major problem with the local Maori elders over the question of employment policy (Auckland Executive Board minute 6/72). It was understood by the local Maori residents that only local Maoris would be employed 'all things being equal'. For instance no electricians

could be recruited who were born locally or fitters or mining engineers and so on. For operators on the dredge or in the plant generally the opportunities were there. However the first time a young locally born applicant sought employment, he had such a poor employment record that the company was reluctant to employ him. As a consequence of this a wrangle developed. A committee was set up to review all employment applications whenever a vacancy occurred and a list was compiled so the committee could appraise themselves of each applicant's suitability. This committee, comprising two employees, two residents and two management representatives chaired by the Personnel Manager from Head Office Glenbrook, extended its scope of interest to become a 'sounding board' or forum for a wide range of matters. The membership of the committee was extended to include 'C' block representatives.

It was at these bimonthly meetings that questions were raised about the delimitation of burial ground boundaries, problems of housing, the growing population in the village and employment, the need for extension of medical services, the fish ladder problems, a sacred site on the beach which was being muddied by dirty water discharge from the stacking towers and the need to plan for the aging population and their housing. Also these matters were very fully discussed and although often no decisions were made all those attending understood each others viewpoint.

One of the major problems at Taharoa was to ensure that communication of important matters went to as wide a spectrum of local people as possible. The printed word failed to meet needs so this bimonthly meeting became an important vehicle for communication. Another benefit flowing from this regular meeting related to the growing unemployment in the area. Many of the employees residing in company housing encouraged their adolescents to come home, but there were no jobs available. Frequently the young unemployed became a community nuisance with petty thefts a typical outcome.

Arising from a suggestion from one of the 'C' block members the company investigated the setting up of a 'work cooperative'. This was done - a suitable member of staff was seconded to manage this new development and he was provided with a utility truck. He began this

task enthusiastically. The group fenced, sheared, planted willows for erosion control, planted pine tree seedlings on the sand dunes and became a useful community unit. However it only absorbed a few local adolescents who were generally not well motivated to do this type of work. Finally the work cooperative members were taught interior decoration and worked on company house maintenance. Paper hanging was also taught to this group by the Manager's wife. After about five years no leader was appearing within the cooperative and when the seconded leader wished to leave the company to set up his own business the group broke up.

Another example of the improving relationships was the method of dealing with any human remains which were uncovered in the mining of ironsand at Taharoa. When the company first secured approval to proceed with the operation at Taharoa the owners sought assurances concerning the handing of human remains in burial sites in places unknown. Sand burials were common amongst Tainui people and the sites were not always marked and so tended to be forgotten. Assurances were given at this meeting that such remains would be handled with great care and respect and all the arrangements for the disposal and reinterment of the bones would be the responsibility of the local Kaumatua. Before mining commenced indications were sought from the local people just where such human bones might be unearthed. Company management were also aware that several armed skirmishes had occurred over this area in the past and there could be human remains scattered over the wide area to be mined.

Several clearly designated burial sites (urupas) were marked and generally sensitive areas were also indicated but not marked. Fortunately for the company these latter large areas would not be a mining problem for several years in the future. As mining proceeded occasional bones were found though some were from cows and horses. Two sets of human bones were identified and apparently came from some people who had been missing years before. On each occasion of such finds, work stopped until the designated Kaumatua was consulted, and he took the appropriate action according to Maori protocol. This undoubtedly helped to build trust between the two parties.

These matters affecting Management and Maori were also discussed with

the committee which had been set up to review general social concerns. After about eighteen months the chairman brought up the question of identifying these 'sensitive areas' by driving in pegs to assist the mine planners. They could then plan the dredge path so it would not cut through one of these large sensitive sectors.

The matter was noted and raised in the minutes for a further eighteen months without resolution until at one meeting a pragmatic solution emerged. When the dredge path began to uncover more than one set of human remains, operations were to cease in that area until the elders could decide what needed to be done. The cynics in the company averred that as the local owners were collecting royalties all the time and in fact the exact boundaries were not precisely known, why not proceed until it became clear that there were unmarked burial sites. Whatever the reason for the solution it is clear that trust and adequate procedural recognition were of paramount importance plus the desire to make a decision despite its sensitivity. Everyone gained in the process. No antipathy emerged in this extremely delicate area of relationships between the company and the local Maori people. This resolution of the issue of handling human remains was referred to at the Waitangi Tribunal hearing but did not influence the Ngati Te Ata to change their stance.

The general management of the company encouraged the mining company's management to experiment in ways that might build lasting relationships. There were no conscious policy directives but the general and persuasive support from the Board and Chief Executive was there. If a Board member was required to accompany a tour of Japanese visitors or to make a speech, the locals were consulted and cooperation was readily given. It was in the Company's interests to do so because the returns of profit from Taharoa were a significant contribution to the overall company's profitability. Yet it was the Board's overall philosophy of relationships that shaped the practices adopted at Taharoa and made it a mutually satisfactory development. The above examples are cited to illustrate the careful steps that were taken to build this relationship.

At the time of the opening ceremony at Taharoa some interesting comments were made by the late Prime Minister Norman Kirk to the

Japanese industrialists present. He referred to the symbolic dove moulded into the canoe prow which had been designed by artist Para Matchitt. The parallel Kirk drew with the dove or Korotangi was that the stone birds which were found in Hawaii had links with Japan and that there were possible links with the Maori in New Zealand (Langdon, 1987). The Japanese have not forgotten this and management believe such symbolism counts for a great deal when dealing with the Japanese ore managers when negotiations for the supply of ironsand occur.

Both Bob Kerr the first chairman of Tahaora 'C' Incorporation and Harry Dansey spoke and wrote (Auckland Star 11/73) about the honouring of promises by the company which they claimed should lead to harmony and should be a pattern for others to follow. The company did not feel it was doing anything special as it was compatible with its overall practices.

In March 1974 Sir Woolf Fisher stepped down as Chairman of the Board and sadly died in January 1975. His successor was F.R.A. Hellaby who had been a Director since 1966 and an active member of the Auckland Executive Board.

Late in 1975 Taharoa 'C' block management committee upset the Taharoa shareholders who felt the returns they were getting from royalties were insufficient (Auckland Star 9/75). They were so incensed that they took a case to the Maori Land Court and requested an investigation into the management of their Incorporation. A report issued by the Land Court judge cleared the 'C' Block management of any malpractice but a lesson had been learned. The funds being paid by New Zealand Steel Mining in Royalties exceeded $500,000 at this time so the committee had to be prudent in their administration and also ensure that administration costs were kept to a minimum.

Whether this decision angered the local authority in Te Kuiti or Te Awamutu is not clear from newspaper reports, but the message was clear, New Zealand Steel Mining needed to spend more money locally (King Country Chronicle 7/76). In response to this the company reiterated its stand made many times previously - 'if your quotes for work or for services are competitive you will get the business'.

However whilst this goodwill was developing in the south at Taharoa the company was facing constant and regular criticism from various groups associated with the Manukau harbour back at Glenbrook (Franklin County Times 12/76). Local fishermen persuaded the Harbour Board to fine the company for dust in the harbour despite the Health Department's advices that air pollution was at it lowest level since monitoring began in 1973. The cost of establishing such controls was 20% of the annual maintenance budget but still it was not perfect as occasional emissions above the limits did occur.

About this time (1977) New Zealand Steel began investigating the possibility of expanding its manufacturing processing facilities. In a Woman's Weekly article (14.3.77) on Waiuku the reporter commented upon the effect on Waiuku of the Steel Mill and its local people. One local resident claimed that the 'mill' people assimilated slowly and were a little 'stand offish'. Yet from a careful analysis of clubs in Waiuku most new ones were headed by New Zealand Steel employees and a number of well established clubs also were well supported by New Zealand Steel employees. Some residents claimed that the 'mill' people brought a new vitality to the area. One Maori Leader S. Kaihau of the Ngati Te Ata averred that 'the Steel Mill and its employment policy was the best thing that had happened in his area'. 'There were more jobs for our young people' he said (New Zealand Women's Weekly 3/77).

There were more complaints (Franklin County News 3/77) from local farmers about air pollution especially the smell of hydrogen sulphide and again the Health Department supported the company's efforts by stating in the press that recordings were showing lower levels than previously. As these general complaints (Auckland Star 3/77) were increasing in frequency the company engaged the services of an expert consultant from the United Kingdom. When he checked the requirements he advised New Zealand Steel that the standards reached by the company were the lowest in the world. However he made some recommendations to improve the dedusting plant and returned to England (Evening Post 11/77).

In preparation for the expanded facilities the company built a new laboratory, new cafeteria and new offices for the design office and plant operating management. This latter building housed the library,

Personnel Department, Design office and Industrial Engineering all services which had been housed before in old buildings handed over after the contracting engineers had built the works initially. This move enabled land to be cleared in preparation for the expansion of the plant (New Zealand Herald 12/77).

As was stated earlier facilities were being expanded also at Taharoa and were completed late in 1977. More houses were erected and the local population was increasing and greater demands were being made. A Town Council was needed which could manage the village - its rubbish collection, grass mowing, fire brigade, medical and dental services, pre-school facilities (Playcentre and Kindergarten) which had been established. If such a Council was elected it would operate as a subcommittee of the Waitomo County Council and the new district scheme would take care of this, relieving New Zealand Steel Mining of this responsibility for the village. Nothing eventuated from this effort other than the underlying feeling that a new committee would not bring any benefits that the residents could not get from the company anyway. In retrospect it was management who was keenest on this move as it would relieve them of management of village matters.

Despite this setback each of the activities flourished, the Fire Brigade became an active social group as well as responding to fires not only in the village but out in the countryside as well; the playcentre and kindergarten went through an acrimonious phase but that was ultimately resolved. These two examples were typical of most activity associated with the village and management had to stand aside and not interfere, unless asked for help. Undoubtedly there was some persuasion but strategically it was realised that the community had to decide for itself what it wanted to do.

The Higgs Study of Taharoa as a changing community published in 1981 offered few solutions and suffered from the fact that no group or single entity would take up any of the ideas he put forward. In his conclusions a good omen for Taharoa's future lay in the resilience of the Maori culture. Perhaps it is the resilience of human beings he really means.

Probably the next major impact on the company was that which followed

the decision to expand its operation at Glenbrook to a fully integrated steel works. (A fully integrated works means that steel made from local resources is then shaped, rolled and possibly coated before sale to the customer.) The feasibility studies began in 1977 and in 1980 the Board announced that the expansion plan had been accepted by Government at a cost of $400 million.

Following this decision a company was formed jointly by Government and New Zealand Steel known as New Zealand Steel Development Company with Board members from New Zealand Steel, senior civil servants, and Government appointed Board members (Board Meeting 7/80). Staff were then transferred from their current operating responsibilities to begin detailed planning work for the expanded iron and steel making plants and the new rolling mills. They retained all their Company benefits and service.

The policy decisions were closely related to the economic and productivity aspects of the new and expanded plant. Their impact will only be known after the new plants begin production and checks then can be made upon the assumptions made.

This research report however will only focus on the period up to end of 1986.

As was stated in the opening paragraph the company reflected two philosophies of management, the entrepreneurial and paternalistic attitude of Sir Woolf Fisher and the experienced professional management of George de Young and his successor J.H. Ingram. These two apparently differing philosophies reflected the changes occurring in New Zealand's industry which was a post-war phenomenon.

Management education was developing through the auspices of the Public Service and the Institute of Management who had combined and run the Administrative Staff College since the mid fifties. Following the 1960 Royal Commission on University Education, New Zealand also saw the beginnings of management education occurring at universities throughout the country. However, despite these efforts to improve the calibre of managers and their skills, it was the entrepreneurs like Sir Woolf Fisher, Alex Harvey, Alan Hellaby, James Fletcher and others

who saw the opportunities to grow and develop their businesses in the protected climate of New Zealand.

Regrettably such businesses grew with little in the way of good business systems or policy manuals to integrate their various activities to ensure consistent practices throughout their organisations. In those days also their main focus was on expanding to meet the local market with less of an emphasis on careful planning and budgeting. Probably that was contributed to by the protection such industries received from import controls and the like.

Yet whilst one can criticise these entrepreneurs for their deficiencies their strength lay in their ability to sense market changes, and to sense likely political changes which could lead to some sort of economic intervention. As a result of this highly developed sensitivity to the total business environment, they could adapt to change speedily to take advantage of the trends. These men were solo operators - treated their staff like members of their family and motivated them by tireless effort and example. Sir Woolf Fisher typified this class of owner/operator. He would ring up his key managers at any time from anywhere in the world to enquire about something that was on his mind. Or he would invite them around to his home for discussions on a specific problem, forgetting time. Then apologetically remember how late it was, he would then fill up the boot of the car with vegetables from his extensive garden.

The first General Manager - George de Young, an engineer, was naval trained and had been through the steel industry economic fluctuations over more than thirty years in both Canada and USA and he knew how important it was to set up a company with everything properly done. His planning methods were excellent. He thoroughly involved all his key managers in this daily exercise to ensure nothing was left out of the start up of operations. Everyone must know fully what everyone else was responsible for. The Board were kept fully informed and often occasional members of the Board sat in on management meetings to keep themselves up to date.

The first conflict of styles occurred when de Young introduced planned budgeting to back up and support the detailed planning. Sir Woolf

Fisher was not pleased with this attention to detail for most probably he hoped the final costs would be less and did not want to know if they would be more. He personally sent the budgets back time after time to be worked over again and again seeking reductions. He really believed that if a budget was approved it was 'the licence to spend'. de Young became very frustrated with this attitude and although no one was ever present during their squabbles the managers were sure they occurred. Despite these differences between Fisher and de Young the management team could see the strengths of each man and appreciated their leadership.

However, whether a plan or a budget was approved or not, systems for recording expenditure against budget were necessary and the company persuaded a systems expert from the Steel Company of Canada to be assigned temporarily, to train and assist a successor locally recruited. It was because of this style of managing that New Zealand Steel was able to recruit excellent people. In fact the company trained some of todays top executives and they acknowledge that they could not have got the basic training in managing and in systems in any other New Zealand based company. Of course the international companies, like oil and chemical companies, would have good systems but not a locally based company. de Young followed this up with a very heavy emphasis on quality control and had a very well equipped laboratory and highly qualified staff working in it. This team was ultimately responsible for the solution to the problems faced by the iron making process and later this same group trained Japanese, South African and South American crews to master their problems using this process.

Finally, de Young ensured that everyone knew what their responsibilities were and persuaded the Board to grant them the authority to discharge those responsibilities effectively. We see therefore a contrast in styles between these two men who had such strong influences on how the company was set up and run. de Young's successor, John Ingram, also an engineer with a strong marketing flair did not interfere with these early systems and policies but he 'trod' a middle line between Sir Woolf Fisher's paternalistic entrepreneurial style and de Young's emphasis upon systems, measurement and budgeting. Ingram had the same frustration as de Young with Fisher's reluctance

to approve budgets but he persevered and worked to get them endorsed even if as late as six months into the next financial year.

Finally, as Sir Woolf Fisher remained on the scene for many years, John Ingram developed the sensitivity to neighbours and public generally that Chairman Fisher and the Board supported. Many of the activities that the company became involved in either at Taharoa or at Glenbrook were supported by Ingram and in many cases initiated by him. The continuity of both early executives in developing the culture of the company and which was exemplified in policy was extended and developed by Ingram and his management team. It was the same senior group of managers with one exception who were selected by George de Young and remained for the period of twenty years under review.

Whilst both Fisher and de Young were acutely aware of the need to develop an image and a pattern of behaving within the Company which became its culture, the methods adopted were different. Fisher represented the paternalistic, traditional, family business style of managing but he could see that if New Zealand Steel was to grow rapidly it needed different ways of doing things and as a consequence he hired de Young the Canadian manager as his first chief executive. Fisher was not easy to persuade when requests were made to secure the services of a systems engineer from the Steel Company of Canada who could help to install consistent standards and procedures. He was very wary of too great an emphasis upon procedures but could see benefits from doing things properly. He even lent the Company some of his Fisher & Paykel innovative specialist people to teach New Zealand Steel ways of doing things differently.

The mid sixties was a watershed where New Zealand companies were becoming more professional in their management and New Zealand Steel was highly regarded for its methods. It had the advantage of no past history to live down as was the case with many other existing enterprises - those that could and did change survived, those that did not, now do not exist.

The next chapter also deals with change but over a longer period of time. The Maori response to the changes brought about by the increasing number of Pakeha who initially were traders and whalers but

later wished to settle in the bounteous land, created problems for them. They sought solutions to these problems not only as individuals but also as tribes and as confederations of tribes. Three main streams of action and protest are considered in the following chapter. These are not the only courses of action taken by the Maori but for the purpose of this research they are the most significant.

CHAPTER 4

- CULTURAL REACTIONS TO TECHNOLOGICAL AND SOCIAL CHANGE

- DEVELOPMENT AND THE MAORI RESPONSE

The purpose of this chapter and the one following is to present an outsider's view of the causes and the background to the feeling which led to the first formal protest over Water Rights in 1978 by the Ngati Te Ata subtribe. The Ngati Te Ata submitted in their submissions in Water Rights hearing and later at the Waitangi Tribunal that their people had lived in the Waiuku area for many hundreds of years conserving the resources of seafood to sustain their people. They also claimed that the quality of the water in the Waikato River was deteriorating and the variety of seafood was diminishing in the Manukau Harbour over the recent past.

"The Ngati Te Ata people have been associated with the Manukau Harbour since the Tainui Canoe arrived in 1350 AD and their tribe was known then as Te Rua Kaiwhare. This is now the name of the Taniwha who is the guardian of the Manukau", Mrs Nganeko Minhinnick told the Auckland Regional Water Board in October 1981 during her appeal against the decision given in 1978 by the Planning Tribunal.

At the 1978 hearing Mr Robert T. Mahuta a member of the Tainui Maori Trust Board in his supporting submission traced the history of settlement along the banks of the Waikato River back to 1560AD. He alluded to the Treaty of Waitangi, Article Two, that the 'bulk of the Waikato Chiefs, for whatever reason, did not sign the Treaty'. He went on to explain what effects the New Zealand Settlements Act 1863 had on the Waikato tribes who were deeply involved in the Land Wars of 1863-64 and later suffered land confiscations. He stressed the importance of the Waikato River not only to the Maori people historically but also to most New Zealanders as the Waikato River now supplies most of the national hydro-electric power. This river is now being over used, and over polluted, and needs protection, therefore he spoke on behalf of the Tainui people and joined with Mrs Minhinnick in her appeal.

It is important to link this chapter into the social context and history of European settlement in New Zealand. The Europeans brought their value systems to New Zealand and attempted to transplant these ideas onto the indigenous people they found here. The traders had already influenced the way of life of the Maori people who began to grow crops for sale, and began to operate flour mills to grind wheat locally grown and so change began to permeate their way of life. Money and goods were exchanged for food crops which tended to destroy the traditional cooperative work patterns (Foster, 1962). This change in land husbandry influenced their social life for the reason that in the past they grew crops for their own consumption and not for sale.

The social history prior to the signing of the Treaty of Waitangi in 1840 had several important aspects. Initially European contact had come about through the establishment of shore whaling stations peopled by tough skilled men who intermarried within the communities they worked, teaching their Maori wives European ways of cooking and sewing and to speak English.

The traders, the next group to work in New Zealand, intermingled with the tribes to secure their goods for trade often intermarrying with Maori women, learning their language and adopting ways of behaviour acceptable to their Maori hosts.

When the Missionaries arrived and later the settlers who came with their families; they tended to establish their own communities and pursue their European ways. The spread of Christianity had its influence on traditions and the Maori people's faith in their old Gods (Ward, Alan 1974). The Christian influence and ways of doing things had a profound effect upon the Maori. This was another example of the technological influence upon their cultural patterns of living.

During this early period of European contact there had been about seventy years of sporadic violence, not exclusively Maori against Maori, occasionally Maori against European. Alan Ward has estimated that some 2000 Maoris had been killed through savage reprisals by whalers who did not understand why the Maori reacted if tapu was broken.

Within this background both Maori and Europeans were not averse to some form of British Government protection (Ward, Alan 1974). The Missionaries persuaded local chiefs along with Maori Christian communities to request some code of law.

From the point of view of this study, there are three main lines of action taken by the Maori in protest against the intentions of the British Government to ultimately colonise New Zealand. This latter point was clearly stated in the preamble to the Treaty, where Hobson, "the gentleman sent to represent the Queen", said "and more will be coming".

Furthermore, the increased trade between New Zealand and Australia brought with it, more traders, whose codes of behaviour increased the social problems in the community amounting at times to lawlessness. As there were no legal processes established, action was needed to install some settled form of Civil Government not only to penalise the wrongdoers, but also to protect both Pakeha and Maori people alike.

Additionally, some action was needed to protect the settlers' possessions in order that they might enjoy them in peace and good order. These were the broad intentions stated by Hobson and enshrined in the Treaty of Waitangi, regrettably in hastily written Maori, using it is claimed, Biblical versions of words which are imprecise and unclear (Williams, 1984).

The three main lines of action in the protest movement referred to above set out the steps taken to establish some order, from the Maori point of view, using the Treaty of Waitangi as their basis of action. These lines of action follow three themes:

1. individual attempts to resolve problems

2. the efforts to establish a unified Maori nation or Kingitanga.

3. the struggles to set up an administrative system to represent Maori people - Kotahitanga.

In the period before 1840 the Maori, because of growing Pakeha

contact, changed from subsistence cultivators and food gatherers to growing crops to meet trade needs. The mutually advantageous contact with the Pakeha traders and missionaries brought the Maori muskets, blankets, clothing, tools and other goods to trade with. Often Chiefs competed with each other to secure a Pakeha resident because he became a contact for trade as well as a resource of knowledge and skills.

The Missionary also taught the Maori to read and write, not only in English but in Maori as well. This transition occurred chiefly around the coast, especially near trading ports. Young Maori men were often recruited as seamen and learned European ways in that environment. They would later serve as intermediaries in the trading process. All of this serves to illustrate the flexibility and capacity of the Maori to adapt to changing situations. Whilst this was superficially true largely brought about by their numbers and access to natural resources, regrettably this adaptability was not permanent as the numbers of Maori diminished through disease and sickness or additionally their land was sold or confiscated.

Whilst this contact with the Traders and the Missionaries was continuing the official British policy was to let it happen and not to intervene. The Colonial Office policy was to allow these representatives of their country in whatever form, to advance British interests at their own risk (Ward, Alan 1974). Early Australian Governors were given an imprecise jurisdiction over New Zealand affairs for the reason that the produce traded helped to feed their penal colony. The Australians attempted to protect Maori seamen from illtreatment as early as 1805, and in 1814 they appointed a Justice of the Peace in the Bay of Islands and nominated three Chiefs to assist him enforce his decisions.

The British government could not administer a territory so far away without taking a greater interest in its affairs. The British also became aware of French and American interest in New Zealand, largely because of whaling. The French had a bad reputation because of the incident which arose from the killing of Du Fresne and his crew in 1772. The Maori feared French reprisals and thought a letter to the King of England asking for his protection would save them from this threat. This request for protection in 1831 was used later by Busby.

On May 5 1833, Busby was appointed by the Colonial Office, and arrived at the Bay of Islands and carried with him the reply to the 1831 Maori request for protection. A welcome was arranged and Busby spoke later to the Maori assembled, distributing gifts of blankets and tobacco. The friendly Chiefs offered him land at Waitangi and he built a house there. Unfortunately Busby was restricted in his authority and power to act, and received no backing from the armed forces. His role became that of a mediator which gave rise to the title of "Man of war without guns".

The earliest attempt to bring the Maori together arose from the pressure that the Church Mission Society could bring to bear on the British Colonial Office who were constantly being requested by the Missionaries to provide more protection for their "flock", from the excesses of the early traders and sealers. The British Colonial office also knew of the possible annexation plans by the French, the Americans, Norwegians and Spanish and the activities of the other major religious group, the Catholics (Ward, Ian 1968).

Busby noted at the time, that shipping was increasing because of trade around the coast and across the Tasman Sea to Australia. These vessels were often owned and operated by Maori sailors, and did need a flag. He believed and persuaded a number of influential Chiefs, including several leading Waikato Chiefs, that having a national flag would also bring them under the protection of the British Navy. Busby also heard that the Frenchman, De Thierry, had claimed land in the Hokianga for the French. The Chiefs met and signed a Declaration of Independence on 28 October 1835, to ensure their flag was recognised and this in turn gave them some feeling of national identity (Ward, Ian 1968).

This Declaration did more than just provide for a flag, with the hope of securing protection from the British Navy for their trading activities around the coast and across the Tasman. It provided that the hereditary Chiefs would have sovereign power in New Zealand and would not be separated from this power by legislation or government decree. They also planned to meet annually. A copy of this Declaration was sent to His Majesty, the King of England, to thank him for the flag and requested that he became their protector.

Following the 1835 Declaration of Independence, there were several incidents between the Maori tribes which made calling together the Confederation of tribes difficult because of the possibility of fighting breaking out. Busby was a persistent man and he managed to get a small group of Chiefs together, including one from Hawkes Bay and Te Wherowhero of Waikato. The latter was a significant signatory to the Declaration of Independence as later events will show.

The real objective of Busby was to secure a single voice representing Maori interests but this was unlikely as tribal interests were too independently strong. Intertribal fighting had broken out in the Bay of Plenty and in the Bay of Islands, which prompted Busby to seek military assistance from Australia in the shape of a naval vessel under the command of William Hobson, but no action was needed to settle the affair (Orange, 1987).

At this time also, the Missionaries had written to the Colonial Office requesting help and had painted a dismal picture of deteriorating relationships in New Zealand. All of these events put pressure on the Colonial Office to take steps to resolve the uncertainties about British interest towards New Zealand.

Captain William Hobson was appointed as Consul in February 1839 and his main task was to secure sovereignty for Britain peacefully if possible, and by Treaty preferably. During this period also, the New Zealand Association had been formed to establish a colony in New Zealand under the systematic principles of their leader Edward Gibbon Wakefield. He sought parliamentary approval for this step, but was very coolly received by the Colonial Office in England.

We see therefore, an organisation being set up in Britain which would need land, and at this time also Sydney businessmen were buying land in New Zealand so the need to regularise these matters became more urgent. The Governor of New South Wales accelerated Hobson's status to that of Lieutenant Governor and decreed that any land title registered would only be recognised if approved by the Crown. This asserton of British authority over land was done before any agreement had been secured from the Maori, and predated the Treaty of Waitangi.

Busby supported Hobson's action in respect of the land, so he organised a meeting of Chiefs at his home at Waitangi one week after Hobson's arrival. Hobson then drafted out his ideas and Busby put these ideas into draft form and they were accepted by Hobson as appropriate without alteration. The Treaty of Waitangi was born.

Scholars now accept that Busby had an important role in drafting the Treaty and the Reverend Williams and his son Edward translated it into Maori overnight. It's no wonder that the Maori text should still be the subject of much discussion after such a hasty translation.

A number of people have examined the Treaty from its origins and its non implementation. Ruth Ross in two articles published in the New Zealand Journal of History (1972) has examined the immediate circumstances surrounding the signing of the Treaty and has cast new insights on that event. There are others notably D. McKenzie and D.V. Williams who have closely examined the words used in the Treaty in both Maori and English versions and have expressed concern at the translation into English. Their concern focuses on the meaning of key phrases relating to power, authority and governorship of the land. R. J. Walker stated in an interview with him that the key word is the meaning of sovereignty and what is its effect. It is not my purpose in this chapter to debate the subtleties of meaning between Kingitanga (Kingship) and mana (sovereignty over land) but it is clear that the word mana was omitted from the Treaty and Kawanatanga (governance) substituted.

Furthermore, the word Kawanatanga, it is claimed is a made-up word which sounds satisfactory but if the Treaty had used "mana whenua", Walker doubts whether the Chiefs would have signed. The second article of the Treaty set out the Maori rights to the land and the exclusive right of the Crown to purchase the land should the Maori be predisposed to sell. In the English version guarantees were given to the Chiefs, their families and tribes. "The full and exclusive and undisturbed possession of their lands and Estates Forests Fisheries and other properties which they may collectively or individually possess." However, the Maori version granted to the Chiefs their lands, homes and possessions. Somehow the translators failed to grasp the significance of these omissions. Yet today, these omissions could

be included in the possessions/provisions as "taonga katoa" treasured possessions. The use of the word Rangitira is also significant for the Missionaries used this in two ways - as Chiefs and as governance over land. There is much current debate as to whether the Queen was given all rights or whether the Maori retained usage rights under the aegis of the Queen.

There is still debate as to the real meaning of every aspect of the Treaty but it does appear that if certain words like "mana" had appeared it is doubted whether the Chiefs would have signed with such an important matter included, as this was what tribal wars were often fought over. The Missionaries knew this and soft pedalled in this area as some of them had a special interest in so doing. They believed that Maori welfare would be best served under British sovereignty and also they had purchased land for their missions.

When Hobson called his meeting on February 5 1840, he found some Chiefs were still not completely happy with what they were signing away. Others could see advantages in acquiring European material possessions or trusted the Missionaries - Hone Heke was one and Waka Nene another. The latter could see that the European influence was going to grow and he was supported by his brother Patuone who feared the French takeover. These Chiefs swung the earlier anti-Treaty feelings around to agreeing to sign.

Busby gathered the Chiefs together and Hobson urged them to sign. All the while Colenso, the mission printer, was warning that the Treaty needed to be understood. So over a period of two or three days the Treaty was signed and then over the next five months copies were taken all over the rest of the North and South Islands, resulting in 512 signatures or marks. There were several important abstentions, Te Wherowhero of Tainui and Te Heuheu of Tuwharetoa who influenced some Arawa Chiefs to refuse to sign also. According to Tainui people, Te Wherowhero felt that as he had signed the Declaration of Independence in 1835, there was no need to sign another document. Thus we can see that the seeds of Maori grievances were sown at the Treaty signing not over the words themselves but at the very thought of agreeing to sovereignty over their people and land. It was also clear that the full implications of British intent to colonise the country was not explained.

The significance of the Treaty was two fold - the growing colony needed some law and order established and second there was a real concern that the French may move to establish their rights over the land. The Chiefs could see some advantages for law and order, and having European possessions. They were also wondering about their personal authority which they believed the Missionaries were eroding by their Christian teachings (Ward, Alan 1974).

Following the signing of the Treaty, it was not long before some land transfers began to take place alongside increased settlement. Some land was legitimately sold, but other transactions were conducted by force and we see in June 1843, Wakefield and a police contingent tried to enforce the New Zealand Company acquisition of land at Wairau in the South Island. Accidentally a musket was fired and twenty seven Pakehas were killed including Wakefield, plus four Maoris. Governor Fitzroy when he investigated the incident supported the Chiefs on this occasion and took no reprisal action.

Governor Hobson had returned to the United Kingdom and his replacement Governor Fitzroy began to look for ways to increase revenue so he imposed customs duties on visiting ships and a land tax on land sales. The effect of these actions by Governor Fitzroy was to decrease shipping at the Bay of Islands which affected the local Chief Hone Heke, who later became notorious for cutting down the flag pole on three occasions. Governor Fitzroy took strong exception to Hone Heke's actions and put a "price on his head" which Hone Heke likened to the "price of a pig". So he cut the flagstaff down again and attacked and sacked the town of Korarakareka. Despite the effort of Governor Fitzroy to work with the Maori leaders and his attempts to achieve some harmony, he did not have enough money or soldiers to put his ideas into practice and was therefore judged to be a failure.

These blunders by Governor Fitzroy resulted in him being replaced by Governor Grey who decisively campaigned against Hone Heke and Maoris generally bringing the settlements in the North Island under control. He exercised the Crown's prerogative in the South Island and bought land there, thereby extending his control. So we see Governor Grey controlling pockets of land at Bay of Islands, Auckland, New Plymouth, Wellington and Nelson, but large tracts of land in the interior of the

North Island were still under tribal domination. Governor Grey saw this as antagonistic to his policy of amalgamation and installation of European solutions to the growing problems.

During the early period of Grey's governorship and following his reinstatement of Crown's rights over land purchases known as "pre-emption" by the Native Land Purchase Ordinance (1846), he faced criticism from both Maori and Pakeha over this action. Interpretations of the law penalised half-castes, created difficulties with land being sold between Pakehas and it was not long before the anti land sales feeling among the Maori was fuelled. This reinforced the Chiefs' attitudes expressed at the meeting called to sign the Treaty some five years before.

Because of the unrest and uncertainty over land sales and the Crown's role, it became important to clarify some of these matters and a petition was signed by Auckland settlers and presented to Governor Grey in 1847 supporting him and his "pre-emptive" provisions (Orange, 1987). The Crown's intention at this stage was by and large benign and Governors were directed to fulfill the conditions of the Treaty.

The Government newspapers at this time attempted to clarify the misconceptions over the Treaty, and printed the text in both languages. During the late 1840's the Maori were the main providers of trade and food, and were employed building cottages for the settlers and building roads. They were also operators of the colonies' flour mills. The Maori at this time needed money to purchase this equipment so they staged a strike in 1848, and demanded cash not food as wages. It is recorded that 350 were involved in this strike, probably the first strike in New Zealand industrial history.

The settlers were uneasy and the final outcome of their concerns, shared no doubt by the Colonial Office, was to shift power from Britain to New Zealand in 1852, through a document referred to as the Constitution which appeared to give Maori rights some recognition.

Provincial councils were set up and a General Assembly comprising Governor, a Legislative Council and an elected House of Representatives was established. An interesting point was that Maori

Affairs was to be the concern and responsibility of the Governor. Therefore, Maori Affairs became the specific concern of a settler House of Representatives. This state of affairs was not assisted by the departure of Governor Grey in 1853 and the delayed arrival of Governor Gore-Browne in 1855. The period in between was filled by Colonel Wynyard who did nothing.

By the late 1850's Maori suspicions were again aroused especially in Taranaki, Rotorua and Waikato and out of this the King movement again surfaced which will be dealt with in Section II of this chapter.

Governor Gore-Browne had no command of Maori language so he relied on Donald McLean who was chief land purchaser for the Government. McLean became influential because of his personality, and because of this he became a major force in Maori affairs.

In 1860, Governor Gore-Browne called a meeting in Auckland of 200 Chiefs including one from the South Island and this meeting was later known as the Kohimarama Conference.

Most paramount Chiefs were in attendance except those from Taranaki and a few from Waikato. The strategy for this meeting was clear, it was to isolate the Taranaki rebels and to keep a check on the King movement. Governor Gore Browne made it clear in his opening remarks at the conference that the Taranaki and Waikato Chiefs were rejecting British sovereignty. He expounded on the Treaty of Waitangi and repeated the pledges of both British and Maori. Paragraph 3 of his speech at Kohimarama in early August 1860, includes the following assurances:

i) Royal protection from all aggressions by any foreign power,
ii) All the rights and privileges of British subjects,
iii) The full and undisturbed possession of their lands and estates, forests and fisheries and other properties which they may collectively or individually possess, so long as they wish to retain the same in their possession.

Then he went on to state in Paragraph 4, of his speech that by signing the Treaty, the Chiefs ceded to the Queen absolutely and without

reservation, all right and powers of sovereignty which they collectively or individually possess or might be supposed to exercise or possess". A.J.H.R. (1860).

In summary, he stated "New Zealand was the only colony where the "Aboriginal" have been kindly treated and where they had been invited to become one people under one law. The Maori people should recognise this and avail themselves of this generous policy. Her Majesty has adopted you and it is impossible for you to be badly treated - you won't be unjustly dispossessed of your land. You must not therefore take action in violation of this trust and allegiance offered by the Queen. But if you do act in a way which could be regarded as disloyal, you will have to accept the consequences of any British subject which could ruin your people". A.J.H.R. (1860).

It is clear from the foregoing, that Governor Gore-Browne was attempting to impress on the Maori Chiefs that their future was a good one providing they behaved. This was a new note by threatening the withdrawal of Crown support if Maori acceptance of authority was abrogated.

Governor Gore-Browne also went on to say, "I feel that the difference in language forms a great barrier between European and Maori... To remedy this the various Missionary Bodies, assisted by the Government, will use every exertion to teach your children English in order that they may speak the same language as the European inhabitants of the Colony."

He finally outlined other advantages conferred on the Maori, viz., "Cannibalism has been exchanged for Christianity; Slavery has been abolished; War has become more rare; Prisoners taken in wars are not slain, European habits are gradually replacing those of your ancestors of which all Christians are necessarily ashamed" (A.J.H.R., 1860).

At the conclusion of his address, two Chiefs (Mete Kingi and Kawana Paipai) presented the Governor with two beautifully embroidered flax mantles and a carved Taiaha (spear).

It is clear that the Chiefs understood these implications for Tamati

Waka Nene and Te Rauparaha both spoke in favour of the Crown's forward thinking and compared it favourably to that of the French at Tahiti. Te Rauparaha said, "Do not consent that the Treaty should be for the Europeans alone, but let us take it for ourselves and let it be a cover for our heads" (Te Karere, 1860).

This conference lasted four weeks under Donald McLean's Chairmanship, who attempted to sound opinion on the Taranaki problems, and the Kingitanga movement. Other matters were also discussed - a new legal code, mixed juries and the need to promptly settle land issues. Not unexpectedly, consensus was not readily achieved and frequently discussions on the Treaty clauses were held. The conference minutes (Te Karere) showed considerable differences in opinion on the meaning of the Treaty's clauses. Furthermore, with Hone Heke's subsequent behaviour since the signing of the Treaty, others claimed the Queen can accept minor infringements and overall the Europeans were still trying to make it work.

McLean restated Governor Gore-Browne's opening statements at the conclusion of the meeting and also clearly indicated that the Treaty was not a Ngapuhi Treaty. It is binding on everybody and to help with understanding he read the Maori version to all present.

Whilst there was some disagreement about whether it was understood, the view of Te Rauparaha prevailed "Let this meeting be joined to the Treaty of Waitangi". Finally in the last session of the conference there was unanimous agreement, first on the place of the Treaty, second the recognition of the Queen's sovereignty, third the union of the two races and not to take any action which could be in breach of the Treaty.

In an interesting sidelight, the support for the Government action at Waitara and Taranaki was not given by the Chiefs present and some criticism was voiced in the manner of the way the Crown was handling this problem. This fact has not emerged in the history books until recently. With regard to criticism of the King movement in Waikato, the attending Chiefs were reluctant to do so although they willingly accepted the Queen's sovereignty.

By calling this conference Governor Gore-Browne was clearly highlighting the Government's concern over Maori affairs. In the discussions over words and in translation omissions or inclusions McLean wished to get agreement, not to trample over feelings of loss of "mana" yet underlying it all, the Pakeha objectives were to exercise territorial rights and by so doing acquire land to place settlers upon it.

In the two major European speeches at Kohimarama, the emphasis was on protection of the Maori, for both Gore-Browne and McLean were intent on selling the 1840 document especially the "one people covered by one law" concept. This led also to an interesting development by the Chiefs who were wanting more Maori involvement in Pakeha councils. McLean appeared not to respond to this, which to the Chiefs was in conflict with the one people concept. However, before the conference was concluded the Chiefs sought Governor Gore-Browne's agreement that this event should be repeated and he agreed. This event did not occur nor were any further conferences held under Government auspices for nearly twenty years.

In September 1861, Governor Gore-Browne returned to Britain and Governor Grey was reappointed.

Governor Grey's moves following his second term were to bring the Maori more under the power of the British and the authority vested in the Governor. He sought and received compliance from the elected House of Representatives. He initiated moves to restore peace in Taranaki and began to court the leaders of the King movement in the Waikato.

Another strategy Governor Grey adopted was to recognise the Runanga system, which had been evolved by Maori leaders. He decided that village Runanga (meetings) were to exercise more control if they were headed by Resident Magistrates assisted by Maori assessors. These moves were sanctioned by the Native District Act 1858 and the Native Courts Act 1858. Grey also made no effort to call the Chiefs together in a repeat performance at Kohimarama for he did not wish the Maori to think they could collectively have a voice.

The Runanga did not please the Pakeha settlers and they often did not abide by its pronouncements or decisions. Furthermore, the Runanga did not make land more freely available. They were, moreover, under the control of Crown appointed magistrates and so were a takeover of the sort of Runanga that had arisen from the actions and authority of the Rangatira.

In 1862, the Native Lands Act was passed which provided for a Court to determine ownership of land allowing purchase to proceed from Maori to settler, as the Government relinquished its pre-emptive rights. The settlers parliament agreed that something needed to be done to tidy up land titles and a properly constituted tribunal should be set up to do this. Governor Grey's intention here was to press for individual land title, having secured Colonial Office approval. This task cut across tribal ownership and was potentially a major hazard to peaceful relations. When Gorst arrived in New Zealand in 1860 to be a resident Magistrate he found the administration here differed markedly from what he had been told before he came out from England (Gorst, 1864).

However despite Governor Grey's wish to settle differences, he was determined to proceed with British colonisation and also prepared for war. The 1862 Lands Act was postponed and in 1863-64 British Troops waged war in the Waikato and later extended this to Taranaki to settle some problems there.

Whilst these wars were continuing, the House of Representatives passed two pieces of legislation in 1863, the New Zealand Settlements Act and the Suppression of Rebellion Act, the first allowed for land confiscation as a punishment for war and the other Act title is self explanatory.

Both these Acts raise questions about the standing of the Treaty, about the powers of a colonial Government and the status of the Maori people.

The New Zealand Settlements Act 1863 and its consequential confiscations, left a sense of injustice amongst the Maori at that time and is still felt. Regrettably, the legislation was hurried with long term consequences. Currently, in 1988, it is the subject of protests to the Waitangi Tribunal and to the Government.

These Acts were passed without formal approval from the Colonial Office and were actioned immediately, but the Colonial Office again intervened by limiting the New Zealand Settlements Act to operate for two years and confiscations to be carried out if negotiations failed. The House of Representatives reviewed the New Zealand Settlements Act and provided for its extension, which was a further step by the Government to take over full control from the Colonial Office.

Then a Public Works Lands Act 1865 was passed to facilitate land acquisitions in order to build roads, which was again another example of the administration's decision to subjugate the Maori. The Taranaki war flared over this.

The 1865 Native Lands Act gave the Courts responsibility to determine ownership of land if the owner died and titles would be issued. Leases were now permitted. These moves were attempting to impose the British Citizenship status upon the Maori.

When Governor Grey returned to Britain in 1868, he was replaced by Sir George Bowen, who was more liberal in his approach. At this time also, the House of Representatives passed the Maori Representation Act 1867 which provided for four Maori members in the lower house and another in the Legislative Council which acted as the upper house.

It was about this time that the Colonial Office in the United Kingdom relinquished its power over the Colonial Government in New Zealand. By this time also, the numbers of Pakeha settlers were greater than the Maori which gave the House of Representatives a greater sense of power (Kawharau, 1977).

In the late 1860's and early 1870's, the Maori could also see that their rights were being rapidly eroded. An example being the Oyster Fisheries Act 1866, the first fishery act which provided for licensing and leasing of oyster beds, but no provision was made for Maori protection of their food gathering rights.

Migration had brought considerable numbers of Europeans to New Zealand whose members knew little about the Treaty of Waitangi and cared less about it. Attempts by Maori leaders to seek legal solutions to their

problems were abortive, especially through the Native Land Court, set up in 1865.

Mr Justice Fenton Chief Judge of the Land Court was not sympathetic and with costs of such legal solutions rising, it is not surprising that more land was getting into Pakeha hands.

We see therefore, under Public Works requisitions and the decisions of the Native Land Court, the amount of land owned by Maori diminished significantly. Recourse to the clauses in the Treaty of Waitangi proved fruitless, especially when Chief Justice Prendergast in 1877 declared the Treaty as a 'nullity in law' because it had not been incorporated into New Zealand Law.

During this period (late 1860's and early 1870's) Maori tribes also lost many fishing rights, most notably within harbours and when Pakeha purchased land which had coastal boundaries, or especially when they drained tidal areas or shallow lakes. Mr Justice Prendergast in 1872, ruled that land below high water mark was owned by the Crown. It was not until late in the 1870s that Maori people won some fishing rights in the Fisheries Act 1877, which did include reference to the Treaty of Waitangi but also prescribed quantities of fish and shellfish which could be harvested. However, these events and decisions did have one result in that out of the runanga meetings, a greater sense of unity began to emerge expressed finally, in the early 1890's in the Kotahitanga movement. This will be dealt with separately in Section III of this chapter, but needs a context here as does the Kingitanga movement earlier.

The early 1880's also saw the surge of interest in Kingitanga and the frequency of meetings in the Kohimarama style. So it can be noted that although the march of colonisation was proceeding, the Maori were seeking ways to obtain redress for their loss of land and fisheries which were covered in the Treaty.

A movement began in Hawkes Bay called the Repudiation Movement in the 1870's, in an effort to obtain protection from fraudulent land acquisitions, but after about ten years it lapsed. Basically, its leader Henare Matua endeavoured to persuade all tribes to unite. It

was similar to Kotahitanga in its objectives. He was also advocating a separate Maori parliament.

In the north, the Ngapuhi had set up a series of meetings which became a focus for discussion on the Treaty and its provisions. The Ngapuhi settled on a meeting place Te Tii near Waitangi and built a meetinghouse there. These meetings were attended by over 3000 Maori including some Pakeha.

Whilst this was going on, Te Rauparaha from Otaki, urged the earlier attendees of the Kohimarama Conference to reconvene this meeting for discussion on their grievances and the status of the Treaty of Waitangi. They met in 1879, at Orakei nearly twenty years after the first meeting their purpose being to closely examine the Treaty and its implications for the Maori.

According to records, most speakers felt that the advantages of peace and not intertribal wars was a real benefit following the Treaty, yet there were many who mourned the loss of mana which was evidenced by the laws passed, and the loss of land and fisheries. On the subject of fisheries and repressive legislation the Maori chiefs present were very voluble. The chiefs spent a great deal of time examining the wording of the Treaty and its application to land and fisheries (Orange, 1987).

These three evidences of Maori protest, the Hawkes Bay Repudiation Movement, the Kohimarama Conference and the Ngapuhi efforts to establish a Maori parliament, should have alerted the Government. Government however, knowing that the numbers of Maori had dwindled to about 50,000, saw little need to recognise these signs - assimilation was their objective, plus the clear indication to them that Britain would not interfere in the New Zealand Government administration.

Therefore, when Maori deputations went to England in the 1880's (Ngapuhi 1882, Maori King 1883), they met with only little success. They wished to meet with the Queen but met instead with bureaucratic responses indicating that such approaches should first be presented to the New Zealand Government. This they could not do since the Treaty had no standing at law and had been made with the British Crown.

This rejection of their appeal had serious effects on the Maori for they had pinned their hopes on seeing the Queen for she represented in their minds, the Crown, with whom they had signed the Treaty. However, despite the initial reaction to their appeal, a more prestigious appeal was made by Tawhiao, the second Maori King.

Tawhiao had been a protestor against land deals for many years, and when his local efforts had failed, he decided that his only recourse to justice was to go to England and air his grievances there. He went with a wider base of support than did the earlier deputation. His advisers were more confident than the earlier deputation for they understood that a Tulai King from Africa had been given back some land after a visit to England (Orange, 1987).

Tawhiao's visit was thwarted by the New Zealand Government and the British advisers, so after receiving some hospitality he returned to New Zealand. When asked, on his return, how he had fared, he replied, "I went as a Maori and I came back as a Maori", meaning that no change had occurred and that the status of being Maori was as nothing.

At this time the New Zealand Government strategy was to place the blame for any confiscations on the Governors and not on the Parliament. This interpretation failed to impress the Maori whose response was to request a separate Maori Parliament to run their own affairs.

We see therefore, a very different interpretation of affairs affecting Maori - the groups in England advocating and supporting Maori protest and the New Zealand Government turning a deaf ear to the complaints. Arising from this frustration, the northern Maori then decided to set up their own committees to operate under the Treaty and did so in parallel to the existing Government appointed committees. This continued for more than ten years.

Whilst this was going on, both Ngapuhi and Waikato Tribes were seeking support for their own causes and the differences between them provided for their downfall. Despite this however, the Governments attitude and actions served to promote Maori unity and aspirations for more self-government.

Two pieces of legislation during this period also served to "stoke the fires" of Maori concern - the Native Lands Administration Act 1886, and the Native Land Act 1888. Both pieces of legislation the Maori hoped would restore more control to them over their lands - the first approved communal land transactions but were to be controlled by a Government Commissioner. The Maori people refused to co-operate with this. The second piece of legislation restored direct purchase instead of the pre-emptive provisions of the past. To make matters more difficult, the Department of Maori Affairs annual vote kept decreasing in value which placed more restraints on any programmes aimed at improving the lot of the Maori.

These actions by the Government had a reaction for it did not foster Maori unity so the Maori tribes turned for inspiration to the 1835 Declaration of Independence, and the 1840 Treaty provisions. Despite their efforts, the Government was unimpressed and the Maori became even more disillusioned.

The final effort to seek an audience with the Queen was made in 1913, and in one respect it succeeded, Tupu Taingakawa and Te Rata did meet with the "Queen" viz King George V and Queen Mary, but they were told not to make an appeal and no grievances were to be voiced. Probably the next most significant Maori protest was the emergence of the Young Maori Party, Apirana Ngata, Maui Pomare and Peter Buck (Te Rangihiroa) all of whom were University graduates and members of Parliament. They were Members of Parliament for differing periods but their influence was felt from 1909 to 1943. They believed that the best strategy for Maori was to adopt the modern way of life, viz, become Europeanised and they planned to work through Parliament for the betterment of Maori advancement. Legislation passed during this period supported some involvement of Maori but often the administration neglected to police the legislation to see that consultation was carried out. The Muriwhenua Fishing Report 1987 states very succinctly in Latin what happens 'Recte si possint, si non, quoquinque modo' or in other words, the administration would do things legally if they could, otherwise by any means.

In 1922, Ngata was concerned about the continuing Maori protest which relied on the Treaty for its case. He wrote an explanation of the

Treaty but used the English version as his source document. His objective was to persuade the Maori that the English text was the correct one to use. His efforts only served to confuse the meaning of key phrases and words in the Treaty.

At this time in 1922, three important events took place - the granting to the Arawa rights over the Lakes in their tribal land, a new building was opened at Te Tii marae at Waitangi, and the most significant was the rise of the Ratana movement and following this, the Labour Party accepted the Treaty of Waitangi as a part of their overall political platform.

Ratana emerged in 1918 as a faith healer with remarkable powers and attracted a large following. He wished to unite Maori people under one God and also to improve Maori welfare. His base was near Wanganui and people began to move ther and a village began to emerge, and by 1925 a thriving community had been established.

Ratana formed a political party and his son nearly unseated Maui Pomare, losing by a few hundred votes. Not satisfied with this lack of success, Ratana took a petition to England and whilst there sought a Royal Commission to investigate Maori grievances. This visit like earlier visits failed for the same reasons as for earlier visits, so Ratana then decided to win the four Maori seats in Parliament with his candidates. He was initially successful in 1932 with one when Tirikatene was elected and from 1943 onwards, all Maori MP's are or have been supporters of Ratana principles except the recent Labour administration which has only two Ratana adherents. This success of Ratana supporters attracted Labour Party attention and as stated earlier they joined with Ratana for their mutual benefit.

In 1932, when Lord Bledisloe gifted the land and Busby's House at Waitangi to New Zealand people, more attention was focused on the Treaty. Ngapuhi built a meeting house adjacent to Busby's House and this symbolically indicated a one nation position, for both Pakeha and Maori.

The 1934 meeting in February at Te Tii marae in Northland, attracted a large gathering of Maori and Pakeha and formed the basis of future

meetings on February 6th commemorating the signing of the Treaty in 1840. As New Zealand celebrations were about to be planned for 1940 Centennial, more attention was to be paid to New Zealand history. Regrettably much of this was nullified by the outbreak of World War II in 1939, although some celebrations were held in 1940 to mark the Centennial with only token Maori support. Some initiatives were given to the Maori, the most significant being the decision to apply conscription to the Maori, Waikato tribes said they would defend New Zealand but were not keen to fight for some overseas ideals, especially as they had been repeatedly let down by their appeals to England.

Maori Affairs was to be administered after the war by a newly named Government Department which changed its name in 1947 from Native Department to Department of Maori Affairs. Also emerging later from the wartime committees was the establishment of the New Zealand Maori Council 1962. During this period of fourteen years in office (1935 to 1949), the Labour administration did give considerable assistance to Maori requests but did so with one eye on the electorate. However, Tirikatene's efforts were not wasted, he tried to get February 6th declared a public holiday. He achieved some recognition for February 6th in the Waitangi Day Act 1960 - it was to be a day of thanksgiving in commemoration of the signing of the Treaty but not a public holiday.

The efforts of Bledisloe had not gone unnoticed, for the Government did do several things at Waitangi - the Navy erected a new Flagpole which was later resented by 1970 protestors - the Government also gave money for the Waitangi site to be properly maintained and in 1953 the Royal visitors went to Waitangi. They also visited Turangawaewae at Ngaruawhia which pleased Tainui leaders who presented the Royal party with an "oath of allegiance" to correct the fact that Te Wherowhero had not signed the Treaty.

Waitangi celebrations each year were marked by the frequent references to "one people" - a nationalistic feeling was being fostered and this lead to the view that the Treaty of Waitangi was an important historical event. The Maori view was that if it was so important historically, why didn't it work by recognising the place of Maori

people and their claims of unfair treatment under the terms of the Treaty.

More pressure was emerging for Waitangi Day to be properly recognised and to be made a public holiday. The pressure groups now were linking the recognition of Waitangi Day and the ratification of the Treaty.

A major fact in Maori life between 1945 and 1971 was the large scale movement of Maori to the cities. This was to have a profound and dislocating effect on the Maori chiefly because it separated the younger Maori from their marae and the traditional institutions of their culture. They also found the social dislocation of the city prevented the normal 'togetherness' they felt on the marae. Despite this there emerged men and women who benefitted from the educational opportunities available in the cities (Metge, 1964).

The early 1970's saw protest action take another upsurge. It was a group of University educated young Maori who were also joined by some Pakeha sympathisers which gave this protest action a keener edge. This group was formed from individuals who had attended young Maori leadership courses held under the auspices of Adult Education programmes conducted by Dr Maharaia Winiata and other University based leaders. In the Auckland region Dr Ranginui Walker was the chief organiser. The members of these courses were nominated by tribal committees and comprised both males and females, mostly graduates and living in Auckland.

About this time, world wide protest action was developing in parts of the old colonial territories of Britain, indigenous people representatives had a voice in the councils of United Nations and the Black Power movements in the United States of America, all contributed to a new awareness and an assertiveness by these minorities.

In this climate of change and new voices emerging, it is little wonder that Maori activists decided to make a more public stand. Arising from the young Maori leaders programmes, a discussion group was formed which was the forerunner of Nga Tama Toa (Young Warriors). This group became very active conducting some basic research into Maori needs and providing papers for discussion. They methodically set about

allocating tasks amongst their members, for example, one took Justice, another Education, another Media, another Politics, and so on. Their work and presentations were of a high standard and basically peaceful and constructive.

Their first task was to rededicate the Plaque at the University of Auckland situated on one of the stone walls which were part of an early fort. Their main focus of attention however, was on the celebration of the Treaty of Waitangi in February 1972. This group also provided legal aid to young Maoris in Court, and it served as a model for official legal aid later. They wrote an eight page submission on the Race Relations Bill, they conducted surveys on attitudes to teaching Maori in schools and did welfare work notably visiting the maximum security prison Paremoremo near Auckland, and instigated debates between the inmates and community groups (Jackson, 1987).

The period between 1970 and 1975 was a busy time and this group Nga Tama Toa, achieved some major gains. However, they could see that some more dramatic action was needed, so they refocussed attention with a professional approach on Waitangi Day and its celebrations. They could see that dramatic gestures were needed, so they did a great deal of organising on the land march from Northland to Wellington. They strongly supported the restoration of Raglan land back to its owners and were active in the Bastion Point occupation.

During the Parliamentary debates on the Waitangi Act, Nga Tama Toa made detailed representations emphasizing the need for retrospectivity. Early in 1974, a small group sought recognition of Maori issues with the then Federation of Labour, but such organisations were slow to change so it was not until 1983, when a special subcommittee was set up within the Federation of Labour, to focus attention on Maori and Women's issues. The new Combined Trades Union (State and Private Unions) now has two Maori members as well as two women members on its Council (Jackson, 1987).

In 1975 the amended Waitangi Act now included a Tribunal whose task it was to make recommendations to the Crown, having heard Maori claims and grievances and also to report on legislation which may affect the

Maori in particular. Furthermore this amendment ratified February 6th as a Public Holiday, but did not include any retrospective provisions for claims to go before the Waitangi Tribunal. It was not until 1985 in another Amendment to the Waitangi Act that retrospective claims would be permitted to go back to 1840.

Amid the many attempts by both Governors and Parliament to legislate solutions to solve Maori problems, individuals also tried to seek a solution. Whilst these efforts were going on some collective activity was also taking place.

SECTION II - KINGITANGA - THE TAINUI SOLUTION

It is said that the idea of setting up a King began with a visit to England by a Taranaki Chief Pirikawau, this occurred in 1845 (Mahuta, 1976).

Early in the 1850's moves were begun to establish a figurehead who could speak for the Maori. The settlers wanted the Maori stripped of power and unless instructed from London, Governor Hobson was unlikely to involve the Maori in the management of their affairs. Land sales were proceeding apace despite the pre-emptive provisions in the Legislation.

When Governor Fitzroy replaced Hobson, he attempted to raise money by taxing land sales and placed a customs duty on visiting ships. This in turn affected shipping and annoyed the settlers. Ultimately Governor Fitzroy was replaced by Governor Grey who was not very sympathetic to the Maori. At this time also social and epidemic diseases were prevalent and as a result of this the Maori population began to diminish. Lawlessness was becoming a problem to the authorities who reacted by imposing greater penalties on the Maori which accentuated Settler fears of Maori reprisals.

The ten years following the Treaty were not a happy time for anybody. Finally the Maori reacted in Taranaki, Rotorua and Wairoa where aggressive land purchase agents were creating problems. Probably these areas were less cooperative with the Government anyway. The tribal Chiefs were suspicious of the authorities intentions and could

not see the great benefits they were promised when they signed the Treaty.

In 1853 two Otaki chiefs, Tamihana, Te Rauparaha, who had recently returned from a visit to England, and Matena Te Whiwhi, promoted the idea amongst the tribes to select a King who could act as a focus for Maori problems and aspirations. The idea was taken up by Wiremu Tamihana (the Kingmaker) who spoke at meetings in Waikato and near Auckland in 1856. Then Te Heuheu in 1856 called a meeting at Pukawa of the chiefs who were approached to be the King. One by one they were eliminated or withdrew in favour of Te Whero Whero, the Waikato chief. Further meetings were staged over the next year or so, and in 1858 Te Whero Whero was installed as the first Maori King and named Potatau.

Te Whero Whero was sufficiently high ranking as he was descended from the Captain of the Tainui canoe (Hoturoa) and had connections with all other tribes most notably Te Arawa. He was an outstanding fighter and had befriended Governor Grey who had asked him to protect Auckland. Grey had recognised the influence that Te Whero Whero had amongst the other tribes and arranged for Te Whero Whero and eighty families of his tribe the Ngati Mahuta to settle at Mangere as an outer guard for Auckland. An agreement was signed in April 1849 to cover the arrangement. As the leader of the Waikato tribes Te Whero Whero could also call upon resources of men and food. He was an old man when installed as King and just over a year later, in his 85th year, died at Ngaruawahia in 1860.

The chiefs who elected him saw themselves as aligned with the Queen of England, and did not wish to alienate themselves from her and were also basically law abiding. This attitude was a biblical one as they likened themselves to the Jews oppressed by the Philistines and also they saw themselves serving under the same God as did the Queen of England. Their interpretation of the Treaty was of a partnership but allowing Maori autonomy in their own affairs. Finally as they had been signatories to the 1835 Declaration of Independence they also had a flag which was flown at their meetings. This movement became a rallying point for Maori nationalism and became known as Kingitanga.

Pakehas on the other hand saw this as a threat to their opportunity to acquire land - it could become a 'land league'. The Pakeha settlers interpreted this movement as a rejection of the Queen's mana. There were other Pakehas who saw this 'King movement' as a positive movement to accept law and order and was a move to enable Maori people to be amalgamated into the Government. The growth of the King movement was however an important change for it raised the profile of Maori feelings and hope for independence.

Another incident gave some impetus to this developing unity among the Maori which in itself was not a major event, but did lead to confusion in the administration. This was the power struggle between Donald McLean and F.D. Fenton, the Chief Land Purchase Officer and Native Secretary respectively. Donald McLean won the struggle and the two responsiblities were merged under Gore Brownes Governorship in favour of McLean (Ward, Alan 1974).

To mollify Fenton the Govenor made him Resident Magistrate at Whangaroa with jurisdiction south of the Waikato river mouth. Fenton was a lawyer and had been a squatter in the Waikato before Grey gave him his appointment. His reputation was not good, Ward describes him as ambitious, conceited and difficult but his reports were most impressive. Fenton forecast that the Maori would be extinct by 1890.

Fenton disliked the chiefly system and he became a staunch advocate of the elective runanga system (organised meetings) hoping that if the young leaders in the runanga were successful they would supplant the older chiefs by their natural succession methods. Fenton believed that if this runanga system could be promoted it would result in concentrating settlements and enable land to be fenced off to run sheep. Basically his strategy was to destroy the power of the traditional chiefs and bring more land onto the market which was most attractive to the European settlers. His supporters encouraged him to pursue this plan and he in turn increased pressure on the Maori land owners to sell their land direct to buyers instead of through Donald McLean, the Crown's representative. His activities in the Waikato became so provocative that he was removed but his ideas gained the interest of a number of House of Representative members. Three Acts were passed to give expression to these views, one was disallowed by

the Colonial Office as it broke their understanding of the Treaty of Waitangi, and it was now clear to the Waikato Maori just what Fenton had been up to.

Interpretations of what could happen ranged from the extremists who saw the movement as treasonable and others saw it as a strengthening of the Maori to resist the pressures to amalgamate with the Pakeha and become one nation. This kind of policy continued to prevail even as late as the Hunn report of 1960.

In retrospect the administration failed to take advantage of the potential of this movement which Gorst criticised as timidity on the part of Government (Gorst, 1864). Provisions in the 1852 constitution permitted Maori districts and if aspects of the Treaty could have been more sensitively interpreted the Government could have capitalised on the King movement.

When fighting broke out in Taranaki in 1860 over land sales and who had the right to sell the land at Waitara, Pakeha settlers became very alarmed. Government became involved because they knew that the offended chief in Taranaki had requested help from Waikato tribes. Interpretations of the Treaty were involved and land titles had not been sorted out. Much discussion and debate ensued. However, whatever has been suggested as the cause of the land wars the underlying motive of the British was to assert their soverignty.

As the King movement gathered strength the Pakeha settlers pressed to have the question of British Sovereignty established. In an effort to clarify these matters Governor Gore-Browne called a conference at Kohimarama to persuade the chiefs that the action by Government at Waitara was appropriate. He also hoped to get the King movement criticised. On both counts the chiefs did not comply with his hopes, but it did serve to help them clarify their views of the Treaty. Some chiefs regarded the Treaty as a Ngapuhi treaty so the meeting did not present a unified front. However, the chiefs present did agree that the Queens sovereignty was not in question and that Maori rights were enshrined in the Treaty - their mana was intact. Furthermore, because of all the discussion they understood the Treaty better and were reinforced in their views by both Governor Gore-Browne and Donald

McLean. Out of all this a Kohimarama covenant emerged which ratified the Treaty - it had the quality of a pledge. Yet the Government had not indicated it would cease acquiring land.

To solve the Taranaki problem matters were referred to the Colonial Office - such as a Bill to deal with rebellious Maoris and another to sort out land issues. These and other attempts failed to persuade the British that this was the best way to proceed. Suggestions were even made to set up Maori councils and district offices but this also was frowned upon. Britain was still going through a very humanitarian phase and would not agree to these repressive measures.

These reactions from London did not help, for who was to pay for the Taranaki war. To get that sort of help the war needed to be seen as defensive. In this the Press were not helpful for it told the news as they saw it and many of their stories appeared in the English press. Also the missionaries reported on events as they saw them or protested against the repressive legislative recommendations. They also supported the principles expounded in the Treaty (Gorst, 1864).

The administration found itself offside with local influential public opinion leaders, in particular retired Chief Justice Martin who became incensed over the injustice of the Waitara war in Taranaki (Brazendale, 1976). Justice Martin saw the King movement as a normal outcome of the attitudes of the Maori leaders who chose to be law abiding as a better way of life.

Governor Gore-Browne however saw all this discussion as disruptive and focussed his attention on the growing King movement especially when he was advised that some Waikato men had joined those in Taranaki at war.

When King Potatau died in 1860 his son Tawhiao became the second Maori King. The old man on his deathbed advised his son who would become the second Maori King - 'follow Maori laws, walk in the faith of the church and love one another'.

Governor Gore-Browne accused the Waikato people of violating the treaty and required them to submit to the Queen's authority and sovereignty. This action convinced the Maori that the Pakeha were not

to be trusted. Browne had been inconsistent - he had said things at Kohimarama which he had repeated later and now denied them. In September 1861 Governor Gore-Browne was replaced by Governor Grey who was unsympathetic to Maori criticisms and looked for a cause to wage war on Waikato. Governor Grey who had recently arrived from Britain, knew that financial support for any war would not be readily forthcoming from the British, for the Colonial Office wanted to release its continuing interest in New Zealand.

With this background in mind, Governor Grey decided to seek peace in Taranaki and encourage talks with the leaders of the King movement. Somehow out of this he hoped to assume greater control over the Maori - hopefully by talking but if necessary he would use force.

He approved the establishment of Runanga and placed them under the direction of Magistrates who were to be assisted by Maori advisers, all of which was provided for in the Native Districts Act 1858 and the Native Circuit Courts Act 1858. The Waikato people treated this move with suspicion and elsewhere it had mixed success in the North Island. Grey had not counted on the degree of Settler suspicion either - they were becoming racialists in attitude and openly refused to abide by any of the Runanga decisions.

The settlers had hoped that the Runanga system would free up more land to purchase which in principle it could have done but as it turned out the Maori tribes proved reluctant to part with their land. This pressure to free up land caused the administration problems but in 1862 the Native Lands Act was passed. The purpose of this Act was to enable Maori and the settlers to negotiate directly over land purchases.

Differences in opinion of Maori and Pakeha flared at Taupiri in the Waikato in January 1863 where the King movement declared that the roadmaking of Grey must cease at that point and no steamers were to proceed up the Waikato River beyond there. If the Government persisted in pressing forward with their road plans the King movement would evict Pakeha living in the Waikato.

In May and later in July rumours began to circulate in Auckland that

the Waikato Maori were planning an attack. Even at this stage the Tribes were not unified - the moderates were more interested in negotiation but the more rebellious wanted to fight.

Grey then decided to establish Government's authority and if possible break the King movement, and approved the military advance beyond Koheroa and to establish outposts. The war had begun (Belich, 1986). The wars in 1863-64 were a series of engagements in Waikato, Tauranga and in South Taranaki also. The fighting moved from set piece engagements to a type of guerrilla warfare as the British forces attempted to establish control.

The British troops outnumbered the Maori, had adequate supplies and were helped by the settlers and loyal Maori. These loyal Maori were also keen to settle old scores with traditional enemies which often created bitterness between them. Waikato tribes took many years to forgive this (Belich, 1986).

Government during this period adopted a very hard line toward the Maori especially with regard to any rights they may have thought they had under the Treaty of Waitangi. Three Acts were passed in 1863 which gave expression to this attitude - the New Zealand Settlements Act 1863, The Suppression of Rebellion Act 1863 and the Loan Act 1863 which had as their justification, the Waikato Land Wars. It was claimed the wars were caused by the threats to Pakeha settlers.

The Settlements Act authorised confiscation of land from those in rebellion and settlers were to be moved in numbers sufficient to curb further rebellion. A quirk of this Act was that land owned by friendly and loyal Maori was confiscated along with the 'rebels'. Nearly 3 1/4 million acres were confiscated in Waikato, Taranaki and Tauranga in 1864. The confiscation fell particularly hard on Waikato tribes who lost all their land and the leaders of the King movement were to live elsewhere.

The wars did not end abruptly but broke out in various places during 1865 which reinforced the Governments determination to establish their authority and control over the Maori. If the Maori were to come under the sovereignty of the British Crown as guaranteed under the Treaty of

Waikato they must therefore be treated equally and were to be covered by the legal system for their protection.

Wiremu Tamihana was suspicious of the Government's intention - he called for a return of his lands. Government considered this request but did nothing about it. Despite this Wiremu Tamihana negotiated his own peace terms with the Government and Tawhiao fled south to Maniapoto territory later known as 'King Country'.

Hostilities between Maori and Pakeha broke out again during the Te Kooti sorties in the Bay of Plenty in late 1860. There was no doubt in people's minds that the Government would eventually establish control, yet it was a costly business stretching the country's resources to the limit. By the end of the 1860's most people sought peace.

Governor Grey was replaced by Sir George Bowen who had a different strategy. The British troops were sent home progressively, the last leaving in February 1870.

The continuing conflicts in the mid sixties were costly and shook the Government's confidence so new attempts were made to find more positive policies toward the Maori. In 1865 Parliament passed the Native Rights Act 1865 which put into statute law the provision of the Treaty of Waitangi to give the Maori the rights and privileges of British citizens. This gave them rights to use the Courts and removed the one objection to franchise for the Maori. This Act was followed in 1865 by the establishment of the Native Land Court but it suffered by the fact that Justice J.D. Fenton was placed in charge of it. He worked to 'individualise' land; any partitioning would be to individuals; anyone could buy land; certain lands could be alienated but this could also be removed if the reasons were good enough. These four points took no account of Maori land holding practice and as Court practice followed British adversarial methods it became a formal verbal battleground with dire consequences on the Maori.

The administration had passed the Maori Representation Act 1867 which provided for four Maori members of parliament and generally Maori offenders were dealt with under the legal system and the Native

Affairs Department was reorganised. It was some time before the Maori realised that the transfer of power had been complete from Britain to the New Zealand Government. At this time also a native school system was established.

During the next decade skirmishes and problems emerged which were dealt with by the Courts but the King movement remained outside the mainstream of Government amalgamation. At the next series of conferences in 1879-80 Government sought the help of the Ngati Whatua to mediate with the Waikato tribes as they were still not reconciled to fully accept Government control. The Maori people of Waikato believed that the only solution to their problems having failed with the Government was to appeal to the Crown. So in 1883-84 King Tawhaio went to Britain (Mahuta, 1976). He realised that the Government was trying to undermine his authority but from Government's viewpoint opening up the centre of the North Island was necessary to create a land link between Wellington and Auckland (Ross, 1972). Tawhaio was joined by a Hawkes Bay chief and another from the Upper Wanganui area so he could claim allegiances from Hauraki in the north to the East and the South. His visit was a repetition of earlier visits - nothing came from them nor did he see the Queen. The influence of the New Zealand Government made this abortive yet there were still influential people in Britain who believed the Government were not handling the Maori people fairly.

Despite the disappointment at the lack of success with the British visit the King movement continued to stress its independence and resistance to selling land. Tawhaio pressed the Government to honour previous promises made towards the Treaty but these failed. Tawhaio had wandered about throughout the King Country and South Taranaki for the twenty years after the landwars ended and in so doing met up with Taranaki prophet Te Ua and from him developed his own version of the Pai Marire cult. He preached this view and resided in many places including Taharoa. He hated being separated from his followers.

At this time in 1883 a petition was signed by 412 Chiefs and elders and it was presented to Government outlining the fears of the tribes to the Land Acts and the operation of the Land Courts.

In this petition, reference was made to the second and third articles of the Treaty of Waitangi which 'confirmed to us the exclusive and undisturbed possession of our lands. They recognised that the Government wished to open up the country by roads and rail but the method of doing this they deplored.' And in 1885 Ngati Maniapoto chiefs agreed to the construction of the main trunk railway line through the King Country (Mahuta, 1976).

'What possible benefit would we derive from roads, railways and Land Courts if they became means of depriving us of our land. We can live without them but we cannot live without our land', some of the Chiefs said.

Finally Tawhaio set up his own council in the early 1890's and published a constitution, began his own newspaper and set up his headquarters near Cambridge east of Hamilton and conducted Poukai (meetings) at all his loyal maraes. These decisions alienated him from other chiefs who believed there were better ways to settle their differences with the Pakeha administration. They found that the Government's attitude had tended to unite the Maori and planned to capitalise on this. All of these moves had land as their central theme - how to control its management. The Government kept on introducing changes to the Land Acts either encouraging multiple titles or separate title. Whenever it reverted to separate title and direct negotiation, Maori land holdings diminished in total area.

Tawhaio as a result of these meetings and fundraising at the Poukai, became more confident and began to transfer Maori remains to Taupiri from the confiscated lands. Suddenly he died in 1894.

Mahuta, Tawhaio's eldest son was elected third Maori King. Some ten years before this Te Puea was born to the daughter of Tawhaio, so her early days were surrounded by visits to England by Tawhaio, his death and succession by Mahuta and the efforts of petitions to find solutions to the growing land acquisition actions of the Government, settlers and land grabbers. Not until 1903 did Mahuta get recognition sufficiently to be appointed to the New Zealand Legislative Council remaining there until 1910. He transferred his Kingship role to a young brother Te Whero Whero.

Another significant move to politicise Kingitanga was Te Puea's influence in the selection of Maui Pomare in 1911 as the member of Parliament. He had been an effective medical officer in the Health Department and was an excellent communicator with the Pakeha. By this time Te Puea was twenty seven years of age having been educated initially in Maori schools and finally in English speaking schools to enable her to understand all points of view and communicate with the officials if this was necessary (King, 1977).

After his election as Maori King, Mahuta also came under the influence of the Pai Marire cult which was led by Te Ua, a pacifist teacher who had also influenced his father. Mahuta saw that initiatives with Government must be non-violent and hoped to use a double approach of protest and cooperation with the Pakeha institutions. He also maintained his separate local committees to communicate with his people.

Throughout Mahuta's years of office Waikato was depressed both economically and socially as they had suffered badly from the confiscations. Despite this th Government kept pressing Mahuta to agree to the sale of more land. They also were niggardly with Government funds to develop Maori land, preferring to make settlers grants to acquire and develop the rich Waikato lands.

Not only were the Waikato people without land to work and without work they also had major health problems of influenza, typhoid, tuberculosis and measles which resulted from the poor economy and living conditions. Some of this they brought on themselves by refusing to set up supervisory councils and employ sanitary inspectors under the Maori Councils Act of 1890 (King, 1977).

During this period also there were few schools in the Waikato and therefore few leaders emerging were with elementary European education.

Te Puea faced some real problems for the King movement had suffered from the absence of Tawhaio in his wanderings and despite his attempts to regenerate support amongst the other tribal areas he could not achieve the levels of leadership enjoyed by Te Whero Whero. Mahuta

had a double problem for the economically depressed Waikato was not seen as a strong resource area as it had been and they had few young leaders emerging of the calibre of Ngata, Buck or Pomare. Mahuta was accorded rank but had not a great deal of influence.

The bitterness and sense of grievance in the Waikato was noted in the mid twenties by Eric Ramsden. It was probably this sense of grievance which kept the Kingitanga movement alive in this area. Te Puea who had grown up in this era saw Kingitanga as a unifying approach and she took initiatives to work with Government and succeeded where others had failed.

The tribes of the Waikato are a river people, and drew the coastal Tainui people to the river because of its food resources, its network of rivers and became a recreation area as well. The river's power was awesome and during floods it became unstoppable so it is easy to see how the river became woven into the Maori people's history. This significance aided its development into a religious reverence and it became surrounded by myths and legends. Its physical features were populated by spirits (taniwha) and its waters became associated as a source of spiritual as well as physical cleansing. These points came out in addresses at the Waitangi Tribunal hearing and are dealt with later in Chapter 9.

Te Puea lived by the river whenever she was in the area as did Tawhaio earlier when he and his followers emerged from the King Country. Mahuta recognised in Te Puea the qualities of leadership his people needed and he persuaded her to break up her marriage to the Pakeha she had married and to return to farm the land given her by her mother. She agreed to this and called together Tawhaio's elderly followers and persuaded them to recite tribal history and geneology with a view of writing these down for future use.

Some Maoris were jealous of Mahuta's decision to advance the status of Te Puea but Mahuta felt that his sons were not strong enough and he also had been let down by Henare Kaihau M.P. Kaihau felt he was leading the Kingitanga movement yet he supported land acquisitions for the Government and had trust monies banked in Auckland in his name. He illadvisedly invested these monies in land companies which failed

and thereby lost tens of thousands of pounds of Kingitanga funds. Mahuta was angry about this and withdrew his support of Kaihau replacing him with Maui Pomare. Before this was official Mahuta and Pomare went to see Te Puea to secure her endorsement and she accompanied Pomare around the Waikato explaining the need for change. Pomare won the election but Te Puea was roundly criticised by Kaihau and it is possible that the present Ngati Te Ata people have this grievance alive in their minds to this day.

That year Mahuta died aged 57 years, and his son Te Rata became King and although Te Rata was weak both physically and emotionally, Te Puea supported him.

The Government of the day thought it could take advantage of the weak Maori King and attempted to persuade the Waikato people to drop the term. They thought as had the earlier Governments that the King movement was subversive and threatened social order.

Te Puea continued to work for the betterment of her people, she set up Maori hospitals, she mothered orphaned children and busied herself on her farm. During this period there was another deputation to England in an attempt to seek redress for the confiscations and this time they had an audience with King George V in 1914 but other than exchanging gifts nothing more was done to rectify grievances.

With the outbreak of World War I the King movement supporters did not enlist - in fact its leaders actively encouraged Waikato people to stay at home. 'They tell us to fight for King and Country. We have a King but we have no country', Te Puea was fond of saying. 'It is a Pakeha fight and let's leave them to it' (King, 1977).

The Maori member of Parliament, Maui Pomare was the prime mover in the committal of Maori troops in World War I, largely because other colonial troops viz Indians, were being used. He and Peter Buck were enthusiastic about the use of Maoris but Maori leaders were not so enthusiastic and the quotas were not reached. A perceptive Defence Minister noted that this reluctance was associated with Maori grievances over land issues especially confiscations in Taranaki and Waikato. The reluctance of Maoris to volunteer and some desertions

brought the question of conscription to a head and the Act was extended to include Maoris. Waikato Maoris were singled out which included the Maniapoto tribe. This was unfair for their record of volunteering was good.

As the records were poor, confusion reigned and relations between European and Maori deteriorated. Te Puea took the lead in anti conscription activities. Waikato again was vulnerable - the tribes there were be regarded as seditious and rebels by the European community and worst of all, anti Christian. The administration decided to prosecute a small group of prominent Maoris, among them the Maori King Te Rata's brother called Tonga Mahuta. Other tribal leaders were persuaded to overcome the Waikato feelings and resistance.

Te Puea felt deeply about the poverty and criticism levelled at her people and after much thought and advice from her elders she decided to follow in the footsteps of Tawhaio and become a follower of Pai Marire. A religious belief which was a mixture of Old Testament, appeals to ancestors, and Maori Gods. This revival of Pai Marire coupled with Te Puea's leadership encouraged the Waikato Maoris to place her close to the head of Kingitanga.

Te Rata died in 1933 and he was succeeded by Koroki which confirmed the genealogy from Te Whero Whero downward and became again an important status symbol for the Maori people. The real power behind the King movement was Te Puea for the past twenty years and she maintained that role despite internal squabbles.

One interesting aspect of note was the friendship between Koroki, Te Puea and Lord Bledisloe, Governor General of New Zealand. Bledisloe was a frequent visitor to Turangawaewae and used his influence in Governmental circles on the Maori's behalf. Te Puea then built a house at Turangawaewae for Koroki and encouraged the building of fourteen more meeting houses throughout the Waikato and set up a carving school. Her purpose in encouraging Koroki to live at Turangawaewae was to separate him from the Ratana movement. Te Puea's purpose behind all this was to strengthen cultural ties within Maoridom and during her visits to Poukai she reiterated the need to 'put back the mana' in the people.

For all her work as a welfare provider, as a health adviser and as a cultural leader, Te Puea was awarded the CBE. Following this investiture at Turangawaewae by Governor Galway Te Puea encouraged Koroki to visit the East Coast, the first by a Maori King for many years, and he was welcomed graciously but was reminded that it was not as Maori King but as a high ranking visitor. The East Coasters were not supporters of Kingitanga but they were not adverse to it.

With the commencement of World War II there were no problems about Maori commitment and they volunteered in numbers and Te Puea mounted intensive campaigns to support the war effort in non-combative ways. It is interesting to note here that she maintained her pacifist ways inherited from Tawhaio but this time but did not speak against others going to war. Officialdom now recognised that Kingitanga was not subversive.

Despite her efforts to raise money and assist in the war effort Te Puea did not give up her relentless desire to seek compensation for the Waikato lands which were confiscated following the Land Wars some eighty years earlier. The Sim Commision's decision in 1928 was not settled until 1946 when Waikato was to receive £6000 per year but they wanted the land back not money.

The Maoris felt that such money was tainted because the land for it had been fought over. 'We won't accept black pennies'. This money was finally accepted and the Tainui Maori Trust Board was established to administer the annual payments. (The annual sum has not been adjusted since then to reflect the changing value of money). However early in 1970's the Tainui Maori Trust Board did negotiate with the then Minister of Maori Affars, Hon D. McIntyre, to capitalise this annuity for a period of twenty one years. Regrettably the final capital sum was arithmetically reduced so that the money received represented about ten years annuity. Despite this set back a farm was purchased and it has produced about $30,000 per annum, proving that the Trust Board could manage its assets and this success encouraged it to develop a strategy of development. (This will be enlarged upon in the following Chapter 5).

Since that date life in the Waikato has been different - less

haranguing over past injustices and the stigma of rebellious Waikato has been removed.

Te Puea continued to work in the health and education fields but her own health was deteriorating. Despite failing health Te Puea kept a supervisory 'eye' on everything that was going on which annoyed some of her people at times. She kept central to her thinking the wish to establish Turangawaewae as the focal point for Maoridom, a place where the Maori King lived and support for Kingitanga. She established a carving school there and a fleet of canoes representative of the first canoes which came to New Zealand. She hoped to be present when British Royalty visited New Zealand, but sadly died in 1952 some fourteen months before such an event did take place.

Te Puea's contribution to the King movement over forty years was monumental for not only did she lead the cultural revival but she also won a large measure of European acceptance. She won some compensation for the confiscations, established a central pa and a system of Kingitanga organisation which survives to this day (King, 1977).

When Koroki died in 1966 the present holder of Kingship, the first woman to head the King movement, Queen Te Atairangikaahu was elected to that post. She was invested Dame Commander of the British Empire in 1968 and had the pleasure of welcoming Queen Elizabeth II to Turangawewae in 1974. The following year Queen Te Ata was invited by Queen Elizabeth to visit the United Kingdom. This time the head of the King movement was invited to visit whereas the previous visits had all been visits by the Maori leaders pleading their case and to little effect.

In 1975 another special event occurred which has long term implications and that was the decision to request the Land Court to investigate a claim for the bed of the Waikato River from the Huka Falls to the mouth. The case referred to the practice of Governments to build large public works on land which was in dispute and held by special ethnic people. Reference was made to Indian concerns on reservations in the United States of America; 'ejudos in Mexico; people of Peru; aboriginies in Australia where large hydro electric stations had been built which had ultimately affected the people

relying on the water power to provide a food resource.

The application cited the Treaty of Waitangi Article II, the New Zealand Settlements Act 1863 which preceded confiscation of tribal lands and finally the Government's decision to site the Huntly Power Station on the Waikato and adjacent to the Waahi Marae (Mahuta, 1976).

In song and story the Waikato River has exercised a special significance for the people whose tribal land it flows through. The river provided not only transport for its people in the early days but also its fertile river plains grew kumara, taro and hue and its waters provided fish. The Waikato River holds a high place in the tradition of its people and they have achieved high status, fame, and unity because of the river. In fact the tribes who claim their name from it the river represents their ancestry - 'it's the mother of the tribes'.

The case for the return of the Waikato River hinges on the meaning of two terms, confiscation or forfeiture. 'Forfeiture' implies absolute control but the Government of the day chose to 'confiscate' which does not exclude eventual return and does not attempt to degrade future generations as 'forfeiture' does. In the writers view this argument is a very astute point and as Government had paid some monies in 1947 arising from investigations in 1928 there still appears to be grounds for the return of the bed of the Waikato River. The likelihood of this happening with the number of hydro electric power stations serving the North Island utilising the Waikato river as it power resource, is slim.

On the other hand several trust boards were established on the basis of claims for tribal ownership of lakes (Te Arawa, Tuhoe and Tuwharetoa). Te Arawa were granted their case under Section 27 of the 1922 Native Land Amendment Act, to fish and catch for their own use indigenous fish but not to sell such catches.

Anyone familiar with Maori land questions knows that every family is quite clear what part of the lake or harbour is its preserve to fish in. This ownership has been clearly stated in respect to the bed of Horowhenua Lake by Justice Cook including a 'chain strip along the north bank and is vested in the trustees for the Maori owners'.

The Waikato researchers can find no specific references to the River in the confiscation orders. Reference was made to the application by the Wanganui Maori claim for the return of the bed of the Wanganui River. In this case the 1903 Coal Mines Act was cited by the Crown in defence of the claim. The bed of the river was owned by the Wanganui Maori at the time of the signing of the Treaty of Waitangi it was acknowledged but this did not affect the outcome. All of these cases and issues were placed before the Parliamentary Committee in May 1975 which has not has yet made a decision - it is an unresolved legal issue which needs to be settled. The feelings about this unresolved issue serve as a background to the New Zealand Steel case despite it being shrouded in the mystical reasons advanced - an area difficult for Pakeha to grasp and more difficult to adjudicate upon in view of the fact that legislation has not provided for decisions based upon Maori values.

I conclude this section on Kingitanga with an up-to-date description of the organisation supporting the Maori Queen Dame Te Ata-i-rangi Kaahu.

The Maori Queen heads the movement supported by two main supports - Kahui Ariki which is the lineage line back to Tawhaio and Te Kaumarua (the Council of twelve) which is the traditional body of Kaumatua who are the advisers to the movement on matters of protocol and policy. As was the case with Tawhaio who adopted Pai Marire as his set of beliefs, so does the present date Kingitanga officially supports these beliefs.

The most active institutions are the tribal Councils (Runanga) composed of delegates from marae committees who meet periodically and resolve internal issues affecting the movement as a whole.

In parallel with these institutions there is the Tainui Maori Trust Board, a body set up in 1946 to administer compensation monies. Next are the Poukai gatherings which are regularly staged to which the Maori Queen attends and these gatherings give financial support to the King movement. Finally, there is the Turangawaewae Marae Trust Board which administers and maintains and pays for the many functions held there. It will be seen that the communication networks are strong,

the participation is well provided for and these indicate a healthy movement.

From time to time the Maori Queen is surrounded by protest forces who see her position as a means to express past grievances. This position in the past has been a symbol of attempts to resolve grievances but today the leadership of the King movement is concerned with the focusing and preserving all the elements of Maori culture. She is concerned with building Maori prestige not getting involved in movements which may lead to a loss of mana for the Maori people. Her position is symbolic and there are a number of very able Kaumatua to support her and conduct affairs to resolve issues of major importance - they act as a shield as it were.

Finally the relationship of the Kingitanga to other Maori groups is important. The Maori Queen is patroness of the Maori Womens Welfare League, keeping a close contact with the local branches in Waikato and her advisers have established a better link with the Ratana movement than occurred in the late twenties even though the official religion of the Kingitanga is Pai Marire.

Recently the leaders of the New Zealand Maori Council and the Mana Moutuhake Party have built better relationships with Kingitanga as all groups recognise that working together can achieve more for Maoris nationally. The major difference between the New Zealand Maori Council and the King movement is one of beginnings. The latter grew out of Maori attempts to control their land and the former was established more recently by statute. The differences are largely at the grass roots level between marae committees and the Maori community committees established by statute.

The long term existence of Kingitanga will depend upon how its leaders can 'walk the tightrope between Pakeha expectations and Maori aspirations' (Mahuta, 1976).

SECTION III KOTAHITANGA

Kotahitanga is the term used to describe the various Maori movements to achieve inter tribal unity looking to the Treaty as their support.

As early as 1846 Governor George Grey made an effort to re-emphasise the promises in the Treaty of Waitangi but the Maori chiefs were uneasy about Grey's intentions. Grey then attempted to pressure Heke to make peace with other northern tribes. Heke was certain that the British were going to colonise New Zealand and he maintained this position until his death in 1850.

During this post Treaty period there were reports that the northern Maori were in support of a Maori Confederation and that Maori unity was necessary if land was to be held in Maori control. This movement was independent of Heke's efforts. Heke's fears became apparent in the years after his death culminating in the Land Wars of 1863-64. As early as 1860 the non Maori population surpassed the Maori and the fact of a British Colony had been achieved by occupation.

The Maori people having failed to prevent the land acquisition plans of the Government by both wars and appeals to the British Queen began to focus attention on the Treaty and its non-compliance as their protest. They began again after some twenty years of turbulence and frustration to seek redress of their grievances through unified action within the terms of the Treaty. They turned to the law to resolve their problems and even to parliamentary petitions. Recourse to the law provided them with little protection as was clearly evidenced in the central Dunedin's reserve case and more notably in the Native Land Court decision on the Rangitikei-Manawatu land purchase.

So by the 1880's the Maoris were seeing not only the land being lost, so was their mana. It was the general topic discussed at the Runanga all over the country, not only at formal gatherings for such discussions but also informally at funerals and marriages. The decisions of the Maori Land Court became the focus of attention at these Runanga where the tribal committees could air their people's problems and seek solutions. From these meetings also attempts were made to formalise Maori relationships with Government. Hawkes Bay Maori formed a 'Repudiation' movement to seek protection from fraudulent land dealings but were unsuccessful and the movement foundered by the end of the 1870's. The focus was on the terms of the Treaty and advocated a unified Maori people with a single purpose in their dealings with Government.

However, the efforts of the Hawkes Bay tribes was not totally in vain. Northern Maori tribes began again to take some initiatives to form a national body linking themselves with the Repudiation movement and called themselves, the Kotahitanga of the Treaty of Waitangi. They called upon the Government to recognise the Ruanganga as a sort of Maori Parliament.

The Maori tribes generally wished to work with the Government but within the terms of the Treaty and the Kohimarama covenant. As the Ngapuhi people had been the major signatories to the 1835 Declaration of Independence they saw themselves as the protagonists of unity. They were Christians also and felt strongly about this link with the Europeans and the Crown.

However, the southern tribes were critical of Ngaphui and did not wish to be regarded as unifiers of Maoridom. Not to be deterred from this objective the Ngapuhi worked hard at getting recognition of Waitangi as the place were the Governor would meet with the Maori representatives. They also expressed their concerns over the land confiscations in Taranaki and elsewhere showing a national political awareness. At the 1881 Waitangi conference one of the northern chiefs requested Government to recognise a Maori parliament which would deal with all questions affecting Maori. One of the major resolutions was that all lands confiscated after the Land Wars should be returned. This point was a rallying cry for the unifiers but the Government disregarded the proposal.

The Government believed that the 50,000 Maori did not need or justify the request for a separate political body. Government could tolerate the Rununga which in their view acted as safety valves for grievances. Additionally, the Rununga meetings were used to clarify land issues or even to nullify the King movement.

By the end of 1881 it became clear to the Maori people that the Government was not going to give recognition to Runanga or any other sort of representative elected body. Appeals to the British government failed for they did not wish to interfere with a Colonial administration, furthermore they did not plan to impose the articles of the Treaty of Waitangi on the New Zealand Government.

The Maori chiefs did not give up - following a number of meetings in the lower half of the North Island a major inter tribal meeting in Wanganui agreed to form a Kotahitanga. The commitment to unity saw the election of a representative committee of chiefs who would present Maori views to Parliament in Wellington. Again Government refused to recognise them. Not deterred by this in 1889 in Waitangi a document was drawn up and signed by at least several hundred chiefs which pledged the signatories to unity (Kotahitanga). The leading Chief through all this, Tuhaere, then called another conference at Orakei in 1889 and persuaded the Prime Minister and others to attend.

The Pakeha people had profited from Maori divisiveness in the past and they wondered what the strength of this call to unity represented. Again Government refused to recognise this group but again the key Maori chiefs pressed on. Another meeting of chiefs was called in 1890 and this group set up an organising committee and a special envoy was appointed to travel throughout New Zealand to secure support for unity. The response prompted another meeting in April 1892 when the organisation came to be known as 'the Unity of the Treaty of Waitangi'. This meeting at Waitangi was known as the first of the Maori parliaments, another was called in Hawkes Bay in June 1892 and set up the first real parliament with an upper and lower house. Its purpose was to supplement the Wellington National House of Representatives. These Maori parliaments operated for eleven years but never succeeded in achieving true Maori unity. Tawhaio had set up his own parliament in 1891 and the other tribes did not interfere with this.

This Kotahitanga movement was a comprehensive attempt to secure the autonomy conferred on the Maori through the Treaty. After 1902 because the Government failed to grant to them any role, the movement faltered. Whilst this was occurring the King movement had gained momentum but it too could not achieve a full unifying result because of tribal differences.

During the period from the turn of the century until 1962 there were sporadic attempts to generate a coordinated inter tribal unity. In the early part of 1900 a group of young well educated Maori emerged known as the Young Maori Party - the most prominent were Apirana

Ngata, Maui Pomare and Peter Buck all university graduates and members of Parliament. Their policy was integration with the Pakeha, work within the system and no questioning of sovereign rights of the Government. Ngata believed that Kotahitanga was wishful thinking and his objective was to gain acceptance of the English translation of the Treaty. All he did was to create more confusion but also it did promote again more interest in the Treaty of Waitangi as did the Kotahitanga movement. It followed that there was more discussion over grievances and Maori rights leading to claims for fishing rights which in Bay of Islands, Rotorua and Taupo Lakes were successful.

During this period (the first half of 20th century) there were two major international Wars (World War I 1914-18 and World War II 1940-45) which diverted the attention of most New Zealanders. However, an interesting unifying activity emerged in this period following the first World War - Wiremu Ratana, a faithhealer attracted a large Maori following. He believed the Maori should transcend tribal affiliations and unify under one God and work toward a Maori welfare strategy. A village of followers (3000) was built near Wanganui and by 1925 there was a thriving community.

Ratana saw that unless his movement could secure a political base little could be done to further Maori causes, so he formed a political party, with recognition of the Treaty as one of its aims. Ratana went to England in 1924 with a petition hoping to get an appointment with the British Crown but as with all the other visits he was referred back to New Zealand Government. After his return to New Zealand he supported Maori candidates to Parliament winning his first seat in 1932, Tirikatene in South Island electorate, and since 1943 his candidates occupy all four Maori seats until the 1984 election.

Prior to Ratana's visit to United Kingdom the New Zealand Labour Party in 1922 seeking greater representation in Parliament, made a policy statement in 1925 promising to set up a Royal Commission to investigate land claims, and to set up a Maori Council. Ratana quickly saw that cooperation with Labour could benefit his cause. When Tirikatene won his seat in 1932 a firm alliance between Labour and Ratana was forged which also placed the Treaty in a more favourable position politically.

The New Zealand Maori Council was formed in 1962 very belatedly but it has made its presence felt since that date culminating in its case to the Court of Appeal following the passing of the State Owned Enterprise Act of 1986. They were successful in securing the holding of land likely to be transferred out of Government control placing such land at risk from the Maori point of view who were partners to the Treaty of Waitangi.

An overview of this chapter shows that the individual adjustments required of the Maori in their contact with the technology introduced by the Pakeha in some cases was well handled but mostly was not. The trading activity in the mid eighteen thirties and forties was well handled but the clash of cultures began when the British administration and later the New Zealand Government wished to acquire land to colonise the new territory. The manner in which the land acquisition took place cut across not only the understanding that the Maori Chiefs had when the 1840 Treaty was signed but also it offended the cultural values towards land and its ownership. This chapter sets out the main lines of action taken by the Maori to rectify the inexorable moves by the Pakeha administration to secure its foothold.

This long historical consideration has been included here, perhaps more fully than might seem necessary, because it is essential background to the perspective which Maori people bring to any matters affecting the land and Treaty rights.

New Zealand Steel began its life so closely linked to Government sponsorship that, inevitably, some of this history rubs off on it. Indeed there has never been a time in the history of relations between the Company and the people when this has been, so to speak, taken on board. The Company never really knew the background of the Maori people and so, however well-intentioned, its policies might be, they were never tuned or sensitised to the history of grievance or the yearning desire for redress.

Now that the Company is no longer associated with Government an opportunity exists to correct the focus. There will still be some who will regard all this as peripheral or even irrelevant but the real victims of history are those who ignore it.

The next chapter describes the emergence of the Tainui Maori Trust Board and its strategy to restore mana and deliver to its people what solutions to their grievances were possible.

CHAPTER 5

THE CREATION AND DEVELOPMENT OF THE TAINUI MAORI TRUST BOARD AND THE IMPACT OF NGATI TE ATA ON THE COMPANY

This chapter describes the triangular relationship which developed between New Zealand Steel, the Tainui Maori Trust Board and the Tainui subtribe Ngati Te Ata. It will describe how the Tainui Maori Trust Board came into existence and how its policies and strategies developed, and how it sponsored the emergence of the Ngati Te Ata as the protestor against the granting of renewed water rights to New Zealand Steel. Some background is also devoted to the Ngati Te Ata subtribes history which helps to explain how the depth of feeling of their spokesperson, Nganeko Minhinnick, was developed. In the final section of the chapter the 1978 Water Rights case is described to highlight the reasons given by the Ngati Te Ata against the granting of such a water right. The same reasons were also used during the Waitangi Tribunal hearing in 1984 which is fully dealt with in Chapter 9.

In the previous chapter the efforts of Princess Te Puea were outlined to describe her drive and energy to not only support Kingitanga but also to restore to the Waikato people a sense of worth and unity. She successfully lobbied parliamentarians, Government officials, Trade Unionists and even members of the Communist Party to achieve goals she had set for her people. Health, education, unifying acts like restoring Turangawaewae as the centre of Kingitanga, building canoes, entertaining overseas and other important visitors at Ngaruawahia and working within the war effort but despite all this she had not lost sight of another main objective which was to seek compensation for the lands confiscated in the 1860's.

Her energy was not misplaced for the 1928 Sim Commission found in Waikato's favour and pointed out that Waikato people were treated as rebels and war was declared on them before they had begun to fight (King, 1977). The unfair confiscation which resulted from their involvement in the 1863-64 Land Wars became a source of identity and strength and helped fuel the growth of the King Movement.

As early as 1939 Te Puea advised Government that she was seeking compensation for the unfair confiscations but set this aside during the war. Efforts had been made during the 1930's with the support of the Maori King and the man who became first chairman of the Tainui Trust Board, Pei Jones who had an active role in these early efforts to settle the wrongs. Prime Minister M. Savage in 1936 offered cash and Frank Langstone offered Crown Land near Taupo but these efforts were blocked.

Te Puea resumed efforts immediately after cessation of World War II capitalising on her reputation which was high and she had supporters in Government.

During a visit to Turangawaewae in 1946 Prime Minister P. Fraser called a meeting and there settled on a sum of money viz £6000 annually for fifty years and £5000 in perpetuity thereafter. This was agreed to and in April 1946 Te Puea and others signed the agreement though the tribe as a whole never accepted this as a final settlement (King, 1977).

The first members of the board to administer the annual grant were nominated by Te Puea with Pei Jones as its first chairman but thereafter board members were elected. The official New Zealand Gazette notice No. 75 of 24 October 1946 issued under the Waikato-Maniapoto Maori Claims Settlement Act 1946 approved the appointments and created the Tainui Maori Trust Board officially (Trust Board Minutes).

The Board met quickly and their first business was to confirm Pei Jones as Chairman and then to discuss the setting up of a memorial scholarship to recognise the work done by Tumate Mahuta in seeking recognition of the Waikato confiscation claim.

King Koroki was present at this early meeting and after greetings replied 'The canoe is now fairly launched. Keep it on a true course' (Trust Board Minutes).

This inaugural meeting also followed normal meeting procedures by electing a Secretary and fixing his salary, then electing a deputy

chairman. An official seal design was approved, a bank account was opened with the Bank of New Zealand and signing authorities were allocated and the office was to be located at Turangawaewae House in Ngarauwahia.

An early decision was made to grant King Koroki an annuity of £500 as an expression of loyalty and a sum of £240 was set aside for scholarships. The next business was to consider how the balance of the annual Government grant would be allocated. There was general agreement that upgrading of marae buildings was important and that District Committees throughout the Tainui area should receive regular grants.

The meeting closed with the sending of a telegram of thanks and appreciation to Government and a decision was made to meet quarterly.

The normal procedure at these meetings was to open and close with a prayer. The following review of forty years of Tainui Maori Trust Board activities ends in November 1986 the terminal date for this research project.

All of this presupposed that money had already been lodged in the new Trust Board's bank account but the Board had to wait until June of 1947 before the cheque arrived.

However all was not 'sweetness and light' for at the February 1947 meeting a petition was presented requesting that all the decisions at the first meeting be rescinded. Te Puea was also present at this meeting and she was concerned that the administration costs would be too high with such a large Board membership. She was worried about travel expense reimbursements eating into the capital. Her objections were noted but the philosophy she was promoting never came to pass.

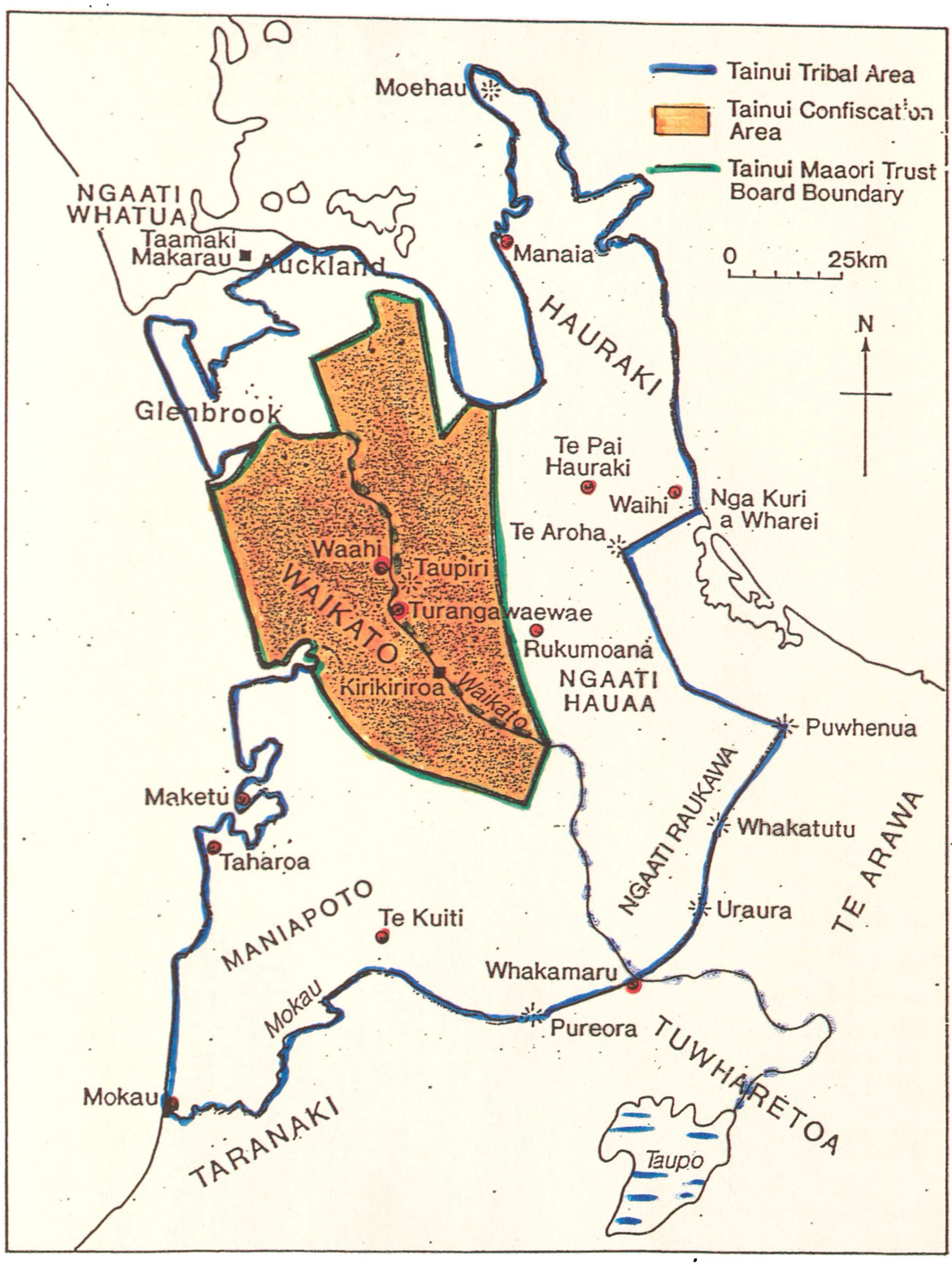
At this second meeting Ngati Te Ata stepped into the scene. They wanted a separate member of the Trust Board to represent their interests. It was pointed out that their confiscated land had largely been returned and they had also received £10,000 in compensation. All this had been achieved through the efforts of the Ngati Te Ata's relative in parliament the parliamentary member H. Kaihau in the

1930's. The Ngati Te Ata people especially the Kaihau family, were still bitter about the way Te Puea had ousted Henare Kaihau out of Parliament in favour of Maui Pomare in 1911 and Kaihau's widow was still living at Tahuna Marae. Perhaps this deep seated feeling of hurt and loss of status is present today but this is purely speculative. At the June meeting the Board wishing to observe Maori protocol took the Government cheque and presented it to King Koroki at a brief ceremony. The many speeches made recalled past injustices, referred to the deceased, the glories of the tribe and made mention of the need to motivate the youth of the day. The cheque was then returned to the Board who then presented King Koroki with his annuity and a similar amount was set aside as a special fund for the people who had lost family members in the land wars. In the business part of the meeting the many claims for assistance were reviewed and decisions were made to assist with Marae building maintenance, occasional grants for funeral expenses and subsidies for sanitation on Maraes. All these were supportive of the work that Te Puea had been doing in health and welfare for many years before. It was also resolved at this meeting that scholarships would be restricted to tertiary education which included nursing, teaching and university study. Finally, the Board decided to reimburse members for travelling expenses incurred on attendance at Board meetings.

Te Puea joined the Board in 1948 and remained as a member until her death in 1953. She persuaded the Board for health reasons to purchase land at Ngawha Springs and set up a fund to renovate the mineral baths there (Trust Board Minutes). Her next venture was to persuade the Board to purchase a sawmill as timber was needed for maintenance and repairs to Marae buildings. This later proved to be a failure but she had sowed the seeds for the Board to get into business ventures.

Other than providing the Ruatoria Hall Fund and the Rotorua Memorial Guest House with grants the Tainui Maori Trust Board was very inward looking for its first ten years. It is interesting also to note that the objective to hold quarterly meetings only lasted for two years and then the frequency reduced to one per year, sometimes two until the tempo changed in 1978.

A major event occurred in October 1950 when Pei Jones relinquished his


Tainui Tribal Area
Tainui Confiscation Area
Tainui Maaori Trust Board Boundary
0 25km
N
Moehau
NGAATI WHATUA
Taamaki Makarau
Auckland
Manaia
HAURAKI
Glenbrook
Te Pai Hauraki
Waihi
Nga Kuri a Wharei
Te Aroha
Waahi
Taupiri
WAIKATO
Turanga waewae
Rukumoana
Kirikiriroa
Waikato
NGAATI HAUAA
Puwhenua
Maketu
Taharoa
NGAATI RAUKAWA
Whakatutu
TE ARAWA
MANIAPOTO
Te Kuiti
Uraura
Whakamaru
Mokau
Pureora
TUWHARETOA
Mokau
TARANAKI
Taupo

position as Chairman of the Trust Board and took up the paid secretarial role. The activities of the Board did not change - the numbers of scholarships varied little and the funding followed previous patterns.

Board minutes show that after each election of its members, squabbles broke out over boundary problems, but nothing was done to change this during the Pei Jones administration. Generally the Board provided monetary assistance for a wide variety of Marae matters and if loans were granted their repayment terms were very 'soft' Despite this there were few defections and on the whole loans were repaid.

In 1956 a conference of Maori Trust Boards was held, motivated in part by the Department of Inland Revenue who expected taxes to be paid on Board income. Whether this action influenced the Trust Board to be more cautious about their aid programmes it is not possible to gauge from a study of the minutes. Over the next ten years the significant happenings were the awarding of an OBE to Secretary Pei Jones, the purchase of Koroki's farm which turned out to be a failure and the election of H. Forbes to the Board. Horri Forbes fundamentally a farmer was also an astute businessman and was a close adviser of the Minister of Maori Affairs in the National Government. He became a member of Fishing Industry Tribunals which experience brought much to the Trust Board.

For the next ten years, until 1976, the Trust Board met annually. In 1966 R.T. Mahuta was elected to the Board. Mahuta who is a member of the Kahui Ariki, the leading family of the Tainui people had studied for and gained a MA and had begun to question the objectives of the Board. In October 1968 he proposed an investment strategy which Pei Jones actively lobbied against. This was the beginning of the end for Jones for he was replaced as Chairman by H. Forbes in September 1973.

The aspirations of the Trust Board were now being questioned - the objectives of handing out welfare grants were under scrutiny especially by Forbes and Mahuta. To change this representations were made to Government Ministers D. McIntyre and K. Wetere member for Western Maori, to change the funding for the Board to give it the opportunity to get enough cash to invest and thereby produce income to

do more. During the period following Koroki's death in May 1966 he was replaced by the first woman to head Kingitanga Dame Te Atairangi Kaahu. She attended the Trust Board meetings whenever possible and sometimes took with her some of her Queens Council to listen to proceedings.

The Maori Trust Boards Conference in 1974 gave further impetus and ideas for change to the Tainui Maori Trust Board. They recommended assistance to Technical Institutes to get trade training for young Maori, helped people to recover land, made submissions to Maori Affairs to takeover some of its role and also advised upon claims Tainui were about to make to the Huntly Power planners.

Before the end of this third period of ten years the present Chief Executive of the Trust Board, Wi Taka was elected as a Board Member.

It will be seen from the above that the Tainui Maori Trust Board had pursued a policy for almost thirty years of welfare oriented programmes and internally focussed thinking. This was to change in the next ten years.

Pei Jones died in May 1976. He had been awarded an honorary doctorate for his language studies by the University of Waikato. It is interesting to note that the Trust Board minutes from 1946 to 1956 were written in classical Maori as well as English, but after that date they were written only in English.

Representations were made to Government to capitalise the annual grant for the balance of the period of twenty years which was agreed by Prime Minister R. Muldoon in 1978. This gave the Trust Board cash to invest in a dairy farm in 1980. After that the Trust Board was asked to administer the Hangawera Station and a year or so later New Zealand Steel leased a diary farm to them at a peppercorn rental. This followed the establishment of the Huakina Development Trust the detail of which is covered in Chapter 7.

With the success of the Trust Board's representations to the New Zealand Electricity Department who were to build a coal fired power station adjacent to the Maori Queen's home Marae, it is not unexpected

to discover that similar presentations were made against New Zealand Steel's Water Right application in 1978. This is detailed later in this chapter. The Trust Board minuted its support to Mrs Nganeko Minhinnick who appeared and presented the case in the 1978 appeal. The Board also supported her application for an appeal against granting of the Water Right.

In the early 1980's the Trust Board set up education schemes based at Waahi Marae to serve as a model for others to follow, furthermore it acted as the agency to establish the research project supported by New Zealand Steel and later the Huakina Development Trust Board. This is detailed in Chapter 7.

Whilst the Trust Board was expanding its horizons and was now looking outward it wished to honour Te Puea's earlier commitments to the Maraes on the lower reaches of the Waikato River. The Maoris in this area were closely linked to the fresh water of Waikato and had no strong links with the Manukau based Marae but when Nganeko Minhinnick linked both together it was an excellent opportunity to achieve this by the establishment of the Huakina Development Trust.

Nganeko was an obvious choice as a leader, a strongly motivated woman with deeply held convictions and she became the first chief executive of the Huakina Development Trust. During the mid eighties the Tainui Trust Board promoted the formation of other Trusts in their area based upon the Huakina model. They were also visited by representatives of tribes to the north of Tainui's boundaries who in turn set up Trusts like that of Huakina.

The Trust Board also made submissions on the Water and Soil Conservation Act 1976, objecting to marine farming in the Western Harbours at Kawhia, and later became involved in the Waiheke Island farm case and Whitianga land issues. Their stance had now become much more political in nature which kept them in the public eye. They made regular grants to the University of Waikato Centre for Maori Studies and Research for research work to assist their submissions. The Centre was also used by the Minister for Maori Affairs and also by the Maori Affairs Department. Its staff were closely linked to the Tainui Maori Trust Board, G.H. Forbes was Kaumatua to the Centre and Chairman

of the Trust Board, R.T. Mahuta was Director of the Centre and deputy chairman of the Trust Board.

Because of the activities and strength of character of the Ngati Te Ata representative, Nganeko Minhinnick she became Auckland South Maori representative on the Auckland Regional Authority as well as pursuing her tribe's claims against New Zealand Steel representing Maori viewpoints on all water rights applications. She became almost full-time on the latter issues and the Trust Board made representations in 1984 to have Mrs Julie Wade seconded from Maori Affairs Department to handle the administrative affairs of Huakina.

The next move of the Tainui Trust Board was to split up its Board into sub-committees (Trust Board Minutes 1984) very similar to those at Huakina. The sub-committees were designated Development Education and Youth, Finance and Management, Public Relations all of whom added to the personal involvement of Board members. The Development Unit moved to a point where it was decided to staff it with some full-time people which in its turn generated wider activities. The Education and Youth Committee ran youth training programmes under the Labour Governments P.E.P. scheme and later Access Programmes as well.

Finally, the Tainui Maori Trust Board moved quickly when the State Owned Enterprises began to consider selling land and took the issue to Court and applied an injunction on the Sale of the Coal Corporation as one example. They were very supportive also of the devolution concept of Government which was planning to decentralise to Iwi control the Maori Affairs Department. Tainui were the most ready of all the Tribal Authorities to accept this delegation of administration and control. The experience they had gained from administering their farms, the installation of the Huakina Development Trust and its example served to create other similar institutions, the role it played as a resource unit to its people all contributed to this competence.

The previous pages describe the role and strategy of the Tainui Maori Trust Board. now consideration should be given to the background of the Ngati Te Ata tribe and its activities over many years.

Ngati Te Ata Background

During the Waitangi Tribunal hearing in 1984 Nganeko Minhinnick and others referred to the arrival of the Tainui Canoe at the Manukau Harbour having been hauled over the Tamaki isthmus from the Waitemata. Some of the crew intermarried with the original inhabitants and their descendants are part of the Waikato-Tainui tribes of today. The area was rich in fertile land and had a bountiful supply of fish and birdlife.

The Tribunal was told that in the mid eighteenth century Te Taou a subtribe of the Ngati Whatua of Kaipara moved to the Manukau region and their occupation was cemented by intermarriage. At about this time the Ngapuhi people were threatening the people of the Manukau who sought and received support from the Waikato tribes. In the year 1834 the Tribunal was told that the Waikato negotiated with Ngapuhi for the Ngati Whatua and Ngati Mahuta subtribes to return to their homes.

At about this time the Missionaries became more active in the Manukau Harbour area and from a search of the land records it is clear that land was purchased by the Church Missionary Society 13 September 1837 from several Ngati Te Ata chiefs included a Kaihau, one of the ancestors referred to by Mrs Minhinnick. The records tell us that the title to the Marae, known as Moeatoa Marae, and surrounding lands, totalled 34,739 hectares and was in the name of one person.

The Moeatoa Marae site was included in the Omaru block and was purchased by the Reverends R. Maunsell and J. Hamlin on behalf of the Church Missionary Society. A miscellany of goods by payment was made to chiefs Kaihau, Awarahi and others who were recognised as responsible people acting for the Tribe.

This purchase was examined in 1842 by Government appointed commissioners and the Church Missionary Society produced a Deed of Purchase by James Hamlin who also stated that there had been no dispute over the purchase since 1837 and the society had not sold any of the land.

The chiefs who agreed to the purchase were present at the hearing and stated that the signatures on the Deed were theirs and they had signed the Deed having had it fully explained to them. Furthermore, the boundaries were clear and agreed with those stated in the Deed.

With this evidence the Land Claim Commissioners ruled that the Deed of Sale was official and was approved by the sellers. However the Commissioners recommended that only 253 acres be issued.

Another block of land was purchased by the Crown in 1864 having been surrendered by the Chiefs of Ngati Te Ata and within this block Moeata Marae was included. For this land the Crown paid £5250 to be paid out in three yearly instalments and the last payment was made in 1868. Within this block the loyal Ngati Te Ata who had not taken part in the 'rebellion' were allocated land plus 15 burial sites but not the Moeata Marae.

The remainder of this saga of land sales is contained in appendix.

Reference earlier to the loyal Maori in the Ngati Te Ata meant loyal to the Crown, though not all the tribe agreed and others gave help to the King movement in the Land Wars.

The subtribe has a long and disturbed history, yet despite this they have been loyal to the King movement throughout. They answered the call to arms when the Ngati Mahuta were being attacked by General Cameron at Rangiriri, South of Auckland. The Ngati Mahuta were King Tawhiao's own people and he had provided 150 warriors to staff the Rangiriri defenses but called upon other local tribes for support among whom were Ngati Te Ata who were close relations of his. This group were joined by forty or fifty Kawhia Ngati Mahuta amongst others (Belich, 1986). It is noted here that the relationships were good between the west coast subtribes and even today both Kawhia and Waiuku Maori have intermingled relationships.

The Rangiriri battle commenced on 20 November 1863 with the Maori outnumbered almost two to one plus the British had artillery to reinforce their strategy. Heavy casualties occurred on both sides but the British almost surrounded the fortifications and the next day the

remaining Maori defenders capitulated. It is said that all the ranking Maori chiefs escaped during the night to continue the fight further south, but eventually they sought peace (Belich, 1986).

Following this and later defeats a number of tribes went into exile in the King Country returning in the 1870's to find their land had been confiscated pursuant to the New Zealand Land Settlements Act 1863. There was a section of this Act which permitted the return of lands as Native Reserves. Some local South Auckland Maori settled on such reserves and among them were the Ngati Te Ata.

The Waiuku Native Grants Act 1876 made sixteen grants of land covering 5707 acres. These lands were not subdivided but kept in trust and intact but this statute's objective was to break up the blocks into individual titles. In 1896 two Crown grants were given by mistake to the wrong people in Ngati Te Ata, and further mixups occurred. Finally in the late 1970's the Crown bought the land from the farmer concerned and transferred it to the Ngati Te Ata descendents. This was a victory for Ngati Te Ata who had camped on the site which attracted publicity which demonstrated to them that a 'sit in' could produce results.

Many years before this Princess Te Puea had become concerned for the people in the lower reaches of the Waikato - her sister lived near Waiuku. Te Puea took fifteen of her grandchildren to sleep at the Tahuna Marae until houses could be built at Waipipi on a farm she had persuaded Apirana Ngata to secure for her (King, 1976). Having built dwellings on the Waipipi farm Ngata persuaded Te Puea to move over to the Tahuna Marae which was the home marae of the Kaihau family. Te Puea's objective there was to clear land and tidy up buildings that had been let go since H. Kaihau's death in 1919. Te Puea was reluctant to do this but a group of Tahuna residents persuaded her to follow this plan. The Kaihau family had not forgiven Te Puea for ousting H. Kaihau in favour of Maui Pomare and this feeling was kept alive by his widow and his sister who were living there.

Despite this Te Puea worked hard and organised people to plant and harvest crops and because of their proximity to the sea augmented their diet with shellfish and fish. Their resources were very thin

with little money coming in but despite this they had plenty to eat.

Te Puea's success prompted Apirana Ngata to use her efforts as examples for others to follow. He even persuaded Government officials and members of parliament to visit and see how hard work and drive could produce excellent results. The hard work that Te Puea did on the Tahuna Block then reverted to the Kaihaus after this ten year effort - they would not give her a longer lease. She received £1100 for improvements and was forced to vacate the property.

The incidents described above only tell a little of the background to the aspirations of Ngati Te Ata and to the hurts recounted by the elderly surviving members of the present generation of the subtribe including Nganeko Minhinnick. Nganeko's major triumph as an individual was to be nominated and accorded the accolade of Maori Woman of the Year in the early seventies.

Perhaps that cultural background has moved Nganeko to become the resolute person she is today - her struggles with the law, the courts and tribunals have achieved some success but all of this has been within the legal processes which emphasises adversarial styles. She chose this method in her external confrontations but on the Marae the traditional consensus approach was adopted to solve problems. As is stated in a later chapter if the Company had suggested that meetings be held at the Tahuna Marae Mrs Minhinnick may have chosen a different style of negotiating.

1978 Water Rights Case

A detailed examination of the Water Rights 1978 case taken by Mrs Minhinnick to the Planning Tribunal will illustrate how her style developed.

As the requirements of the Water and Soil Conservation Act 1967, began to be implemented, New Zealand Steel was required in 1975 to secure new water rights. The first application was the right to divert a small stream located to the north of the Works to clear an area for the disposal of slag (a by-product of steel making), and this was secured in October 1975. Local farmers expressed their concerns but

the consultants report allayed their fears and no other objectors appeared.

In August 1976, approval was granted for the two bores which had supplied the works with all of its water since 1967. The earlier approval to sink the two bores was declared to be invalid under the new legislation and the securing of the new rights was basically procedural.

In 1977, a comprehensive survey of all site discharges was undertaken and a water right for these discharges was granted in 1978, by the Auckland Regional Water Board, under Section 21 (3) of the 1967 Act. This right was approved for five years, subject to monitoring reports and standards of acceptable pollution, plus review periods and penalties for non-compliance.

The 1978 Water Right application was the first real evidence of a significant Maori protest although earlier applications to increase the bore water in 1974 raised objections from local farmers.

In preparation for the expansion project, not yet approved by Government, the Chief Engineer knew that several issues affecting both water supply and water disposal had to be faced and approvals sought.

In January 1978, an application to dam the Ruakohua stream south of the works, was approved. This was the first step in a series of major water rights applications.

Two Acts covered this application, Water and Soil Conservation Act 1967, and the Town and Country Planning Act 1977, which presented a problem for the local Regional Water Board, for it also affected the Waikato Valley Authority and the Auckland Regional Authority (ARA) Water Board. After some discussion the three bodies decided to jointly hear the application under a special tribunal headed by Mr Black, Chairman of the Waikato Valley Authority.

The application was for water required for the expanded works, approximately ten times the volume of water presently used, from 4300 cubic metres per day to 40,000 cubic metres per day. To complicate

the matter further, another local authority the Franklin County was involved because buildings and pipelines had to be constructed and permits secured. The company's Chief Engineer was supported by Civil Engineer, Bio-researchers and Town Planning Consultants, the objectors were the Minister of Agriculture & Fisheries and representatives of Ngati Te Ata subtribe and a Tainui Maori Trust Board representative. The role of the experts gathered by New Zealand Steel, was to allay the anxiety of the authorities concerned over fishery protection and other aquatic life.

The Maori advocates raised issues which were outside the jurisdiction of the Tribunal.

The decision made by the Tribunal in December 1981, recognised the concerns of the Maori objectors but found they were outside the jurisdiction of the Water and Soil Conservation Act 1967, and no remedy could be offered. A water right was granted in September 1981, for a period of four years, covering both extraction from the Waikato River and the discharge into the Waitangi Stream which ultimately flows into the Manukau Harbour.

The essential elements of the case presented by Mrs N Minhinnick on behalf of the Ngati Te Ata, was as follows.

> The subtribes association with the Waikato River and the Manukau Harbour, began in 1350AD with the arrival of the Tainui canoe and this group were known as Te Rua Kaiwhare, which is also the name of the Taniwha, the guardian of the Manukau Harbour. The tribe's name changed to Ngaati Te Ata, after an ancestress gave her life in battle and saved the tribe.
>
> In 1920, the occupants of the Moeatoa Marae opposite, the Steel Mill site now, were forced to leave this area by the Public Trustee and joined up with the Ngaati Te Ata at Tahuna Marae. The Ngati Te Ata are a loyal group within the Kingi tanga movement. She went on to criticise the company's Environmental Impact Report, which made no mention of Maori Cultural values and she had only seen it by chance.

Mrs Minhinnick stated in a brief handed to the Tribunal

"We believe that the Steel Mill expansion will affect us as follows:-

(a) Water discharges will kill sea food.

(b) There were no consultations with Maori people where the water intake would be located to ensure no interference with traditional fishery practices.

(c) The Ruakohua dam could fracture and ruin the estuary opposite our Marae.

(d) Closer monitoring of all environmental impacts is needed.

(e) Protection for and access to all our Waahi Tapu areas must be ensured - especially the rail route.

(f) No consultation with the local people.

(g) No assurances were given for local people to be trained, employed, housed etc.

(h) Atmospheric discharges are of concern to all.

(i) Noise has become a problem for us.

(j) More people will come into the area and this will strain local authority resources.

(k) The land confiscated from us in 1959 and earlier in 1928, where we have Urupa and Waahi Tapu areas are ignored. We cannot lose the Waikato River."

When Mrs N Minhinnick was advised that the application had been approved in favour of New Zealand Steel, she appealed to the Authority against the decision, on the following grounds.

"Firstly,

(1) She did not fully comprehend the implications of the "Joint Hearings" before a "Joint Tribunal" (the inverted commas were hers).

(2) That Maori traditional cultural and spiritual values as they relate to the Waikato River were ignored.

(3) That present environmental concerns vindicate Maori concerns.

(4) That Maori historical experience and the resultant attitudes were ignored.

(5) That the Franklin County Council failed to notify the Maori representatives of New Zealand Steel's application.

(6) That an earlier comment in the report attributed to myself is incorrect and is misleading.

Secondly, under Section 14, of the Water and Soil Conservation Act 1967, the Auckland Regional Water Board has functions and powers to investigate conflicts of interest that have arisen or may arise between different classes of the community.

Thirdly, that both Waikato Valley Authority and the Auckland Regional Water Board, have made it quite clear that some of my submissions were outside the jurisdiction of the 1967 Act, however, at no stage did the Tribunal raise or discuss those issues of concern that were within their jurisdiction.

The appellant seeks the following relief:-

That the decision by the Auckland Regional Water Board be overturned.

October 6 1981."

The company's solicitors advised that no action on the Water Right could begin until the Appeal was heard on 24 November 1981.

The Company received advice from its solicitor after he had spoken with the Tribunal Chairman, who gave him the following advice. (Correspondence quoted)

> "Mrs Minhinnick did not raise technical objections to the Company's engineering, but was concerned about the impact of the development on the Maori people. The solicitor described the Company's actions and relationship at Taharoa, at North Waikato Head, and at Glenbrook, and the Company's help in establishing the Huakina Development Trust.
>
> The Chairman was clearly intimating that the New Zealand Steel Environmental Impact Report, was clearly deficient in not taking into account the concerns raised by Mrs Minhinnick. He also suggested that part of the Development Levy should be directed to assist the Ngati Te Ata."

In the meantime, Mrs Minhinnick had had discussions with the Auckland Regional Authority Legal Adviser about the merits of her Appeal, and it is unofficially recorded that "whilst she does not think she will succeed, it is important to "let off steam" about these issues". (Unofficial telephone advice recorded in Company files)

<u>Appeal Hearing 1981</u>

At the Hearing of Mrs Minhinnick's Appeal, she basically repeated the points made in her first objection, and added -

"(1) That currently 47 different organisations use the Waikato River and no objections were heard until the Huntly Power Station was to be built in the late 1970's.

(2) That the Manukau Harbour was ill used, e.g., sewerage ponds - unkept promises made to Makaurau Marae.

(3) The objectors fight against a Thermal Power Station by Whatapaka Marae at Karaka.

(4) Recent baptism in the Waikato River where the people emerged with their clothes stained and musky.

(5) The shell fish and shark are not as plentiful in the Manukau."

She went on at some length about the problems of Maori people not having protection in legislation and that the legislation does not recognise values and spiritual issues.

She had been consulted by the Auckland Harbour Board and ARA, to develop plans to protect the Manukau Harbour, and so asked why can't Maori people be consulted on this matter also. She strongly objected to water being taken from the Waikato River and being discharged into the Manukau. She explained the offences felt by the Taniwha in both waters.

She spoke earnestly about "Raupatu" (confiscation), which would be a denial of the matters she is referring to. She suggested that the Marae at Tahuna would have been a better place to have the Hearing. In view of later and earlier comments this was a significant point but at the time was ignored.

The Company's environmental engineer responded by telling the Chairman that immediately the protest from all the Maraes had come in, following the publication of the Environmental Impact Report, a meeting was convened at Tahuna Marae in December 1980, and following that, a committee was set up of Company representatives and Maori representatives - Tainui Maori Trust Board, University of Waikato Centre for Maori Studies and Research, Maori Affairs and Ngati Te Ata, to address any or all issues. These meetings are dealt with in detail in Chapter 7.

Mrs Minhinnick overlooked that in her statement. She also made no mention of the assistance given by the Company in providing at very low cost, roofing material for her dining room at Tahuna Marae and the help given by Company engineers who repaired her diesel burner stove.

The environmental engineer went on to describe the meetings held, the progress and lack of decisions made by the Ngaati Te Ata representatives. To facilitate understanding and provide a better base for discussion, a research project was set up under the auspices of the University of Waikato Centre for Maori Studies and Research,

and partially funded by New Zealand Steel. Not only were funds set aside for this study, but a house was provided as a base to conduct the research.

As the study proceeded, a suggestion was made to New Zealand Steel that some housing could be provided around the Marae, and ten houses were offered but again, no decision was made by Ngaati Te Ata.

Finally, the research programme advocated setting up the Huakina Development Trust, to which the Company agreed, and funded the cost of a co-ordinator for three years, to a total of $75,000. Finally, a dairy farm was leased to the Tainui Trust Board on a peppercorn rental, the profits from which could be used to educate and assist Maori Youth in the area.

The Counsel for the Company argued skillfully on the Law, quoting earlier cases on the matters put before the Authority, especially with respect to its discretionary powers. He pointed out that regrettably, the Authority had only previous cases to be guided by, as the Act itself failed to define its discretionary power on the matter of relevance, or irrelevant matters. The contentious issues are summarised as follows:-

The long title of the Water and Soil Conservation Act 1967, contains statements like -

> "to make better provision for the conservation, allocation, use and quality of natural water"
>
> "and for the promoting and controlling multiple uses of natural water"
>
> "and for ensuring that adequate account is taken of the needs of primary and secondary industry - fisheries, wildlife habitats, and all recreational uses of natural water".

Therefore in his view, the Authority would act properly in agreeing to the application. The Company needed the water, the impact on fisheries had been responsibly researched, and the application was in

the public interest, which included both Maori and Pakeha, and finally there would be no impact on water quality.

He went on to say that the ownership of the Waikato River was not a matter for the Authority to decide, and Maori cultural values are not mentioned in the Act under which this application applied, but were in the Town and Country Planning Act 1977.

The Appeal was finally disallowed in December 1981. Whilst this decision was important to the Company, the final approval to proceed with the expansion still awaited Government decision. In October 1981, this was announced and one month later Prime Minister Muldoon performed the opening ceremony.

Water Rights Application 1983

The Company Case

The case presented by the Company made the following points:

i) Whilst the requirements for water usage will increase dramatically, the discharge of used water will present only a modest increase. The incorporation of a sophisticated and extensive water recirculation system in the expanded works, will result in only one percent of the water intake volume to be discharged. Waste water in large industry is unavoidable, and this cannot be eliminated realistically.

ii) Furthermore, though these waste waters cannot be made potable, it is customary to discharge these waters into larger volumes, such as rivers or harbours, however, every effort will be made by the Company to provide suitable environmental protection. The number of outfalls is to be reduced to two, streams will be diverted away from the Works to reduce the possibility of contamination. Finally, all treated waste water and piped stormwater will be passed through settling ponds to remove any suspended solids before ultimate discharge.

iii) The Company has commissioned five scientific studies which began

in 1977, to determine the capability of the Waiuku estuary to receive the discharged water, so as not to harm the marine environment.

iv) Contact had been made with the local Maori subtribe, Ngati Te Ata, to work with them during the studies.

v) The Company agreed to send all reports to the Manager of the Auckland Regional Authority Regional Water Board - these reports to include measured heavy mineral incursions, as well as studies of the shellfish, including the Pacific Oyster, which was spreading rapidly.

vi) The Waiuku estuary receives stormwater and treated waste water from the Steel Works. It is located west and north of the Works, extending some twelve kilometres to the north, where it joins the Manukau Harbour. The river at the head of the estuary drains some 11,000 hectares of farmland and horticultural land. The estuary is tidal, is used recreationally, and plays an important role in school biological studies. Fishing is relatively important recreationally, where lines, nets and spearing methods are used.

Neighbouring farms discharge animal wastes from cowsheds, run-off carries excess fertilizing and eroded soil also find their way into the harbour.

vii) The 1977 studies showed that any fish caught and checked for heavy metal concentrations met the New Zealand Food and Drug regulatory limits. It could be argued that as fish are migratory, the effect of any pollutant would be minimal. A special study was made of shell fish which have a potential to concentrate heavy metals, and could have an effect on human health.

The following quotes come from the consultants study reports for the period 1977-1981:

"(1) There has been an enrichment of some heavy metals in sediments in the vicinity of the northern outfall.

(2) Comparative tests on cockles show no detectable increase in heavy metal accumulation between 1977 and 1981. Any found fall below the minimum requirement of the Food & Drug Regulations.

(3) Tests on mussels have shown that there is no difference in accumulation of heavy metals between those growing near the Works, and those well outside the area.

(4) The mud snail (pupu) have accumulated chromium and zinc in beds near the northern outfall.

(5) The Pacific Oyster does show a significant accumulation of zinc in those gathered near the outfall."

Shellfish are of particular importance to the Maori, especially for huis, poukai and feasts. This aspect of food gathering is recognised by the Maori Affairs permit system, which makes special provisions for special occasions.

As a result of the discussions with the Ngati Te Ata, beginning in 1981, a research study was begun with special reference to the shellfish gathering "spots" in the estuary favoured by the Tahuna Marae people. Local people were involved on the water and foreshore to assist the researchers.

The study looked at sediments and biota, viz., shellfish and fish.

Research results indicated in one area nearest the outfall a reduction of metal concentrations, but in other areas, little change was found from 1977 studies.

The shellfish - cockle and mud snail all accumulated some heavy metal, but did not exceed the Food & Drug Regulation standards. On the other hand, the Pacific Oyster showed accumulations in excess of the Regulations, and is well known for this proclivity.

In its endeavours to present a well balanced case in its Water Right Application, the Company's engineers presented a report to the Auckland Regional Water Board, discussing alternative methods to the discharge of its waste water into the Waiuku estuary.

The four alternatives investigated were:-

(1) Land based disposal; but this was ill-advised because the salts in the discharged water over a period of time would render the land infertile. This was also a major reason for not using the water to irrigate horticultural crops, an alternative which initially attracted interest.

(2) Repump the water back to the Waikato River. The costs of doing this would be very high (3.3M dollars), because of the need to build two pumping stations and a large storage pond.

(3) The route to the Tasman Sea: This would require an estuary crossing and easements, and would cross difficult topography. This alternative was also rejected.

(4) To discharge the waste water into the Manukau Harbour north of Clarks Beach: Problems would arise because of mud flats and extensive shell fish beds. A 13 kilometre pipeline, plus a pumping station outside the Works, would require considerable capital. This alternative also was not proceeded with.

The report included studies by Dr Larcombe and his team, into tidal movements and concluded that dilution of waste water in the salt water, would meet most if not all international minimum standards of acceptable pollution.

Mrs Minhinnick's Response

In response to this weight of technical data, Mrs N Minhinnick wisely did not attempt to refute the technical research material but restated her case based upon traditional Maori values.

The first point made was that technical issues did not impact on the Ngati Te Ata people who saw their Waikato River as a sacred water way, with its own Taniwha, it was tapu and was used for healing and baptismal ceremonies just like the Ganges River in India.

She restated the fact that the Water and Soil Conservation Act 1967,

made no provision for consideration of Maori spiritual values which would be violated by mixing of the waters of the Waikato River and the Manukau Harbour.

She went on to complain that the Water Right Hearings tended to "separate us into little packages". The people and their concerns should be considered totally, not just to satisfy the technical or scientific matters relating to shellfish or to present data on sedimentary measurements to meet some of our arguments.

"We know the shell fish beds are being depleted", she said, and went on to request that long term studies should be made by the Health Department, Local Authorities and Marae personnel.

She reiterated that if development was to proceed, her people should be no worse off than if development had not begun.

The Tahuna Marae objection was in this instance joined by the representatives of a neighbouring Marae, Reretewhioi, which is located several kilometres south of Tahuna.

Mr Areka Tapara, the Kaumatua, made his submission largely related to the food gathering impacts that discharges of waste water could have on his people. The Marae's reputation as a provider of special seafood could be in jeopardy, and he instanced delicacies such as lemon fish, sea eggs, oysters and flounder. Not only was his Marae regarded highly for its food, it was the scene of regular visits from the Maori Queen and they also provided special food for the Marae at Ngaruawahia.

He went on to describe the importance in their diet of seafood. He was most anxious to ensure that if the Water Right was granted, that there should be frequent monitoring not less than three times per year.

His objection was mainly emphasizing the value of the food source and their attitudes and reputation for the quality of this resource.

In Mrs Minhinnick's objection, she included some other issues quite

unrelated to the Water Rights case:

(a) There would be interference with urupa (burial sites) at the mine site and along the pipeline route.

(b) There would be interference with wahi tapu (sacred places) at the mine site and enroute along pipeline.

(c) There would be discharges onto sacred areas from mining operations.

The objection recognised "that these further objections are not sufficient grounds within the context of the Water and Soil Conservation Act, but nevertheless, under the Act, any person may object, in the Public Interest".

She went on to state "I submit that in addition to our being Tangata Whenua - people of this land - our tribe, Tainui, are members of the public and that granting of this Water Right will prejudicially affect our people".

This is the first acknowledgement in writing that objector, Mrs Minhinnick, was taking up cudgels on behalf of the Tainui and for that matter, the general public. Furthermore it was the above comments about sacred places and burial sites which indicated how the Ngati Te Ata were thinking. The company did not respond to these points.

One other objection was also lodged by the "Watchdog (Waikato) Incorporated" Hamilton, through a firm of solicitors and signed by Mr R P Boast.

This objection was made in the public interest on the following grounds:-

(1) The taking of 40 million litres of water per day from this river will have adverse effects on the hydrological, biological and environmental impacts on the Waikato River.

(2) The discharge of 34.5 million litres of water per day will have adverse effects on the land by seepage.

(3) To grant the water right is unnecessary as the expansion project is unlikely to go ahead because Waikato Coalfields will be unable to supply the coal viably.

The Waikato Valley Authority wrote to the Company enquiring whether they wished a special hearing to be convened, but the Company's response was not to regard these objections as anything special, and they should be heard by the Standing Tribunal.

At the Appeal Hearing, Counsel for the company, reviewed the history of the mine site at Maioro from its inception, the granting of the first Water Right in 1968 (4 million gallons). He reminded the Tribunal that the discharge of water onto land, was not subject to a Water Right, but permission had been granted in 1970 to discharge "used" water back to the Waikato River, by the Pollution Advisory Council, and with the changing legislation, this permission had been changed to a water right. No term was specified and the discharge was to have no suspended solids, oil or grease, or conspicuous colloration.

The Counsel pointed out that this application would extract less than 0.3% of the water flow of the river, about half that required by Hamilton City. With these facts he doubted whether there would be any adverse effects on the River. He claimed such an abstraction of water would have no adverse effect on its tidal flow.

He went on to assure the Tribunal that a special extraction plant would be built with appropriate safeguards, to protect whitebait migration and other juvenile fish (eels).

Some discussion centred upon the Maori attitudes raised by the Huakina Development Trust. It was acknowledged that the Waikato River was important to the people of this area, therefore the Company was going to great lengths to respond to the concern, but was proceeding to secure the water right with whatever safeguards the Tribunal felt was appropriate to apply. Weekly monitoring of usage would be undertaken, regular checking of fish in the intake system, would be implemented, and maintenance of the equipment to ensure efficient water abstraction and discharge would be installed.

The findings of the Tribunal set out the arguments of all parties, paying special attention to the Maori objection.

The Judge recommended to Mrs Minhinnick that she raised these matters directly with the Company. Whilst the Tribunal could consider certain environmental issues, it was not able to take metaphysical matters into account.

The Judge also referred to other sections of the community who held spiritual values also, but could not have these taken into account at such a hearing. He attempted to console the objector by stating that "the strength of spiritual values are of a personal nature, and even if rejected by others, are still valid to the individual".

"Maori values maybe important to Maoris, but the Act does not seek to impose the interests of one section of the public preferred over the interests of another."

The Act seeks to promote the conservation, use, and quality of water for the benefit of all New Zealanders, and it requires that adequate account be taken, not only of the needs of primary and secondary industry, but also of community water supplies, water-based recreation, fisheries and other wildlife habitats.

On 23 July 1984, the Tribunal dismissed the Appeal, granted the Water Right and imposed a further condition relating to the installation of a fish barrier screen, during the period 1 August, to 31 October - to prevent whitebait and young eels entering the intake system.

This chapter has outlined how the Tainui Maori Trust Board came into existence and how it began its operations as essentially a welfare organisation. Some thirty years later with the infusion of younger people to the Board its role changed to that of an organisation planning to develop its financial base and help its people differently. This change also meant the Board became outward thinking and active in its contacts with Government and other agencies which might further its strategies.

In following this course of action not surprisingly the Tainui Maori

Trust Board had differences within its family of subtribes not least of which were the Ngati Te Ata. It will be seen later than the Tainui Maori Trust Board was developing a good working relationship with New Zealand Steel over the installation of the Huakina Development Trust but the Ngati Te Ata representatives were frustrating this with their continuing protests.

The Trust Board was now caught in a conflict of loyalties - the development of a mutually beneficial relationship with New Zealand Steel yet it could not abandon its own subtribe the Ngati Te Ata. As Te Puea did in her time so was the Trust Board active in its need for good pakeha friends. The New Zealand Steel representatives also were uncertain who were its friends not understanding the conflict of loyalties which were troubling its Maori advisers.

Backgrounding the Ngati Te Ata people also in this chapter serves to highlight some of their shattered beliefs and their internal problems. The confiscations and the return of some land; the displacement of their member of Parliament family member, the subtribe split with two maraes near each other, most of which came out in feelings of helplessness expressed at the Manukau Hearing of the Waitangi Tribunal.

Therefore whatever concerns that the New Zealand Steel people expressed to their Maori advisers, the advisers felt helpless to discipline their family members in the Ngati Te Ata.

The following chapter deals with the legal framework all parties were involved with and the changes likely to be incorporated therein if the Bills become law.

CHAPTER 6

OPERATING THE COMPANY WITHIN THE LEGAL RESTRAINTS OF RESOURCE LEGISLATION

New Zealand Steel was incorporated on 26 July 1965 for the express purpose of meeting New Zealand's demand for steel and the need to utilise its natural resources of ironsand, coal and limestone. To make steel the process requires large quantities of electricity and water, and subsequently the process discharges large volumes of waste gas into the atmosphere as well as discharging used water. All of these activities impinge on legislation and the need to maintain harmonious relationships with the Government Departments which administer the Acts. The inclusion of this chapter serves to highlight the legislative restraints the Company had to operate within. In some cases the permits to operate under the Clean Air Act were very restrictive, 'probably amongst the tightest in the world', one overseas adviser told the Company.

The resources of ironsand at Taharoa are mined on land owned by the local Maori tribe (Ngati Mahuta) but the ironsand resource at Maioro is on land currently owned by the Government. The ownership of this resource is being contested for the reason that the land had been confiscated from the local Maori subtribe (Ngati Te Ata) in the mid 1860s and some of it as recently as 1958 under the Public Works Act 1928 for the reason that the prevailing winds were shifting the sand dunes over neighbouring farms.

Another reason for devoting a chapter to legislation is to introduce an important facet into the overall discussion which influenced the course of events in the effort to resolve the conflict of values between New Zealand Steel and the Tainui subtribe Ngati Te Ata. These are discussed in Chapter 10. When reviewing the history of Maori protests in Chapter 4 the Maori tribes of New Zealand were confronted not only by British Troops in the 1863-64 land wars and in subsequent skirmishes but also by legislation to establish the Colony's control over the Maori. The Crown's attempts to manage the affairs of the

country through legislation has had far reaching effects as evidenced by the modifications to the legislation when it failed to achieve its effect. The number of Native Land Acts which were enacted between 1846 and 1888 numbered nine is a typical example.

In 1865 Parliament passed the Native Rights Act which gave the Maori the right to use the Courts but little use was made of this other than the Land Court to which the Maori turned if he believed the Pakeha was buying his land unfairly. The style of this court was based on the British system of adversarial method. It is on this latter point in Chapter 10 that there is a discussion on the negotiating strategies employed by the Ngati Te Ata to resolve the issues between themselves and New Zealand Steel.

As a major industrial enterprise New Zealand Steel has all the normal commercial legislative acts to comply with, ranging from the Companies Act 1955 to the Accident Compensation Act 1982, but in addition it had its own specific piece of legislation which established the Company, the Iron and Steel Industry Act 1959. As well as this there are a dozen or so other Acts which impinged directly on a manufacturer in heavy industry. Probably the best way of introducing these more specific Acts is to list and briefly describe their purpose.

Town and Country Planning Act 1977

This Act requires local and regional councils to prepare district schemes and regional planning schemes to regulate land use in their area. Appeals may be made to the Planning Tribunal.

Water and Soil Conservation Act 1967 controls the use of water. To take water or to discharge waste into water requires a person/company to obtain a water right from the regional board.

Soil Conservation and Rivers Control Act 1941 gives catchment boards the responsibility to provide protection from erosion and flooding.

Mining Act 1971 governs prospecting and mining and the rights of land owners to protest the granting of a mining license.

Coal Mines Act 1979 covers this resource specifically.

Petroleum Act 1937 covers oil and gas specifically, and also includes the transportation of a resource by pipeline.

Quarries and Tunnels Act 1982 focuses on safety aspects of all mining and affects the Company at its two sand mining operations at Taharoa and Maioro specifically.

Clean Air Act 1972 regulates the discharge of waste gas into the air which may also create relationship problems with neighbours.

Noise Control Act 1982 imposes obligations on industry to keep noise down to an acceptable level external to the factory.

Iron and Steel Industry Act 1959 which enabled the Company to be formed to utilise the ironsands at Maioro and at Taharoa.

Finally the Treaty of Waitangi Act 1975 which set up the Waitangi Tribunal giving Maori tribes the right to appeal against injustices. This Act has had a specific impact upon New Zealand Steel. There is no doubt that the Treaty of Waitangi has major implications for the exercise of powers of Government and property rights which in turn impacts upon physical resources. Article I of the Treaty establishes the right of the Crown to govern and Article II sets out the rights of the Maori people. There is interplay of one article on the other. In the past Government has taken the Article I as pre-eminent but legal opinion now seems to aim for a better balance between I and II (Baragwanath, 1988).

Current thinking, reflected in four statutes, make specific reference to the principles of the Treaty of Waitangi.

i) The Treaty of Waitangi Act 1975 provides for the Tribunal to inquire into any Act, practice or omission of the Crown which was or is inconsistent with the principles of the Treaty.

ii) The Environment Act 1986 is an Act relating to the management of natural and physical resources and it requires that the principles of the Treaty be taken into account.

iii) The Conservation Act 1987 states in Section 4 that this Act shall be so interpreted and administered as to give effect to the principles of the Treaty.

iv) The State Owned Enterprises Act 1986 Section 9 states that nothing in the Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty.

These later three statutes were not enacted at the time New Zealand Steel's case was heard by the Waitangi Tribunal in 1984 and do not impinge on the Company directly but the State Owned Enterprises Act of 1986 which covers the managing of forestry resources specifically at Maioro will have an effect when the State sells the forest. The outcome of these discussions falls outside the scope of this study for the reason that there will be new owners if the Crown sells this particular forest and there is no reason to expect any other outcome.

However, it is appropriate at this point in a review of legislation to refer to a recent case 2 June 1987 Huakina Development Trust vs Waikato Valley Authority (1987) 2 NZLR 177, where in an appeal against the granting of a water right Mr Justice Chilwell overturned the decision a Planning Tribunal hearing. Mr Justice Chilwell stated that Maori spiritual and cultural values were relevant even if not provided for in the legislation.

In the High Court, Mr Justice Chilwell examined the earlier decision and made the following observations about the status of the Treaty namely,

i) The Treaty has a status which is perceivable, whether or not it is enforceable in law, ii) A review of case law suggests that the Treaty is not part of the municipal law of New Zealand in the sense that it gives rights enforceable in the courts by virtue of the Treaty itself, iii) However, several Acts expressly or impliedly incorporate or refer to the Treaty's principles. Treaty rights incorporated in the law this way can be enforced in the courts as occurred in Te Weehi vs Regional Fisheries Officer 1986 which discussed Maori fishing rights.

iv) Further, the judicial authorities show that aside from the enforceability of the Treaty, the Treaty was essential to the foundation of law in New Zealand. It is an important part of the fabric of New Zealand society. It follows from this, the Judge stated that the Treaty "is part of the context in which legislation which impinges upon its principles is to be interpreted when it is proper, to have resort to extrinsic material".

v) Finally the phrase "interests of the public generally" (S24 (4) of the Water and Soil Conservation Act 1967) could be interpreted as including Maori spiritual, cultural and traditional relationships with natural water where these are held by a particular and significant group of Maori.

The Judge referred the case back to the Planning Tribunal for rehearing but to date this rehearing has not been held. Just how this High Court decision will impinge upon New Zealand Steel's renewal of its water rights is now open to question. Yet the decision is influencing water board practices as exemplified by the 1988 decision by the Rangitikei-Wanganui Catchment Board on the flow levels of the Wanganui River which in their view should be restored (Boast, 1989).

Town and Country Planning Act 1977

Prior to the turn of the century the legislature attempted to introduce some planning concepts into legislation largely associated with how early settlements were to be laid out. These concepts included width of streets, sanitation and drainage requirements, as well as excluding obnoxious industries from townships and urban areas, i.e. Tanneries and Gas Works. The Town and Planning Act 1926 set the pattern for the future town and country planning law. Regrettably the effect of this Act was limited largely because local authorities did not insist on the implementation of its provisions, and development itself was very slow.

The Town and Country Planning Act 1953 set the stage for regional schemes, regulations were passed which set up models to follow and were used in most development activity.

In 1973 matters of national importance were added to the legislation to allow objections concerning coastal areas, lakes, and rivers and this action gave an impetus to planning processes generally. With the piece-meal growth of the legislation it was obvious that some consolidation was needed, the Act needed simplifying, rights of appeal needed extension, environment considerations needed better coverage and better links were needed between local and national planning. Thus the 1977 Act was prepared to give expression to those requirements. Yet despite this the 1977 Act failed to provide a number of important linkages to other legislation. In summary the most important were:

i) The legislation was cumbersome without sufficient public input during the decision making process. On this point the local Maori protestors in the New Zealand Steel area fought hard and long taking cases to appeal with little success.

ii) The regional decision makers were not nationally consistent.

iii) The process of securing approvals had not been set out often to the frustration of the applicant who may be told that planning consent depends upon the obtaining of other consents.

iv) The Act overlaps other Acts viz Reserves Act 1977, Local Government Act 1974, Health Act 1956 and the Harbours Act 1950.

v) There are gaps in this Act which were to New Zealand Steel's advantage. Its permit to mine comes under the Mining Act 1981; the Petroleum Act 1937 enabled the company to secure a permit to build its pipeline to carry ironsand slurry from Maioro to Glenbrook; the Clean Air Act 1972 controlled the emissions from the smoke stacks at New Zealand Steel which could have been a 'conditional use' under the Town and Country Planning Act.

In relation to this particular study the relationship of the Maori people and their culture and traditions with their ancestral land has received wider interpretation over time. Reference has been made to the Huakina Development Trust vs Waikato Valley Authority (1987) 2 NZLR 188 under the Town and Country Planning Act 1977 as an example

of changing views over water rights. Section 3(g) of this Act refers mainly to ancestral land still in Maori ownership but this has been widened in tests of 'special relationship' in terms of culture and tradition and the impact of proposed uses on that relationship in each case.

Water and Soil Conservation Act 1967

The stated purpose of this Act is to make better provision for the conservation, allocation use and quality of natural water.

This Act like the Town and Country Planning Act 1977 does have overlaps, i.e. Harbours Act 1950 and Rivers Control Act 1941 but as these Acts are administered by the Ministry there are no problems.

The control of the water resource has been delegated to the catchment Authorities through New Zealand. Consent is not required for domestic, firefighting or stock water but for all other uses approval is required.

This Act is currently under review along with other resource legislation, and what changes will be included to protect all interests is uncertain. Maori values are now considered a valid matter to be considered in the balancing process of determining whether a water right should be granted. The High Court decision referred to earlier does not set out objective criteria upon which a Planning Tribunal could base a decision. It merely states that cultural values need to be considered and not ruled out as 'not provided for' as in earlier cases.

Prior to the 1967 Act water was regarded as common to all, a common property and largely undefined but in the 1967 Act it became the property of the Crown with some exemptions under the Mining Act.

New Zealand Steel found it necessary to seek approvals for the use of water and discharge of 'used' water and even for the diversion of a stream in its later project development. In the first instance bore water was used and later approval was sought and granted to use Waikato River water in the mining process, the transport of ironsand

and the use of water in the steelmaking process. This is covered in a separate section.

Mining Act 1971 has a special aspect in that the Crown owns any gold or silver. This Act seeks to facilitate mining and the wise and best use and management of New Zealand mineral resources, with due regard to the economic social and environmental effects of such mining. This Act was minimally changed during the seventies but in the Mining Amendment Act 1981 the provisions of the Town and Country Planning Act 1977 were clearly excluded. Despite this many other of the provisions inherent to the principles of the Town and Country Planning Act were included in this 1981 Amendment. The most significant was the degree to which public involvement could be heard.

Broadly speaking the 1971 Mining Act includes five specific functions:

1. Provision for legally binding claim investigation and definition.

2. The Act sets standards for protection of surface appearances and to compensate owners if there is significant deterioration.

3. Conditions of Health and Safety are rigorously applied and inspections by competent officers are frequent to ensure that the management are competent to handle their affairs.

4. Environmental protection has been enhanced in the 1981 Amendment.

5. The resources are investigated and depletion policies are agreed upon in granting the licenses, and no action can be taken if land is owned by Maoris without objections.

The Historic Places Act 1980 has an influence on mining activities especially if the surface of the land is to be disturbed and the license to mine is subject to the Historic Places Trust not objecting, or the giving of written authority to modify the land surface which may have archeological significance.

Petroleum Act 1937

This act is specific in its prime purpose and makes no provision for

environmental controls. In this Act the Minister for Energy gives approvals and decisions on the allocation of resources and no appeals are provided for. There is need for Environmental Impact Reports and Audits but these are used chiefly for information and background for ministerial decisions. There are Regulations affecting pipelines which concentrate on health and safety aspects. Again it is the Minister of Energy who gives approvals for pipelines. Prior to this, earlier discussions are held with owners whose land the pipeline will traverse and compensation settled.

It was under this Act and Regulations that New Zealand Steel secured approval for its buried pipeline to transport ironsand after all the protestations had been heard from local farmer groups to a suggested railway.

Iron and Steel Industry Act 1959

The purpose of this Act was to reserve to the Crown the rights of prospecting and mining of ironsands. These ironsand areas were listed and were to be used for the Iron and Steel Industry to be established with Government support. The Minister could acquire land outside the designated areas in the above Act using the Public Works Act 1928.

It is interesting to note here that the early Board of Directors of New Zealand Steel did not use the powers given to the Minister under the Public Works Act 1928 when the Glenbrook site was selected and the land purchased from the farmers. Then in 1965 an amendment was passed to this Act to enable forestry land to be taken with ministerial approval for on this land (Maioro) the ironsand resource was found to be of an acceptable quality.

There are two major discrepancies in the Iron and Steel Industry Act 1959 - no provision for public participation in mining decisions and also this Act only refers to the listed resource areas. Any privately owned ironsand resource would have to be handled by the Mining Act 1971 and be subject to Town and Country Planning Act 1977 and the Quarries and Tunnelling Act 1982.

Clean Air Act 1972 which replaced section V of the Health Act 1956. This Act promotes the abatement of the pollution of air. This Act

attempts to effect control of such pollution by using the 'best possible means' approach which by definition is not rigid. There is an obligation on the part of the occupier of premises which emits air pollutants to contain or control such emissions which the Health Department attempts to do through licensing systems. New Zealand Steel believes the control levels used by the Department are the most rigorous in the industry throughout the world. At an early stage in the company's operation remote controlled cameras encircled the Glenbrook Works photographing the emissions from the Iron Plant baghouses which were the equipment used to control emissions. These films were later used to demonstrate to Company management the degree of pollution and supported the cases for better controls.

Whilst the public do not control the issuing of the licenses the Health Department receives calls whenever the smoke or dust becomes a public nuisance and they investigate all the complaints and expect the affected Company to comment.

An overview of the legislation under which New Zealand Steel has had to operate since 1967, (the first year it began its manufacturing and mining activities) was necessary. Interesting facets emerged whilst reviewing the Acts not only to the Acts which were in operation before the Company started but also during th twenty years under consideration in this study, the Acts have been amended or changed to reflect emerging opinion or new Acts have been passed. Probably the Act with the greatest impact on all these Acts is the Treaty of Waitangi Act 1975 which since 1987 has begun to have a significant influence on all the resource Acts. At the time of writing a special review is being conducted by Government to consider placing all the Resource Acts under one new omnibus Act and incorporate likely Treaty of Waitangi implications.

Some of the issues that are likely to be covered are worthy of mention here for they in turn could have major impacts on New Zealand Steel's mining. In particular at Maioro an area which is under claim for the reason it was confiscated, secondly it is claimed that it has numerous Wahi Tapu located in its area and finally the steel works at Glenbrook utilises the ironsand exclusively in its steelmaking process and depends upon its continuing use.

In a broad overview the various Government Departments responsible for the administration and control of the legislation, are struggling with the implications of biculturism implicit in two recent court cases - Huakina Development Trust vs Waikato Valley Authority over a water right application and the successful action taken by the New Zealand Maori Council vs Attorney-General over the State Owned Enterprises sell off.

The struggle in the Government's management of these Acts is bound up with the perceived obligations in the 1840 Treaty of Waitangi which could be regarded as the constitutional foundation document in New Zealand. Clearly Government itself is struggling with this concept with both sides of the House of Representatives manoeuvering before making decisions.

The Treaty is not a lengthy document but is clearly related to the ownership and allowable use of natural and physical resources. There will be a great deal of public debate about these matters and how they will be incorporated into resource legislation in the future.

The other factor to be considered by all parties is the concept of partnership and how it should be expressed in legislation and how it should be understood by both Maori and Pakeha in an atmosphere of good faith.

Finally, New Zealand is part of a world scene and we must see ourselves in the context of 'aboriginal rights' especially as evidenced in Chapter 8 on such issues. It is clear that indigenous inhabitants need legal recognition especially when ones attention is drawn to the exploitation of timber resources in equatorial regions which is upsetting the survival of these people.

One clear question affecting mining is ownership of the resource - in Taharoa it was not a problem for there the local people who owned the land negotiated with the Company over the use of the ironsand resource. A royalty was negotiated which after a short period was cost-of-living indexed and adjusted upward accordingly. There have been very few problems emanating from this partnership and the Company management has learned from the contact.

It should be borne in mind when discussing ownership that it can mean different things to different people. Individual land ownership was a concept introduced by the Europeans in their colonising policy which resulted in friction and war with the Maori whose traditional approach emphasised 'collective ownership' on a tribal basis. Furthermore the Maori ownership of a resource was conservation based and all their actions and ceremonies whether it be fishing or agriculture were to protect the resource not to exploit it.

An interesting outcome of the Court of Appeal decision in New Zealand Maori Council vs Attorney-General 1987 which interpreted the phrase 'principles of the Treaty of Waitangi' to mean a relationship or partnership will have far reaching influence on future legislation. Furthermore the findings of the Waitangi Tribunal relate to specific claims but they can involve recommendations of a general nature. For example the claims affecting Wahi Tapu at Maioro Forest led to a general recommendation to the Government to consider identifying and protecting such sites throughout New Zealand. At the same hearing the pollution issues and need to guard the Manukau was extended to the need to review all harbours, foreshores and inshore waters throughout the country.

Historically there has been an imbalance in the use of natural and physical resources. Arrangements should now be made to ensure a fairer balancing of the rights of the Crown and those of the Maori community.

Whilst giving precedence to the issues raised by the principles of the Treaty of Waitangi one must not lose sight of the fact that New Zealand Steel is using natural resources of coal, ironsand and limestone. This study chronicles the issues, problems and attempts to find solutions to matters in conflict not only with Government Departments over air pollution, with farmers over a transhipment of ironsand by rail and with a local Maori tribe who believes the Company should cease mining the primary resource of ironsand which is the raison-d'etre of the Company's existence.

The ironsand resource on current assessment is sufficient for sixty to eighty years but will be much less if more urupa or wahi tapu areas

are identified as non-mineable. Converting the ironsand to iron and then to steel was an innovative break through which took several years to perfect. The process is now used by Brazil, Japan and India to convert fine iron ore to useable iron and thence to steel.

In reviewing the resource legislation of New Zealand one factor which should not be overlooked is that if New Zealand has natural resources which can be used for the benefit of the country as a whole, companies should not be discouraged from doing so by restrictive legislation which could make it economically impracticable. The conservationists would argue that there are moral and ethical issues to be considered and their case in some instances could have merit, for example extracting timber from a unique forest resource which should be protected.

In this area also consideration should be given to conservation as a term which does not only mean "doing nothing" to one which means "husbanding" resources. The Maori people have demonstrated another concept one of "stewardship" which concerns itself with responsibility for present and future use. This implies a control of resource use with the usage varying with the resource rather than to consumer demand. There is no reason why this philosophy of resource utilisation cannot work but it is certainly different from the usual maximum use adopted by most western organisations.

Another factor which any review of resource legislation must consider is that of ownership of the resource. Usually resources are owned by the developer and may also be transferable but if a resource is owned by a Maori tribe for example there may be real problems associated with the use of that resource by a developer. New Zealand Steel faced this problem at Taharoa but managed to secure all the signatories from the resources' many owners, for permission to extract the ironsand. The owners then formed themselves into an incorporation and since then have managed their affairs and worked out a liaison with the Company with regular meetings to exchange information. The Company, like any developer, took risks with the capital invested yet protected itself by securing forward sales contracts. The owners were compensated with royalties which have been adjusted over time with the linkage to cost of living indexation.

Just what the outcome of Maioro will be should the Crown return the land to the former Maori owners is very uncertain. The Company believes the Crown will not forego the 'right to mine' agreement it made with the Company.

The Crown is not inexperienced in managing the resources it has control over such as Petroleum, Gold and Silver, as well as land for it has attempted to ensure that it has managed these resources efficiently. However if the impact of the Treaty of Waitangi is to be honoured some of the Crown's resources will revert to tribal ownership and ownership rights will be paramount. To this end some mechanisms will have to be built into the changes to ensure that the transition does not create inefficiencies.

Finally, the legislators will need to consider how changes to the resource legislation can be introduced to provide for the views of people whose values are different from the developers. In this context and in this study, how can a place be given to Maori values? An argument can be advanced that the matter be left for resolution by case law without change to the legislation but we can not wait for interpretations emerging as illustrated by the Huakina vs Waikato Valley Authority case. This process is too slow.

If recognition is to be accorded to Maori values we need to understand and accept that Maori people regard the natural environment differently from most Pakehas. Many tribes and family groups often relate their identity to certain topography or rivers or coastal features. The loss of such may damage the Maori people's mana and self-image. To offer payment for perceived damage does not restore mana or self-image.

These points were made by the Ngati Te Ata at the Waitangi Tribunal hearing and also during the liaison committee meetings with New Zealand Steel. It is difficult for Pakeha to understand the subtle differences of water but unless they try, the damage for such differences existing will not be resolved. To help this understanding the Maori view of water which gives it a spiritual, temporal or physical dimension is summarised below.

a) Waiora which is the purest form of water containing a life force and is used to purify or sanctify in sacred rituals. The rain is waiora which makes it suitable for human consumption but if it has been in contact with humans it needs to be purified by appropriate ritual prayers.

b) Waimaori is water when it comes into contact with humans and therefore is regarded as ordinary water available for human uses. It has also a spiritual sense to describe water that has become polluted or spoiled.

c) Waimate is water that has lost its life force, dead water or polluted water which has lost its ability to rejuvenate itself. Waimate can cause ill-fortune or distress which can affect crops, and human life.

d) Waitai is used to describe the surf or the tide - it may also be angry or boisterous water but is usually used for seawater.

Because water has these various meanings to Maori it is not difficult to see why the Ngati Te Ata argued so strongly against the mixing of water by New Zealand Steel. Also it is more understandable to Pakeha who listened to the Tainui claim that the Waikato River had had its mana threatened by pollution and depletion. This point was further supported by Mrs Minhinnick who described the Waikato River as "a valuable tribal resource which provided physical and spiritual sustenance".

Current legislation for example in the Section 24(4) of the Water and Soil Conservation Act 1967 deals with objections to applications for water rights stating 'anyone may lodge an objection to the application on the ground that the granting of the application would prejudice its or his interests or the interests of the public generally." The Act does not define what constitutes an interest. For many years "interests" was not interpreted to include Maori spiritual values but recent High Court decisions have come to include Maori values as "interests".

To understand another pressure upon the legislator one needs to

remember that New Zealand is part of a global economic and social system. The way our resources are managed domestically may affect our resource systems internationally or in turn we may be persuaded as a country to integrate our ideas with others internationally. In this respect the present Government is under some pressure to conform to a proposed United Nations protocol on the rights of indigenous people. To this effect visits have been made to New Zealand since the study began by the chairwoman of a special United Nations Committee, Prof Daes, who made a report on the Maioro Mine site case.

Whilst the current review of the resource Acts will probably include a greater acceptance of more people-involvement, it is hoped that the legislation will also change the methods whereby people can legally object. The current adversarial style adopted at the hearings should not be the preserve exclusively of the legal fraternity.

The next chapter chronologically describes the meetings held over six years between New Zealand Steel and representatives from its Maori neighbours, the Ngati Te Ata and various other Maori groups who met and attempted to resolve the conflict of values between the parties.

CHAPTER 7

ATTEMPTS TO RESOLVE THE ISSUES
EMERGENCE OF THE HUAKINA DEVELOPMENT TRUST

This chapter covers a period of six years of meetings, initiated by the Company in an attempt to resolve the differences between the Tainui subtribe, Ngati Te Ata and itself. Fortunately the meetings were well documented and full use has been made of these minutes to describe the ebb and flow of feelings and attempted solutions over this six year period.

In retrospect it is clear that the problems which surfaced in 1980 had their beginnings in the early objections made in 1978 at the Water Rights hearing which is dealt with in Chapter 5. The same issues which were raised then together with others, emerged later during the liaison committee meetings and at the Waitangi Tribunal hearing in 1984.

The Company's management was not totally ignorant of potential cultural issues. However, because the Company had received no adverse reactions to the mining activity at Maioro since 1967 it concluded that no problems existed. When the consultants interviewed various managers prior to preparing the Environmental Impact Report they did ask questions relating to possible neighbour reactions and possible Maori reactions and were told about one issue only, which concerned the ancient canoe portage track between Waiuku and the Waikato River. This overland portage route was well known, and should the rail or the pipeline contemplated to convey the ironsand contravene Maori concerns, there could be a reaction. As the Environmental Impact Report was required under the Town and Country Planning Act 1977 the Company hired specialist consultants to prepare it. This report was then submitted to the Commission for the Environment to ensure that all matters relating to the environment were being protected. The audit produced a lengthy list of items for Company action. These were either objected to as unreasonable or investigated and corrected. However, when twenty four telegrams written in Maori arrived at the Company in mid September 1980 a considerable amount of consternation

ensued amongst senior management. Translations were immediately sought to determine the content and criticism. Consultations were hurriedly set up between the Company and its Maori advisers and a meeting was arranged to discuss and decide how to deal with the issues raised. Sample copies of the telegrams sent to the Commission for the Environment and forwarded to New Zealand Steel are in the Appendix.

The company prior to the compilation of the Environmental Impact Report had made various visits to the Huntly Power Project, mostly concerned with seeking advice about Labour Relations problems and possible solutions. No mention had been made to the company representatives that a Planning Forum existed. This Planning Forum had been established to deal with, monitor and advise the Electricity Department which was building the coal fired power station. This forum comprised representatives from the local Maori people, the local authority, the Electricity Department, the Mines Department, farmers and the County Council. It is possible that had the company known of this group and its scope of responsibilities, they might have been party to a better Impact Report. However that is the benefit of hindsight.

To help clarify the scope and role of this Planning Forum it would be useful to review its background. The researcher has drawn this material from an occasional paper No. 4 February 1978 researched by Evelyn Stokes of the Centre for Maori Studies and Research, University of Waikato.

A Government announcement in 1972 to build a 1000MW coal field power station in the Huntly area aroused widely different reactions from the people living in the area. The residents in the Waahi Marae the traditional home of the Maori King and current residence of the Maori Queen were to face the prospect of a huge coal fired power station virtually on their doorstep. The proportion of Maori in the local township was eighteen percent, much higher than the national proportion of ten percent. The power station was to be built upon the west bank of the Waikato River, the traditional area of Maori settlement. The Huntly township was well established on the east bank.

To construct the power station some sixty six hectares of land would be required and the building was a massive 260 metres long, 118 metres wide and sixty metres high with two massive towers to disperse exhaust gases. The station would also draw cooling water from the Waikato River and discharge used but warm water downstream.

The Electricity Department prepared an Environmental Impact Statement in October 1972 which was made public with additions in June 1973. It is significant that the Huntly project was the first large development which required an Environmental Impact Report and it was not until 1976 that the Commission for the Environment issued its audit.

It is interesting to note from the Stokes paper that the Government's impact report did not include any significant cultural impacts other than the siting of the power station so close to the Waahi Marae and its effect upon a local Primary School. Mention was made of care being taken to avoid atmospheric pollution and alternative methods being used to cool the discharged water. The Mines Department had also issued an impact report describing open cast mining, visual effects of coal transport, effects of discharging coal effluents and the need to move some people from Rotowaro to Huntly when Rotowaro mine would close.

Various environmental protection groups voiced their concerns, as well as Ministers of the Crown who were facing an election in 1975. Newspapers of the time reported on the reactions not only of the most affected but also of people who would be expected to provide additional social services viz doctors, Borough Council, also the Progressive Associations concern with extra traffic.

While this protest activity was continuing the then Minister of Works and Development, the Honourable Hugh Watt, said the Government intended to set up a 'planning forum' and went on to say that the Crown was not bound by the provisions of the Town and Country Planning Act especially with the time consuming appeal system.

In Stokes' paper she examined the various protest groups located in or near Huntly who were frustrated at the Government's high-handed action and the lack of information available. As an illustration of

this variety there were groups such as the Raglan County Council whose roading programme was likely to be affected, the Huntly Borough Council who were worried about air pollution, housing needs, where was a construction camp to be built and who would supply water and sewerage services; the Waikato Valley Authority was concerned for the impact on the Waikato River of warm discharge water; the Federated Farmers were worried about noise, air pollution and the method of transporting coal; the Coal Mining Organisations including the unions were also anxious about methods of coal extraction and the likely impact on jobs, and the Maori were also concerned because of the proximity of the huge building next to their marae.

The Maori concerns focussed on the effect that earthworks would have on sacred sites: their failure to get answers from Electricity Department; the impact of water discharges on traditional fish quality; and the closeness of the station to the Waahi Marae and the impact of all this on the local school. Finally the Tainui Maori Trust Board lodged an appeal against the granting of water rights, which was heard in September 1974 with wide publicity. Additionally they sought a greater say in the area of public decisionmaking, especially asking for more information, in order to be better informed.

To anybody reviewing this background of concern and apparent lack of consideration for many local and cultural issues it is strange that New Zealand Steel's management were not more aware of their project's likely effect upon the local community. The researcher is unable to find any written reference nor can any colleagues recall any discussion, on the Huntly problems other than industrial relations issues arising during the construction phase.

Immediately following the receipt of the twenty four telegrams from the maraes near New Zealand Steel, management heard about the Planning Forum at Huntly from Mr H. Forbes who was a member of the Tainui Maori Trust Board. He was asked to call a meeting of local Maori representatives, available Tainui Trust Board members, and University of Waikato staff from the Centre of Maori Studies and Research. A draft 'terms of reference' was circulated to all those invited prior to the first meeting, the substance of which was gleaned from the

various reports received from the Huntly Power Project study groups, and the Huntly 'Planning Forum'. It became clear to the company, which had received these reports after its Environmental Impact Report was published, that serious omissions had been made or overlooked. It was decided to describe this meeting, as the New Zealand Steel Liaison Committee meeting.

Furthermore, some of the participants in the Huntly Planning Forum were coincidentally likely to be members of the New Zealand Steel's Liaison Committee, and were useful in guiding the company through its early meetings. Fortunately, there were basically only two groups forming the New Zealand Steel Liaison Committee, Company management and Maori representatives where as in the Huntly Planning Forum, there were local body representatives, Government Departments and local Maoris, farmers and related interest groups.

It was during this present research that the Evelyn Stokes paper was located, and it is worthwhile for the record to include her ideas. She suggests a number of guidelines to be considered by any large Development Project.

1. The Environmental Impact Report should be regarded as a preliminary assessment to be followed by future statements as planning proceeds.

2. The "environment" should include a full assessment and monitoring of social and economic impacts, including an understanding of the different cultural values, perceptions and interpretations of the local environment.

3. Social planning should have as much detailed investigation over a period of time, as the technical and engineering aspects of the project.

4. The social planning should include real participation of local people and effective communication.

5. The appointment of a community liaison officer to facilitate communication.

It is interesting also to note from this occasional paper, that Justice Berger, in the Commission of Inquiry into the impacts of the McKenzie Valley Pipeline in the Canadian Arctic (1977), attempted to grapple with the difficult area of conflicting cultural values. He noted the potential conflict between national interest, expressed in European terms, and the alternative values expressed by the local minority cultures. This was exactly the position New Zealand Steel found itself in when the first protest was voiced at the Water Rights hearing in 1978.

Regrettably, Management did not sense the depth of feeling that lay behind the telegrams and little did they realise how the momentum of protest would increase over the next few months.

The draft "terms of reference" for the Liaison Meeting referred to earlier, were as follows:

(1) To keep the Maori community informed of development proposals.

(2) To discuss matters brought forward on behalf of the local Maori community and to act on these matters as considered appropriate by the Committee.

(3) To discuss forward planning associated with the New Zealand Steel project which included Waikato North Head and the various support facilities.

(4) The Committee would not be a decision making body, but would endeavour to ensure the common interests of both parties were properly considered.

This was the content of a letter sent out in December 1980 to the local subtribe Ngati Te Ata, The Tainui Maori Trust Board, and University of Waikato Centre for Maori Studies and Research, and the first meeting was held on February 4th 1981. At this inaugural meeting, the Committee decided to call itself the New Zealand Steel Liaison Committee chaired by a member of management. As there was a lot of information to bring everyone up to date, a plant tour was arranged prior to the next meeting, and then the meeting was opened to questions.

The Maioro Forest and New Zealand Steel Mining Operation



New Zealand Steel Mining operates mining and concentrating operation at Waikato North Head, at the mouth of the Waikato River, 18 kms south of New Zealand Steel's Glenbrook iron and steel mill. The mine is located on a deposit of recoverable ironsand concentrate totalling 120 million tonnes.

Questions ranged from the length of time the Steel Works would remain in existence; problems of tailings disposal; the height of chimneys; the depth of mining at Waikato North Head; the problems associated with collection of dust from the air; the height of the proposed dam over the Ruakohua Stream near the Works; and finally the question of using Waikato River water.

With so many questions needing answers, the Chairman set a date for the next meeting of the Liaison Committee in two weeks time. As some of the Committee members had to travel from Hamilton and from Auckland to Glenbrook for the meeting, the Company did not expect them to be out of pocket so it decided they would be reimbursed for their mileage.

It will be seen from this initial meeting that critical issues of mining depth and water usage in particular were high on the Maori representatives' agenda. The next meeting spent more time on the above issues with little progress.

At the third meeting a representative from Centre for Maori Studies and Research proposed that some research should be done to check out how the local maraes felt about the expansion, and what their priorities were for the future. A researcher was available, and would be doing some work for University of Waikato Centre for Maori Studies and Research, and could do some basic research on how local marae people were thinking. The researcher, an Australian, was very experienced in community research projects and his work was highly regarded by the university. The management representatives were now concerned that the issues emanating from one small sub-tribe, the Ngati Te Ata, would now be escalated to include all the people in the area. No decision was made at this meeting and it was held over for a decision in the next week or so. The committee was also told that a Maori protest would be made on the Water Rights Application, but it was hoped that it would not affect the atmosphere of Liaison Committee meetings. Management assured them that it was a legal right of the Maori people to make their views heard in the appropriate forums and this hopefully would not affect the Liaison Committee meetings.

At the next meeting, the Company agreed with the proposal to do some

research and the detailed schedule for the researcher, Mr Ken Egan, was described. It covered whom he would meet, how he would get his material, and when the first report would be available for the Committee to review.

The Maori protest to be heard at the Water Rights hearing was discussed and as a result material was supplied by the Company. All this occurred prior to the hearing a week or so later. It was hoped that this free exchange of intent and information would indicate that both parties could work together to resolve their problems. It appeared on the surface that the Liaison Committee was developing a healthy atmosphere.

The Company Finance Manager in attendance referred to the terms of reference of the Committee and described how the Expansion Project would be funded, how long it would take to build, and answered questions arising from his presentation.

During the intervening weeks, approval was given to the researcher to use a furnished Company house and phone, as a base for the intensive interviewing programme The Company agreed it would pay the University a month's fee, and half the airfare of the researcher to come from Australia. The research programme involved a team of people who spent time on each marae seeking opinions and concerns.

At the next meeting, May 13th 1981, K Egan made his presentation on his findings, stressing the key areas and issues which he uncovered, namely;

a) The Maoris deep concerns for the land, the Waikato River and the Manukau.

b) The Maori reactions to the Company Development Plans.

c) The likely effects on them both economically and socially.

d) Possible strategies which the Maori people could follow.

e) The need to improve the educational base for Maori children in

order to qualify for better jobs and thus enhance their employment prospects.

f) That the Maori people felt helpless and did not count anymore.

Having determined the scope of the key areas and issues of concern, the Company needed to know what recommendations would need to be considered and suggested that a paper be presented outlining these proposals.

The June 10th 1981 meeting, was poorly attended, but some recommendations on Marae based education programmes were made by the research team and the need for a counsellor to work with parents, students, and schools. The Company representatives were sympathetic to the proposals but felt it was not their responsibility to provide such community services. To assist with career guidance a video would be helpful and New Zealand Steel agreed to support this at the appropriate time. Regrettably nothing was ever done to produce such a video. Why the attendance was so poor was not discussed nor explanations offered.

At the August 7th 1981 meeting, there was a very full attendance, as the objective of the meeting was to discuss the research result, which was called the Huakina Report. As this discussion proceeded it became apparent that the scope of the Report was very wide. Implementation of the ideas could only be done if some practical working models were developed which could show others how to implement these ideas. Therefore it was necessary to set up an organisation to lead the way.

Furthermore, there was a feeling expressed by the meeting that the Company needed to state what it would do to help. After some discussion a request was made to meet the Board of Directors to present a case for their consideration. This was arranged to coincide with the October Board meeting but as there was too much business to deal with at that meeting it was postponed to November 16th 1981. Those in attendance at the Board Meeting included members of the Tainui Maori Trust Board, representatives of the Ngati Te Ata, and Liaison Committee members from the Company Management and Directors.

The presentation of the Huakina Report was made by researcher, K. Egan, who described the plight felt by the Maori people in the area and their scepticism about remedies offered to them. He made the point that the strategy behind the Huakina Report was self help, it needed some "seed" money to get the programme off the ground and that the rest would be earned through Huakina's efforts. The first essential was to appoint a co-ordinator to set up the organisation. Discussion then moved to the detail including the need for local Maori community involvement.

The Chairman of the Board Sir Alan Hellaby explained why water was required for the steel making and processing of steel. The Maoris then expressed their concern at the increasing use being made of the Waikato River, not just by New Zealand Steel. The Board was told that this protest was part of an overall strategy of the Tainui people who were claiming their rights to the bed of the Waikato River.

At this stage, the local tribal representatives and several others, left the meeting leaving the researcher, K Egan, Professor J Ritchie, and Mr H Forbes, to further discuss with the Board what the Company might do to help implement the Huakina Report.

There was some discussion about the Development levy, which was a tax levied by regional authorities on development projects which amounted to half of one percent of the capital cost. The Board wondered whether this fund could be used. The Company was prepared to build some houses near the local Tahuna Marae if the land could be made available. The Company would also cooperate with a positive action plan to help in young people's training, using Company facilities to get some practical experience.

The Board's attitude was helpful for they had been kept fully briefed, but they made it clear to the Maori representatives that their first responsibility was to their shareholders, and they needed to be careful not to favour any single group. Yet they wished to be supportive in meeting some of the issues raised in the Huakina Report and requested Management to present some ideas to further this possibility. It is interesting in retrospect to wonder why the Liaison Committee Maori representatives wanted to meet the Board other

than to make sure their ideas were reaching that body.

At the eight meetings in 1981 some real progress had been made the Company believed, but it had underestimated the deep feelings of the Ngati Te Ata people.

Meetings during 1982

At the ninth meeting of the Liaison Committee in April 1982, the Company offered to make available a recently acquired Dairy Farm located on the boundary of the Steel Mill, for lease to an appropriate legal entity. The Tainui Maori Trust Board was a registered body and administered a number of farms, therefore was acceptable to the Company as the head lessee. The profits from the use of the dairy farm could be used to fund educational assistance for young Maoris from the area as well as other projects. The farm house needed maintenance so the Company accepted responsibility to bring the buildings up to an acceptable standard. Materials were also supplied to rebuild the cow bail, and the house was renovated and reroofed.

It was initially envisaged that the dairy farm might be used as a training venue, but when the manager of the dairy farm was appointed it became clear that it was better to make the farm a very profitable unit, and use the share of profits to send youngsters off for training at a Flock House type institution. This was not done and no satisfactory explanation was ever offered. The choice of the farm manager was made jointly by the Tainui Maori Trust Board and the Farm Adviser from Maori Affairs Department, Hamilton.

At this ninth meeting, it was reported by the Research Co-ordination Committee that if progress was to be made to give effect to some of the plans outlined in the Huakina Report, a co-ordinator was needed. This recommendation was sound, for if the local Maraes were to be included in any development programme someone would be needed to organise and communicate with them.

The Company agreed to fund the costs of a Co-ordinator for a period of three years, to a maximum of $25,000.00 per annum. This offer was accepted and several other matters were contingent on this decision.

A base was needed and as the Maraes were scattered over a wide area, transport was also required. The Co-ordination Committee decided upon a house in Pukekohe which was a central location and could be modified to provide office and meeting room space, and a vehicle was purchased. The coordinator was also appointed, Mrs Nganeko Minhinnick of Ngati Te Ata, and she was called Managing Director. Mrs Minhinnick was an obvious choice and probably her sponsors believed she would be too busy doing this creative job to worry about further protests. This hope was not to be fulfilled.

This ninth meeting took place at the time the various modes of transporting the ironsand from Maioro mine to Glenbrook were under discussion, which aroused considerable local farmer protest. The resident Director, Mr A. Stirrat, was invited to be a member of the Liaison Committee, because of his knowledge of the Development Project.

At the meeting Mr Alex Stirrat explained in some detail the pro's and cons of the various proposals - pneumatic pipeline, aerial ropeways, rail, road and even touched on a slightly fanciful notion of airship transport. He also described progress on the stage one development, viz., four kilns, the melters, the new steelmaking and casting facilities.

Finally, the subject of the Development levy came up again for discussion, as this had also been raised at the Board meeting. The Directors had wondered whether the Company could influence the Regional Authority to more favourably grant money to Maori projects. A meeting was then arranged to facilitate these matters, and if possible appoint a Tainui Maori Trust Board member on to the allocation committee. The purpose of using the Tainui Maori Trust Board representatives was that the Trust Board represented Tainui people in the South Auckland area.

The tenth meeting in June 1982, saw the Dairy Farm lease finalised for a term of twenty one years, with rights of renewal for a further twenty one years. The rental was to be initially minimal and later rise as profits were made.

The Company and Tainui Maori Trust Board representatives met with the Auckland Regional Authority (A.R.A.) and discussed their methods of distributing the Development Levy funds. It was also suggested that, as this Levy would be benefitting South Auckland with its twenty percent Maori population, a Maori representative could be coopted to the distribution committee. Little progress was made on either issue to get more favourable treatment or to secure representation on any committee.

Regrettably, the three maraes in the area closest to New Zealand Steel, one in Pukekohe, and two near Waiuku could not agree to put a joint claim to the ARA for a portion of the Development Levy. The ARA officials attempted to be fair and allocated each Marae applicant equal amounts, when possibly if a joint application had been made, a bigger overall amount might have been achieved. The problem faced by the ARA in sharing out the Levy became largely political, as the distribution was made just before the local authority elections. The Company attempted to exert some influence, but this became obviously too political, and it was decided to withdraw and let the ARA accept any criticism. One of the many problems faced by the ARA allocation committee, was to differentiate between the real needs, and the grandiose plans put forward by all applicants. Almost three million dollars was allocated to meet the approximately thirteen million dollars claimed. There has been no proper follow-up subsequently by an official from the ARA to see how well the grants were spent.

At the tenth meeting in June 1982 it was reported that the Maori Affairs Department was reluctant to second one of their officers to act as co-ordinator which placed the cost of this completely upon the Huakina Trust. Yet when the duties were analysed it became clear that much of the work to be done would fall within the scope of that expected of an officer from Maori Affairs. The Department later changed its mind on this matter.

A report was made to the Liaison Committee meeting by the Company's environmental engineer on the route and equipment that would be installed when the pipeline would carry water from the Waikato River. There was a considerable amount of discussion on the mixing of the Waikato River water, and its subsequent discharge into the Manukau

Harbour.

Finally, discussion centred about employment of school leavers whose school records and levels of achievement were low. As the Company did not employ anyone under eighteen years of age, management did not see it as their responsibility to set up schemes to equip the 15-18 year olds with sufficient skills to be employed at 18 years. The age limit was set because almost all the operations of the plant were based upon shift working, which precluded youngsters below eighteen years of age.

At the eleventh meeting in July 1982, the proposed organisation of the Huakina Trust was described. This included the responsibilities of the various sub-committees to be set up (see Appendix). Aspects of funding the work of the Huakina organisation were also fully aired, which included possible help from Maori Affairs Department, and the running of training programmes for the unemployed young people under Government sponsorship.

To keep New Zealand Steel informed, it was agreed that a representative from Huakina would also attend the Liaison Committee meetings. Following this, various options were considered as they affected Company housing plans. The offer of ten houses to be built on Marae land was reinstated if this was practicable and acceptable. The options of tenanting, ownership and location were to be considered by the Ngati Te Ata, and Huakina Committee, and a recommendation was to be made to the Liaison Committee for Company action. Despite frequent reminders no action was ever recommended, nor were the houses ever located on the Marae. At one time an unofficial approach was made to the Company to allocate the cost of ten houses, i.e. $500,000 to the Tainui Maori Trust Board, but this was completely outside the scope of house funding and the matter was not pursued.

The twelfth meeting in September 1982 reported on progress made on the dairy farm to be leased from the Company. A share milker was being selected, and a suggestion was made that a formal "handing over" ceremony should be held.

A report from the ARA management stated that the Development Levy Committee could not provide a place for a Tainui Maori Trust Board

adviser, to assist with its deliberations on Levy distribution. This was a very political decision as elections were about to take place and no favours were to be made to any group. This response was not accepted by the Ngati Te Ata, who took pains to point out to the meeting that the proportion of Maori voters in the area of the South ARA region, was greater than any other minority group, and the Development Project was going to affect about fifteen Maraes located nearest to New Zealand Steel. It was agreed that New Zealand Steel should write to the ARA, pointing out firmly their views on the disposition of the Levy funds.

Discussion then focused on the duties of the Co-ordinator being funded by New Zealand Steel and the need for other assistance with furnishing the Pukekohe headquarters.

The Liaison Committee was advised that Maori Affairs Department would not be making a person available. This would place great strains on the organisation until it was "up and running". A suggestion was made that a central location as described in the ninth meeting was needed where meetings of all types could be held. A house was purchased in Pukekohe with an advance of $20,000 from New Zealand Steel, which was taken out of the Co-ordinator's funding of $25,000, with a contribution from the Tainui Maori Trust Board. The Huakina Trust would repay the loan from the Tainui Maori Trust Board.

At the October eleventh 1982 meeting, the dairy farm report was given, and it was hoped to commence operations in December. There were repairs to be made to the milking shed to bring it up to an efficient layout and to meet Health Department requirements for effluent disposal.

It was agreed that a formal ceremony would be held on December 1st, and would be honoured by the Maori Queen being in attendance. Various matters relating to this ceremony were discussed: the catering, who was to be invited, and who would speak.

The ARA responded to the New Zealand Steel letter referred to at the tenth meeting, by arranging a meeting with the Company, and the Chief Executive and Chairman of the ARA. The outcome of this meeting was

that the Tainui Maori Trust Board would be invited to address a Levy Fund committee meeting, to more fully explain their concerns and plans for Huakina. It also transpired that a senior official from the Maori Affairs Department would be present at future meetings of the Levy Allocation committee. This could be described as "some progress", one of the Liaison Committee members remarked.

The Mining Manager suggested that the December meeting be held at Maioro Mine site, and that a tour of the mine at Maioro could be made. This meeting was poorly attended, but nevertheless, a good tour of the Forestry area, and inspections of the designated Urupa and Waahi Tapu were made. It was during the inspections that the Company was confronted with the assertion that more urupa and waahi tapu areas were located on the Maioro ironsand deposit and should be identified. This came as a real surprise to the Company management for it was assumed that the designated areas agreed upon were all they had to be careful to avoid.

This meeting was attended by Forestry officials, and an archaeologist, who was later requested to conduct a study of possible urupa sites. A proposal was put to the meeting that these sites be fenced off to protect them from the public, and the Company agreed to this, provided such places were clearly identified. One of the Ngati Te Ata suggested his mother should be consulted as to the possible location of these sites. The matter was left there to be discussed after the Christmas break.

At the six meetings in 1982 a number of procedural issues were clarified and some of the real issues began to surface.

Everybody present at the Farm "handing over" ceremony described it as enjoyable and instructive. Another member remarked that it was an historic occasion and significant in the New Zealand Steel - Maori relations.

Meetings during 1983

At the March 1983 meeting, there was a full attendance with consultants also present. They spoke about the water rights research

that was needed and the help that might be required from the local Maori representatives. The consultant researchers reported on their findings over the period 1976-1983 (Tonkin and Taylor 1983), and would be using the 1976 report as a base line to determine the degree of change. The 1976 report was to be circulated to all affected groups. Enquiries were made about the regular monitoring of water discharges. The ARA was responsible for this and it was the responsibility of the Regional Water Board to conduct such monitoring.

Following this full discussion on water usage and the need to work with the local people, the Liaison Committee Chairman drew the members attention to the question of Urupa and Waahi Tapu sites. The Ngati Te Ata representative responded that he had contacted his mother, who suggested other elders on both sides of the river mouth should also be contacted. The committee was told how the elders at Taharoa were consulted and how the position of Urupa and Waahi Tapu sites were settled.

The Mine Manager explained how the mining was conducted, and how tailings disposal was carried out. He also reiterated the importance to the mine planning, that these sites should be identified. Nothing further was discussed and could not be, until the local Maori representatives reported back on their consultations. This was the first intimation to the Company that the exact positioning of the sacred sites and burial places was a little unclear.

Progress was delayed on the establishment of the Dairy Farm because of cowshed effluent pond problems and the securing of Planning Approvals. Water supplies were also proving a difficulty, so the Company agreed to put a special branch water line to the boundary which would enable the Tainui Trust (the Lessees), to reticulate water wherever it was needed on the farm.

A brief report was made to the Liaison Committee on the objectives and progress of the Huakina Trust. The major hindrance was with the Department of Labour, who supervised PEP training schemes. Their concern was that only thirty people were involved in the Huakina project and more were required. This would take time to settle down. Also, the local Maraes wanted to be involved but also wanted the

"overhead trust money" to be shared out.

It was this money that Huakina was relying on to fund their operations. It was not fully understood by all the committee that when a course was organised under the P.E.P. Scheme extra funds were added to cover supervisory and administrative expenses. It was this later sum which was described as "overhead trust money".

The Co-ordinator reported that it was decided to set up a Trust Board named Huakina Development Trust which would facilitate its dealings with other organisations, such as banking facilities and other Government Departments.

The report by New Zealand Steel Development Company Director, A.G. Stirrat, focussed mainly on the ironsand transport options, viz., road, rail, aerial ropeway, pneumatic capsule or slurry pumping line. It was realised that of all the options, the one most likely to give concern to the local Maori people was the Slurry line which would require water from the Waikato River. Taking water from the river was not a simple matter technically, for the reason that the lower reaches of the river were tidal: in other words, there was an incursion of seawater at certain tides. This meant taking water from further upstream in order to escape the inclusion of seawater in significant proportions, as saltwater created problems with plant and equipment at the Steel Works.

The Development Company representative actively canvassed the idea that the excess water available after the slurry pumping could be used to irrigate local horticultural crops. Although the idea was sound it was discovered that there was too much salt remaining in the water to be beneficial to crops, and its use over the long term would be deleterious to the soil.

The meeting was told by the local Maori representative that the whole idea of use of Waikato River water was repugnant to his people who regarded the river as the source of food and sacred. Furthermore Maori people could not accept the mixing of the Waikato River water with its subsequent discharge into the Manukau Harbour. At this point there was only one local Maori representative at the meeting, along

with a Huakina representative, and the remainder were Pakehas. This information was difficult to comprehend by the Pakeha contingent and the meeting concluded at this point.

At the April 1983 meeting the Slurry line decision had implications for the local Maori people whose only recourse was to appeal against the water right application to be heard in May. In an attempt to soften the concerns of local people, the researchers requested assistance in identifying fishing beds locally used. This was provided and proved useful, which saved time enabling the researchers to spend more time thoroughly working in these spots checking the shellfish.

The environmental engineer was then asked to report on the plant and equipment to be used not only for water extraction from the river, but also to conserve water in the various process plants.

A Marine Biologist had been invited by the Ngati Te Ata to attend a public meeting to describe features of the Manukau Harbour, including the formation of sand and mud banks. The meeting, he reported, was well attended and the presentation proved to be very informative.

Progress with the Huakina project was then reviewed. The Huakina project needed to develop an organisation in order to co-ordinate the work of the various subcommittees, and capitalise on the efforts of the people. The work naturally divided into broad functional activities, viz., Youth, Finances, Education and Training, Policy and Planning, Marae development, which were then co-ordinated by a management committee working together under the direction of the Trust Board to be installed - Te Puaha Ki Manuka. The environmental subcommittee would play an important role in Water Rights matters, and Harbour Pollution.

It was also pleasing to note that the National Bank was prepared to make available a $40,000 overdraft limit, and the Bank offered to help the office staff set up some basic accounting procedures. To ensure that these matters were properly put in place, a member of the project working party took three months leave of absence from Maori Affairs.

Each subcommittee and the co-ordinating Management committee had objectives to aim for, and specific duties and responsibilities to follow. The setting of these was the work of the Centre for Maori Studies and Research at University of Waikato. The composition of the representation on the Liaison committee began to change from just a subtribal group of Ngati Te Ata, to representatives of each subcommittee of the Huakina Trust. This appeared to auger well for future relationships.

To assist in furnishing the central office in Pukekohe which was named Huakina House, the company was able to provide some suitable furniture from its store.

Whilst the April meeting spent most of its time on the Huakina organisation, it was most useful, especially for the New Zealand Steel members to see how responsive the structure could be to Maori needs (Appendix).

The May meeting in 1983 spent most of its time on Maori concerns over the water right issues, with the Researchers and Consultants making their report and answering questions. Initially, time was spent discussing where the outfalls/discharges would be placed, compared with the existing two. As every member had been provided with a copy of the report, it made discussion and clarification easier. Everyone was brought up to date with Water Board standards. The researchers spoke to the report, answered questions, and offered help in presenting the Ngati Te Ata case at the Water Rights hearing. This offer of help was not taken up probably because the opposition to the Water Right was based upon metaphysical issues, and not on countering technical data.

Concluding the meeting, the environmental engineer described in some detail the settling ponds, the control measures being taken and the monitoring of water quality.

The Ngati Te Ata representative accepted all the information and explanations of the company, but made it clear that these did not allay the Maori spiritual concerns and the likely effects upon the taniwha and influential effect upon Maori values.

Finally, the Maori representatives criticized the company for not providing more jobs for their people and criticized the High School for not providing the proper education to equip their people to get jobs at the Steel Works. There was no response made to these points.

There was no meeting in the subsequent months from May until December 1983, when a meeting was held and most Ngati Te Ata representatives again absented themselves with no apologies or explanation.

The form of the December meeting was comprehensive covering water pollution and marine life, ironsand concentrate transport, and pipe line construction, waahi tapu sites and Maioro mine site, the Dairy Farm; Huakina and its activities. Rather than repeat the same responses, some of the above will be omitted from comment.

The only Ngati Te Ata representative present said that a decision on the waahi tapu sites would be made next month by the Huakina Management Committee. Why this had been shifted to the Huakina Trust the Company management could not determine but did not probe for reasons.

Forestry submitted a report plus a series of recommendations regarding access, fencing buffer zones, and vegetative planting. This would be done at New Zealand Steel's cost. It was thought that this proposal might assist the Huakina deliberations.

The Huakina Development Trust itself was operating effectively, the fulltime staff were in place, the transformation of the Pukekohe House to a centre for Huakina operations was a credit to everyone, and the education and training programmes were in "full swing". It was suggested that the local Member of Parliament, Hon W. Birch, who was also Minister of Energy and Development, should be invited to visit Huakina House and be appraised of all its activities. This was done.

A suggestion was made at the end of the meeting, that specific items affecting employment, funding and the farm lease be included for discussion at the next meeting. A date in February 1984, was suggested, but it was not until March that a full attendance could be achieved. Little real progress had been made at the four meetings in

1983 to resolve any of the matters which were emerging concerning mixing of water and identifying Waahi Tapu and Urupa.

At the Water Rights hearing, the Chairman had awarded the Company a right to proceed to extract water from the Waikato River and discharge used water into the Waiuku Estuary. This was subject to the objections of Ngati Te Ata, who were making an Appeal to be heard later.

The Huakina Management Committee had not communicated its decision on the matters related to identification and protection of waahi tapu areas, despite the apparent urgency expressed at the last meeting, almost ten months earlier.

Agreement had been reached with the Tainui Maori Trust Board for the dairy farm to divert some of its profits to help pay off the mortgage of Huakina House and that the Company be approached to provide materials to reroof the cowshed. Concern over the Farm lease was clarified when it was pointed out that the terms of the lease included a renewal provision.

Attention was then focussed on the Huakina Development Project and its funding.

It was pointed out that traditionally, community self-help schemes were vulnerable in the first few years. Would the Company therefore consider an alternative plan, namely, to extend the overall cost by one year, from three to four years, but to "drip feed" the funds on a diminishing scale?

This approach would allow the Huakina Development Trust and its contributing Marae to make up the shortfall each year from their own efforts. The Company responded quickly by agreeing to this extension on a reducing basis, but subject to annual accounts being presented to show how the Trust was managing financially. Regrettably, the provision of annual accounts to support the following years funding ceased despite repeated reminders, and therefore no further funds were provided.

Another outcome from this meeting was the setting-up of a small subcommittee, two members from the Huakina Development Trust and two from New Zealand Steel, to consider employment issues. Specifically the focus was to be on the preparation of young Maoris for employment in the forthcoming expansion project.

Meetings during 1984

The first meeting, in 1984 was on June 15, and was attended by Forestry management, as well as all members of the Liaison Committee.

As Forestry had commissioned an Archaeological Survey on the Maioro Forest area, it was decided to discuss the recommendations it contained. These recommendations were important so are listed as follows:-

1. New Zealand Steel Mining to cease operations within the reserve areas.

2. Bare sand tailings behind the reserve should be contoured and planted to stabilize the sand.

3. A post and wire batten fence to be erected around the reserve.

4. There should be a 50 metre buffer zone around the reserve.

5. The sand track to the Waikato River should be accessible to vehicular traffic.

6. Native vegetation should be planted on the tailings which have encroached on the reserve.

7. These items to be at New Zealand Steel's cost.

8. Liaison should be developed between Waikato Valley Authority, Auckland Regional Authority and New Zealand Steel, to devise means to protect the reserve from erosion.

9. The Maori owners of the reserve to be kept informed.

Promptly, the Mine Manager agreed to implement all the above nine recommendations provided agreement could be reached on some of the detail, viz., type of Native trees to plant; type of fence to be erected; permit to go through mine site to reserve.

The discussion then ranged over identification of important sacred sites, and the Ngati Te Ata representative claimed that if a Tohunga said an area was sacred, Maoris regarded it as being so. It was at this point that it became clear that although there had been meetings to clear up the issue of "urupas", no agreement had been reached by the local Maori people. Ngati Te Ata had therefore decided that the whole area should be declared a sacred site and mining should cease.

University of Waikato Centre for Maori Studies and Research representatives, explained why these urupa were significant, and why Maori people could have difficulty in deciding which sites were more important than others. While it was understood there would be difficulties, the New Zealand Steel management explained how such matters were resolved at Taharoa. It was also apparent to them that more trust existed at Taharoa, between management and local Maori elders than existed at Glenbrook, although the same managers were involved. Possibly also the Ngati Mahuta people at Taharoa owned the land and were receiving royalties which enabled them to find practical solutions to the vexed questions of Maori values and beliefs.

Attention then focussed on the erosion problems caused by the River, and one of the managers present was asked to make a report at the next meeting after discussions with the Waikato Valley Authority.

The Dairy Farm report was discussed, and it was pointed out that costs were much higher than budgeted to ensure that all facilities including fencing were brought up to an acceptable standard. The herd of milking cows was to be increased to 165 cows, which should give a return to Trust Board of $15,000. The water pressure was now too high because of the system installed by New Zealand Steel. More maintenance was needed on all farm water troughs, which had not been subjected to such water pressure in the past and tended to flood if not properly maintained.

No training programmes on the farm were envisaged at this stage, although a PEP scheme was operating to fix fences on the farm.

It was at this meeting that the committee were advised that the Waitangi Tribunal would commence its hearings in July 1984. One of the members outlined the protocol of handling the Tribunal hearing on the Makaurau Marae. New Zealand Steel members were invited to a seminar to be held at University of Waikato on employment. A special meeting was then scheduled for 7 August, at University of Waikato, to explain how the Tainui people were going to handle its presentations to the Waitangi Tribunal, especially with reference to the progress made in the Liaison Committee meetings.

An attempt was made to resolve the urupa problem and the need to agree on a central re-interment site for any human remains discovered and it was stated that elders associated with Taharoa would be speaking on their solutions to these matters.

The other major issue was the mixing of the waters from the Waikato River with the salt water in the Manukau Harbour.

It was decided to spend time on the urupa issue, and to be prepared to indicate to the Tribunal what would be an acceptable solution. The Ngati Te Ata's legal counsel was present. Pressure was put on the Ngati Te Ata and Huakina Development Trust to decide upon a course of action, but they avoided the issue claiming that people over the years had been buried all over the site. Mrs Minhinnick disputed the accuracy of the designated areas, but her people had invited a Kaumatua to visit the area and point out where the burial sites really were.

As no human remains had yet been uncovered, it was difficult for the Company to react except to state very clearly that if any bones were unearthed, the procedure adopted at Taharoa would be followed. A request was made to the Ngati Te Ata to nominate an appropriate person to contact in the event that this occurred, but no person was ever nominated, nor have any human remains been unearthed.

The committee was then told of the various burial procedures adopted

by the tribes, viz., Chiefs might have been buried in a canoe prior to European contacts, or might have been buried in trenches sitting upright which indicated that these people were a travelling party killed in a local skirmish and had not been recovered for later burial. Fortunately for New Zealand Steel Mining, at Taharoa, the only human remains unearthed were single remains and a recent one found was buried in a European styled coffin.

At this point, it was agreed that a presentation of the Taharoa experience should be made to the Tribunal, if a copy of the Archaeologists report to Forestry was made available.

The question of fencing off the most clearly designated burial sites was then discussed. This request met with opposition from the Mining Manager, for the new mining methods were not flexible enough to cope with fenced off areas, scattered all over the area. Furthermore, as these sites were not proven urupa, the Company felt obligated to remain with the current reserves which were clearly marked, and had been so since the mining licence was granted in 1966. However, the Company agreed to fence the Fishing Reserve, and was awaiting confirmation from Mrs Minhinnick, as to the type of fencing favoured by her. No recommendation was forthcoming, and none ever came. The Company wondered whether this non-agreement was part of a strategy to keep the matters unresolved and therefore easily referred to as "problems". Approaches were made privately to the individuals concerned to seek areas of compromise or reasons for disagreement but these were rebuffed.

The Chairman of the meeting at the University then sought a solution to the second major issue of the "mixing of the waters". Company representatives fully discussed how the water from the Waikato River was to be used in the various processes, and how small a proportion of that drawn from the River was to be discharged into the Manukau after five times recycling. Further, the Waikato River water would be mixed with the Ruakohua Stream water in the dam, plus storm water, so exactly which would be which, could not be determined.

The Chairman pointed out, that the issue was also inextricably mixed up with metaphysical issues, as it affected the mana of the Maori

people. He explained the aspects of "power" and "authority", as elements of mana, alongside human mana and natural mana.

Tribes who live alongside the Waikato River gain mana from the river and they have an obligation to protect the source of this mana. Interfering with the natural order of things was upsetting, and could only be settled by "utu" or by "Koha", (revenge or gifts).

It was recognised that a legal remedy was unlikely, so they and the Company needed to resolve this through discussion and finally by negotiation. This was a prophetic statement, but ultimately failed through changes in the representatives, chiefly on the Ngati Te Ata side.

The next meeting was a site visit on November 6 1984, following the Waitangi Tribunal hearings to inspect the Tangitanginga Block 100. This block had been cleared of pine trees and broadly contoured, prior to settling any claim for its waahi tapu status. Note was made of inaccurate survey marks (some 30 feet out of line), and the problem of graded slopes down to the adjacent working areas. This point was the subject of further discussion later.

Mrs Minhinnick spoke of this land as being tribally owned, and that no further working with bulldozers should take place. She then stated that no fencing should be put up until a lot more consideration could be given to such a barrier. The party then moved on to the Fishing Reserve, and discussed what selection of trees could be planted, but again no agreement was reached. The roadway down to the Reserve could be upgraded and New Zealand Steel would provide materials to bring the road up to a usable standard. A suggestion regarding the fence was again made, and one of the party supervising a group from Huakina, offered to erect such a fence on contract. No action followed.

The Liaison Committee met twice in 1984 at Glenbrook plus a special meeting at University of Waikato. 1984 was also the timing of the Waitangi Tribunal hearing where all the issues were again fully discussed.

Meetings during 1985

Almost eleven months elapsed before the next meeting of the Liaison Committee, on October 2 1985. The agenda was lengthy, and a full assembly of Huakina Development Trust representatives, Ngati Te Ata and Forestry and New Zealand Steel were present.

The first item to be considered was the reason for the formation of the Ngati Te Ata Trust, and Mr A Kaihau, who had been appointed secretary, explained. The Trust was established to act for the Ngati Te Ata people, to look after their interests, yet work within the overall Tainui tribe. As no further explanation was forthcoming, the Chairman moved on to the second agenda item, which focussed on Waahi Tapu and Urupa, and their meaning.

The University of Waikato Centre for Maori Studies and Research representatives explained - Urupa are places of burials and were Waahi Tapu, but Waahi Tapu were sacred places, but not necessarily Urupa. A sacred place could be one where a special event had occurred, where old people had lived, where a Chief may have rested, or where a song or poem had been written. The designation of such areas had been done in the past by surveyors, mostly in collaboration with Maori elders, and hopefully, the surveyors had been accurate. There were some derogatory comments made about this by the Ngati Te Ata Trust secretary which did not help the meeting.

At this point, the Forestry representative reiterated the offer made at the end of the Waitangi Tribunal hearings, that this clearly delineated land could be handed back to the former owners. The response was in the negative. Mr Kaihau emphatically stated that <u>all</u> the area should be handed back without any ties and nothing less would be acceptable. This was the first formal statement from the Ngati Te Ata about this contentious issue.

The Mining Manager said he understood that it was possible to lift the Tapu on some of these areas in dispute, and reinstate it later.

Again the response was that these questions were not yet resolved in people's minds and any agreement on a course of action would have to wait.

Mrs Minhinnick then went on to talk about the Manukau Peninsula and its significance to her people. When it was confiscated by the Government, little thought was given to the impact on her people. However she recognised that this was an issue which was beyond the scope of the Liaison Committee to resolve. It did not mean that Mrs Minhinnick relaxed and began working to find a solution to the problem between her people and the Company.

The Forest Service representative spoke about the existing records and what was compensated for. His department sensed that there could have been some unfair practices at the time, and wished to put things right. The objective was to meet the Ngati Te Ata's request, but not to penalise New Zealand Steel or Forestry in the process. Mrs Minhinnick's response was to suggest that their Kaumatua should define the area, not a surveyor.

The Mine Manager's response to the last point was to suggest that the solution arrived at in Taharoa could be applied here, but again this solution was not acceptable to the Ngati Te Ata.

As there did not appear any point pursuing this issue at this time, the meeting considered the Archaeologists recommendations and the Company's responses regarding the Tangitanginga Fishing Reserve.

Claim 4.2.1 — Cessation of operations on the Reserve and not to use sand tracks which have now been closed off.

Response — The Company has ceased operations and the sand tracks have now been closed off.

Claim 4.2.2 — Tailings behind the reserve to be contoured, and lupin and marram grass to be planted.

Response — A party comprising Ngati Te Ata and Company and Forest management had discussed this point, and so far no agreement has been reach on an approved course of action.

Claim 4.2.3 — A buffer zone be established of 50 metres to be left around the Reserve.

Response The problem for Forestry and New Zealand Steel was that no agreement had been reached with Ngati Te Ata, on the area of the Reserve - it was either as marked, viz., five acres or as claimed 63.2 acres.

Claim 4.2.4 A post and wire fence should be erected with a gate for access.

Response Again no decision could be obtained from the Ngati Te Ata on these matters.

Claim 4.2.5 The present sand track to the Reserve should remain accessible to vehicular traffic.

Response This recommendation had been complied with.

Claim 4.2.6 A vegetative cover of native species should be planted on the area covered by tailings.

Response The Company and Forestry are awaiting advice from Ngati Te Ata on types of trees they would like to see planted.

Claim 4.2.7 New Zealand Steel should bear the costs of remedial work.

Response This was agreed.

Claim 4.2.8 New Zealand Steel should discuss with Waikato Valley Authority and Auckland Regional Authority, what methods could be used to protect the Reserve from river erosion.

Response The Company agreed to follow this up.

Claim 4.2.9 The Maori owners to be kept informed of the progress on each point that has been recommended.

Response This was agreed.

After these matters were clarified and responded to the Archaelogist went on to state:

(1) He noted that all sites had been recorded as grade B sites. In future, if any work is done on these sites the Archaeologist was to be advised before operations commence.

(2) It is likely that work on several potential archaeological sites could uncover evidence of Maori occupation, and staff should be advised of this likelihood.

(3) Fences should be erected with gates for access around two blocks of Maori land.

(4) All staff at New Zealand Steel working at the mine site and Forestry should be kept advised of Waahi Tapu sites, and if possible, agreement should be reached with Ngati Te Ata on how such information was to be presented.

The next matter for discussion was introduced by the Company Environmental Engineer, who reported the findings of advisers from Historic Places Trust. The advisers reported on the archaeological sites on the Company farm which surrounded the Steel Works at Glenbrook. Some thirty-five sites had been recorded, including the original twelve located by J Davidson in 1968: A Pa, two pit/midden/terraces of considerable size, five similar but small, three inland shell middens and one coastal midden (Best and Coates, 1985).

All sites are now grid reference numbered, plotted on a map, and located on an aerial photograph. No attempt was made to define the relative importance of the various site types. The report explained in detail each area with appropriate comments, and included other important excavations in the surrounding countryside.

Requests were made to New Zealand Steel that if any developments were to be made extending its operating areas, the Historic Places Trust should be involved. This was agreed.

The Pa sites were to be fenced off and advice was to be sought from the local Kaumatua as to the signboard details which would clearly designate the reasons why the fenced area was important.

The meeting was then advised of the Company's progress with its construction and development plans, especially the slurry pipeline and water discharges. The environmental engineer described how the discharged water would flow after treatment down an existing stream for two kilometres before entering the Manukau Harbour. This information failed to impress the Maori representatives.

Discussion then moved on to Maori problems with the Government, over the Awhitu Peninsula and issues affecting the Tainui Maori Trust Board and water rights. The committee was advised that a Maori Affairs officer (G Fouhy), had been appointed to follow-up recommendations made by the Waitangi Tribunal, and that if the Ngati Te Ata had more concerns they should contact this person.

The second meeting in 1985 was held on December 12. Two new representatives were present from the Ngati Te Ata Trust, as well as Forestry and New Zealand Steel management. The new representatives were ex employees of New Zealand Steel and tribal elders and the company managers were hopeful that a more cooperative approach might follow.

A start was made with the Historic Places Trust report. Mr Lord, environmental engineer, requested some Maori advice, and the Secretary, Alex Kaihau, said this could only be given if a fee was paid. Historic Places Trust could not afford this, so New Zealand Steel was asked to pay. This was agreed, but no advice was ever proffered, consequently no money was paid.

The Oyster Reserve was next on the agenda and a considerable amount of discussion centred on the incursion of the Pacific Oyster, and the problem of Oyster borer causing major losses.

Bio-researchers advised New Zealand Steel that the Oyster borer was doing more damage than pollution or overfishing. It was agreed that a research student be employed to collate data, which was agreed to by Ngati Te Ata Secretary.

The local oyster farmer had been advised by New Zealand Steel not to take local natural oysters and he was co-operative. It was also

mentioned that Huakina Development Trust was investigating the possibility of a joint venture to farm oysters but this was not pursued.

The Chairman requested from the Ngati Te Ata representatives, whether they could report progress on the delineation of the waahi tapu and urupa areas. They replied to the effect that they had sought advice from the Waikato Museum to search out old maps and aerial photographs, to locate Pa sites.

After Mr Kaihau was questioned about lifting Tapu from certain areas, he said that this could not be done. He went on the offensive then to say that he doubted whether the Liaison Committee could make decisions and had no power to make decisions. Management reacted to this in the light of decisions they had made, and if any group was the problem, it was the inability of the Ngati Te Ata to decide even the smallest things, viz., type of tree to be planted, or style of fence to be erected. Probably management's reaction to this attack was the first time that such a reaction was made.

Mr A. Kaihau then criticised the Forest Service for the letter which was sent to his Trust, concerning the handing back of the designated areas and the terms for such action. It became clear then to all members of the Liaison Committee that the Ngati Te Ata were linking the Maioro site with the whole of the Awhitu Peninsula. A matter which certainly could not be solved by the Liaison Committee as Mrs Minhinnick had earlier stated.

Secretary Kaihau then ranged over the total Ngati Te Ata concerns: whether the New Zealand Steel people could comment on sand movement in the '50's when they weren't there, whether the Ministry of Works acted fairly, whether his forbears built eight Pa inland and close to the sand dunes, and so on. He went on to criticise whoever gave New Zealand Steel a mining right in 1964 must have known about the possibility of mining when the land was confiscated in 1959 by the Ministry of Works. His sweeping allegations made the meeting difficult to manage and the likelihood of resolving issues became remote. The attendance of A. Kaihau at the meetings quickly led to acrimonious reactions to his aggressive statements. Kaihau's

statements frequently reflected his lack of background to the three previous years of meetings. He was offered a full set of minutes but refused them.

The Mining Manager then diverted the attention of the meeting to consider how he might plan his mining operations in the light of the lack of decisions from the local Maori people. Secretary Kaihau said he would prefer to work with New Zealand Steel, but if he couldn't, he would have to consider ways to hinder the operation. This was the first threat affecting the mining operation and indicated the growing tension within the Ngati Te Ata towards the Company.

At this point, the Head Office Forestry Official in charge of land matters, openly discussed with the Ngati Te Ata how the return of the disputed land would be handled to protect everybody's interests. It seemed that if a resolution to the land issue was to be made a special meeting of Forestry and Ngati Te Ata needed to be held. This was left for the parties to arrange.

At the time of writing this study, there has been no resolution of the land matters. A letter had been received from the Ngati Te Ata Trust, requesting that representatives from the Trust should be appointed as observers at New Zealand Steel Mining, to monitor the working of the mining equipment. Secretary Kaihau then went on to indicate why his people were in disagreement with the recommendations of the Waitangi Tribunal. He wanted his people to monitor the work of mining operations to detect if tupapaku (bodies/remains) were likely to be unearthed. He said that the staff at New Zealand Steel were not interested in his concerns and they were only interested in production and profits.

Mining management refrained from responding to this last point, but did point out that they had had considerable experience at Taharoa, and knew what to look for at the face of the dune being mined. The Manager also pointed out that having someone present, but not working at the excavating face would be a "soul destroying" job, and would add nothing to the operation.

It was suggested that if Ngati Te Ata wished to send someone regularly

to the Mining operation to talk things over with Management and staff, they would be welcomed, on a daily basis if they so wished. The Ngati Te Ata representatives present did not think that was a good idea because this would shift the responsibility from New Zealand Steel to Ngati Te Ata. This remark puzzled the management representatives for it was Ngati Te Ata who were making the derogatory remarks.

Secretary Kaihau then said that New Zealand Steel should stop operations altogether at Maioro. The Mine Manager responded by telling the committee what effect that would have on the total manufacturing of steel, let alone loss of jobs which would mean both pakeha and Maori employees would suffer. Kaihau said that his people had suffered for one hundred and fifty years, so why couldn't a few others be put in the same position.

New Zealand Steel Management reiterated that they were operating within the law, they had a licence to mine and by their record had demonstrated their sensitivity to Maori issues. It was pointed out to Mr Kaihau, that by encouraging the setting up of the Huakina Development Trust; by funding its early establishment, and by leasing a Dairy Farm to provide a steady income, it was making a positive contribution to positive plans enunciated by the Huakina Development Trust, Mr Kaihau's latest statement was negative in its strategy and was hindering the ability of the Liaison Committee to work together effectively.

Under the general business heading, the Company was advised who to contact if any tupapaku were discovered, which solved an issue that was now three years old.

A request for assistance with any Maori research work was to be referred to the Auckland Regional Authority, who were handling the Stage II Development Levy.

Finally, a request was made to continue the meetings of a subcommittee, comprising Huakina staff and New Zealand Steel, to discuss employment and training matters.

The frequency of meetings had now dropped from eight in 1981, six in

1982, four in 1983, three in 1984 to two in the subsequent years to date.

Meetings during 1986

The first meeting was in 1986 held on February 13.

This meeting was attended by Huakina Trust and Ngati Te Ata representatives, Forestry and New Zealand Steel with Mrs Minhinnick, University of Waikato and Maori Affairs Department people absent. The absence of Mrs Minhinnick was becoming significant and worrying to New Zealand Steel's management.

The Chairman apologised for the lack of progress on the company's part for the reason that the Government was to take over 81% of the Company to help solve the financial crisis that was occurring. This was a change in Government policy. He then briefed the meeting on Stage I construction.

This report was followed by the Environmental Engineer's report on his responsibilities. The monitoring plan to use Student help had not started because the decision to proceed was made after vacations had commenced. Consequently no student had been available.

The Ngati Te Ata representative questioned the point of monitoring the designated Oyster Reserve as native oysters were not now there. However, if the Pacific Oyster was encroaching on this area it would be observed to check its habits as it tended to favour mudstone bases, he was told.

Secretary Kaihau then raised the question of remunerating (paying) the adviser who would help with information about the Historic sites reported at the last meeting. He was told that the Company would compensate whoever was engaged to do this work if a written statement of account was provided.

At this point, after some more discussion, it was agreed to invite the Head Office representative of Historic Places Trust to the next meeting, and also to talk to Forestry if necessary.

Discussion moved from the sites at Glenbrook to Maioro, and the role of Historic Places was described by Archaeologist Lawlor. Following this discussion and pending further clarification of boundaries, the Mine Manager decided to postpone mining the block known as Pt 100, which adjoined Tangitanginga Fishing Reserve. This decision was going to be costly as the changing of the bucket wheel excavator route, plus changing conveyors would mean that retrospective mining of Pt 100 would not be economic and therefore would be abandoned. This decision had further implications as Forestry would have to begin clearing pine trees off a new block earlier than previously planned.

This decision did not please the Secretary of the Ngati Te Ata Trust, who believed that no mining should be conducted anywhere at Maioro. Naturally, the Company representatives were not pleased at this reaction as they felt the gesture not to mine through Pt 100 was respectful of a Maori concern, but not proven or needed by the terms of their licence to mine.

Secretary A. Kaihau, in response to these points, reiterated his viewpoint expressed at an earlier meeting that when Government surveyors moved in many years ago, they only thought in straight lines, and how could they have been so certain exactly where to plot something on a map. It was accepted that there was some truth in this point but if earlier parties both Maori and Pakeha had agreed, why were today's parties any better equipped? He then went on to claim that a Pa site had been destroyed and that New Zealand Steel Mining employees were only interested in production and had no concern for Maori values. This remark was unhelpful again and did not make for a reasonable meeting.

It was pointed out to Kaihau that the Pa site was outside the mine boundary and one of the Managers present knew exactly where it was, and no earthmovers had been near it to the Company's knowledge. Secretary Kaihau retracted his point claiming he meant another site, but when an aerial map was produced, it became clear that the Pa referred to was on a neighbouring farm and of no concern to this meeting.

A considerable amount of discussion then ensued with claims and counterclaims being made by all sides. A difficult meeting was in

progress with no real clarification available. Secretary Kaihau stated very positively that eight Pa sites were known to be there and the movement of people between them could be likened to a busy footpath in Queen Street, Auckland. This gave the area significance to the Maori and were Waahi Tapu as a consequence.

Archaeologist Lawlor offered to do some more work in the areas indicated, to check out some of the assertions being made, but Secretary Kaihau did not respond. His following statement then indicated that this partnership between Government and New Zealand Steel was a conspiracy to defraud the Maori of his rightful heritage. A question was running through management's mind - was Kaihau there to wreck the meeting?

At that point a Maori Elder present interjected and suggested that the meeting consider some other points as there had been enough discussion on Pa sites. This was a helpful move. He went on to point out that fencing off the Fishing Reserve was not easy for Ngati Te Ata to decide as they believed Pt 100 was also part of this area. This explained to New Zealand Steel representatives why there was this delay, but as the meeting today had heard the Company was going to bypass Pt 100, surely this would have pleased those present? Instead it seemed to cause the meeting to deteriorate. The Mine Manager said Pt 100 needed to be recontoured according to the Mines Department, before it could be left to regenerate. Furthermore, the costs of not mining Pt 100 would mean a loss of $8 million in concentrate, and a further $150,000 to $200,000 in actual relocating costs of plant and equipment.

The Elder then pointed out that there had been no real negotiations, only criticism for the past three to four years by the Ngati Te Ata's representatives. Some discussion then focussed on what compromise could be reached on a spiritual issue, if money was to be included. Forestry responded by reminding those present that at the Waitangi Tribunal hearing in late 1984, an offer had been made to Ngati Te Ata, and no real response had been received from them except verbally requesting that all mining had to stop.

Discussion went back and forth between Forestry and Ngati Te Ata

representatives with no progress. Again, the matter of the rights of Government to permit New Zealand Steel to mine in 1966 with land they did not morally own, was raised. The question of New Zealand Steel's mining licence was fully aired and despite the ruling by the Waitangi Tribunal that the evidence they had before them supported the continuation of mining, Ngati Te Ata disagreed with that decision.

Finally, the Forestry official indicated that he had the Minister of Forest's approval to find a solution, provided New Zealand Steel's mining licence was not placed in jeopardy.

Another Ngati Te Ata representative interjected with the view that the parties would have made progress if royalties for mining and revenue from tree planting and milling were to be received. This was the first time that the question of royalties was raised which the Company representatives had wondered about for some time. However no discussion ensued because Secretary Kaihau interrupted to the effect that the Ngati Te Ata had not the resources to properly consider these matters. He criticised the Historic Places Trust and their recommendations. Kaihau had requested that Forestry pay for two people to work on this problem. Just where the meeting was going was unclear, but Kaihau was clearly getting inaccurate signals from Forestry or was choosing to interpret them in his own way.

A lengthy discussion then followed on procedural matters affecting approvals, Government, Maori Land Court, finding true owners and so on, leading nowhere. This was followed by Secretary Kaihau requesting more involvement by Ngati Te Ata in Forestry operations, as well as at the mining face with New Zealand Steel.

At this point, it was agreed that until Forestry and Ngati Te Ata met and resolved the land issue, little more could be done.

A report was made on the Dairy Farm and on the work being done by the Huakina Development Trust, with pre-employment training programmes. An enquiry was made by the Huakina representative about bus services from Tuakau, and it was agreed that this would be looked into.

At the second meeting for 1986 in April it was attended by Ngati Te

Ata, Huakina Development Trust, Forest Service and New Zealand Steel representatives, reports were given about the Historic Places Trust visit, the inability of Forestry to meet with Ngati Te Ata, Huakina Dairy Farm, Glenbrook Pa and Midden Sites. The Historic Places visit would result in a report after further work on site, indicating their interpretation of the issues.

Forestry questioned Secretary Kaihau on progress, and their likely reactions to the Ministry of Forests' letter. The meeting was told about the visit of Mr Fuohy, the Maori Affairs Department officer appointed to look into Tribunal recommendations as well as the Awhitu Peninsula claims. Ngati Te Ata had been advised by their legal counsel that New Zealand Steel were not acting in breach of their mining licence, but Ngati Te Ata were now asking for the law to be changed.

The Forestry representative then explained, again the procedures which had to be followed if Ngati Te Ata would accept the Minister's offer. If not, the Maori Land Court could be asked to decide, and they might decide the Tainui Maori Trust Board was the best qualified body to care for the Maioro Forest area on behalf of the owners.

Secretary Kaihau said the real reason why the Minister's letter was not answered was there had been no time to consider it. Two years later, no reply had been received.

The Chairman reminded the Huakina representatives that the balance sheet for the Dairy Farm had not been received, which was a condition of the Lease. He also reported on a meeting with the Auckland Regional Authority over Development Levy financing and reported progress.

The Environmental Engineer reported that an Honours Student in Marine Biology was working on the Oyster Reserve. He had reported that Commercial fishermen were taking oysters from this area. This was reported to the Ministry of Agriculture & Fisheries, who would restrict the issue of licences to these transgressors.

The meeting was also informed that the Slurry Pipeline was being

tested, and would be handed over soon to New Zealand Steel. A request to visit the pipeline and its pumping stations was made by Huakina and a time was arranged.

An earlier recommendation by Archaeologist Lawlor, that the erosion by the river on the Fishing Reserve be checked, had finally been reported on by the Waikato Valley Authority. More action was needed to get the WVA to do more river protection work and this was agreed.

On May 29 1986, another meeting was held, the third for this year. At this meeting it became clear that Secretary Kaihau was adamant that the Maioro land issue was integrally connected with the Awhitu Peninsula confiscations and no agreement could be reached with Forestry. Furthermore, the Ngati Te Ata needed more help - nine people would be required to fully investigate their claim and prepare a case and this should be funded by New Zealand Steel. This claim did not impress the Company representatives who did not respond.

It became clear that there were now two groups involved, Huakina Development Trust which had been developed to provide leadership and guidance and to set up training programmes, and now a specific group, Ngati Te Ata Trust who were handling the land issue.

Secretary Kaihau then said that the New Zealand Steel representative had no authority to settle the land problem and he considered that a meeting with the Board of Directors was the only way out. Otherwise the meeting was a waste of time. No date was set for another meeting in view of the attitude of Secretary Kaihau.

A fourth and final meeting was held some months later, on 4 December 1986, with only four people present and with no apologies from those not present. Secretary Kaihau said he only came to the meeting to have a cup of tea, otherwise it was a waste of time coming. These remarks were ignored.

Brief reports were given from the Huakina representative on the Dairy Farm, Huakina Training Programmes and developing business ventures. The Environment Engineer reported on problems of fallout, water supply to the Dairy Farm, and monitoring of water discharges.

A general discussion followed on the wisdom of continuing with Liaison Committee meetings if the attendance was going to be so poor. No date was set for another meeting. In fact the purpose of the meetings was now abandoned after almost six years.

While the Liaison Committee set up early in 1981, had functioned in a co-operative mode and had seen significant progress since its inception, the mood of the committee had changed with changing members, and until the land issue was clarified no further progress could be expected.

SUMMARY AND DISCUSSION

This chapter has dealt with the reports of meetings over a period of almost six years, held between the Company and Maori representatives. The Company representatives did not change, but were augmented from time to time by either experts in special fields, e.g., Bioresearch or Development Company representatives describing project progress, or Forestry Management on appropriate occasions with archaeologists also present.

The Maori representatives on the other hand, were initially from University of Waikato Centre for Maori Studies and Research, Tainui Maori Trust Board and Ngati Te Ata, and augmented by Maori Affairs Department observers from time to time. Later the meetings were dominated by Huakina Development Trust representatives and finally Ngati Te Ata Trust representatives. This meant a changing emphasis within the meetings with different issues being presented and progress seldom made with the resolution of these issues. Why the various key figures faded out of proceedings as time went on will be discussed in Chapter 10.

When the University of Waikato people suggested the research programme to determine the needs of the maraes affected by the New Zealand Steel's Expansion, the Company found no problem grasping the likely results of such research. It could be argued that such methodology was compatible with Pakeha business management and this could be understood. Furthermore, the research plan had the nucleus of a

practical outcome and it could bring benefits to more people than just a local group.

The result of the research was to make specific recommendations which did outline the needs of the surveyed maraes, but also required the setting up of an organisation to service those needs. The organisation became known as Huakina Development Trust which incorporated itself as a Trust Board. This action gave it a legal entity plus an organisation to meet the various needs of its membership and acted as a model for other marae groups to follow.

Subcommittees were formed to cover Education, Planning Environment, Youth, Policy and Planning, Executive and Finance and Marae and Economic Development. These sub-committees were co-ordinated by a Management Committee aided by a Co-ordination Team of three with Mrs Minhinnick as Managing Director. This organisation flourished in its own headquarters in Pukekohe.

However, despite the apparent success of the Huakina Development Trust in meeting the needs of its member Maraes (8), the strong feelings of the local subtribe Ngati Te Ata, did not abate. Their representatives on the Liaison Committee constantly referred to the mining activities at Maioro as they affected the waahi tapu and urupa in that area. It became clear to the New Zealand Steel management that the designated waahi tapu areas on the survey maps were not the only sacred areas in the minds of the Ngati Te Ata. The Maori representatives claimed the whole of the forested area north of the Waikato River mouth was waahi tapu.

This had massive implications for the Company. Recognition and acceptance of these claims could only result in closure of the steel making process which was the 'raison d'etre' of the Company.

The use of a Trust Board to handle affairs of Maoridom seemed to become a more attractive structure to voice protests, so Ngati Te Ata formed themselves into a Trust Board and appointed a secretary. This approach is satisfactory from Maoridom's viewpoint for by taking such action the disaffected subtribe could focus its energies on its own problem but did not help resolve the issues between itself and New Zealand Steel.

From that point on the relationships between Ngati Te Ata and New Zealand Steel began to deteriorate. The Company believed the reason for this was that the Trust's secretary had not been involved in the early period of Liaison meetings and the formation of the Huakina Development Trust. He probably believed that aggression was the appropriate strategy to conduct negotiations. This had a totally adverse affect.

The final assertion on the part of the secretary that mining should totally cease would virtually stop steelmaking at Glenbrook and place the whole enterprise in jeopardy and could not be accepted. The Company had been granted a mining licence and was therefore legally entitled to operate as it had been doing since 1967.

Whilst these liaison meetings were being held from February 1981 to December 1986, the political and economic climate had changed significantly. With the election of a Labour Government late in 1984, the reversal in fortunes for New Zealand Steel began. The National Party had approved the expansion programme for New Zealand Steel to build its fully integrated Steel Works. This decision had given rise to environmental impact reports, audits and Maori protests, and now the Company faced other changes. The new Labour administration reviewed the financing arrangements for the expansion project and removed the previous Government's financial guarantees. The Development Company, a partnership of Government and New Zealand Steel had been formed, and it was now required to consider how it could re-finance the whole programme.

Finally, the Government acquired a major share of the Company as a means of financing the project. This action came late in the period under review. Then it resold the Company after writing off a major portion of the cost. However the scene in the political and economic arena was still changing. Decisions were taken by Cabinet to sell off or privatise two departments of State. To do this, an Act of Parliament was required, and thus the State Owned Enterprises Act 1986 was passed. Then the Maori people questioned the right of the State to sell off land it had acquired, admittedly sometimes rather dubiously. This question of ownership will now be the subject of a decision by the Waitangi Tribunal.

The New Zealand Maori Council contested successfully the Crown's right to dispose of land, however it was acquired. Their case was based upon the provisions of the Treaty of Waitangi. As the Forestry Department administered large tracts of land for the Government which had been planted in pine forests, New Zealand Steel was also affected. At the Maioro mine site there was a Forestry Pine plantation on Government land which had been confiscated.

The Company now faced a new set of problems, for not only was it attempting to negotiate a peaceful settlement with the Ngati Te Ata, it was also faced with a possible loss of land/mining rights.

At the time of writing no decisions have been made by Government with respect to the land, or with the Maori about the methods of resolving the mining of the sand dunes.

During this period of nearly six years, several factors have emerged which interpretively could be described as follows.

The concerted action by the Nga Marae Toopu in sending telegrams to the Company and to the Ministry for the Environment, created the need to deal collectively with Maori people. This was done by soliciting the help of the Tainui Maori Trust Board and the Centre for Maori Studies and Research at the University of Waikato.

It was important to the Company to have this assistance, for communication was easier and in many ways their objectives were similar. The Tainui Maori Trust Board was used to thinking in terms of jobs and operating their farming ventures efficiently to which the company could relate. Furthermore, the Tainui Maori Trust Board would be thinking of their tribal interests which transcended sectional interests, which was opposite to that of the Ngati Te Ata who were self interested and lacking in the visions of broader Maori issues.

Undoubtedly, the setting up of the Huakina Development Trust was motivated by the University and Tainui representatives who saw this as providing a model for others to follow. This has indeed been the case. There are now a number of similar organisations through the Tainui 'territory' mostly operating as incorporated societies and having similar goals to Huakina.

The methods of its structuring, and its setting out of objectives, duties and responsibilities of the sub-committees, was also a product of the experience of the University Centre and Tainui. These efforts worked for a while but slowly the Huakina Trust became the vehicle for more protest action against water rights application, the Waitangi Tribunal case and ultimately, as a regional body for South Auckland interests, possibly as a move against the Auckland Maori Council. Only time will demonstrate whether this latter point has validity.

Finally, in recognition of the status of Huakina's Managing Director, Naneko Minhinnick became one of three Maori representatives on the Auckland Regional Association.

Perhaps also because of this, Mrs Minhinnick had begun to distance herself from the Ngati Te Ata Trust Board and its secretary. Yet at the time of going to press this researcher understands that the reverse has been the case as time passed. Mrs Minhinnick is back on her marae at Tahuna, runs some 'Access' training programmes, and has withdrawn from active participation in local body affairs and from Huakina Trust as well.

The Company persisted in trying to find a solution because it believed that working with its neighbours was a sensible thing to do. It had experience at Taharoa and had worked reasonably successfully there to build good relationships. It had been commended by the Waitangi Tribunal for its efforts to communicate with the Ngati Te Ata and also the Tribunal had rejected the claim that mining should cease. It had kept on operating the ironsand resource at Maioro primarily because it had no other alternative nearby ironsand resource to make steel.

This chapter graphically describes the efforts to find a solution to the Maori problem. On the evidence of its past efforts the Company will continue to seek a solution to this problem but it is likely that the Ngati Te Ata will also pursue its objective of causing the Company to cease mining in the Maioro area.

CHAPTER 8

OVERSEAS PARALLELS

This chapter will compare the social impacts of resource development in New Zealand with that of selected overseas countries. At the outset it must be said that resource development engenders an immediate lack of confidence in the political leaders, government programmes and institutions generally whether they be schools, churches or industrial organisations. The various authorities appear often to switch direction suddenly in an attempt to satisfy pressure groups and to retain power.

Whilst the leaders and some activists amongst the Maori people were aware of what was happening in other countries amongst their indigenous people, and in some cases had attended international conferences on this emerging protest, it was not apparent to this researcher at the time of his active involvement that such events were occurring. It was only when he began to read widely of the struggles of these people whether they were in Alsaka or in the United States that it became apparent that a world wide movement was in progress. Protests of the indigenous peoples to the desecration of their land, their waterways, their sacred places was a common theme towards the so called technological advances of the white people. The technologies required resources to be used whether they were extracted from the land such as coal or iron ore or bauxite or oil and all such processes used water often used without regard to the indigenous people who lived there.

Over the past ten to fifteen years in New Zealand and in other industrialised countries there has been a growing vociferousness by indigenous interest groups against the exploitation of resources whether they be Maori in New Zealand or native Americans or Canadian Indians. The consistent feature of their protest is that these indigenous people want a greater say in matters affecting them. The generally pervasive reaction of the settlers to this is expressed in various forms in the literature, it can be summarised by the comment - 'it tends to diminish Parliament's role and status' (Calgary Herald

1979). The reaction of specific governments to the pressure for self-determination reflects the assessment of political pressure and their own desire to remain in office.

The main objective of governments is to maintain economic growth. Towards that end they either spend millions of dollars on restorative programmes or alternatively grant licenses to exploit natural resources. It is clear that institutions are put in place to meet the objectives of other restorative programmes or exploitations but once there Governments seem to be loath to change. Yet change is said to be a feature of the 20th century, and to effect it requires careful listening to the concerns of the affected indigenous people. This is not easy to do for in some countries the innovators or installers do not speak the language of the local people and their social and cultural values and goals are different. These differences create barriers to understanding between the people and also barriers to those who are concerned and make for friction. The differences emerge as each country is considered and will become clear from the folowing examples of such conflict in North America, Central America, Scotland, Scandanavia and Australia.

Alaska

The development of the oil fields in Alaska increased along with the development of new US Defence installations, which had significant effects on the native Alaskans. The development required the building of a pipeline and supporting ancillary installations which provided short term employment. Building the defence surveillance systems also provided many temporary construction jobs but relatively little permanent employment. The immediate consequence of this sporadic work was increased cash in the hand and the acquisition of material possessions that changed the expectations of the Alaskans. Yet despite this increase in wealth, the Alaskans continued to see merit in maintaining their previous subsistence economy. On the other hand while the administration professed not to interfere, there were many ways in which they did, for example by decreeing the quantity and size of fish the locals could catch. The response to this bureaucratic interference was to claim with some justification that they knew how to conserve their food resource because their survival depended upon it. (Berger, 1985)

A further problem emerged relating to the pipeline route, because it cut across the customary migration patterns of wild fowl, reindeer and caribou. It also led to a migration of people from the villages to the townships in search of contract work. So the result was to change the lives of the people and in the process to improve communication, transport and, in some cases, to provide steady income from oil royalties. An unintended consequence was to change the water-table which in turn affected drainage and sewerage. Although the central administration was made aware of these issues and thus attempted to regulate, they have not been entirely successful in managing this problem. (Alaskan Planning Study 1983)

Central administration did undertake some prior planning related to the technology of resource exploitation, and it was involved in negotiating royalties and other compensation. But there were many matters of a social and environmental kind that were never anticipated and their neglect had deleterious consequences.

The result now after the flush of development has subsided has been to induce people to return to their villages where there is now an imbalance in the population structure. This creates problems in the provision of schools for the young and of quality dwellings, with appropriate conveniences for the old. Finally the central administration has placed controls on land tenure and ownership that has introduced the concept of Alaskan village trusteeship without owner selling rights. Each area/region has developed a Corporation to administer these land matters as well as to manage the local public utilities such as fire brigade, police, sewerage, water supplies, cemetery and so on. (Alaskan Planning Report 1983)

Another interesting development has been the decision to teach and to use English as the first language. The long term effects of this might be to improve the Innuit participation in the majority cultural and political affairs.

Some of the newly developed corporations have been more successful than others but all will have to adjust to the cessation of royalty payments in 1990. Thereafter, only those which have followed an industrial corporate model will have the income to sustain

development. The others will slip back into dependency and inertia, with a devolution to tribal control because their isolation does not have a strong investment or capital base and might result in welfare dependency (Dixon, 1978).

Indians

There are considerable oil, coal and uranium reserves within the Indian reservations. Oil and gas reserves amount to 3% of US total; coal reserves 15% of US total, and uranium 55% of US total. It is ironic to note that when the Federal Government dispossessed the Indians of their land in 1880's and offered them one third of the area formerly regarded as theirs, the reservation areas seemed at the time valueless wastelands. Now they are potential treasure-houses of mineral resources. Although exploration and exploitation began earlier it was not until 1977 that the central administration began to listen to the Indians and take note of Indian values.

At first Federal authorities had trouble devising schemes to recognise particular minority groups in a country of so much diversity. Regrettably it would appear that the various State and Federal Authorities did not set long term objectives but they preferred to respond instead to immediate needs, to community pressure groups, and to industrial lobbying. There was a corresponding inability of the tribal authorities to determine their priorities. They were divided between retaining their cultural values, stopping development and facing poverty or going along with developments that they were not permitted to control. It is interesting to note that where there is low economic survival the interest in cultural traditional matters is very strong. This then blocks development resulting in a very negative circular effect. Some of the more farsighted of the Indian community leaders believe that if they can gain more local control over what happens to them and their resources, changes in attitudes will occur over time. These leaders realise that social change of this nature is to be measured in decades rather than years. (Social Impact Assessment 1982)

A perverse consequence for the administration, whether State or Federal is that the movement of indigenous Indians back to the

reservations could now be a problem for resource developers. It causes many of the normal problems which stem from inadequate provision of public utilities faced by all people when the population increases.

The initial Indian position was to block industrial development, then base their arguments entirely on sacred and cultural grounds. They agree that any development activity, especially mining inevitably affects water, ground water tables, movement of animals, burial sites, animal trails. If flooding of land is involved for the building of dams and hydro electricity cultural treasures such as paintings in caves will be lost. It is difficult for officials at times to grasp the importance the local people place on these matters, for they see such areas as wasteland which could be made productive if mined.

Whereas the Indians see these lands as an important part of their tradition, history and lifestyle which is their duty to protect and husband. In this respect there are many similarities between the administrations in North America and New Zealand and between Maoris and the Indian who use the same justifications for resisting change.

It is also interesting to note that the Indians regard their lands as a community resource and not as a commodity. Therefore when industrial development takes place the Indians inevitably see problems occurring. In this respect they have been right. The problem is to mesh communal proprietary rights with the individualisation of property and land title system of the dominant society. To give a brief example the Exxon (Oil Co) announced in 1976 that they had prospected and discovered a major copper/zinc resource in NE Wisconsin, an area that was peopled by three Indian tribes. The Company used the sulphuric acid process for the extraction of copper and zinc but large enough traces escaped into the tailings deposit and leached into the Wolf River. The tribes concerned were offended by the pollution (Social Impact Assessment 1982).

The pollution created problems for boating and a scenic area as well as killing fish. After a public outcry a referendum was held that finally forced the Administration to adopt protective measures for the environment. But all of these issues came to light only after the

resource developer had begun operations. One area which was not resolved was the effect of newcomers seeking work with their consequent pressures on social services, namely, schools, churches, housing and roads.

Developers often argue that their projects will create permanent jobs for local people but this is rarely the case. The skills needed during the development phase require imported labour. Then the development attracts unsuitable job-seekers from outside and the locals often feel left out, duped, and disadvantaged.

However, all is not bad. In one area an oil-sand project, the local township was taken fully into the developer's confidence. Training and local employment plans were implemented, and cautious manpower expansion was planned to overcome population expansion pressures. The developer issued straight forward reports and made every effort to protect the environment. In turn the local Indian tribes began to respond to this cooperative style and requested skill training and employment opportunities opened up.

Perhaps the worst possible case was connected with the Reed paper controversy in Canada. It is well-known that Paper mills are polluters of air and water but more than that occurred. Forests in this area were cut down which caused major ecological problems not least of which was the slow regeneration. Game and bird life began to disappear, the water table began to rise which in turn caused normal vegetative life to deteriorate. While this was going on mercury leaked into the rivers and fish life became polluted, and fish became a suspect food. The result was to throw the local people more on to welfare payments that in turn caused taxes to rise (Social Impact Assessment 1982).

There were public protests but the paper company refused to change its operations unless it was legally required to do so. Some four years later the State did in fact change its laws but this coincided with a downturn in world demand for paper and Reed responded by closing down most of its paper mills.

The gloomy prospect in this case was the total scene, of developing a

resource in a very sensitive ecological area, and using chemicals in an area known for its special water problems and finally in the last resort the total lack of sensitivity by the developer to public pressure and poor economic planning in a negative market situation.

From an Indian standpoint the current resource boom bears a striking resemblance to that which occurred during the late 19th century. New technology and wealth combined to make it possible and feasible for the large corporations to seek scarce resources in the continental Americas. New technology and the exhausting of more readily available resources has led to a new wave of resource exploitation, especially in mining. In a competitive market heavy industry has been forced into new technology and new locations in order to maintain market competitiveness.

Regrettably in the present cases governmental agencies are still placing few if no barriers to this encroachment on to Indian lands. There are also still the same significant demographic shifts to these peripheral areas that cause all manner of pressures on social services viz roads, schools, and water supplies.

The Indian people have been placed under enormous pressure either to develop these resources themselves without the necessary capital or to move aside and let the wealthy corporations do it. If they step aside their interests were afforded little or no protection and no one assessed their needs or the impacts on their life style.

Patrick West, in the series of Social Impact Assessments believes there is a general lack of internal control over the destiny of the reservation development. He considers that there is a simple inverse proportional interest between cultural resistance and the degree of internal control over land. In other words the greater the control over the management of the resource the less resistance there is to the economic and cultural change. This research showed that the Indian reservations were administered by the States with little or no control locally. The local people feel that they could not fight back so they become passively resistant to the external control. Authorities interpreting this attitude as meaning that the people are therefore unable to manage their own affairs, and, as a corollary

unable to manage any other matters, did not support self determination.

Fortunately, negotiation cases have been documented where if the local Indians have been involved early they can contribute significantly to projects.

It is only recently that legislation has been enacted to enable threatened groups of people to make statements of self defence based upon some logically presented case. The social impact assessments now authorised, if well prepared by the right professionals and for the proper reasons, can provide help. Several State Electric developments point the way for others to follow. In these cases not only are project assessments made prior to the development taking place but also monitored as the project proceeds. The significant factor in most cases is that the affected Indian tribes are also either personally involved or have experts attending meetings and reporting back to them.

Encouragement is given to the objective of self determination and where needed conflict resolution instead of confrontation. The conclusions reached by the researchers in these fields, is that there is no single best way to conduct such an exercise. It has also become clear that data and information of a measured nature does not always satisfy the needs of indigenous people who wish to have their feelings and beliefs, interwoven with the myths passed down to them from the elders, taken into account. Somehow the content of communication must be changed and made by people doing the development who are capable of creating and maintaining trusting and workable relationships.

A further important development in North America occurred when the 29 major tribes of Indians in the Southwest established a Council of Energy Resource Tribes (C.E.R.T.) in 1975 and asked that this group help them manage resources for their benefit. CERT then recruited professionals, to give advice and assistance, initially technical experts but later including economists, planners and financial analysts to work alongside the geologists and biologists. Some of the land as yet undeveloped has geothermal potential, and most of it has oil, gas, coal, uranium or hydro electric resource potential as well as timber and scenic areas which could be developed.

Eventually the tribes are going to face the dilemmas of 'to develop or not to develop' - they will also have to 'identify the poverty' dilemma which arises when a tribe elects to embrace the cultural issues as more important than the economic well being of their people. But outside observers must be careful not to interpret these outcomes in terms of Western notions of the 'rational economic man' rather than of the Indian cultural man. (Native Americans and Energy Development II 1984)

Extending this further, models are being prepared so that affected peoples can follow a step by step procedure. Such a procedure includes who should be present at the inaugural meeting, who would elect a committee to follow on to further steps and also to provide feedback on progress.

Other groups are running seminars again on a 'how to do it' basis to lift the levels of awareness of the protest process. In other areas where funds are more readily available and more tribes are affected a central bureau has been established with professional staff not only to advise the affected tribes but also to monitor and lobby for change.

The major problem seems to be a lack of sufficient capital or a regular inflow of cash to support the type of organisation which would provide the guidance needed to make their concerns felt or to maintain a constant lobbying force to secure the attention they need.

Central America

Regrettably the description of what is happening in the Central and Southern parts of South America offers little in the way of a good example or of good solutions. Central administrations appear to show little interest in the effects of resource development on the landscape or indigenous people. For example, in Brazil there is no requirement to monitor or review development projects. In the mid 60's a department was set up, 'Funai', as part of the Department of Agriculture but like many other bureaucracies in that country it became corrupt and its staff who complained about any malpractice were fired. Any locals spoke up about the consequences of mining or hydro

electricity projects flooding fertile land they were branded as trouble makers. (Social Impact Assessment 1982)

Mining in the Panama region created needs for port development and massive road/rail communications and large camps for workers. But in the feasibility study costing $18m there was no mention of any social impacts. The Government has no policy of protection for its people, especially those least able to protect themselves. One group given particular mention were the Mountain Indians who found that the roads segmented their customary hunting lands which resulted in squabbles between villages. Suddenly these people became conscious of land boundaries which for centuries for them were merely a response to hunting. They could not understand that land might be exchanged for money, because it was something God gave them to use sensibly and not to exchange. Another interesting facet of this particular problem was that the Company involved was also operating in the Pacific where the indigenous people became violent. The classic response there was why not develop small units which always employ more people overall and which in the long run would be better for the country. In most less developed countries the radical left find the local indigenous people who look for support in their struggle to have grievances resolved. Whilst on this topic, radicals have moved from the cities to the countryside where the 'cause' is of a much deeper and fundamental aspect. It is from here that they can find a base to develop civil disobedience and disruption and guerrilla leaders emerge.

There are areas in the world, still under development, and operating under no protection for either the local people or the environment. These cases fuel the concerns of those protesting groups in the more developed political economies who point to these countries in their search for cases to demonstrate oppression.

Resource Development in Norway, Scotland

The current literature in these countries focuses on the consequences of the North Sea Oil and Gas developments on a mature society in countries with well established democratic governments and evidence of concern for their people. (Scarlett, 1974)

An obvious early impact was the initial employment demand created as Norway secured oil rig building jobs. The government moved quite early to reduce the impact of this development by enunciating a clear policy of slow development. They encouraged as much public ownership of the oil based industries as possible, government initiated planned reduction in working hours and actively began to invest in education, health and housing. Wherever possible local communities, affected by the upturn in jobs and money, were encouraged to get involved in their local affairs and take control wherever possible.

The Norwegian approach was different from the UK who wished to use the oil revenues to prop up their flagging economy. It was apparent that the solution would have to be different with common problems focussing on the fact of rapid change in old communities. Despite the apparent similarities, each country sought and found different solutions. As with many little problems the anticipated effects were always thought to be worse than those which actually happened.

There were three common problems, environmental, migrant workers and the effect of increased money earned in a previously economically poor region. These problems are common to most developing regions of the world, and they were certainly feared when the Steel Mill was to be built in South Auckland and featured in a special report prepared for the borough of Waiuku.

Scotland was regarded as a 'lagging economy' with high unemployment and a nett outward migration. Therefore the Scottish authorities were keen to provide services when oil was found in the North Sea. As soon as maintenance, providoring and the like are added to construction activities, accommodation pressures then move into the communities nearby. The more isolated areas did not have the schools, hospitals or even good roads to support the needs of their new service ports. Ultimately these areas lacked skilled people and tradesmen were attracted to move to these service centres.

However one report did raise other issues of concern like the social structures in the areas which were threatened by the influx of new people. Fortunately the basic school system was sound and the roading only needed upgrading.

Some lessons emerged from the Scottish experience the most important being the need for the rapid development of a policy for regional planning. These policies should include not only obvious things like schools, and hospitals, but more teachers and social workers as well as leisure facilities and provision for youth training.

Australian Experience

Harris (Aboriginals and Uranium 1984) asserts that:

"Australia is the only former British colony not to recognise native title to land although in 1937 the British House of Commons select Committee of Aborigines acknowledged that they had an incontrovertible right to their own soil, a plain and sacred right, however which seems not to have been understood".

Whilst the State Governments tended to ignore the issue of Aboriginals New South Wales set up a Board known as the Aboriginal Protection Board in 1880 to appoint protectors to oversee natives' welfare. The Board was modelled on an earlier Tasmanian Committee that was established in 1823 to care for the Aboriginals who were moved to Flinders Island at the time. The objective of the various State Governments was to set up Reservations to enable the Aboriginals to live their own lives. Later the Boards handed over the management of the funds allocated to them, to local Missionaries.

It was only in the late 20's and 30's of this century that Aboriginals made any identifiable protest action. Part of the problem was that the social organisation of Aboriginals was based very much on families and not tribes. The contact was also complicated by their 600 distinct language groups whose linkages are complicated and largely land usage related. However in this relatively hostile land mass they were united in their reverence to the land which produced their food. Their attitude to land was based not only on food production but also as a life force which all living things draw upon, whether plant, animal or human. The immigrant whites could not and did not understand their attitudes until recently when anthropologists and sociologists were able to interpret their findings and produced articles for the population to read.

Most of the early protest action in the 1830-50 period involved guerrilla type skirmishes by the Aboriginals against the settlers and gold miners who were invading their land. They would scatter flocks of sheep, burn grass and buildings, attack shepherds and settlers. Settlers retaliated violently but in the early days they were not convicted. It was only late 19th Century that such deaths were regarded as murder. Most of the attacks on whites were retaliation against the stealing of Aboriginal women which traditionally was not accepted even between groups of Aboriginals.

Having failed to make an impression on the State Governments for redress of wrongs by the early protests of fighting, the Aboriginal developed political action just prior to World War II (January 26 1938 Australian Day). Later many Aboriginals were conscripted into the Armed Forces and were treated exactly the same way as the white conscripts. The equal treatment experienced encouraged more protest action especially in 1945 over the setting up of the rocket range at Woomera and later there was a strike at Pilbarra in the mines.

Between the mid forties and sixties there seems to have been little protest action but from the early sixties political action accelerated. The communist party of Australia was firmly entrenched amongst the action groups attempting to use political power. In 1963 the communist Party issued a manifesto concerning Aboriginals emphasising land issues and unequal treatment but it failed to influence State Governments.

An Aboriginal Tribal Council was set up against many adverse administrative reactions in 1969, to study the plight of the Aboriginals in Queensland. It published a manifesto and received a Government grant to enable it to meet some administrative costs. Then in 1971 five Aboriginal representatives visited the USA to attend a Congress of African People at the UN. The visit must have broadened the perspectives of the visitors and encouraged them upon their return to more political action. About this time the Australian Labour Party took up the issue of Aboriginal treatment and rights, and incorporated these issues into a Policy statement.

In an act of political embarrassment the leaders of the Aboriginal

action group set up a tent in Canberra, labelling the outside 'Embassy of Aboriginies' which created considerable foreign embassies interest. However before the Federal Labour Government under Whitlam could do anything they lost office and it was left to Fraser's more conservative party to devote more finances and revitalise the Department of Aboriginal Affairs in 1976.

In the early 1980's a protest kit was developed by a fledgling Black Protest Committee very similar in content to that which had been drafted in Auckland by Dr Ranginui Walker in the early 1970's. The Aboriginals also staged a land trek in Queensland and protested at the Commonwealth Games venue.

Some Aboriginal groups celebrated May Day which is traditional amongst left wing worker groups such as the Communist party in New Zealand as well as in Australia.

However the Aboriginal people do not have a basis equivalent to the Treaty of Waitangi. Currently the Labour Government in Australia is endeavouring to generate enough interest to develop an 'Accord', probably hoping the Aboriginals will not mar their bicentenary celebrations in 1988.

A report in 1973 known as the Fox Report arising from the Ranger Environmental inquiry stated "This Tribunal of white men cannot attempt to state what is reasonable for the Aboriginal without it being arrogant or paternalistic. Our values are different yet we have striven to understand but in the end we have come to the conclusion that the Aboriginals opposition should not be allowed to prevail".

However one looks at this, its one value is in its honesty. Despite the rejection of the protest some restraints were placed on development with special reference to housing and growth of mining towns.

The report could see the Aboriginals would not get the employment opportunities they claimed as their educational and skill development had been severely limited. Furthermore the Fox Report recommended 'Affirmative Action Plans' to raise standards of health and education.

They could see that urban development would bring with it problems of alcohol and venereal and other diseases.

Aboriginal parents made submissions wanting more emphasis on cultural encouragement. It was also interesting to note that there was to be some monitoring of the physical environment but no mention was made of monitoring the social impacts.

A positive outcome from a subsequent Fox Report in 1977 was that a base line research programme would be set up in response to pressure from the State Government and the Department of Aboriginal Affairs.

In 1978 the Uranium Impact Project established a Steering Committee with a grant of A$180,000 with reports to be made quarterly on their findings. The base line research programme ran into difficulties as the Mining company complained that interference would follow from the findings of the research team. But this was not the only problem because as there were few models this team could follow. They did not appear to know about comparable work in Canada or USA. Nonetheless they proceeded to review many aspects of the project that ranged from budgets, legislation, changing political philosophies, health, linguistic detail and used oral history to provide background data. Also they studied the actual mining town, its roads, its crime, the pollution issues and health impacts.

They placed their findings in the context of the people. There was to be consultation, attitudes were to be assessed, educational facilities surveyed. Consideration was to be given how the royalties were spent. Threading all this together was helped by a very positive attitude by the committee of the Aboriginals. Their attitude was humanistic rather than coldly scientific. Slowly a trust was built between them and the European administration.

It was accepted that the Aboriginals were facing rapid change that was causing concern, stress and feelings of helplessness and loss. Their cultural and social organisation was found unable to cope with the problems of change and as a consequence they felt harassed. Their normal change was with the seasons but only in degree - more rain or less. They found that industrial technology and change was difficult

to adjust to especially if it affected their land. Their spirituality of religion and knowledge related to land and its moods. As a consequence they place great importance on the land and its forms. They use land features to convey special significance almost as a religious bond. They also use land to determine clan links and their ownership is therefore inalienable especially with their sacred sites or those of historical significance.

Another factor in Aboriginal life is their attitude towards work in the European style of cash economy as compared to their survival needs of hunting, fishing and gathering. Their work was part of their religious rituals and was not part of providing food or surviving. This contrast in attitudes becomes a problem for an employer who gets frustrated to find his Aboriginal men disappearing to fish.

These patterns and attitudes whether they were Eskimos, Indians or Aboriginals or Maoris have the same context. In all cases development interfered with traditional survival, whether it be religions, land ownership, hunting areas or sacred lands.

These people are protesting but it is not in their nature to do so nor has it been the pattern of their action. They have need of professional and technically qualified people to assist them who in turn need to be paid something for their efforts. These local people do not understand the Western institutions, laws or processes and often do not have the motivations to know how to right the unfairness. Regrettably in many cases they try to assuage their feelings of helplessness through alcohol, crime or suicide.

As was said earlier the degree of change expected is too short term even with good change processes in place viz education. Some experts think that a minimum of twenty years will be required to observe noticeable change. But development cannot wait that long. It is going ahead now. The problem is one of speeding up the rate of change for indigenous people while mitigating the bad effects of fast change.

The Denver Research Institute in USA (1978) had some interesting things to say about social impacts or as they prefer 'societal impacts' which regrettably always seem to follow development and only

after some threat is apparent. They cite the consequences of regulatory action which sometimes may cause conflict between groups of the people they wish to protect or the wrong community gets the benefits. This was the case with the Development levy in New Zealand despite careful administration.

Handling urbanisation problems whether they be financing or housing or increasing population numbers by some who have no feeling for the area they now find themselves in, can result in crime outbreaks.

The biggest problem is uncertainty of outcomes and with little or no information people will fill in the gaps of their knowledge with rumour which in turn too often reinforces their fears of the outcome. Regrettably there are no guidelines either for what is the appropriate amount of information so all an organisation can do is to issue regular bulletins and be open and friendly in handling enquiries no matter how trivial.

The Denver Research Institute found also that relationships improved when local participation was invited but they also found that the locals did not always communicate to others what they were told or had shared in the decision making. This was similar to the situation at Taharoa described earlier in Chapter 3.

In a study on the north slopes of Alaska, M. Dixon, has some valuable comments to offer in resource development situations.

1. Take care in use of published material which maybe commentary on a special situation and not validated for wider use. On the other hand the ideas save time and enable research work and advice to be made available earlier.

2. Most researchers in this field draw upon their own or other people's personal experiences which may not be valid. They also have a tendency to assume 'boom-bust' cycles which may not be relevant in this circumstance and also assume standard formulas viz family size, in predicting futures.

3. Commentators make mistakes also in assumptions about the society/community they are advising viz a simple structure - uncomplicated - and so on. When in fact all communities are complicated either by their people relationships or through their beliefs, myths and attitudes.

To close this section here is a brief account of a 'cause célebre'. I refer to the Black Mesa and the Hopi Indian in USA. The State permitted mining in this area and it was not until 1970 that any attention was drawn to the project. Regrettably the normal avenues of protest or grievance resolution were not available to the Hopi Indians who claimed this gauging of the earth (strip mining) offended their spiritual feelings. Their protest action was led by Lina, a woman of remarkable ability. The state attempted to resolve the problem or at least alleviate it by suggesting all the tribes get together to form a Tribal Council. A vote was taken but most were invalid. Despite this the Federal Department set up the Tribal Council which lasted only a few years. To assist themselves the Indians attended International Conferences and Seminars to explain their case using photographs, stories, cases of failed legal action but failed to get support from the power brokers - the politicians.

To cause further problems the Department of Interior, who control the limited protective legislation, has on the whole performed badly (Clemmer, 1972). There needs to be a revue of the taxation legislation which may encourage mining development but yields tax revenue to a greater extent to the State than to the Indian owners of the land. Naturally it follows that if the income to the Indians is meagre they can neither develop their own resources, if they wished, nor provide capital to make their grievances more widely known and understood by the people in power. Another factor is that the Tribes themselves have problems in reaching agreement or to coordinate their protests. They have as yet not got common objectives.

The Indians operate within the legislation which is written in English so there is not the same problem as there exists in New Zealand which has the Treaty of Waitangi written in two languages with subtle differences yet the Maori has to operate within the legislation which is in English.

Finally until the Indians themselves see the value in developing skills related to their likely employment they will have problems getting jobs. If they are not in jobs which could lead to supervisory responsibilities they then cannot get basic managing skills to prove their competence to assist in the management of their resources. This Hopi case, despite its long history, has parallels in New Zealand Steel's relationship problems with its local Maori neighbours.

International forums have stated that the right to develop is one of the most fundamental rights of people and the right to protest is another. The form of protest and the ability to find solutions can only come when both parties develop a respect for the others cultural traditions and out of this respect solutions can emerge.

This chapter reinforces aspects raised in earlier chapters which in restrospect the researcher now wishes he had read, for the parallels and possible solutions have been faced by others. The chapter also describes what was happening outside New Zealand which Maori attendees at indigenous peoples conferences learned about. Their confidence was enhanced realising they were not alone in their struggles to secure a say in what was happening to their land. The next chapter takes the reader through the Waitangi Tribunal case - The Manukau claim.

CHAPTER 9

THE MANUKAU CLAIM

NEW ZEALAND STEEL AND THE WAITANGI TRIBUNAL HEARING

The Manukau Claim, before the Waitangi Tribunal by a local subtribe of the Waikato-Tainui people, was a major turning point in the relationship between New Zealand Steel and the tribe in its many aspects and components. After the hearing a new policy position was required. The Company was now no longer in ignorance of the past and could also see that it need not be agent or defender of the past actions of the Crown. But what the Company was to do in this new stance was to deal with the challenge the Claim presented which in turn may have provided the clue to resolve the issues between itself and its neighbours the Tainui subtribe, Ngati Te Ata.

This thesis up to the present chapter has traced the efforts of both New Zealand Steel and the Ngati Te Ata to resolve their differences. Earlier chapters have described how New Zealand Steel coped with its production difficulties, its pollution problems and its relationships. Its Maori neighbours at Glenbrook the Ngati Te Ata failed in their attempts to block decisions on Water Rights just as their forebears failed to prevent legislation being enacted which was likely to seriously affect their lands. Despite these frustrations the only remedy left for them to secure justice was to take their grievances to their special legal forum, the Waitangi Tribunal. The importance of their case before the Tribunal was exemplified by the inclusion of claims against the siting of a LPG Terminal in the Manukau Harbour plus citing past misdemeanors by the Harbour Board permitting land filling, the Airport extension and the ultimate offence was the building of the Auckland sewerage facilities in the Manukau Harbour. All of these grievances created a wider platform by referring to their grievances dating back to the 1800's which the Tribunal at that time could not consider. The recounting of these issues over the past one hundred years served two purposes. The Tribunal was the only forum for them to express these matters even though it could not rule on them and secondly it provided the Pakeha participants with an enlightening experience and gave them greater insights into the nature of the problems with which they were dealing. There were risks also

for New Zealand Steel for the Tribunal could make recommendations which were unacceptable which were in fact unfounded fears. As it happened the Tribunal did not agree with the Ngati Te Ata claim to have the Company cease operations at the Maioro ironsand mining site. In fact the Tribunal praised the Company for its efforts in consulting with its Maori neighbours. Despite this positive outcome at the Tribunal hearing the Company felt aggrieved and hurt when they were singled out and attacked for the harm they had done to Maori mana despite their recent efforts to deal positively and generously with their neighbouring subtribe Ngati Te Ata.

The Liaison Committee meetings described in Chapter 7 took on a different note also when Alex Kaihau became the active Ngati Te Ata representative following the 1984 Tribunal hearing. He actively criticised the recommendations of the Tribunal so it became clear to New Zealand Steel that the Tribunal had not solved the issues and what would follow became very uncertain.

As the Company was cited as a party to the Manukau Claim it was necessary to prepare its case fully and comprehensively. After enquiries into the process at the Waitangi Tribunal it became clear to New Zealand Steel's management that this Tribunal was not conducting its affairs as other Tribunals. The method of collecting evidence was not adversarial in its approach which enabled the Tribunal's style to encourage a free flowing expression from all parties.

In view of the foregoing it is necessary to include a reasonably full resume of what transpired during the Waitangi Tribunal hearing for the reason that it typified the problems of attempting to solve grievances with short term solutions.

The first Labour Government 1935-1949 attempted to redress some longstanding Maori grievances related to the New Zealand Settlement Act of 1863 and the confiscations which followed. Trust Boards were set up to administer any compensation for other wrongs committed by the Crown, not that much money was paid. It was not until the third Labour Government elected in 1972 that any action was taken in support of their election promises. The Minister of Maori Affairs Matui Rata was the driving force behind the enactment of the Treaty of Waitangi

Act 1975. It set up the Waitangi Tribunal of three persons, one of whom was the Chief Judge of the Maori Land Court. The work of the Tribunal was to examine and report on any legislation being contemplated by the Government and to enquire into and report on any claim made to it by a Maori person on their own behalf or of a group.

The purpose of the legislative study was to check to see whether the proposed legislation was in breach of the principles of the Treaty of Waitangi. During the readings of the Waitangi Act it became clear that Maori groups were not happy about several provisions of the bill namely no retrospective provisions, no real power of veto for they were hoping to have the original Treaty signed in 1840 ratified by the Crown, and no power to rectify damage done by previous administrations.

Despite all the misgivings about the bill it was passed by Parliament and became an Act in October 1975. This Act provides for the first time a legal forum in which Maori rights and issues can be debated outside the traditional English Court structure which New Zealand has adopted. There has been a reassertion of traditional Maori language skills, cultural activities and some economic investment on a scale unprecedented since the arrival of the Pakeha to this country. Of the twenty claims brought to this Tribunal up to 1985, sixteen have been in the last three years. Two of these claims have been aimed at the 'think big' projects primarily because Maoris have felt deeply about the impacts on their lifestyles and values. Almost half of the recommendations made by the Tribunal have been acted upon by the Government.

The 'Manukau claim' was the most wideranging claim that the Tribunal has had to consider for not only did it draw to the Tribunals attention the issues of likely pollution but it also examined the whole matter of Maori European contact and the grievances consequent upon that.

Basically the claim was about the dispoilation of the Manukau Harbour and the loss of surrounding lands of the Manukau Tribes. The claim went on to cite grievances related to the land confiscations in the 1860's and the Maori people from the Manukau live with this loss today. The tribunal reported that the confiscations continued beyond

the 1860's to the present day and unless this was arrested there will be no land left but a deeply embittered people. Also the Tribunal regretted that it could not consider these past events for the Act which set it up laid down clearly that only matters after 1975 were to be reviewed. However, they decided to report on these past events in the hope that Government through the Minister for Maori Affairs might see its way to clear up these longstanding grievances. All the submissions revealed to the Tribunal the clear statement of how Maori felt at this time. Two events outside the hearings of the Tribunal reinforced their point, for example the 1975 Land March and the Bastion Point occupation in 1977. In an international context at this time indigenous peoples worldwide were also protesting about their plight, Eskimos, Indians in Canada and United States of America, to the Aborigines in Australia.

The Labour Party won the election in 1984 with a good majority and took some action on the Treaty of Waitangi Act. The 1985 amendment to the Treaty of Waitangi Act included retrospectivity to 1840, expanded the size of the Tribunal both with members (four of the six to be Maori) and with research staff and encouraged more informality. Regrettably the informality places strains on the Marae hosting the hearings.

This extension of the area of protest has meant increases in claims and consequently delays in hearings.

The first major hearing before the Waitangi Tribunal was the Motunui case heard in 1982. This case related to the development projects associated with the processing of the crude oil flowing from the offshore well at New Plymouth, to make synthetic petrol. The claim with the Waitangi Tribunal was that the traditional shellfish beds off the coast were already adversely affected by the township of Waitara but if the synthetics fuel plant was also permitted to discharge waste into the sea the shellfish beds would be eliminated. The company had already been granted its discharge rights under the new National Development Act since repealed in 1988 and felt confident it could proceed.

It was in its 1983 report that the Waitangi Tribunal made its first

reference to the lack of Maori values being taken into account in legislation. Their case was based on the protection given to the Maori under the terms of the Treaty of Waitangi 1840. Special legislation in support of the Maori claim was passed.

The next major case was to involve New Zealand Steel and is known as the 'Manukau claim'. This claim was wideranging but specifically about the dispoilation of the Manukau Harbour and the loss of certain adjoining lands. It is a necessary part of this chapter to detail the claim as follows:

1. That the Manukau and the lower Waikato are part of the tribal domain of the Waikato-Tainui confederation of tribes.

2. That the tribes having the traditional right to use and occupy the land and waters of the Manukau area are various subtribes of the Waikato-Tainui together with the Waihua, Kawerau and Ngati Whatua people to whom they are closely related.

3. That those tribes have used and enjoyed the lands and waters of the Manukau and lower Waikato from early times until the present day. The river and harbour are as much their gardens as their cultivations on land.

4. That the use and enjoyment of their land has been severely limited by compulsory acquisitions, the effects of growth and development and a failure to recognise or given proper consideration to tribal occupational rights.

5. That the use and enjoyment of the waters has been severely limited by pollution from farm run off, sewage and industrial discharges, the effects of major works, commercial fishing and the failure to recognise or give proper thought to tribal fishing rights.

6. Particular respects in which it is claimed tribal interests in the waters are not recognised include:

   - the granting of water rights with insufficient regard for tribal fishing practices and cultural values.

- inadequate policies for the protection of waters for fishing purposes.

- ineffective policies to prevent depletion of the fish resource.

- lack of recognition of tribal rights in respect of harbour and river, and

- the denial of access to certain parts of the harbour and certain lakes at Awhitu.

7. Particular projects claimed to infringe tribal rights in respect of the waters include:

- the mining of ironsands at Maioro on the Waikato River.

- the proposed slurry pipeline of New Zealand Steel and the discharges into the harbour from the Glenbrook Mill.

- the proposed siting of a liquified petroleum gas wharf and terminal in the Papakura channel.

8. Particular respects in which it was claimed tribal interests in the land are not recognised include:

- compulsory acquisition of certain lands.

- siting of major works on or near Maori lands as that land ownership is lost or land enjoyment is limited.

- denial of access to the harbour river and lakes.

- destruction or failure to protect sacred sites (wahi tapu).

9. It was claimed that the promise in the Treaty of Waitangi to full, exclusive, and undisturbed possession of Maori lands, homes and fisheries had not been kept and is still ignored in current projects and policies.

10. Recognition of tribal fishing rights was sought but opinions varied on how recognition should be given. Some claimed the whole harbour belonged to the local tribes and ought to be vested in them. Others claimed representatives of the tribes ought to be appointed as Guardians of the harbour. Others asked for particular areas to be reserved for their use. Others asked simply that tribal fishing rights be recognised in fishing laws and planning policies and be given greater priority."

    (Extracted from Finding of the Waitangi Tribunal on the Manukau claim).

Some of the above do not specifically apply to the New Zealand Steel case but where the background to support the Maori view can be stated it will be included especially in sections five, six, seven and eight.

The Tainui tribal boundaries was clearly stated at the hearing by Henare Tuwhangai a revered elder when he said 'The stern of the canoe is at Manukau where Potatau presided, the prow at Mokau where Wetini sat and in the middle is Maungatoatoa where Rewi Maniapoto stood'.

In the setting of the Marae at Makaurau near Mangere the hearing took place on 16-20 July 1984 and later 20-24 August and 19-23 November 1984. From a Pakeha viewpoint the informality was at first disconcerting but as the days passed, the prayers at the commencement and at the end of the day, the meals provided in the marquee, the mattresses along one side and chairs on the other all combined to establish an atmosphere for people presenting evidence either for or against the case to speak freely, openly and on occasions with deep feeling. There was no examining of witnesses nor an adversarial atmosphere.

The New Zealand Steel representatives attending the Tribunal had no Maori language skills and lacked historical and cultural background, but as there were occasions when translation competence was needed two translators were made available to them through the Tainui Maori Trust Board's good offices. These two ladies could simultaneously translate which enabled the company managers present to make notes in addition to the handouts which were also provided.

Notices of the claims went out to Government Departments, Local Authorities, Harbour Boards, Waikato Valley Authority, Auckland Regional Authority, likely respondents and Maori Committees and Trust Board plus environmental protection societies. On the first day local elders, tribal Kaumatua and Kuia and local priests and clergy spoke about the Manukau and the concerns of the local people. They were followed by representatives of the Tainui Maori Trust Board, University lecturers and researchers with special knowledge, ecologists and planners plus Government representatives from the Ministries of Agriculture and Fisheries, Health, Works, and members from Harbour Boards, Airport officials and Auckland Regional Authority.

Finally the representatives of the cited organisations Liquigas Ltd, and New Zealand Steel Ltd made submissions in person and there were also statements sent in from local authorities as well as individuals who felt they had something worthwhile to say. Despite the terms of the Treaty of Waitangi Act 1975 under which the claimants were operating which should have restricted their presentations they felt strongly enough about the case to dwell on the history of settlement on the Manukau both Maori and Pakeha. By doing this the claimants believed that they were able to make a stronger case for control over the Manukau and to influence the Tribunal to make recommendations in their favour.

Briefly the early inhabitants settled on the northern shores of the Manukau about 900 AD then followed later migrations until the Tainui Canoe landed about 1350 AD. The canoe arrived in the Waitemata Harbour and was hauled across the Tamaki Isthmus to the Manukau where it stayed for a while and then moved down the west coast to Taranaki and back up to Kawhia. The crew inter-married with the earlier inhabitants and their descendants formed the Tainui Tribe of Waikato.

Living on the Manukau harvesting the fish and shellfish provided the local tribes with an abundance of food and they prospered. This meant that this area was well known and other tribes moved in to enjoy the plentiful food, inter marriage occurred and these people often were protected by other larger tribes and for this protection land was given to the stronger parties.

It was interesting to the Pakeha representatives that despite the skirmishes and inter tribal wars that occurred in the early nineteenth century no one disputed that Waikato-Tainui were the overall owners of the land bordering the Manukau and the Waikato River.

The chief who became the first Maori King lived in the area - at Awhitu, Ihumatao and at Pukekawa (now the Auckland Domain) and Governor Grey wanted to keep Te Wherowhero close to Auckland as protection for the early Pakeha settlers. Grey gave Te Wherowhero land at Mangere which had been purchased earlier by the Crown, to serve as a base for the chief and his band of eighty warriors and their families. Te Wherowhero arranged a marriage between the Ngati Mahuta and the daughter of the Ngapuhi who were threatening Auckland and so achieved a lasting peace in the area. Peace and prosperity seemed assured in the area but the land wars disrupted all this. The Manukau people were the unfortunate people who got lumped in with the rebellious factions and lost land (146,000 acres) in the confiscations after the Land Wars of 1863-64.

More settlers arrived and more land was required and in 1858 when Te Wherowhero was elected to be King Potatau saw the commencement of the King movement referred in more detail in an earlier chapter. The military actions in the Waikato against the Tainui confederation during the 1863-64 wars saw the Manukau people move south to the King Country but when they returned in the 1870's they found their lands had been confiscated under the New Zealand Land Settlements Act of 1863.

Small parcels of land were returned as Native Reserves in the Eastern and Southern areas of the Manukau and on these areas the returning people settled.

A Royal Commission to enquire into the confiscation of Native Lands was set up in 1926-28 known as the Sim Report. It concluded that the Maori were treated as rebels but they were merely protecting the land and their settlements and acted in self defence. The Sim Report quoted Sir John Gorst in his book 'The Maori King' (1864) who stated that the Maori Villages near Auckland - Mangere, Pukekohe, Ihumatao and others were all inhabited by relations of the Waikato tribes. A

large proportion of them were old and infirm and they were unceremoniously evicted from their homes and their land was confiscated. They were told to give up their weapons and take an oath of allegiance to the Queen or else leave and live beyond Mangatawhiri. They left.

Their villages were looted by the colonial forces their houses and canoes were broken. Their horses were taken and sold in Auckland and no action was taken against the greediness of the settlers. Gorst's account was not questioned by the Sim Report who then stated, 'it is clear that a grave injustice was done by forcing these people into the position of rebels.'

These reports have all been substantiated by Sinclair, Ward, Belich, Sorrenson and Orange. All these sources agree that the Tainui people never rebelled but were attacked by British troops in violation of article II of the Treaty of Waitangi.

The impact of this action in 1863 is not forgotten and the Manukau people have attempted to use the law to solve their problems but to no avail. In fact the law has been used against them. One illustration of this is the Acts of Parliament which authorised the permitting of individual land titles to facilitate land purchases. Tribal control of land was then lost and more land was thus sold.

Reference during the hearing of the Tribunal was made to Moeatoa Marae just opposite the New Zealand Steel Mill at Glenbrook. The first Mission Station in Franklin County was established at Moeatoa Marae on 34.7 hectares of land purchased by Reverend Maunsell and Hamilton on September 1837. The tribunal was told that this marae land had been in the ownership of one person and it was sold to settle his estate when he died. Some ninety six families were located there and were forced to leave. Some refused and were imprisoned, 'not really knowing why'. This incident is not forgotten by the Ngati Te Ata. However, the facts do not support this. (Appendix E covers this in more detail).

There is clear evidence that the chiefs amongst them which included a Kaihau representing the Ngati Te Ata people sold the marae site known as Moeatoa in the first instance to the Church Missionary Society on

13 September 1837, which was later investigated and confirmed by the Land Claim Comissioner in 1842, and confirmed by the Crown in 1864 that it had purchased this land. In the purchase made by the Church Missionary Society the subsequent Court hearing by the Land Claim Commmissioner no mention was ever made that the land in question was of great significance to the Ngati Te Ata people. In 1896 Ellen Flavell purchased the land formerly held by the Church Mission Society and later sold it to Henare Kaihau then a Member of Parliament. The land remained as European land with native ownership. Neither party made application to have the land declared Maori freehold, thereby offering protection under customs and usages.

Between 1901 and 1914 Henare Kaihau held the southern portion of Allotment 144 without debt. As the land was a European title it was available to be used for mortgage purposes of which H. Kaihau chose to take advantage. Upon his death in 1920 his estate was left intestate with a substantial debt registered against his land. The Public Trustee acted as Administrator with the approval of the Native Land Court. The Public Trustee acted as he saw fit to resolve the debt and distribute the net estate amongst the successors and sold the land. To this day the land has still European title.

The northern portion of the land was held in Native ownership between 1896 and 1917 barring a brief four year ownership by J. Lockie who sold it to H. Kaihau in 1917.

(Records of these transactions are in Appendix E).

The next major event affecting this particular study occurred at the Maioro State Forest. Originally the land located on the north side of the Waikato River mouth was confiscated in 1864 comprising some forty three thousand acres and known as the Waiuku Block. This block extended from the mouth of the Waikato to the Northern tip of the Manukau peninsular. Portions of this block were returned in 1865 and they included four areas known as:

Te Papawhero	509 acres
Waiaraponia	30 areas
Te Kuo	123 acres
Tangitanginga	63 acres

All were known as sites of Maori habitation prior to 1870 but the sand dunes had obliterated these signs of habitation. In 1932 the Public Works Department began planting marram grass to halt the sand movement and three years later pine tree planting began.

In 1939 Te Papawhero was taken by the Crown for sand dune reclamation and in 1952 the Forestry Department took over management of the pine forest planted some twenty seven years earlier. By the mid 1950's most of the remaining Maori land had been taken over and planted in pine. In September 1959 Waiaraponia, Te Kuo and Tangitanginga were taken under the Public Works Act "for state forest purposes,' except for a small 5 acre piece adjoining the Waikato River described as a fishing reserve and 14 acres of Te Kuo urupa.

The preceding pages present a broad picture of the background to the Manukau claim as it affected New Zealand Steel. It is a sorry story compounded of frustrated people unfairly criticised for actions they took no part in and penalised because of their tribal affiliations. These people were not isolated examples of the colonial administration in the mid 1800's but the pent up feelings became very clear at the Tribunal hearing. Allegations were made and unproven that the Crown knew that New Zealand Steel would be using the ironsands when it took over the Maori lands in 1959. The argument was advanced but this was also unproven based upon the passing of the Iron and Steel Industry Act in 1959. Careful checking with statements made by the Secretary for Trade and Industry, Dr W.B. Sutch, do not support this juxtaposition of Crown action and the passing of the Iron and Steel Industry Act. Furthermore the Investigating Company were not obligated to use North Waikato Head ironsands but because of a series of supportive details namely power, market, coal and suitable subsoil the decision was made to locate the Steel Works at Waiuku.

At this early date also the method of extraction of iron from ironsand had not been commercially determined despite earlier attempts. The Tribunal felt that the Crown was vicariously responsible through its various departments but in the writers view this is speculative thinking also.

However, from evidence supplied by the Tribunal the manner in which

the Maori were dispossessed of their remaining lands needs reviewing here.

i) The four blocks of land listed on previous page were returned to individuals in trust for the tribe but the Waiuku Native Grants Act 1876 made the individuals owners.

ii) From 1876 to 1959 only one person claimed that they succeeded to the title of 'owner'.

iii) In 1959 there were no surviving owners of the land vested in them in 1876. No person was notified although the Maori Land Court could have decided who were the successors. The Tribunal was told that a Maori field officer contacted five people whom he thought were the owners and he reported that there were no objections so long as the Te Kuo urupa and the fishing reserve were kept intact.

iv) No compensation was paid and no one claimed.

v) In 1971 Mrs Minhinnick enquired about other land and this was wrongly interpreted to mean Waiuku land. The Maori Trustee approached the Ministry of Works and as compensation was not permitted to be made, an ex gratia payment was paid amounting to $649.59.

vi) No account was taken of value of timber or possible potential use of ironsand. The valuation used was $40 per acre despite the fact that in 1963 the Ministry of Works wrote to New Zealand Steel's provisional Board stating the land was worth $200 to $260 per acre.

vii) Disbursement of the $650 was made (less tax) to known successors in very small amounts and the balance is still held by the Maori Trustee.

viii) To many of the attendees at the Tribunal hearing this was the first time they had heard of any compensation. However they were not interested in the money they wanted the land returned.

An early submission on the Manukau claim was made by Tainui Maori Trust Board and Nga Marae Toopu who explained why they were supporting the Huakina Development Trust in its case. Tainui as a confederation of tribes consists of approximately 120,000 members which represents a very significant proportion of the Maori population resident in New Zealand. The submission described how the Tainui Maori Trust Board assisted in the formation of the Huakina Development Trust in collaboration with New Zealand Steel. Tainui's aim was survival and growth through the development of resources and for Tainui its greatest resource was its people. The submission indicated that the support for the Huakina Development Trust was one step and later the Tainui Maori Trust Board would be taking a case to secure the bed of the Waikato River as another resource. Furthermore the Manukau claim is also one of a further set of claims affecting the other west coast harbours at Kawhia, Aotea and Whaingaroa and the Waikato River from its mouth to the Huka Falls. Reference was made to the 1922 and 1926 land claims and adjustments wherein the Arawa and Tuwharetoa people had their rights to the Lakes in the centre of the North Island recognised and compensation was paid. This was part of Tainui's strategy to announce its intentions well in advance of the specific claim.

The submission also believed that the rights established in the Universal Declaration of Human Rights gave them additional support in their claim. New Zealand in 1983 reported to this United Nations Human Rights committee where it stated - 'the only differences in law remaining between Maori and non-Maori from enactments which confer special rights and privileges to Maori for the express purpose of ensuring that their position in society is equal to that of the rest of the community. The largest body of statute law still intact that applies specifically to Maori is concerned with Maori or ancestral land. There are two underlying reasons for the special laws regarding this land.

1. Most Maori land is owned in common by families of subtribes, sometimes running into hundreds or even thousands of people. Because of this special provisions in law are needed.

2. Maori land law includes protective provisions to safeguard the rights of Maori to their ancestral land.

This later point emerged in a visit to New Zealand in 1988 by the Chairwoman Professor Erica-Irene Daes of the United Nations Working Group on Indigenous Populations where she stated in her report that there should be increased Maori self-government and that she supported more protective provisions for Maori lands.

Having explained their reasons for supporting the claim a paper followed describing how spiritual values could be recognised in law. Initially the Maori chiefs who signed the Treaty of Waitangi made a spiritual act of trust, they believed that the Treaty was a sacred document and not merely a legal one. The fact that the witnesses at the signing were men of the Church gave this document an enhancement and lifted it beyond a mere trading agreement. Two examples came to mind the author said, the vesting of land in trust - Taupiri was vested in Poutatau Te Wherowhero the first Maori King and Moehau on the Coromandel in Marutuahu. Vesting in a dead ancestor ensures that all descendants benefit and placed an obligation on the living to behave as guardians. The author went on to assert that the law can recognise spiritual values.

Anthropologically it is recognised internationally that tribal societies do not separate the spiritual from other matters - food gathering has special observances and a spiritual content and often parts of the landscape may be personified or given a supernatural significance. Birth places and burial sites are usually of very special importance to such people. Water used frequently in healing and purification ceremonies has always been important in tribal society.

The problems for non-Maori people to understand how the Maori feel about the above does not invalidate Maori feeling. There are problems also in defining these spiritual concerns and whether they can be accommodated. 'Spiritual concerns require special treatment, require harmony and balance, equity, fairness and justice'.

The submission drew the Tribunal's attention to the recent changes in community attitudes toward keeping some areas of New Zealand as wilderness areas - this borders on a spiritual quality. It pointed out that spiritual value tends to enhance all values other than the basic exploitative.

The rights of native people to the enjoyment of their cultural difference and ancestral traditions will have long term consequences but experience overseas suggests that as the standing of native peoples improve, so does their capacity to work through these consequences. The moves of devolution of the Maori Affairs Department is a step in this direction.

This submission suggested to the Tribunal that the Manukau water and resources be vested under the ancestral protective authority of Kaiwhareo the tradition guardian and that tribal guardians be appointed.

The Tainui Maori Trust Board's submission stated the following.

1. The Maori Affairs Act 1953 and the Maori Trust Board Act 1955 set out the powers of the Trust Board to act on behalf of tribes. Examples include - acting for the Waahi Marae committee at Huntly in their claims for compensation against the Electricity Department; acting for the Maori Landowners against the Ministry of Works for compensation for damages when the gas pipeline traversed their property; representing the Centre for Maori Studies and Research with the University of Waikato to grant special recognition of Tainui protests and to have recognition of Tainui protocols and to have recognition of spiritual concerns.

2. The Tainui Maori Trust Board, Nga Marae Toopu and the University of Waikato Centre for Maori Studies and Research discussed with New Zealand Steel the need to concern itself with the aspirations of the Maori community from Tuakau to Mangere. Arising out of this the Huakina Development Trust emerged with financial support from Tainui Maori Trust Board, Nga Marae Toopu and generously from New Zealand Steel.

3. The work of the Huakina Development Trust is monitored by the Tainui Maori Trust Board and others at the Liaison Committee's regular meetings. In addition to the initial three year financial grant for Huakina Development Trust amounting to $75000, New Zealand Steel had also leased to the Tainui Maori Trust Board a dairy farm, the profits from its operation to be used for educational purposes.

This submission touched on the history of Tainui and the Manukau which has been covered earlier and additionally provided three papers in support written by Dr Anne Parsonson, Mr Phillip Harris and the Huakina Report prepared by the Centre for Maori Studies and Research at University of Waikato and presented to New Zealand Steel.

Dr Parsonson's paper presented the case for the return of the Kawhia Harbour to the Tainui people. Whilst not totally relevant to the Manukau claim it did present some aspects which were relevant and these need to be included in this review.

Whilst this case before the Waitangi Tribunal under current law could only consider issues after 1975 many of the grievances were presented which followed the Land wars of 1863-64 and Kawhia is an interesting example.

In Chapter 4 reference is made to the problems faced by the Government following the decisions of the Waikato Maori to resist sales of land to the Pakeha. The Government wanted an overland route between Wellington and Auckland and land in the central North Island was needed but Maori tribal leaders refused to sell. This resistance was led by King Tawhiao who met with various ministers of the Crown with no success. Government in early 1880's was becoming impatient.

Bryce the Native Minister at this time took a military force to Parihaka in Taranaki to strengthen the Government claim to land there. He destroyed the village and dispersed the peaceful residents and took the leaders into custody without trial.

Bryce went to see Tawhiao at Pirongia and told him that more British settlers were arriving and this migration would not cease and told Tawhiao he would have to get used to this. Bryce offered to return the bulk of the confiscated land, to give Tawhaio a pension and a house and promised a seat in the Legislative Council. Tawhaio refused.

Bryce later met the Ngati Maniapoto Chief, Wahanui and requested that he comply with the Government's wishes to open up the King Country (Central North Island). Bryce told Wahanui that persisting in

refusing to sell land to be used for road and rail would be seen as a sign of enmity to the Crown. The Ngati Maniapoto Chief disliked Bryce's methods but gave in to his pressure so by 1883 the King country was open for the Road and Rail surveyors to proceed.

At the same time the Government opened up the Kawhia Harbour to demonstrate to Tawhaio that the Crown was going to assert its rights. It is clear that the Government's decision to establish a township at Kawhia and mark the port was a symbolic gesture against Tawhaio. The local Maori people who had just established a flour mill in the area found that its site was the one selected by the Government for the township. The flour mill and several houses were removed to another site close by for the Maoris could see that trade could develop and they did not wish to hinder this.

Bryce arrived to dedicate the township and later rode to Pirongia indicating that a route up the Island was opening up. Tawhaio was upset about all this Government activity and pleaded with Bryce to leave Kawhia alone. As Government work proceeded Tawhaio became increasingly agitated for Tainui people did not trust the Government. Finally they pulled out survey pegs and destroyed the buoys in the Kawhia Harbour to indicate their determination to protect their land.

When Bryce ultimately met with Tawhaio he was told that the Crown guaranteed the land to Maori through the Treaty of Waitangi. Bryce regretted that the buoys were put in place without consultation but as Government had the right to erect such marks for safe shipping they were important and did not mean that land was taken over. He was accompanied by a force of troops (114) who built two small redoubts on the shore of the harbour. This was Bryce's method of showing the 'flag' - Government power.

Tawhaio a peaceable man, gathered this up with other grievances and presented them to the Queen in England in the following year, to no avail.

The above example was how the Government by a show of force in 1883 took possession of land without compensation or without any negotiations but merely to demonstrate its power to Tawhaio who led the Kingitanga movement.

The establishment of a township was done without having prepared for settlers to come and farm the adjoining land so a special Act of Parliament was passed Kawhia Township Sale Act 1883 to permit land sales to be made.

Another paper was presented at the Waitangi Tribunal hearing by Mr Phillip Harris which covers the issues related to the Waikato River claim, the West Coast Harbours including Kawhia which was also backgrounded by Dr Parsonson's earlier study. In this paper he presented the view that the Tainui Maori Trust Board can be considered as a territorial authority. The issues in the first two sections were of general interest to the hearing but not to the case in hand.

The last point relates to the role of the Tainui Maori Trust Board as a territorial authority and its interest in the mode of distribution of the Development Levy which New Zealand Steel was required to set aside in terms of the Town and Country Planning Act (1977).

The distribution of the levy was currently in the hands of the Auckland Regional Authority and the Pukekohe Borough Council and the Franklin County Council and did involve in part the Waiuku Borough Council. All these areas were covered in the Act but it did not include Trust Boards. The Tainui Maori Trust Board recognised that the Waitangi Tribunal Hearing could do little to help but if these matters weren't aired somewhere, what better place to state them. The company felt that this body could manage any monies allocated for the overall good in the area rather than have the Auckland Regional Authority make separate grants to specific applicants and not to all those affected.

Phillip Harris pointed out that under section 3 (1) (g) of the Town and Country Planning Act (1977), Maori cultural interest are specifically catered for and may be taken into account. The Local Government Act 1974 makes provision for levying an amount of 1/2% of the estimated cost of a proposed capital expenditure as a development levy. This levy in New Zealand Steel's case amounted to $2.4 million dollars and although originally for reserves like Parks it was extended under the 1981 amendment to be used for recreation and

community development, indeed for any purposes which would enhance the surrounding communities. Representations were made to the ARA special committee as well as to the Chairman and Legal Adviser of the ARA to have a Maori representative on the allocations committee. This meeting took place a few months before the local authority elections and the proposers, comprising Tainui and New Zealand Steel representatives could sense the issue was very political. The ARA wished to gain as much credit as possible from the promises of disbursement and wanted no adverse criticism. It therefore wished to bury the question yet placate Maori interests.

The outcome of this meeting was that the ARA agreed to favourably consider Maori representation but later rescinded their decision on the grounds that it might favour one sector of their constituents over others. Regrettably these disbursements favoured only two marae's and helped another group in Pukekohe who were building a marae and was predominantly Ngapuhi in descent. This later decision was hurtful to Tainui and regrettably the ARA Committee omitted to consult with New Zealand Steel or the Trust Board over the final allocations.

Additionally as part of the Act includes Harbour Boards, Airport Authorities, Catchment Boards it is difficult to see why Trust Boards were excluded other than one assumes they were overlooked in drafting the Bill.

This is the background of the history of the Manukau and the Kawhia Harbours and it explains why the feelings of the local Maori people were bitter and emotional. It is now important to deal with the Manukau claim in general and then specifically as it affected New Zealand Steel.

The Manukau Harbour and its waters

One of the recommendations of the Waitangi Tribunal states a most significant difference between Maori and Pakeha - the Maori believes the Harbour is a vast food resource and is collectively owned by the various tribes or families living on its shores - the Pakeha believes the Harbour, supported by English Common Law, is owned by the Crown and any person may use it. This matter was illustrated by Tawhaio at

Kawhia when he said in 1883 'I have a title - the Treaty of Waitangi.' Bryce could not see that he had infringed custom.

It was clear that many of the Maori elders speaking at the Hearing thought the same as King Tawhiao. They had not gifted or sold the Manukau Harbour and no one had confiscated it and because of their long association with the Harbour they believed they were its guardians. Currently the care of the Harbour is vested in the Auckland Harbour Board through an Act in 1911 which also included its tidal areas.

This action of the Crown is supported by other legal cases which frustrated local Maori for they see the law depriving them of traditional rights. Their hope lay in the articles of the Treaty of Waitangi as the Tribunal was told many times.

To illustrate this point the earliest fishing laws - the Fish Protection Act 1877 recognised that there could be a customary claim to fisheries but no provision was made to convert these to rights.

This was followed in the Sea Fisheries Act 1894 which dropped the provision for customary practices yet in the Amendment to this Act in 1904 it stated that 'nothing in this act shall affect existing Maori fishing rights,' but made no reference to the Treaty as did the 1877 Act. We see therefore the legislators overlooking earlier provisions or consciously omitted provisos to protect Maori rights. The tendency for the law was to retreat behind English common law which stated that no provision should be made for special cases to the exclusion of others.

However there had been some special recognition of tribal rights arising from a concern for oyster beds. The Oyster Fishery Act 1892 provided for closed seasons to protect the shellfish and the aforementioned 1894 Sea Fisheries Act provided for leasing of oyster beds and for those close to Marae to be reserved for exclusive Maori use.

Pertinent to this study was an oyster bed at the head of the Waiuku estuary (located below the site of the Glenbrook Steel Mill), known as

the 'Needles'. This bed was marked on maps of the Manukau Harbour and signposted, it in fact is the only reserved oyster bed in the Manukau. The whole subject of fishing was covered during the speeches made by the elders who addressed the Tribunal. The Tribunal was told about the customs and practices followed by the tribes to protect their fisheries in detail. For example - gutting fish at sea was not permitted, kits were used to collect shellfish and must not be dragged over the beds to disturb the remaining shellfish, hands only were used to dig for pipi and toheroa and no one ever took more than they needed. The Tribunal was told about the rituals and prayers both before and after a fishing expedition took place to influence the catch and to give thanks for the catch.

The speakers made it obvious to the Pakeha present and to the Tribunal that Europeans did not appreciate the value of the harbour they gut their fish in it, they make loud noises in the harbour, they use it to dispose of sewerage in it when in fact it was a great food garden.

Other speakers then spoke of the changes to the harbour boundaries with the building of causeways, building of the airport runways and generally altering the tidal flows in and about the mangrove areas. All of this activity caused disruption of fish breeding estuaries which in turn affected the quantity and quality of favourite fish to be found in the harbour. The dispoiling of the harbour meant that now the maraes around its shores had to buy fish to meet their obligations at feasts and tangi.

These speakers also referred to special areas formerly well known for oysters, or scallops or dogfish or schnapper and mullet in the 1920's but since 1950 these areas were now covered with mud.

They quoted a Health Department notice drawing people's attention to the Manukau Harbour's unsuitability for eating of shellfish especially in its northern areas.

It was interesting to note that both Maori and Ministry of Agriculture and Fisheries witnesses agreed that the Manukau was an important breeding and nursery area and migration route for a wide variety of

fish. The richness of the food resource for young fish and the protection offered to young fish is unparalleled so it is of primary importance to maintain the harbour in good condition. Whilst the Maori speakers were very precise in their naming of specific breeding and spawning areas the Ministry of Agriculture and Fisheries (MAF) experts said it was the whole harbour that was important. No doubt the Maori presentations built their case on specific areas to add weight to their overall claim.

Finally both parties agreed that there had been overfishing and that the MAF now had better controls over issuance of commercial licences even so there were abuses of the system. The Maori speakers then requested that they be granted specific areas for exclusive use and would make such claims to the Manukau Planning Committee.

The Manukau Harbour and its administration

The most comprehensive coverage of this aspect was given by the representative of the Auckland Regional Authority. He backgrounded the industrial development that had taken place around the Harbour since 1850. He divided the periods into three half century phases.

1850-1900 really began in 1847 when military pensioner settlements were established at Onehunga and Otahuhu followed by settlers established at Waiuku in 1851 and Drury in 1853. All these points were able to be reached by shipping of variable draughts transhipping people and produce to Auckland from the Waikato in the case of Waiuku and Drury. Pukekohe and Bombay were settled in 1865 following the Land Wars and were at the southern extremity of the Harbour catchment. Activities such as flax and flour milling and timber milling were well established at Waiuku by 1869.

As the road and railway was developed so did industrial plants, by 1870 a boiling down works and a fat extraction plant was built at Otahuhu and in 1875 a tannery was established nearby. The rail, a port and a plentiful water supply attracted other plants to Onehunga all of which could dispose of waste into the Harbour. By 1887 a woollen mill was also built in Onehunga. All of these plants were handling livestock and their obnoxious wastes were all sent out into the harbour.

In 1889 a chemical fertiliser works was built attracted by the local infrastructure of road, rail, port and people. These industries dependent upon the agricultural needs and procedure were also pushed out into the South Auckland by the local authorities who did not want them in the urban areas.

During the 1900-1950 period saw the growth of the freezing industry with three more works being built in Otahuhu-Mangere area with their associated plants of fellmongering, wool scouring, sale yards and woollen mills all of which added to the trade waste going into the Manukau Harbour. The upper Mangere inlet was known as the noxious industry centre for Auckland.

By 1928 when the Railway workshops moved from Newmarket to Otahuhu there was already glass works, engineering workshops, concrete manufacturers, steel fabricators and rubber mills in this area.

Following the second world war wood processing plants and paint factories were also located in Otahuhu-Mangere area and the destruction of the upper reaches and catchment of the Mangere inlet was almost completed.

Surrounding this industrial area, urban residential building had proceeded in parallel which in turn disposed of its sewerage into the harbour. By 1950 the pollution of the Harbour was an inescapable problem.

Eighteen trade waste sewers discharged into the Mangere inlet and regrettably the inlet water was recycled at each tidal change rather than flushed out fully. This meant the whole Harbour was being contaminated.

In the following period 1950-1984 the public became more concerned with the environmental degradation of the Harbour and in the decade following 1950 there was considerable public agitation for action but the issues focussed on who would taken action.

The Mayor of Auckland achieved what he regarded as a major coup - transferring the Auckland sewerage scheme from the Waitemata to the

Manukau Harbour. A Commission of Inquiry in 1955 concerned with Noxious Fumes magnified the problem but did bring about regulations to improve drains and outfalls of waste into the Harbour, to achieve priority for acceptance of some industrial waste into the new Oxygenation Ponds at Mangere and to prohibit further uncontrolled noxious industries and controls over industry already polluting.

In the late fifties Pacific Steel was built in Otahuhu and New Zealand Steel in 1966. During the sixties the Manukau saw some major public works built, the Mangere treatment plant, the extension to the airport, new town development at Otara and East Tamaki.

The seventies then saw people seeking to find environmental solutions, although belatedly, for the public and government recognised that some measure of control was needed. A variety of Statutes were passed: the Clean Air Act of 1972, the Marine Pollution Act of 1974, the Auckland Regional Authority Water Board to implement the Water and Soil Conservation Act 1963 and Rivers Control Act of 1941 which also included the Manukau Harbour. In 1973 the Commission for the Environment was established.

This period also saw population grow in Auckland from 125,000 in 1966 to 185,000 in 1976 and growth has not abated since. This growth of population has meant the building of residential property almost continuously from central Auckland to Papakura in the South, all of which has placed further sewerage pressure on Mangere and pressure upon the Regional Authority to plan for its water supplies. All of the growth has been met with greater need for planning and control and resource management to permit sensible human occupation of this area. The Regional Authority did not omit the rural areas that existed all around the harbour which were dairying, horticulture and farming in general. The major pollutants were resulting from the milking shed run off into creeks and tributaries serving the Manukau plus the top dressing of pastures which enriched the water run off into the Harbour. The former added to the bacterial count and both activities added to the 'black mud' plus the setting up of the Harbour over the period of European settlement following the felling of the littoral bush.

All of these activities around the edge of the harbour whether they are industrial or residential come under seven different organisations for management or control.

1. **The Auckland Harbour Board**

The Harbour Board owns the tidal flats and foreshore under the terms of the Act of 1911 which also gives them control of the Harbour. It operates the Onehunga and Auckland Ports and controls shipping and navigation on the Manukau and Waitemata Harbours. What the future holds with privatising the Harbour Boards and their need to make a profit with probable effect on the Harbour and its environs is anyone's guess. The current Town and Country Planning Act of 1977 places some onus for planning on the Board but this Act also is to be reviewed. One doubts whether the newly constituted Harbour Authority will find environmental controls less onerous is doubted. Public opinion has moved towards more recreational uses of the Harbour and more protection for wildlife and at the time of the Tribunal hearing the Harbour Board was proposing a Manukau Harbour Maritime Planning Authority but at the time of writing no scheme has yet been made public. The Harbour in the Boards view is an amenity for almost one million Aucklanders and wishes to balance the various claims to its waters. When the Maritime Planning Scheme is drawn up the Board will have considered water quality, fishing and boating interests as well as Maori interests.

One area of Boards special concern must be littoral reclamations and their likely effect upon fish spawning regions. Hopefully lasting damage has not been done and although the process is slow nature does have ways of compensating for changes of this nature.

2. **The Ministry of Transport**

The Marine Division of the Ministry administers the 1950 Harbours Act. As a Government department it controls the Harbour irrespective of the Harbour Board, and checks all plans for changes to the harbour.

3. **The Department of Health**

Under the Auckland Metropolitan Act 1960 the Health Department must approve all sewer outfalls into the Harbour. It gives evidence on water rights applications and researches shellfish farming applications and administers the Clean Air Act 1972.

4. **The Ministry of Agriculture and Fisheries** (MAF)

MAF may give evidence on water rights applications and has jurisdiction over marine life and administers the 1983 Fisheries Act. This Ministry is preparing a fisheries management plan for the northern part of the North Island.

5. **The Department of Internal Affairs (Wildlife Division)** has jurisdiction over wildlife on the Manukau which is well known for its birdlife especially the Godwit migratory areas.

6. **The Auckland Regional Authority** is preparing a Regional Plan which includes the Harbours. This means the Harbour Board and ARA will be working closely together on the combined sections of the plan as it affects the Manukau. A section of the ARA is the Auckland Regional Water Board which has jurisdiction over water rights affecting discharges into the Manukau.

7. **Other local authorities** including Otahuhu and Manukau City Council also control portions of the harbour. From the above it is clear that whilst there are sufficient administrative bodies with interests in the Manukau the need for an overall coordinating body is imperative. No Government Department will relinquish their legislative interest and authority but whether there is sufficient real concern is questioned.

However, an organisation did emerge from the threat to the Manukau Harbour by the proposed Thermal Power Station to be built at Waiau Pa. This organisation, a voluntary society, is known as the Manukau Harbour Protection Society Incorporated was formed in 1975 to protect the Harbour, to publicise issues affecting the Harbour and provide a service to residents who wish to protest through statutory planning processes.

This body comprised of a wide range of interest groups which saw conflicts arising for the Harbour Board within its interests of commercial and non-commercial responsibilities. Furthermore there was a great deal of research material being gathered but not collectively published about the quality of water, health reports of pollution and so on which is not generally available to the public. It is clear that this Society which is dependent on voluntary work and donations, cannot do a proper job of protection of the Harbour.

They concluded their submission to the Tribunal by recommending that the Manukau Harbour Maritime Plan be expedited. That the Maritime Planning Authority be given more power to fulfil its functions.

That the claimants to the Tribunal requesting a body to be known as 'Guardians of the Manukau' be appointed to monitor the harbour and report to the various administrative bodies and to parliament on matters of concern.

All of these recommendations were accepted by the Tribunal.

The Waikato River Estuary

This area supports commercial fisheries for mullet, flounder, eels and whitebait. Mullet is the most abundant and are caught by net with the greatest activity between November and May. This area of the river supports also the North Islands most important whitebait fishery occurring in late winter and early spring. This fishing has declined partly by over exploitation, pollution and sediment load in the river but chiefly through drainage of tidal swamps which adult inanga depend upon for their nursery areas.

The above information was presented by the Ministry of Agriculture and Fisheries research officer. He also went on to describe the decline of the native oyster and pipi beds. He believed the decline in pipi was due to warmer weather at spring tides and the decline in oyster was due to the dramatic appearance of the Pacific oyster since 1980.

The four marae on the southern banks of the Estuary depend on the fish caught in the river as a major source of food in their diet.

Furthermore, the silt covered banks of the river provide a rich soil to grow vegetables and kumara, taro and hue. It was claimed by verbal submissions that in the nineteen forties whitebait were so prolific that a canning factory was established but now the season is short and the factory is closed. Silting of the river has meant closing of the river to coastal shipping and the river mouth has only one channel out to the sea when it formerly had two. Witnesses claimed that the Hydro Power Station dams up river caused the silting up of the river bed due to decreased flow.

The significance of the Waikato River to the Tainui people is enormous, if they are sick or troubled they seek a blessing of the river water. Its curative powers were claimed by several witnesses including the major claimant - Nganecko Minhinnick herself.

It became clear to all those attending the New Zealand Steel plan hearing that to extract the river water at the Elbow and transport it via a pipeline ultimately to discharge it in the Manukau at Glenbrook was a spiritual affront.

The mixing of the waters

The expansion of New Zealand Steel requiring the additional consumption of water for processing steel coupled with the transportation of the ironsand from Maioro to Glenbrook by a slurry pipeline has been discussed in other sections, but assumed greater significance at the Tribunal.

The dominance of the steel works on the skyline especially from the Tahuna Marae home of the Ngati Te Ata across the Waiuku estuary naturally attracts attention. It is also clear that as a single large enterprise it became a target for criticism despite the company's earlier efforts to consult with the local people both Maori and Pakeha and detailed in Chapter 7.

The company's relations with the local farming community reached a low point when it was decided to thoroughly explore the merits of a railway line to carry the ironsand concentrate. A well organised protest action by the farmers saw the company retreat from its

intention to secure easements across farms for the rail lines. This protest action plus the railway management who were prepared to fund the freight operation reimbursing its capital outlay through tonnage payments, they withdrew their support for this.

The company then had to add a significant capital cost to the project to fund an alternative method of transporting sand and concentrate through a pipeline. To transport the ironsand it is mixed with water to a porridge like consistency and in this form it can be pumped in the same manner as the ironsand is pumped out to the ore carriers offshore at Taharoa. The water comes from the Waikato River and when the slurry arrives at Glenbrook the water is drained off cleaned through filters and discharged into a stream which flows into the Manukau.

From the company's viewpoint the slurry method of concentrate transportation was costly since water must be added and then extracted but environmentally a buried pipeline was less offensive to the public, less of a problem for the farmers as it was below ground. But this method was a problem for Maori interests because the waters of the Waikato were to be artificially mixed into the Manukau.

The use of the pipeline method could also be speedily expedited since it could be approved under the Petroleum Act 1937 and did not require public hearings or a separate environmental audit.

At this stage of the expansion the company's management had had a very difficult and harassing time with the angry local farmers so the prospect of the slurry pipeline alternative with relatively trouble free public hassles was a very acceptable procedure. Management knew that there would be protests over the mixing of the water and it was determined to do everything possible to ensure the resultant water discharging into the Manukau would be clean and hopefully work its way through the Maori issues.

Probably in retrospect they did not fully understand the significance of their actions upon Maori values and hoped for some tolerance on the part of the activists in the light of past relationships.

The cost of returning the 'used' water to the river would have almost doubled the cost of the pipeline and another alternative carefully evaluated was to use the 'used' water for horticulture irrigation but it was found too saline for that possibility.

The company did not research the reasons behind this very strong Maori view of 'mixing water'. Again in retrospect management had so many problems associated with the construction of the expanded works that this metaphysical issue was tossed aside perhaps either as too difficult to comprehend or as too trivial to bother about. At the Tribunal hearing the company officials heard about other cultures and their values and attitudes toward water and its importance. Waste water is defiled water and must be returned to the earth to be cleansed.

Whilst the Maori recognised that the freshwater of the Waikato River flows into the sea naturally the real objection was that the water was mixed through unnatural means and was 'dead' water and may affect the living water in the sea. There was also the possibility that the Taniwha in the Harbour could be offended by this intrusion and had not been placated the Tribunal was told.

New Zealand Steel and the Maioro Mine Site

The remaining designated urupa and fishing site bordering the Waikato River is all that remains of the land formerly occupied by the Ngati Te Ata and other subtribes and confiscated in the 1860's and later in the 1920's and 50's. This point has been covered earlier in this chapter. The land (except for the designated areas) had been planted in pine trees and since the late sixties the trees have been cut by the New Zealand Forest Service. The Forest Service and New Zealand Steel work closely together exchanging plans for the next stage of mining and harvesting of trees. The Tribunal visited the Maioro mining operation, the Glenbrook receiving point of the slurry pipeline, and the water treatment and discharge outlets.

The company agreed that tailings had spread onto the Tangitanginga fishing site and regretted this. The tribunal was told that at earlier meetings with the local Maori representatives, the company had

explained that it had used its best endeavours to have the area clearly marked but had failed to get agreement on this. They also wished to fence the area and plant it with native trees of the local people's choice but this decision was also not forthcoming.

The Forest Service Management were sensitive to Maori cultural values not only as people themselves but also because of the prescriptions in the various legislative Acts covering their administration, viz Forests Act 1969, Historic Places Trust Act 1980, Antiquities Act 1975 and the Burial and Cremation Act 1964. The local Maioro Forest management made every endeavour to protect areas of special significance as often these areas adjoined designated reserves and forest operations needed to be carefully managed.

Foresty has employed an archaeologist since 1972 and whilst the specialists have changed their work has been well documented. Their surveys of the Auckland conservancy which stretches from the State Forests near Lake Taupo to the far north have been concerned with identifying significant historical places and making recommendations for their protection, preservation and future management. The work has in the past focussed upon the archaeological sites which are one hundred years or older but recently the emphasis has shifted to traditional Maori sites, historic sites and archaeological sites in response to Maori requests.

This work has taken into account both Maori and European cultural values using verbal and written accounts. The traditional Maori sites include old settlement areas, buildings, artefacts or natural objects which may be important because of history or spiritual association. This knowledge is handed down verbally by the Maori from generation to generation.

The archaeologist in his submission to the Waitangi Tribunal reviewed the historical records which showed that the Waiuku Forest (Maioro) comprising 3,725 acres was a part of the Waiuku Block of 43,700 acres which was confiscated by the Government in December 1864 having unsuccessfully tried to purchase this land in 1854 and early 1864. The reason given for the confiscation was 'local Maori involvement in war and rebellion.' The confiscation was followed up in January 1865

by a Gazette notice that the land was available for settlement under the New Zealand Settlements Act 1863.

In April-May 1865 Maori claims against the confiscation were heard and Ngati Te Ata were successful. Crown grants of 4705 acres were awarded to the Waiuku and Awhitu Maoris (recorded in Lands and Deeds, Deeds Index Book volume 17D:786-785). These grants included the four wahi tapu in the Waiuku forest area (allotments 97 (later called 362) 98, 99 and 100, namely Tangitangina, Te Kuo, Waiaraponia, Te Papawhero. In 1867 and £5250 was paid by the Crown. These wahi tapu are defined on the Lands and Survey cadastral map NZMS 261 Sheet R13 Port Waikato (1977) as allotments 362, 98, 99, 100.

In 1876 the Waiuku Native Grants Act was passed and lists the wahi tapu areas above as well as the original owners who were listed as trustees. The sand dunes on the north of the Waikato River mouth became badly eroded and the mobile dunes threatened to engulf nearby farmland so the Public Works Department in 1932 began a dune reclamation programme planting marram grass, lupins and pine trees.

The Tribunal was then told in some detail by the archaeologist how each of the designated four areas were dealt with by the Crown. Following the dune reclamation programme in 1932:

a) Te Papawhero wahi tapu (509 acres)

In 1939 this site was gazetted by the Crown in 1945 £180 compensation was paid to the Waikato-Maniapota District Land Board and interest was to be charged at 5%.

In 1952 the area came under Forest Service admin. In 1957 this land was gazetted as being acquired for Government work and declared to be Crown land. In 1962 gazetted as permanent State Forest land. In 1966 a Mining License was issued to New Zealand Steel Ltd to mine area for ironsand.

b) Waiaraponia wahi tapu (30 acres)

In 1952 under Forest Service administration. 1959 area taken by Public Works Act 1927 for State Forest purposes.

1966 mining license issued to New Zealand Steel Ltd.

1972 compensation for taking of this area negotiated with Ministry of Works by Maori Trustee on behalf of owners - $58.67 compensation and $36.61 interest paid to Waikato-Maniapoto District Land Board by Ministry of Works.

c) Te Kuo wahi tapu (123 acres)

1952 Forest Service administration.

1959 part of the area (108 acres 3 roods and 37 perches) was taken by the Crown under Public Works Act for State Forest purposes which left 14 acres under Maori ownership.

1966 this 14 acres was excluded from New Zealand Steel's mining license.

1972 compensation paid a Maori Trustee by Ministry of Works $212.16 compensation plus $132.38 interest.

d) Tangitangina wahi tapu (63 acres)

1930 and 1952 as above.

1959 part of the area (66 acres and 8 perches) was taken by the Crown for Foresty. A strip one chain wide (5 acres) along the Waikato River bank was left in Maori ownership and became known as 'fishing reserve'.

1966 the 'fishing reserve' was excluded from New Zealand Steel's mining license.

1972 compensation was paid $129.17 plus $80.60 interest.

In 1983 a tacheometric and reconnaissance survey of the 'fishing reserve' was made by the archaeologist and he made nine recommendations for its protection, most of which were approved at the New Zealand Steel, Ngati Te Ata liaison meetings covered

in Chapter 7. Those not completed were due to the Ngati Te Ata's reluctance to commit themselves to fencing, tree planting, and type of tree.

It is important in this thesis to recognise how the frustration of the local Maori people focussed on the Crown's handling of these four wahi tapu. It was even suggested that the surveys were incorrect especially Te Kuo urupa which should be located further away than the survey site indicated. The Tribunal suggested that more care was needed if these areas were to be so identified and perhaps more work should be done in this dune area known as Waiuku State Forest.

The archaeologist was asked to comment further on other findings he had made and he indicated that there were three or four more wahi tapu located within the forest area. These sites were acknowledged by Mrs Minhinnick in 1982 and were shown on a map she had in her possession. However, her map showed a further three traditional sites which had been located by a tohunga who had been requested by New Zealand Steel in 1980 to investigate the area.

The Ngati Te Ata concluded from this information that there could be many more important sites in the Maioro Forest Dunes and the only alternative course was for New Zealand Steel to cease mining altogether. During the Tribunal hearings the researcher was invited along with the archaeologist and the iwi's legal adviser to accompany a party of elders plus Tohunga on an all night expedition to seek further spiritual sites. The evening began with prayers and about midnight the party gathered in the forest.

A ceremony accompanied by chanting was conducted at each site thought to be most likely to be traditional and the elders sought to make contact with their forebears. The three nights were very emotional and moving occasions but the researcher was unable to feel that such occasions could produce irrefutable evidence of former habitation.

Finally, the archaeologist reported on three reconnaissance surveys he had participated in this forest area and stated that seven further archaeological sites were recorded evidenced by middens and a possible

terraced area. These seven sites had been given a B grading by the New Zealand Historic Places Trust and a numeric classification was also placed on these areas. Such a classification requires the Company to notify Historic Places Trust if any mining is to take place and such modification to the present landscape must be done in the presence of an archaeologist. In the northern half of the forest five more sites have been noted from aerial photographs but other than notifying the Forest Service of these possibilities no other action has been taken.

From the evidence presented it can be assumed that this particular area was used extensively for a variety of Maori activities ranging from pa sites to burial sites. The writer was told by one elder that the dune area was particularly suitable for Maori burial practices for the body could be placed on the lee side of a dune and the bones could be collected sometime later for particular ceremonial interrment. The same elder claimed that as late as the "great flu epidemic" in the 1920's this area was used as described.

There is no doubting the veracity of this evidence but if burial sites cannot be clearly located the Company faces a major dilemma because of its reliance upon the ironsand to provide its basic raw material resource. Without clearly located areas it also faces major planning problems if such sites are to be avoided. Up till the present after some twenty years of operation no artifacts have been recovered or observed and its only in the last seven or eight years has there been Maori objections. Management is sensitive to these issues but is confused as to the course of action it should take not only to maintain the operation but also to mollify the Maori protestors.

Currently the Company is abiding by its legal obligations whilst taking every care to preserve areas clearly designated as culturally significant.

In its recommendations the Tribunal 'declined the recommendation that all mining cease' but it did suggest that identification of further sites should proceed ahead of the mining operation. The Tribunal went on to say that the Company should comply with Forestry advice for protection and repair of sites and comply with the Auckland Regional Authority and Commission for the Environment recommendations.

The Tribunal reflected upon the experience of New Zealand Steel at Taharoa where after full and lengthy discussions the Ngati Mahuta elders agreed upon a procedure for handling any human remains uncovered by the mining. It also wondered whether the Ngati Te Ata people could accept the Taharoa procedures.

As this is being written in 1989 no agreement has been made with the Ngati Te Ata who see all their problems as spiritual and their approach is protest oriented. Perhaps when the Government sees fit to restore the confiscated land this small subtribe will then feel that their mana has been restored and they then could seek compromise solutions.

The Tribunal finally believes that until consideration can be given to Maori values within the legislation little progress is going to be made in redressing Maori grievances.

Despite this frustration the Tribunal also believed that New Zealand Steel had evidenced a commendable history of consultation and had also indicated a willingness to seek a solution to the vexed Maioro issue. However, it takes two willing parties to seek a solution and whilst Ngati Te Ata's position was to demand a cessation of mining activity, the Company has had no alternative but to continue operations and wait for the Government to clear its side of the equation by the return of the disputed land.

In the chapter following this the negotiating processes between the various parties have been examined which could provide insights into the causes of the impasse which has developed.

CHAPTER 10

THE NEGOTIATION PROCESSES

This chapter describes the negotiation processes used by both sides in the dispute. It begins with the strategies used by Company's management.

The Company used the team approach most frequently in the annual renewal of labour awards and agreements and a team was also involved in attempts to settle the Company differences with its Maori neighbours. This is followed by a description of the confrontation arising from the 1978 Water Rights hearing and the later attempts to resolve the conflict that arose when the Environmental Impact Report was published, which ultimately culminated in the Waitangi Tribunal hearing. It reviews the impact of the new Ngati Te Ata Trust secretary, Mr Kaihau and as events progressed the withdrawal of earlier parties who were involved in the attempted resolution is noted and commented upon.

In these negotiations the Company was perhaps more familiar with industrial relations matters than those that were cross cultural. As events will show the spiritual discussion presented a special difficulty in the negotiations that was so important to the Maori.

New Zealand Steel met annually with its unions to negotiate its new labour contracts affecting conditions of employment. Initially the Company was forced to meet with each of fourteen unions with which to settle wage rates and related matters. This activity took considerable time and patience. The Company management complicated matters at the beginning by having a single method of job evaluation for all hourly rated positions into which all rates of pay were ranked. Union officials unused to such a technique were reluctant to accept such a system preferring to use their power to bargain a market rate. However, as employees recognised the reasonableness and fairness of this evaluation method the union officials then reluctantly accepted this method of determining the worth of each job.

The unions then formed themselves into two main groups consisting of Engineers who had most of the production employees as well as their normal skilled tradesmen and the others led by the Electricians. The split posed new problems for the reason that neither wanted the other to make a gain which they could not secure for themselves. Consequently dealing with either the separate unions or finally with the two main groups required that the Company management develop special negotiating skills. But as they were meeting predominantly with Company employees they knew the personalities with whom they were dealing and this tended to make the task easier. Despite this the union officials often had personal agendas to satisfy that from time to time led to the breakdown of negotiating sessions. Sometimes the failure to agree resulted in strikes; but always there was a resolution of the differences. Once or twice the parties agreed to use independent mediators to resolve their differences with the result, that was often, not satisfactory either to the employees or to the Company. This experience of not solving differences by direct negotiation but by involving a third party to provide an answer whether it be mediation or through the Labour Court had an impact on the Company's thinking which influenced it later in its efforts to resolve Maori issues.

As a result of these union-management differences, management steadily altered its style to that of becoming more participatory. The Company supported this change by introducing special methods of encouraging employee consultation. It found the truth in the truism that the more people can be involved in any changes that might affect them the more likely they are to accept such changes. Whilst these changes were going on in the workplace the Company also had the opportunity to follow the same open style at Taharoa in its dealings with the Maori landowners there.

Frequent meetings were held with the Ngati Mahuta at Taharoa. They had clear lines of authority to their elders, and when problems occurred as they did from time to time, meetings were held to solve them. The problems ranged from employment issues, building a sewerage plant, or how to handle human remains if the mining operation exposed them. None of these were solved in a brief meeting: for example the sewerage plant issue was discussed over a period of three years during

which time the cost doubled, but in the end agreement was reached. One significant aspect of these meetings was that the Company was dealing with a small group of people whose interests were aligned to the Company and to its success. It must also be said that the Company wasn't totally sure that its approach would be successful for the reason that management had little previous experience dealing with Maori people. Yet it was confident that the style of managing that it gained over this twenty year period was the one most likely to succeed.

In 1978 when the Company needed to renew its water rights under the terms laid down at earlier water right hearings it faced its first significant objection from one of its neighbours, the Ngati Te Ata. The renewal applications were conducted under the aegis of the Town and Country Planning Act 1977 in a formal legalistic setting. The Company's legal adviser engaged senior counsel, and the hearing took place with Mrs Nganeko Minhinnick leading for the objector, advised by the Tainui Maori Trust Board.

The details of this case have been set out in Chapter 5 above from which it can be seen that although the Company secured its water right, it ignored the issues behind the objection largely for the reason that it had not considered their long term implications. No thought had been given to the rising Maori protest movement outlined in Chapter 4 and the Company was not aware of the changing strategies being developed by the Tainui Maori Trust Board.

Subsequently the Company embarked on its major expansion plans to build a new plant at Glenbrook. To secure approvals for this expansion it produced the necessary Environmental Impact Report, but again this failed to address Maori concerns except for the likely impact of any ironsand transshipment method might have on the earlier Maori canoe portage route between Waiuku and the Waikato River. Therefore consternation reigned amongst the management when the twenty telegrams, couched in Maori, arrived at the Company, accompanied by a 'please explain' comment from the Commission for the Environment. "What has the Company done wrongly now?" was voiced at senior management level. "We need advice" was the second thought. To give effect to this, it was natural to seek help from the friendly and

cooperative Maori leaders at Taharoa. Resulting from that advice a special meeting was convened at the Tahuna Marae, home of the Ngati Te Ata, attended by senior management and wives from the Company, the hosts Ngati Te Ata, representatives from the Tainui Maori Trust Board and from the University of Waikato Centre for Maori Studies and Research. It was agreed at this meeting that a forum should be established along the lines of the one which had been setup at Huntly, which had been arranged to discuss issues affecting all parties concerned with the construction of the coalfired electric power station on the banks of the Waikato River. The Company meeting was called the New Zealand Steel Liaison Committee and it held its first meeting early in 1981. This meeting and others are fully described in Chapter 7.

In retrospect the Company did not expect these meetings to be concerned with negotiations because they were set up merely to exchange information. It thought that if the Company's Maori neighbours had more information about what was going to happen in the expansion plan their fears would be allayed. Again the Company failed to read the signals. Perhaps if the meetings had been held at the Ngati Te Ata home marae at Tahuna instead of in the Company's Board room the atmosphere might have facilitated better rapport between the parties. Efforts were made to follow Maori protocol by starting and ending each meeting with a brief prayer but the actual meeting was conducted formally with systematic procedures and the careful taking of minutes. Furthermore the room did not lend itself to fraternizing between the parties before the meeting settled down, which might have been more conducive to reaching agreement on some of the small issues raised (Scott, 1981).

When the University of Waikato Centre for Maori Studies and Research representatives suggested that one way of allaying the general concerns of the local Maori people would be to conduct a research programme to find out the central concern of the local Maori people this, was something management understood. Management quickly agreed to this proposal, to the surprise of the Centre's representatives (Ritchie, 1981).

The negotiation process had begun yet the Company did not realise it.

Although the proposal for a a research study into Maori needs was an agenda item for the Tainui people, it was not meeting the real concerns of the subtribe, the Ngati Te Ata. However, the results of the research programme in fact set up the parameters for a negotiation which not only stated the objectives to be reached but also the financing that would be needed to support the plan.

As the New Zealand Steel Liaison Committee meetings continued, the Company representatives learned more of the matters which were sensitive issues to the local Maori people. Management acknowledged that errors had been made by the Company in allowing sand to overflow onto the Fishing Reserve, but when the Company suggested that a fence be erected to delineate the area, no agreement could be reached on the type of fence or the area to be enclosed. It made suggestions for trees to be planted to rehabilitate the site, but again there was no acceptance. At the time these matters appeared to be very simple and easy to solve, but the hidden agenda was still to appear.

Whilst the survey into Maori needs was being conducted, Company housing was made available to accommodate the research team. Then when the Huakina Report was tabled, and the establishment and the initial funding of the Huakina Development Trust was agreed, the Company felt that some acknowledgement of its efforts to meet these requests would follow. Again they misjudged the situation, and no such public acknowledgement was made.

The tribe lodged an appeal against the 1978 water rights approval, and again the Company's lack of sensitivity to Maori values was criticised at the hearing. The appellants were antagonistic towards the Company, and the objector Mrs Minhinnick was vocal in her criticisms of the current legal system which did not meet Maori concerns (Boast, 1989). Mrs Minhinnick had now become more used to this adversarial atmosphere where legal representatives battled to persuade the Judge that their interpretation reflected the true interpretation of the law (Eggleston, 1974). This atmosphere was quite different to that of the Waitangi Tribunal which conducted its hearings on a more amiable basis.

At the Waitangi Tribunal hearing the setting enabled all parties to

state their case in their own language, to sing or to weep rather than to speak if it expressed their feelings more appropriately. All of these methods were adopted when the Company appeared before the Waitangi Tribunal in the Manukau Claim late in 1984. This is fully dealt with in Chapter 9.

It was at this hearing that New Zealand Steel's management heard in full and in depth of the feeling about the 'enormous sense of grievance, injustice and outrage that continues to haunt the 'Manukau tribes' (Finding of the Waitangi Tribunal on the Manukau Claim - July 1985). At this point it became clear that the Company was trying to resolve a major issue of Maori feeling about land confiscations dating back to 1864. The Company thought it was trying to solve issues of fences, trees around the Fishing Reserve and how to reinter human remains if they were unearthed in its mining operation.

As Metge and Kinlock (1984) assert as typical of Maori-Pakeha communication, it was undoubtedly true that the parties in the Liaison Committee meetings were 'talking past each other'. On occasions when the Maori representatives spoke to each other in Maori the Company representatives felt awkward for the reason they did not have any Maori language skills.

Following the Waitangi Tribunal hearing the Company representatives became aware that the Ngati Te Ata had changed their strategy. Possibly the Ngati Te Ata thought the Company could influence Government to restore their confiscated land to them. It knew that the Government had formerly owned twenty five percent of New Zealand Steel, but it did not realise that Government some years before had relinquished its financial interest. The misundertanding was complicated also by the presence of a Director of the Company who had been a former Trade and Industry chief executive. Furthermore there had been no change in the ranks of the Company negotiators.

However there had been a change in the key representatives on the Maori side. Two years after the Huakina Development Trust had been formed with Nganeko Minhinnick as its Managing Director, the Ngati Te Ata formed their own Trust Board and appointed Alex Kaihau a brother of Mrs Minhinnick, as its Secretary. This appointment heralded a

totally different climate of relationships in the New Zealand Steel Liaison Committee meetings. Kaihau had been working as an insurance salesman in Christchurch prior to this appointment. He had no experience as a Trust Secretary nor had he had any experience working with New Zealand Steel management. He seemed to have had little experience in the type of negotiation with which he was now faced. Immediately he adopted a very aggressive stance at the meetings, he failed to honour obligations to seek advice from his elders and he pursued a strategy of insisting that New Zealand Steel cease operations at the Maioro mine site. He also extended the area under the land claim from the Maioro site to include the whole of the Awhitu Peninsular on the west side of the Manukau Harbour. It became clear to New Zealand Steel that the strategies adopted by Kaihau would not produce any satisfactory solutions to the issues that were still on the table from earlier meetings.

Alex Kaihau was known to have sought advice from the Tainui Maori Trust Board and from other Tainui elders and he was counselled on his aggressive manner. Their advice was not heeded, and his manner deteriorated during the last few Liaison Committee meetings. Mrs Minhinnick was not present at these meetings so he did not have any elder present to curb his utterances. As time passed Kaihau seemed to lose favour with his people but he was still active and took part in the representations to the United Nations which is covered in Chapter 7.

In any review of the negotiation processes that took place between the Company and its Maori neighbours the Ngati Mahuta at Taharoa and the Ngati Te Ata at Glenbrook it would be appropriate to compare the methods employed.

It will be seen that before any negotiations can resolve matters in conflict between the parties, there must be a willingness to find a solution. This existed between the Company and the Ngati Mahuta at Taharoa. If this feeling does not exist a formal venue is sought with a Judge or a chairman being requested to hand down a solution. Often decisions of this type do not please either party. Examples of this were the decision of the Water Rights appeal in favour of New Zealand Steel, and the decision of the Waitangi Tribunal not to recommend that

New Zealand Steel cease mining operations at Maioro. The Ngati Te Ata people lost both and they sought an audience at the international forum of the United Nations.

The two negotiation forums mentioned above i.e. (the Planning Tribunal with its adversarial type of procedure, and the Waitangi Tribunal with its modified easier atmosphere) did not preclude another attempt namely the 'face to face' method of resolving differences. Again in retrospect it could be that the Liaison Committee meetings were thought to provide that type of conflict resolution, but both parties needed to know what method was to be adopted. In the case of the Liaison Committee the parties present represented too wide a spectrum of interests to facilitate agreement - and the additional element of acting to an audience could not be excluded.

In hindsight this researcher considers that the Company probably thought that dealing directly with the Ngati Te Ata was more likely to produce difficulties than solutions. The group did not appear to have the authority to act, or to make decisions. An example was the group's inability to decide the location of the urupa sites referred to in Chapter 5. Perhaps if the Company had been more confident of the whereabouts of these sites, it could have proceeded with a "face to face" method of negotiation.

Prior to the Water Rights hearing in 1978 the Company dealt with its Maori problems in a very private way. After the Water Rights hearing the objections by Nganeko Minhinnick did receive publicity in the local press, and later she emerged as a regular spokesperson on environmental issues from a Maori perspective. Frequently she appeared on television stating her concerns about pollution in the Manukau Harbour. Such news items always seemed to have photographs of New Zealand Steel as the background. These issues between Ngati Te Ata and the Company had now become very public. The Company (both Board of Directors and senior management) on occasions complained to the Broadcasting management about the constant use of the Steel Mill as a background photograph with Mrs Minhinnick up to her knees in mud. It was an unfortunate juxtaposition of images in the Television news arising as it did in the period 1980 to 1984 when the Company was seeking Government support for the expansion plans which then fell

into the 'Think Big' group of Government's strategy, and adverse publicity of any nature was not a comfortable experience for senior management.

The researcher does not believe that this was a cause of a deterioration in relationships, but it did not help to build better ones. This transition from privately dealing with the Company's Maori problems at Taharoa to the very public matters following the 1978 Water Rights hearing, probably made the resolution of issues between New Zealand Steel and the Ngati Te Ata more difficult.

If the Tainui Maori Trust Board were questioned about their professed manner of resolving issues they would, like New Zealand Steel, prefer to have used face to face direct negotiations. They believe 'Kanohi Ki Te Kanohi' in other words, face to face negotiation. However, if that method fails they prefer to solve their problems in the formal arena of the Court. Their last preference would be to use the semiformal process of the Waitangi Tribunal largely because it is lengthy, expensive in time and effort and then as the Tribunal only produces recommendations, no one is required to act.

As Government is inextricably mixed up in this study, discussion could move to examine what the Crown's preference would likely be. Probably the Crown would prefer to use the Waitangi Tribunal because the Tribunal only makes recommendations and these are not binding. The Crown's record since 1975 of acting on the Tribunal's recommendations is not praiseworthy. As a second step the Crown would probably prefer to negotiate directly with the parties rather than use the Court. The judgement from the Court may not please them for the same reasons as New Zealand Steel found on other occasions to its cost.

Having considered the various avenues open to each of the parties the researcher believes that the Company maintained a consistent stance. It remained willing to discuss the issues despite the acrimonious and aggressive attitude of Alex Kaihau. Its main objective was to maintain production of ironsand whilst being mindful of the need to conduct its affairs in a careful and concerned manner.

As an example of this, the mining operation at considerable cost

diverted its excavation plant from the contentious site at Pt100 to avoid further Maori protest. It attempted to settle the small issues within its control at the Maioro mine despite Maori reluctance to decide finally what needed to be done.

Before leaving this discussion on negotiations, another interesting and important activity was occurring and only in retrospect was this noted. It concerns changes in the ranks of the Maori negotiating personnel. The various parties initially involved in attempting to resolve the problems posed in 1980 began to withdraw. The active involvement of the Tainui Maori Trust Board representatives and some of the University of Waikato Centre for Maori Studies and Research staff began to absent themselves from the New Zealand Steel Liaison Committee meetings. This was a Tainui Trust Board strategy to shift the responsibility for handling the problems to the now properly established Huakina Development Trust and its people. However, when the Ngati Te Ata registered themselves as a Trust it became more obvious that the issues were changing from spiritual ones to land problems, and the Huakina people then began to withdraw for they realised that only Ngati Te Ata could resolve these matters. About this time also Mrs Minhinnick who had been the Chief Executive of the Huakina Trust resigned to devote more time to her local Tahuna Marae. The Company was now left to deal with Alex Kaihau who appeared more and more intransigent.

At this stage the Company managers had become disillusioned with the prospect of settlement, the mine was still in operation, the normal avenues to resolve these contentious Maori issues had been explored, and the actions taken by the Company to fund research, to fund the development of Huakina and to lease the Farm had not abated the criticism. Negotiation Theorist Dean Pruitt's assertion that "one leans on a reed if one assumes that people will repay debts of gratitude' (Pruitt, 1981) is a very telling statement.

Perhaps in retrospect the Company might have appointed a well respected Maori to act as a Liaison person. This had been suggested by one of it advisers. Yet the Company felt that it had a series of Maori advisers in this important role who were expected to, and did, act when requested. One of the problems of having employee specialist

advisers is that such people can become compromised in relationships not only within Maoridom but also within their own organisations. Furthermore such appointees must report to a very senior level in the organisation if their advice is to influence policy.

The next and final chapter summarises the findings of each of the preceeding chapters, and draws conclusions from the research study as a whole.

CHAPTER 11

SUMMARY AND CONCLUSIONS

This study is the outcome of a six year involvement by the researcher in a complex coordinating role between his employing organisation, the New Zealand Steel Company, and a major tribal authority and one of its subtribes. The issue concerned the utilisation of land and water for industrial development that would be for the mutual benefit of the nation as a whole, of the shareholders of the company and of the parties involved in the negotiations themselves. The latter group included wage or salary earners as well as financial beneficiaries and cultural custodians.

Subsequently the researcher was obliged to change his role from that of a recording participant to one which would ensure a greater degree of objectivity. This required him to try to distance himself from the events, the incidents, and the assumptions of the case and to try to see matters in a fresh light. Towards that end certain safeguards were established and these have been set out in Chapter 1.

Subsequent chapters have dealt systematically with component parts of the case. They began with the history of the steel industry in New Zealand, and the establishment of the New Zealand Steel Company and its emerging style of management. This showed that both the management and the Maori owners of the land at Taharoa developed a consensual policy that in turn engendered cooperation lasting for more than sixteen years. It can be said that the managerial style of the Company was characterised by participation and thence resolution, and the style of the Ngati Mahuta at Taharoa was consensual leading to cooperation. This change of style evolved from management's successful experience with its unions and its Maori landowners who also were significant shareholders.

However, a change of negotiating style was thrust upon New Zealand Steel when the procedural requirements of legislation, governed the acquisition of water rights for the development of the Glenbrook Steel Works. These obliged the participants to address sections of the legislation and relevant statutes when framing their case for

presentation in a legal setting. Consequently, this introduced an adversarial style that began to develop a widening gap in local Maori relationships at Glenbrook. By contrast the situation at Taharoa remained harmonious rather than acrimonious because water rights were not an issue and it was not necessary for relations between the parties to become adversarial.

This event also was significant for the wider community, for it gave greater prominence to the procedures in applying for and granting of water rights. The 1967 Water and Soil Conservation Act was strengthened by the changes to the Town and Country Planning Act of 1977 wherein water rights were regarded as an integral part of changes to land use. Whilst the Ngati Te Ata were not successful in their bid to have traditional Maori values accorded respect by the Tribunal hearing of their case they persisted and protested most if not all water right applications in their region. Finally they were accorded recognition in the Huakina Development Trust vs Waikato Valley Authority case heard on appeal before Mr Justice Chilwell in 1987.

Fortunately today the current review of resource legislation seems to be recommending a less confrontational style. With this change, Sir Woolf Fisher, the founding Chairman of New Zealand Steel, can be seen retrospectively as a man who was far ahead of his time. His attributes are covered in Chapter Three. His method was always to be ready to listen and talk and work towards a solution which had benefits for all parties. This was illustrated by his handling of the Kawhia meeting in 1970 which discussed the approvals needed to work the ironsand deposit. All objections raised by the Maori owners at that meeting were handled with sincerity and concern.

In contrast, the adversarial proceedings covered issues which were essentially a clash of value systems. One was based upon the resources needed to produce steel and the other upon the need to satisfy the cultural traditions and spiritual values of a Maori subtribe. These feelings had their roots in the confrontational postures which arose from the Land Wars of the 1860s, and in the resulting land confiscations.

In terms of population, over half of New Zealand lives in the area formerly controlled by the Tainui tribes. Through this area flows the Waikato River, whose energy is tapped by a series of hydro electric power stations and upon whose banks is located a coalfired electric power station which could supply a significant proportion of New Zealand's needs. The resources of this region supply not only coal for the Huntly Power Station and for the New Zealand Steel Company but also ironsand and limestone as the raw material for steel manufacture.

Not only did the former Maori owners reap little benefit from their occupied land, but the land was confiscated by the Crown in the 1860's with little compensation. It is not difficult therefore to see that there would come a time when the alienated people would protest, and this project is in part about that struggle: a struggle for a say in what was happening, and a struggle which could have been violent, but was confined instead to the use of clumsy current laws of the land that had not been framed to give recognition to many of the issues in dispute.

Perhaps New Zealand Steel was unfortunate in that not only did it have legislation which empowered its right to exist, but it had a significant Government shareholding for its early launching. By the time of the first onslaught on its otherwise protest-free existence, in 1978, the Government capital involvement had disappeared. This fact had been overlooked, or had not been noted, and the Company was still regarded by the Maori as an agent of Government. If this was so it is not difficult to see why it faced the attack it had to contend with, made more bewildering to its management by their lack of appreciation of the deep hurts felt by the Maori through the actions of Governments in the past.

The role of Governor and later Governments to establish control is described chronologically in Chapter 4 and this review describes the attempts made by the Maori to establish some more formal organisation to represent their interests and concerns. It will be remembered how the various Chiefs and Maori Kings went to England in their attempts to place their problems before the Crown itself and how they failed. New Zealand was a long way from the Colonial Office in England and despite this office's efforts to ensure that the colonising powers

were treating the Maoris fairly, they were powerless to change things from that distance. The policy of the colonisers was to encourage more European settlement, and to achieve this they acquired land. This acquisition of land was a threat to the Maori tribes which finally lead to the 1863 Land Wars and to subsequent confiscations of land. Fortunately the British forces did not embark on an extermination policy, but several eminent people forecasted the virtual extinction of the Maori by the turn of the century through disease and poverty.

Another debilitating influence was the active role of the Missionary who brought Christianity and through this, significant change. The apparent advantages which would follow from adopting a new language, a new religion, new codes of behaviour and new morals were clearly threats to the established ways of these indigenous people. The characteristic reaction of such people was to become more conservative in order to survive.

Maori society in the 1840-1940 period was essentially tribal, with the elders maintaining control. But when the industrialisation period post War II began, and the migration to the towns to get the jobs occurred, it is little wonder that the control formerly exercised by the elders began to fail. It is not difficult to see why todays politicians and some Maori leaders have begun to reinforce the tribal solution to Maori problems. But at the time the strategy of the Tainui Maori Trust Board was to accept the new administration as described in Chapter 5 and they made their first stand at Huntly.

The Tainui Maori Trust Board made the first objection against the New Zealand Hydro Electricity Department in the early 1970s when plans were being developed to build the coalfired power station on the banks of the Waikato River at Huntly. The impact on the Maori Marae close by the chosen site was significant, and it led the local Maori people to claim major monetary compensation and other assistance in order to help them restore their affected possessions.

The rising Maori assertiveness was identified as early as 1835 when some chiefs signed a Declaration of Independence and it has surfaced many times since then. It took various forms that ranged from minor

matters such as refusing to pay dog licenses to making fully fledged attempts to resist the sale of land, and then ultimately to armed confrontation. Whilst this was occurring attempts were made to unify all the tribes under Kingitanga and demonstrate independence by setting up a Maori parliament.

It was not until late in the research study that the role of the Tainui Maori Trust Board became clear. The Board had been established in 1946 to administer the funds extracted from the Government by Princess Te Puea, and it had adopted a consistent welfare role in its operations for its first twenty years. However, in the late sixties the composition of the Board membership changed, and a dramatic impetus was given to the Board's future role. Its first significant action was to have the Board negotiate with the Government for the capitalisation of the Government annual grant which would give the Trust Board a sum of money to use for development purposes. As Chapter Five shows the Trust Board strategy proved successful and in 1978 it turned its attention to developing a strategy for further development, and through the Ngati Te Ata, the first formal protest against the New Zealand Steel Company was made.

The protest took the form of voicing Maori concerns over the granting of a Water Right under the Town and Country Planning Act 1977. In this case it was a reaffirmation of previously granted water extraction rights both from bores and for the discharge of water into the Manukau Harbour. The argument was that Maori values were at risk and they had not been taken into account. The Chairman of the Hearing took refuge in the law as it was written, because no provision had been made to take spiritual issues into account in its wording. The law remains unchanged today although in the past three years the Government has brought all of the resource legislation forward for review. The politicians have sensed a growing public concern for the environment, exemplified by various Waitangi Tribunal recommendations, by the Coromandel protests over gold mining, and by a recent appeal judgement that sent a water right decision back to the Waikato Valley Authority for further consideration of Maori values. As noted in Chapter 6 reviews of the resource legislation suggest that there should be a greater degree of public participation in all decisions on resource utilisation, but it remains to be seen whether Maori values

reflecting the Treaty of Waitangi will in fact be recognised.

In Chapter 7 the events which are detailed chronologically, describe the attempts made by the Company to resolve the issues with its neighbours the protesting Ngati Te Ata. During the period covered by this chapter the meetings between the Company and the Ngati Te Ata were conducted in a formal meeting mode with active discussion, and the Company representatives constantly sought points for decision making after both parties had exchanged their viewpoints. The Company believed that by this free exchange of information and viewpoints some consensus could be achieved. At no stage did its representatives or the Forestry people attending, assume the aggressive stance subsequently adopted by the Secretary of the Ngati Te Ata Trust.

However, one positive result was the establishment of the Huakina Development Trust to conduct training programmes with local young people under various Government schemes and to establish certain small business enterprises. This has served as a model for other Tainui people with the establishment of twelve similar organisations throughout the Tainui Maori Trust Board region. Progressively the Huakina Development Trust Board will be addressing wider issues of welfare matters such as health and education as well as the economic and environmental concerns which have been its major focci so far.

Regrettably, however, the protest over the disruption of burial sites at Maioro (the location of the New Zealand Steel ironsand resource) has not been resolved, and if anything a solution has become more difficult because of Government actions in the proposed sale of its forestry assets and a general Pakeha resistance to re-establishing Maori land ownership rights.

In Chapter 8 mention is made of parallels between New Zealand and overseas indigenous peoples, in order to present a balanced picture of recent events over the postwar years. Whether it was Eskimos in the northern region of Canada and Alaska who were faced with technological changes in the form of defence surveillance systems, or of oil pipelines which proved disturbing to their traditional food hunting patterns, or American Indians who had been placed in reservations and who were now being threatened by mining intrusions into their lands,

or uranium mining in Australia which affected Aboriginal patterns of living - all tended to produce similar reactions from the people affected as those the Company found from its Maori neighbours.

All these indigenous people had deep spiritual sensitivities about land, water, and burial grounds. All were basically conservationist in their attitudes to husbanding natural resources. They all saw technological change as a serious threat, and although a variety of solutions were offered them, none but the Maoris had a unique document, like the Treaty of Waitangi, on which to base their case. Presently representatives of indigenous groups are meeting under the aegis of the United Nations in order to prepare an international covenant on indigenous rights.

Chapter 9 deals with the formal hearing of the Waitangi Tribunal at the Makaurau Marae. Despite the quasi-adversarial atmosphere, the hearing gave the New Zealand Steel Company's management the opportunity to listen to the deep-seated anguish and feelings of the widely representative protests. The Tribunal accorded credit to the Company for its attempts to find a solution to the Maioro urupa problem and it did not decide that all mining should cease. But as the Tribunal hearing proceeded, it became clear that some efforts were being made to make the Company the scapegoat for the Manukau Harbour pollution problems, despite the known existence of some two or three hundred other polluters ranging from Dairy Farm milking sheds, Freezing Works and Engineering and Chemical works to the Auckland City effluent ponds.

The Manukau hearing at the Makaurau Marae saw the end of the cooperative atmosphere between the Ngati Te Ata and the Company. It was there that the Ngati Te Ata representatives saw that their case to the Waitangi Tribunal was not going to be realised. In their subsequent meetings with New Zealand Steel, frequent mention was made of their request to have returned all the Awhitu Peninsular which included the Maioro mining area. They believed that the Company could influence the Government to return the confiscated lands. Even when Forestry representatives indicated that their Department might consider such a return of the Maioro site favourably if the Ngati Te Ata would agree to the mining license held by New Zealand Steel, it

was rejected emphatically. It was also at this time that the Ngati Te Ata made representations to the United Nations to take over their case. They felt that they had explored all the avenues open to them in New Zealand.

New Zealand Steel on the other hand continued to seek the solution to this problem within New Zealand and it continued to mine the ironsand resource at Maioro. Sporadically over a period of a year the Ngati Te Ata would assemble on a highpoint at the mine to conduct a brief ceremony and to say prayers.

Fundamentally the deep seated protest goes back to the perceived attitudes of the Crown and its confiscations of land that forced the Maori people into a state of helplessness. Their attempts to resolve this feeling by direct appeal to the Crown failed for the reason that the British Colonial Office had no wish to keep on financing the growing colony in New Zealand. Its strategy was to decline permission for the various Maori chiefs to put their case to the Queen and it advised them to make representations to their own Government in New Zealand.

The multiplicity of Maori tribal organisations did not help their cause. Each tribe had its own identity which militated against unity. Even today any statement made by, for example the New Zealand Maori Council Chairman Sir Graham Latimer, is just as likely, as before, to be contested by a tribal chief. For example, although the Tainui Trust Board initiated the protest action over the use of the Waikato River water for the Huntly Power Station, and then later helped the Ngati Te Ata protest against the water right application by New Zealand Steel, it had no influence over the subsequent actions of the Ngati Te Ata protesting in a variety of forums against New Zealand Steel.

An organisation like New Zealand Steel Company could not understand that a section of the Tainui people could pursue their own objectives, unless it was in the Tainui's interest to let such protests run their course with the hope that some incidental benefits would accrue to the cause. It is Tainui's deep seated belief that they will succeed in righting the wrongs imposed upon them over one hundred years ago.

This sustains Tainui in their present and future struggles.

As a further example of Tainui's persistence in pursuing their cause, the November 1974 meeting of the Tainui Maori Trust Board decided to make a submission to the Waikato-Maniapoto Land court for an investigation of the title of that part of the Waikato River bed from the river mouth to the Huka Falls located at the outlet of Lake Taupo.

In this submission reference was made to the conflicts of interest arising between Government agencies constructing large public works and citizens who occupied the lands involved. Reference was made to Indians on reservations in USA, Ejidos in Mexico, indigenous people in Peru, Aboriginies in Australia, (examples referred to in Chapter 8).

Tainui then referred to Section 2 of the Treaty of Waitangi and to the New Zealand Settlements Acts of 1863, followed by the confiscations of their tribal lands. They included quotations from Pei Jones (1949) referring to the songs and stories of the Waikato River, and a reference to the name Waikato which means 'captured waters'. Tainui tribal lore describes how the mountain river Tongariro flows into Lake Taupo and is therefore 'Kato' or captured and then continues on its journey to sea.

The claim upon the bed of the Waikato River was not unknown to New Zealand Steel's management, but its enormity dwarfed their particular problems - what was going to happen to all the hydro electric power stations on the river if this claim was successful? At the time they were ignorant of the successful claims made by Te Arawa at Rotorua, by Tuwharetoa and Tuhoe with their successes at Taupo. These tribes had been able to secure rights of access to these lakes to fish for their own use and to receive compensation from the Government who wished to retain control. A different result was secured by the Maori owners of the Horowhenua Lake. They had successfully claimed the bed of the lake and this was now administered by a Board of Trustees. It was the Centre for Maori Studies and Research who had researched the background of the Claim by the Wanganui Maori, to the bed of the Wanganui River. This case has been proceeding since 1902 and has almost been ceded to the claimants on several occasions, but the State has used legislation to protect its position.

The terms of settlement of the Huntly case in 1974 included cleaning up the River of its pollutants; protecting the communities who live alongside the river to enjoy its facilities; setting up a Waikato River Guardian Board to protect the use of the river fishing to ensure no commercialisation; and to prevent trading of any minerals or sand, without Waikato Tribal approval.

With all of this activity before and after both the New Zealand Steel Water Rights hearing, and the Company's Environment Impact Report preceding the Glenbrook expansion, it is little wonder that the Company received a major shock when it received critical telegrams from the Maori tribes in its area.

Fortunately, the Company could demonstrate its peaceful relationships with its Taharoa Maori owners, a tribe who worked closely with the local management and aired any grievances as they emerged. The Company's communications were good and relatively formalised, and the forums were there to raise problems if they existed or could be developing. The managers were also closely advised by their Glenbrook senior executives who were staunch advocates of a participatory style. This example of knowing who the tangata whenua were, is important for all developers who too often overlook identifying key people when considering development plans.

Regrettably, the situation was different at Glenbrook itself. There was no regular contact with the local Maori neighbours other than as employees. There was no whisper of possible conflict after the first twelve years of operations until the 1978 Water Right hearing. Neither did the Company spend time identifying any such group, probably because no protest action had been taken. The mining activity at Maioro (North Waikato Heads) had proceeded smoothly, and no artifacts had been uncovered to be handled in the same manner as at Taharoa. The Water Rights hearing was a forum essentially adversarial in its procedure and at the time appeared to be the concern of just one person; Nganeko Minhinnick. The Company did not realise that this action could have been part of another group's agenda: in this case the Tainui Maori Trust Board who were creating a more political and commercial stance.

Admittedly the Trust Board only appeared at the 1978 hearing and it was not there for the 1981 Appeal, but its minutes clearly indicated support for Nganeko Minhinnick.

Despite this the Centre for Maori Studies and Research at University of Waikato was a significant force in redirecting the early conflict oriented approaches of the Ngati Te Ata. At one stage threats were made that their people would chain themselves to the willows to prevent any water intake construction to commence. The redirection took the form of researching the needs of the neighbouring maraes and resulted in the formation of the Huakina Development Trust and its subsequent successes.

Perhaps those members of the Tainui Maori Trust Board who were also members of the University of Waikato Centre for Maori Studies and Research lost control over the personal agenda they developed in Nganeko Minhinnick. It was not long after her appointment as chief executive of the Huakina Development Trust, the position subsidised by New Zealand Steel for three years, that she appeared on Television, conducted visits of the Auckland Regional Authority to Maioro and even appealed to the United Nations about what she saw as the poor record of New Zealand Steel in its handling of Maori values. Her utterances were naturally attractive to the media, and she gained a considerable amount of support and publicity. The Company was unable to respond satisfactorily but it did receive fair recognition from the Waitangi Tribunal who stated that 'New Zealand Steel had evidenced a commendable history of consultation and had indicated a willingness to seek a solution to the vexed Maioro issue'. The issues now for New Zealand Steel had become very public at a time when the Company was totally engrossed with building its expanded works and arranging its financing.

As was stated earlier in this chapter the Tainui Maori Trust Board had planned a development strategy and the New Zealand Hydro Electricity Department at Huntly was their first major success followed by their handling of the protest against New Zealand Steel. Their experiences in these two actions undoubtedly gave them the confidence that their methods could be successful and beneficial to their people. The objective they were aiming for was the return of the confiscated lands

taken from them following the 1863-64 Land Wars. Only recently they have been successful in their appeal to the Court for the Huntly coal fields, the outcome of which is to be politically resolved in the future. They pursued their tribal concerns parallel to the New Zealand Maori Councils case which prevented the sale of Crown lands as a consequence of the Government Departments privatisation plans. There is no doubt that the mid to late seventies saw the beginning of significant changes in the assertion of Maori values, and New Zealand Steel was one of the early targets in this drama.

Chapter 10 shows that the process of negotiation has been considered in the light of the experience of the Ngati Te Ata. It is not inconceivable that the process of first appealing to the Town and Country Planning Tribunal established a pattern of seeking redress within the legal system. This was followed by the claim to the Waitangi Tribunal which failed to produce the desired result and then latterly to their appeals to the United Nations. The only strategy not fully explored was to really negotiate seriously with New Zealand Steel and with the Government who owned the land on a face to face basis.

The Company's stance was still essentially reactive - it wanted to find some agreement to the various claims put forward, and it hoped that by settling these matters the major issue of closing down the mining operation would not be pursued. Perhaps if the Company style had become proactive by emphasising the value, to the Ngati Te Ata, of its staffing policies, its welfare schemes, its housing, its pension plan and sick leave provisions and the extra jobs that the expansion would provide, the representatives of this subtribe might have found a way to resolve the impasse.

In retrospect it is clear that the Ngati Te Ata had their own agenda. This arose from their loss of land and the envy of the wealth and income enjoyed by the shareholders at Taharoa. No other item on their agenda could be addressed until the land issue was resolved. When they could not achieve this objective their frustration boiled over into their behaviour during the period following the Waitangi Tribunal hearing in 1984. Perhaps, if the Company had formalised the relationship with Hori Forbes by appointing him New Zealand Steel's

Kaumatua - Consultant, Ngati Te Ata would almost certainly have found ways of stating their concern more openly and clearly. It should be said that they had no right to the royalty that the Company paid to the Government until the land question had been settled. They were determined never again to be criticised for "selling their birthright" as had happened in the past. This left them no other position to adopt than to make the spiritual issues of waahi tapu and urupa central to their strategy. A move which made it more difficult for New Zealand Steel, the Forestry Department who harvested the trees and the Crown in general to resolve.

At the time of writing, mining is still proceeding, no artifacts have yet been unearthed and the Government has not resolved its stance as one side of the triangle of parties. The issue is entangled with confiscation, mining rights and Ngati Te Ata's pressure to cease mining as a solution.

In retrospect some four years after the Waitangi Tribunal hearing, the Company was probably fortunate in not having stronger condemnations from that body over its decision to use Waikato River water to transport the ironsand concentrate to its steel making facility at Glenbrook. The Tribunal could have firmly recommended that the river water must be returned to the river and not discharged into the Manukau Harbour. Perhaps if the hearing had been conducted today in the early 1990's the tide of public opinion and recent court decisions might have resulted in a different Tribunal decision from that made in 1984.

In an overview it seems that the relationship between the Company and the Maori people went through three stages. In the first stage Ngati Te Ata were silent when an agreement was made with Ngati Mahuta at Kawhia between Hori Forbes and Sir Woolf Fisher as chief protagonists for their respective interests, that New Zealand Steel could mine the ironsand at Taharoa. This was followed by a stage of active liaison with the Tainui Maori Trust Board and others to research Maori aspirations and to establish the Huakina Development Trust. Then followed the third stage by active Ngati Te Ata protests over other peoples water rights and land issues. And having failed at all stages they tried to establish their mana by appeals to the United Nations.

The mana they seek to develop can only come from within their own people by taking the appropriate action to earn this self-esteem. Prolonging their protest could embitter them for many years to come and there is some evidence to indicate that some members of the subtribe are becoming disenchanted with the actions of the few activists.

At the time of writing the resolution of the problems with the Ngati Te Ata is still unresolved. The Government has not finally decided upon its stance with respect to land issues and correcting Maori peoples feelings over the confiscations of the 1860s and later. The Government has decided not to sell the land upon which the pine forests are located but they prefer to sell their forest resource and to lease the land. Yet one of the Waitangi Tribunals recommendations in the Manukau Claim was for the Government to settle the claims in respect to the confiscated land in the Maioro forest. Furthermore the Waitangi Tribunal recommended that New Zealand Steel's mining license should be reviewed or renegotiated or new undertakings sought to protect sacred sites. If agreeable to Ngati Te Ata, a physical survey of agreed sacred sites would be carried out, and in the process if human remains were discovered, to re-inter such remains in collaboration with the Ngati Te Ata elders. These positive suggestions by the Tribunal appear to have been discussed, by the Government and Ngati Te Ata, but no decision has yet been made.

During the key period in this case study New Zealand Steel's management lacked knowledge about Maoridom and their feelings of grievance from the distant past. Whilst the management was aware of the growing Maori protest movement, it gleaned knowledge from the media who often sensationalised the utterances of the activists, and consequently it tended to brush them aside. Undoubtedly if a recent historian had been amongst the technologically qualified managers they would have been better informed about the underlying conflict.

On reflection over the whole twenty year period of this study there is no doubt that the pace of change has accelerated in the last ten years. In particular the pace has quickened in the last five years, and it demonstrates the dynamics of our contemporary New Zealand and worldwide social processes. Not only have politicians accelerated

economic changes, but they have responded to the need for change in education systems and they are actively seeking solutions to the way in which systems of law and order can be adapted.

This case study is also an example of how a small subtribe Ngati Te Ata could impact upon a major New Zealand industry. New Zealand Steel made mistakes, undoubtedly, but in the researchers view they were made from well intentioned Pakeha motives which in retrospect failed because the Company did not understand the depth of Maori concerns and feelings.

Another factor which influenced the Company management was the recommendations flowing from the Huakina report on the research into Maori aspirations and needs. This report appeared to offer a ready solution to the grievances being expressed, but although this solution was appropriate for the Tainui Maori Trust Board's strategy it did not dispel the hurts deeply felt by the Ngati Te Ata.

In Chapter 10 where the negotiation processes were examined there is no doubt that neither side really listened to the other. The meetings were not set up to negotiate, the numbers present were too large, and the parties represented varied interests. A pattern of meeting behaviour developed which precluded helpful talking and listening. New Zealand Steel did not have a well qualified mediator present who could help to build the trust upon which successful solutions can be found. Most of the New Zealand Steel managers who attended the Liaison Committee meetings were industrial relations negotiators whose skills were relevant for confrontation. The Liaison meetings required other skills from both parties.

There is another aspect to consider which had permeated down into the Company's management from the Board and its Chairman in particular, and that was the blend of paternalism which characterised Fisher & Paykel, the Chairman's company. The Chairman was very sensitive to public opinion, and his company had earned an enviable reputation as a manufacturer of domestic whitegoods not only for their cost and efficiency, but also for quality and service. The Board of Directors at New Zealand Steel were also likeminded people and as a consequence their attitudes percolated down to the operating management and to the

AN EXPLANATION OF THE CARVINGS AND PANELS

WHAKAIRO (CARVINGS)

The central figure (te whakapakoko) personifies the late Sir Woolf Fisher and is a memorial to him from the people of Tainui.

Above him on the pae (cross beam) is a koruru, TE MANA (prestige) as a crown for his head; it symbolises too, New Zealand Steel Limited which was Sir Woolf's pride.

At the ends of the paerunga are NGA KAITIAKI, the Guardians. That on the left protects, cares and provides for the physical needs, and that on the right for the spiritual needs of Man.

The two whakawae (vertical posts) include four figures representing NGA TANGATA, the personnel of New Zealand Steel Limited, who engage in the four principal aspects of administration, financing, marketing and operations, and by whose work support the strength (te kaha) and Te Mana of this firm. The two takarangi (spirals) represent the hospitality and philanthropy, and the development for which the company is noted.

On the lower cross beam (paepae): on the left is depicted TANGAROA, the God of the waters upon which, fresh and salt, New Zealand Steel depends; on the right, is RUAUMOKO, the God who built up the land and by whose power over earthquakes and volcanoes formed the minerals upon which the steel industry relies.

TUKUTUKU

The vertical plaiting is ROIMATA ("the Tears from Heaven") representing the grief for the death of and mourning for the great man Te Rangatira Sir Woolf Fisher, and all those associated with the industry he helped found and who gave beyond Te Reinga to Hawaiiki.

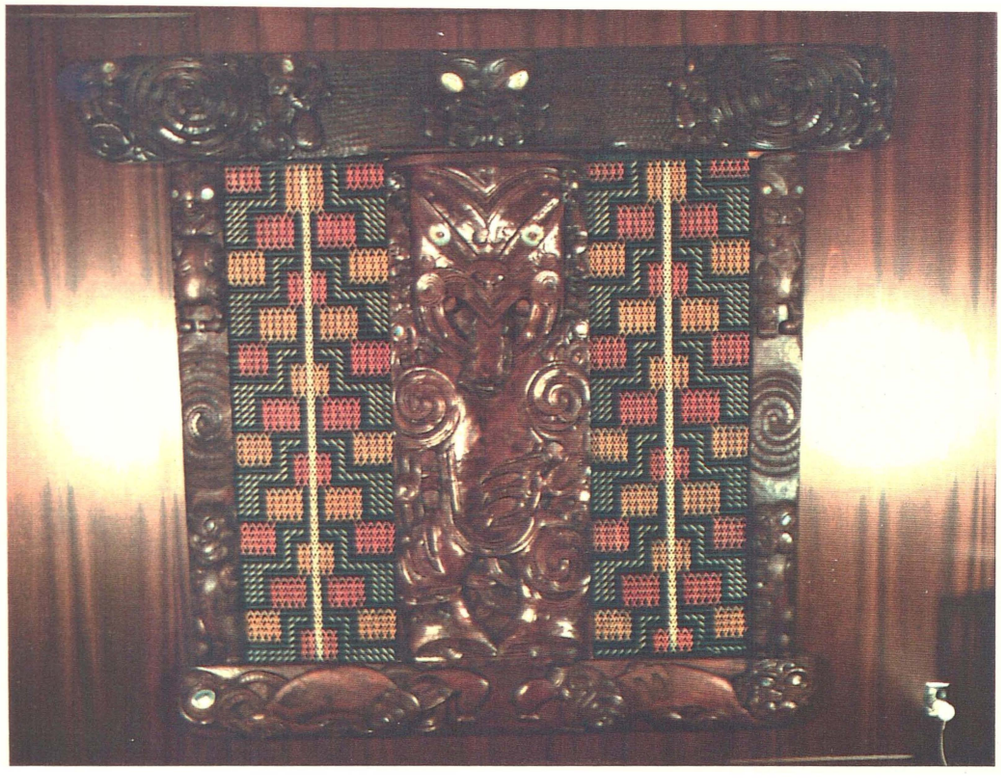
The diagonal ascent of POUTAMA (commonly known as "The Stairway") is indicative of growth and development while the horizontal lines of the pattern represent the stages in time and progress.

MUMU - the Maori game of chess - is inserted, rather playfully; chess is an exceedingly intricate, skillful and difficult game for which knowledge and proficiency is not acquired easily. Mumu symbolises the various activities of New Zealand Steel Limited.

The colours have been selected with care: Red symbolises the mana and the iron compounds which were used by the Maori to make this colour of ritual and ceremony; Yellow of the Pingao (sage) obtained from Taharoa represents the sea coast were NZ Steel operations are sited and Energy (electricity and fire) which it uses; White and Black - the unity among all races associated with the industry.

BOARD ROOM PANEL

The panel presented to New Zealand Steel by the Tainui Maori Trust Board to honour the work done by the late Sir Woolf Fisher founding Chairman of the Board from 1966 to 1978.



An explanation of the significance of the carvings and tuku tuku plaiting is on the opposite page.

Managing Director. The Company therefore endorsed its social responsibility by actively seeking to solve the issues raised by its Maori neighbours as well as those raised by its farmer neighbours. It so happened that the Maori protests remained for a longer period and were of a nature that their resolution was more difficult than those of its other neighbours to settle. The Company could be described as reflecting a philosophy of management which had its roots in 1940 to 1950 era, which if compared with the 'in vogue' philosophy of the late 1980s, would be generally described as humanistic rather than economic. A carved panel presented by the Tainui Maori Trust Board hangs in the New Zealand Steel Board Room as a tribute to Sir Woolf Fisher.

Another lesson learned in retrospect is one all developers must consider and actively research. It is the importance of identifying who the key players are in ones environment. The Company had an active Maori employment policy recruiting locally and training for promotion those who merited such advancement. However, it overlooked the spiritual issues which offended the Ngati Te Ata who called on the Company to cease extracting the ironsand from Maioro.

When it was pointed out to their representatives that to cease mining would put jobs in jeopardy which could affect their own people, they claimed that such hurts were only temporary. The tribe had suffered hurts for a hundred years. If the Government had taken steps to return the confiscated lands to the Ngati Te Ata at the time or had made moves to redirect the royalties back to the local subtribe it is conceivable that their mana could have been restored. With this sense of reconciliation it is not impossible to imagine that New Zealand Steel could have found ways to develop a better relationship with this subtribe along the same lines as it had done with the Ngati Mahuta at Taharoa.

Whatever the outcome probably no one will be satisfied for in the writers view there is no compromise with values especially where the spiritual and the pragmatic conflict. Yet it is imperative for both sides to try earnestly to identify and to articulate their differences and to try to work towards a reconciliation. These matters must occupy a prominent place in the training of industrial developers on one hand and for tribal leaders on the other.

APPENDIX A

EXTRACTS FROM NEW ZEALAND STEEL BOARD MEETING MINUTES AND NOTES ON POLICY ISSUES AND RELEVANT MATTERS IN POSSESSION OF NEW ZEALAND STEEL, GLENBROOK

1965-1970

No.	Material Extracted	Date of Meeting
1	Appointment details of senior staff including personnel policy suggestions.	7 May 1965
2	Discussion for need to establish a Board Executive Committee to be called Auckland Board. Consideration given to establishing the Mining activity as separate Company. Consideration was given to acquire land for Steel Works site under Public Works Act - decision - land for works not to be compulsory taken.	21 May 1965
3	Memorandum and Articles of Association reviewed Considering consultants reports - W.S. Atkins - Batelle Institute.	18 June 1965
4.	Decision - Ministry of Works to build houses at Waiuku. Meeting with Franklin County and Regional planners 'Traditional Steel Works are poor neighbours' - Chairman W. Fisher stated 'this one will be in a parklike situation, will be a minimum disturbance in community'. Discussion on use of water from Waikato River. Recruitment from overseas to be at minimum.	23 July 1965
5.	Deputy Chairman to be responsible for care and maintenance of works site. H.L. Bockett to be consultant on Labour Relations. E.H. Latimer, Cornwall Park Supt to be adviser on needs at Glenbrook site.	12 October 1965
6.	If parklike setting at Glenbrook - recreational areas for employees needed. 'Heads of Agreement' signed with Government covering finance, housing immigration, training. Report on stack height and possible pollution. Report that Town and Country Planning Act approved proposals. Report that Sir Turi Carroll of NZ Maori Council had had discussions with Chairman Fisher re employment housing, training but no other documentation available at NZ Steel.	15 November 1965
7	Brief report on Town and country Planning approvals.	December 1965
8	Visit of Hon. J.R. Marshall - Minister of Industries and Commerce.	21 February 1966
9	General operational progress.	14 March 1966

No.	Material Extracted	Date of Meeting
10	Management appointments - Works Manager and Chief Engineer and Mining Engineer.	18 April 1966
11	Hon J. Marshall attended Board Meeting. Housing plans and layout considered - possible staff share scheme.	4 May 1966
12	Housing policy discussed.	18 May 1966
13	Public share issue - ore transport (pipeline not recommended). Trucking and roading costs.	30 June 1966
14	Tender documents for construction of steel works received Franklin County opposition to Workers Camp. Steel Coy of Canada agreement to provide management assistance.	20 July 1966
15	General items and administrative detail.	22 September 1966
16	General Manager George De Young welcomed - house loan from Government received, road to mill approved. Keir, Principal of Auckland Tech report received.	31 October 1966
17	First Annual General Meeting. Waiuku Borough Council meets with W. Fisher. Maoris to be integral part of Company and to be housed in normal way - policy decision.	14 November 1966
18	Company organisation chart approved - Personnel Manager appointed - Cost overruns in estimates.	9 December 1966
19	More discussion on tender and costs.	9-10 December 196
20	Marketing reports considered. Appointment of Distributors honouring Hon J. Marshall's agreement. Planning delays likely.	16 February 1967
21	Problems over share issues. Superannuation Fund discussed - Chairman emphatic that all employees eligible. Sewerage and Waiuku Borough Council arrangement. Spread of housing to Pukekohe - no agreement on this. Local authorities receive grants to upgrade road. Sir Henry Clay, McLellands, NZ Steel needs fume cleaning equipment.	16 March 1967
22	Marketing and Distribution Policy discussed.	6 April 1967
23	General business.	20 April 1967
24	New appointments required. Forestry clearing at Maioro. Drilling in sand dune area to commence.	18 May 1967
25	Pension Fund details approved - second policy decision. Cost estimates studied - changes to equipment. Insurance required and arranged.	30 June 1967

No.	Material Extracted	Date of Meeting
26	Overseas recruitment now fewer than thought. Appointed distributors - Policy of Marketing and Distribution agreed. Auckland Board recommendations on Housing and Motor Vehicle policy endorsed.	28 July 1967
27	H.L. Bockett recommends 'no bonus scheme to be implemented' or in fact any incentive payments.	25 August 1967
28	Auckland Technical Institute Metallurgy Trainee subsidy scheme. Plans for second Annual General Meeting. Training Report approved. Personnel Manager and General Manager to go overseas.	28 September 1967
29	General business. Personnel Manager presents report on need for Housing Loan assistance to overseas recruits. Approved Second Mortgage basis $6000 for 10 people.	2 November 1967
30	Auckland Board recommends extension of House Loan policy. Use of National Bank to help here as they were to be Pension Fund bankers. Pension Fund to carry one year life cover and non contributory too!! Chairman brought up need to consider Steel Works expansion.	1 December 1967
31	Shop and flats to be included in housing development. A community recreation hall to be built. House liaise considered.	1 February 1967
32	F.R.A. Hellaby reported on attendance at Pacific Steel Board meeting - requested close cooperation on union negotiations. Board decided Company to hire its own Cafeteria Manager and not use contractors. House landscaping in Waiuku to be done by Farm staff. Financial authorities agreed. Health Department and air pollution monitoring - start of tree planting at Glenbrook.	29 February 1967
33	Marketing Policy approved as recommended by Auckland Board. Overseas recruits to be granted house furnishing loan. Consultants use of company housing - Wage and Salary Policy - Board concerned over delays and costs.	22 March 1967
	(Auckland Board handled matters inbetween these dates)	
34	Organisation and manning chart approved. Waste disposal - differed recreation hall - Treasury heavy handed over costs. All remaining Personnel Policies approved with only Board control over salary recommendations. Waikato River water needed for Maioro mining, but Board concerned over pumping station location. Staff meeting to discuss what management style will be adopted.	3 May 1968

No.	Material Extracted	Date of Meeting
35	Air cleaning needed in Steel Mill - not included in estimates - Hon J.R. Marshall visited and discussed with Board working conditions on site. Board concerned about dust falling on its neighbours and Minister worried about Pukekohe vegetable growers. Cost estimates to be reduced somehow.	30 May 1968
36	Landscaping and tree planting plan approved. Pipe Mill feasibility study to be discussed. Aspects of Personnel Policy promulgation.	27 June 1968
37	Wage system approved by Board - draft industrial agreement agreed. Problems of site stormwater drainage. Operational plans discussed - Training and Safety especially.	25 July 1968
38	Play Centre house considered - prospecting for more ironsand trials at Mokau, Awakino, Marakopa and Taharoa Kawhia Aotea. Tariff items need control - Pricing policy.	4 September 1968
39	Budgets tabled - visitors policy and their safety considered. Third AGM - mention to be made of ironsand prospecting.	26 September 1968
40	Town office now removed to Glenbrook - Galvanising Line commissioning. Sewerage problems with Waiuku. Taharoa ironsands project and need for meetings with Maori 19 September meeting at Kawhia reported - welcomed - good crew located there - high winds delaying drilling.	31 October 1968
41	Board involved in Distribution Policy and budget detail. Taharoa weather recording - Government sells some shares. Auckland Board recommendations on salary approved. Report of Taharoa relationships good for future of Company.	28 November 1968
42	American metallurgist appointed - Pipe Mill evaluations. Openheimer from Waikato University to do some research. Acid spillages - Japanese companies interested to purchase ironsand - rail loading problems.	30 January 1969
43	Auckland Board involved in Pacific Steel Board. Pricing discussed - Taharoa ironsand feasibility study tabled. Taharoa drilling programme completed and rig moved to Kawhia - studies of underground water supplies at Glenbrook.	27 February 1969
44	Auckland Board recommended pricing policy for billets to Pacific. All staff requisitions approved - gain discussed mining to be set up as separate Company.	27 March 1969

No.	Material Extracted	Date of Meeting
45	Budgets reviewed - Waiuku sewerage plan and no smells. General Business.	24 April 1969
46	General concerns over costs - staff shares again considered. Pricing strategy.	30 May 1969
47	New General Manager, J.H. Ingram to start September. Marram grass planing to start at Maioro.	26 June 1969
48	George De Young returns to Canada - Export sales and pricing - Pipe Mill project - House loan policy.	1 August 1969
49	Medical service in place - more housing needed in same proportion as formerly - Mine site commissioning proceeding - Drilling to move north.	28 August 1969
50	Ingram began work - housing rental policy decided - not to exceed 20% of nett pay. Set up of Waiuku and Personnel Manager - Maioro tree planting. Ironsand exports to Japanese discussed with Hon J.R. Marshall. Discussed Marcona's proposal for joint venture.	25 September 1969
51	Budget and manpower totals approved. General Manager to go to Japan to negotiate ironsand sales - Mining consultant tells Board how to handle Taharoa owner requirements. House rents reduced. Decided not to join with Marcona. Renewed Distribution Agents role.	
52	Board taking action to reduce consumable stores. Maori land owners advised to form Corporation and get started on afforestation. Mining company formed.	27 November 1969
53	Meeting at Kawhia-Fisher, Fenwick Ridley & Higgens to go on 31 January 1970. Job description and delegated authorities approved for General Manager - Decision not to build more houses, but OK to buy some. Local residents complaining about Steel Plant pollution. Royal visit March 1970.	29 January 1970
54	Offshore loading experts visit Taharoa and reports to Board. Japanese letter of intent to purchase ironsand received. 1 million tons annual for 10 years. Royalty for land owners discussed - 'must be fair to them', W. Fisher.	26 February 1970
55	Board approved all promises made to Maori land owners at Taharoa - Urupa, Planting of Marram Employment - Relics if found to be given to Maori Board of Management - Royalty approved.	12 March 1970
56	General matters.	25 March 1970

No.	Material Extracted	Date of Meeting
57	Taharoa to be proceeded with - roads to be built, subsidies to local bodies - Mining Company Board comprise all NZS Board of Directors plus three associate directors - Supply, Personnel, Operations. Maori owners wary of quick decision to mine before royalties settled - all other issues settled.	30 April 1970

From this date onwards the Board minutes did not record policy as it had been completed in the first five years 1965-70.

It was not until September 1976 that a share issue for employees was implemented and the expansion of Taharoa in December 1976 was funded. Then in November 1977 another group of houses in Pukekohe and Papakura was purchased and a further issue of employee shares was issued in November 1978.

APPENDIX B

EXTRACTS FROM MINUTES OF AUCKLAND EXECUTIVE BOARD OF NEW ZEALAND STEEL RELEVANT TO MATERIAL FOR CHAPTER 2 & 3 HELD AT GLENBROOK HEAD OFFICE 1965-1971

No.	Material Extracted	Date
1	Noise problems with neighbours - discussed roading, rail and air pollution. Employ New Zealanders wherever possible.	28.9.65
2	Discussed housing for employees, type and size. Prepared to add 1000 to cost to get something different from State House look.	29.9.65
3	Relationship of consultants to Board and Executives Hired Smith & Caughey space - Technical College Courses for Metallurgy - Place of DSIR and Research.	11.10.65
4	Superannuation consultant (J. Erickson) met Board. Organisation charts prepared.	20.10.65
5	Hiring metallurgy students - earthmoving quotes. Property requirements.	28.10.65
6	Housing land - Housing policy. Forestry and Heads of Agreement with Government.	1.11.65
7	Bursaries for Met Students - Architects for housing and offices - NZ Maori Council Meeting 15.11.65. Wished to discuss employment, housing, training.	11.11.65
8	Consideration to build canal between Waitemata and Manukau Harbours - general business.	26.11.65
9	Contract consultants - Funds for Pacific Steel.	2.12.65
10	Pacific Steel - Finance for rod mill. Committee of local residents set up. Decided that Ridley Green and Birnie (executive) should meet each week and report.	9.12.65 14.12.65
11	Roads Board subsidy - Chairman and Ministry of Trade & Industry agree on changes to Government. Agreement Board to delegate authorities to executives. Consultant called in - quality of steel required.	27.1.66
	Policies now required if appointments to senior management are to be made. Salary/fares.house finance/car/pension/leave. Board firm that no contracts to be made with appointees. First inquiry re ironsand sales to Japan 30.12.65. Offers for housing land received - Papakura, Waiuku, Pukekohe and Tuakau - 3 blocks already purchased in Waiuku.	25.2.66

No.	Material Extracted	Date
12	House plans - church and kindergarten sites. Discussed distribution policy.	10.3.66
	(Gap in numbering caused by Special Meetings and no minutes filed).	
17	Recruitment of Works Manger - Chief Engineer. Financing - consultants progress report.	22.3.66
18	Conditions of employment for senior staff. Ministerial visits and consultants visiting.	6.4.66
19	Financing plans - Heads of Agreement with Government. Pacific Steel issues - estimates received.	2.5.66
	Special Meeting - Superannuation consultant. Consensus for pension plan. All should be able to join - chairman emphatic. Combined pension and insurance cover - interest on contributions of withdrawal approved. No investment in NZ Steel!	16.5.66
20	General matters.	23.5.66
21	Pacific Steel - overseas borrowing - staff share issue discussed and deferred by Chairman. Liked idea but wait until there is a profit.	9.6.66
22	Visit from Japanese - Road subsidy - Housing - Rail layout for works.	1.8.66
23	Public share issue - Government loan approved. Overseas interest (Stelco, GKN) International Bankers proposals.	15.8.66
24	World Bank visitors/Government funding. General Manager appointed/contracts reviewed.	7.9.66
25	W.S. Atkins confirmed - kiln design matters. Cost control needed - Hiring of graduates (5). Salary and training/housing reviewed.	2.11.66
26	Equipment needed - Stelco and GKN interest.	19.11.66
27	Plant specifications and delivery dates.	24.11.66
28	Main contractor appointed to build works.	28.11.66
29	(Missing)	
30	Share issue - accounts to pay - scrap requirements - Housing and meeting with Maori Affairs for their views - Personnel Manager appointed.	6.12.66
31.	Consultants reports - Construction Manager reports. Raw materials for steelmaking considered.	2.2.67

No.	Material Extracted	Date
	Financing not yet completed. Planning Engineer and Systems Accountant appointed/Chief Accountant.	
32) 33) 34)	Publicity and progress - meeting matters - fume cleaning respecified/effluent handling examined (Chairman very interested in this.	10.3.67
35) 36) 37)	Waiuku sewerage - pension plan to have no discriminatory features - fume cleaning extra expenditure approved.	6.4.67
38	Accounts approved/Government valuations/salary approvals.	10.5.67
39	Insurances taken out covering all types/scrap handling. Treasury cuts Road Board grants - delays in reconstruction.	6.6.67 15.6.67
40	Coal meets specification but no price agreed. Industrial Relations Adviser reports.	22.6.67
41) 42) 43)	Pipe mill project considered. Housing policy/leases. Home ownership plan/selling some company houses/ Selling land. Latimer to landscape housing block in Waiuku.	25.7.67
44	Medical Adviser appointed/Car policy approved. Other outstanding personnel policies approved. Sick leave became contentious policy/how to pay new employees if pay short due to Christmas break. Publicity and management recruitment.	4.8.67 11.8.67
45) 46) 47)	Rest of housing let - progress on site - pricing strategies - Pacific Steel not yet settled/Stelco adviser.	17.8.67 21.8.67
48	World Bank visiting - Stelco and need for special equipment on kiln.	22.8.67
49	Coal specs/shipping information re equipment from overseas. House leases/balance of personnel policies in place. Project progress - General Manager and Personnel Manager to Canada. Supplies of zinc, coil, lime, bentonite considered.	9.9.67
50	Mill agents and distribution policies discussed.	21.9.67
51	Equipment contracts/project progress/supplies/costs. Training at Stelco and living cost adjustments/wage	9.10.67
52	policy/housing loans/vacation policy. What to do if Pacific Steel personnel apply? (They did)	
53	Signing authorities for Supply Manager/need for Market Research discussed//mining lease.	30.10.67
54	Project progress and escalating costs.	31.10.67
55	Auckland Board meets consultants over costs.	

No.	Material Extracted	Date
56	Industrial Relations Policy considered - staff requirements and problems of securing draughtsman. Insurances for employees overseas training. Maori Affairs Amendment Bill noted.	8.11.67 21.11.67
57	Mining function to be separate company considered.	8.12.67
58	TiO_2 added to list of minerals for tax concessions.	12.12.67
59	Pacific Steel complaints about size of billets.	18.12.67
60	Weir on Waitangi Stream and damage to the weir.	19.12.67
61	River control and soil conservation shared costs with NZS.	20.12.67
62	Chief Engineer recommends improvements to fume cleaning equipment (over $300,000 costs). What to do with Iron Plant residue - where to put it and prevent dust and pollution problems. Overseas recruitment - General Managers report.	Jan 1968
63	Project progress - dam at mine site - need to build carefully in light of Sth American poor record. Siting of mine concentration pant - wind a problem. Galvanising Plant effluent now under better control.	7.2.68
64	Review project and cost - all personnel policies now approved.	12.2.68
65	Auckland Board approving every requisition for manpower.	19.2.68
66	Agreements with suppliers coal, coil and zinc. House mortgage scheme perused but not approved.	22.2.68
67	Galv product pricing - NZS to consider equity in Cooks Wire Rope. Another inquiry for ironsand.	7.3.68
68	Project progress reviewed - adequacy of water supply - overseas recruits and finances. Drilling proceeding - housing progress and fencing.	28.3.68
69	Tree planting programme approved - 500 trees to go into housing and 1500 on farm - fencing off nearby piece of Native Bush - ambulance purchased and financial support for St Johns in Waiuku - security at site planning - employee expense claim policy. Special leave policy - termination policy cleared.	4.4.68
70	Chairman questioned plans to train NZ recruits at Stelco - must be well trained - systems man coming from Stelco.	26.4.68
71	Dedusting equipment ordered/both chairman and deputy worried about dust and pollutants - late completion date worrying - water from Waikato River for mine. Reports that Government Directors worried about cost and progress delays.	14.5.68

No.	Material Extracted	Date
72	Motor car policy and mileage limit - landscaping - visit of Hon J.R. Marshall.	23.5.68
73	Cost and profit estimates - roading subsidy - visit from Inland Revenue Department.	10.6.68
74	Pricing policy - distribution policy.	20.6.68
75	All jobs classified and tabled plus likely pay rates. Discussions with Engineers Union reported on.	4.7.68
76	Site construction progress worrying. Hostel for workers rejected.	23.7.68
77/80	No records.	
81	Site progress - house symbol reviewed. Salary ranges for staff reviewed. Shift work policy - firefighting allowances.	11.11.68
82	Christmas Party - capital expenditure. Budgets reviewed.	20.11.68
83	Waikato University Openheimers request to do research. No grants for this - Waiuku request for aid to increase swimming pool amenity. Pipe Mill study to proceed.	28.11.68
84	Grant toward small Community Hall. Housing forward needs - report needed. All union agreements OK'd except Electricians. Water testing need reviewed.	21.1.69
85	Report on forward housing needs - pricing for exports - Aust-NZ free trade reviews.	17.2.69
86	Overseas loans arranged - every job still to be approved by Auckland Board - More on Waiuku sewerage ponds - Trades Unions need another cent on rate - Board OK'd - move job class up one.	10.3.69
87	Pricing of billets review - Pacific Steels profit. General Business.	13.3.69
88	Budgets and capital needs reviewed - Chairman questions everything closely. Consultants report on packaging of galvanised materials - loans for housing to be studied.	14.4.69
89	Developed second mortgage policy to increase employee housing - mining company formed. Rhododendron Dell agreed to.	12.5.69
90	More and closer budget reviews. Pipe Mill costs and tenders considered.	16.5.69

No.	Material Extracted	Date
91	All insurance needs assessed. Forestry help with planting at Kawhia. Approves second mortgage scheme.	10.7.69
92	Chairman and Deputy and Personnel Manager clarify medical requirements -new housing layout discussed.	20.8.69
93	New General Manager attends - Christmas break plans. House rents continue to be subsidised.	10.9.69
94	Marcona approach with joint venture at Taharoa. Board not happy with idea - export pricing.	13.10.69
95	Trial shipment of ironsand to Japan - Royalties for Taharoa owners discussed. Decision to buy existing houses than to build.	16.12.69
96	Integration of Pipe Mill with existing facilities. Budget - financing for mill and for Taharoa. Chairman states that Maori owners should benefit if project is profitable - develop Noble Block for more houses when needed.	9.3.70
97	Share issue to help pay for Taharoa. Government supportive.	8.4.70
98	Ironsand export proposal - budgets (shares rate to $2.00). Government limit their capital support to $7.5 million.	14.4.70
99	Annual accounts - Iron Plant and Steel Plant to commission. Historic Places apply for grant of $10,600. Royalties at Taharoa.	4.6.70
100	Contract secured for ironsand exports - Government approved - (Personnel Manager has heart attack). Ingram to be in Japan - Chairman to visit!	11.6.70
101	Ironsand contract secured.	14.7.70
102	Annual report reviewed - 'C' Block Taharoa to get block of Company shares to be paid for out of portion of Royalties - Neighbour wants to sell his farm on north boundary. 1965 consultants have assured Company that air pollution controlled.	5.8.70
103	Finance approved for Pipe Mill and Taharoa.	31.8.70
104	Annual General Meeting - Management to attend.	17.9.70
105	Met no records or date.	
106	Budget still under discussion - Taharoa financing. Colour Coating Hunter Douglas - share issue OK'd. (Board in recess). Directors overseas.	6.11.70

No.	Material Extracted	Date
107	Japanese loan secured.	28.6.71

Note: Auckland Board now less involved in day to day operations - from above minute extracts it can be seen that really the Auckland Board operated as an Executive Board.

APPENDIX C

EXTRACTS FROM TAINUI TRUST BOARD MINUTES OCTOBER 1946 - NOVEMBER 1986 HELD AT TAINUI TRUST BOARD, NGAURUWAHIA

Note: Gazette 24.10.46, No. 75

Native Dept 16.10.46

Waikato-Maniapoto Maori Claims Settlement Act 1946 appointed members of Tainui Maori Trust Board.

Meeting		Date
1st	Tainui Maori Trust Board Established Tumate Mahuta Memorial Scholarship to apply the fund to assist young Tainui Maoris to receive education on approved lines. Grant £240. Mahuta had been trying since 1935.	24.10.46
2nd	King Koroki present and after greetings replied 'The Canoe is now fairly launched. Keep it on a true course'. Pei te H. Jones elected chairman. Appointed secretary, fixed salary and elected deputy chairman. Welcomed Secretary to Ministry of Native Affairs to assist if required. Seal design approved and offices to be located at Turangawaewae. Opened bank account, BNZ and allocated signning authorities. *Loyalties to King Koroki paid £500 annually. *Education grant approved £240. *Tribal representatives to receive £15 each recompense. *Meeting House repairs. Budgets - grants, education, district committees, repairs and maraes. Upgrading of memorial guest house, land purchae, office expenses, salary and travelling expenses = £10,000 = Government grant. Quarterly meetings planned. Telegram of thanks and appreciation to Government.	4.11.46
3rd	Membership appointments - ballot required.	13.12.46
	A petition requesting rescinding of all approved decisions at first meeting. Te Puea objected to expenses reimbursements. Loans to carry interest. *Ngati Ata required a special representative but not agreed because their lands had been returned and £10,000 whilst Kaihau was in Parliament.	1.2.47

Meeting		Date
4th	Deferred one day because of Tangi for Tonga Mahuta's death. New secretary required - called for nominations. Tribal committees to disperse funds for funeral expenses, subsidies for sanitation communal buildings - about £100 each of 15 committees. Expenses for Board members. Budget for 47/48 £14312	17.3.47
5th	Tainui Maori Trust Board received Government grant and had a ceremonial visit to King Koroki. Many speeches recalling past injustices, deceased, glories, mountains and attitudes of the youth. 3 cheques changed hands - £10,000 to Tainui Maori Trust Board £500 to King from Tainui people £500 special fund for people whose blood was spilt. Place of meeting discussed. Many applications for assistance - refrained from loans for farming or housing. *Grant for funeral expenses. *Education assistance to go to University Education. *Grant to study Tainui tribal history. More funeral expenses to go to Waitara.	14.6.47
6th	Grants to Ruatoria Hall and to Maori Bible revision. Bought timber for carving. Repairs to Taupiri cemetery fencing.	10.10.47
7th	Grant to Rotorua Memorial Guest House. Resolved to meet Peter Fraser to discuss Maori housing. Purchased a truck to assist at Maori gatherings. 5 education grtants - tertiary eduction. Grant for legal expenses.	21.2.48
8th	Te Puea attended and talked about truck purchase, grants outside area, Auckland Community Centre, Ngaruawahia Guest House. Appointed solicitor to Board - O'Shea.	1.5.48
9th	New Board elected. Approved election expenses. Marae maintenance costs approved. (Meetings ending late at night)	4.9.48

Meeting		Date
10th	Noted death of important Tainui elder. Scholarship grants made. Further grants to Turangawaewae Marae. Princess Te Puea formally notice of TTB gazetted 16.12.48.	10.10.48
11th	New Board - 2 new members. Pei Jones relected chairman. Board member dies. Worries about election absentee evolving. *Loans granted with soft repayments. *Education grants to buy teaching aids. 6 scholarships to students at teritary institute.	10.2.49
12th	Te Puea congratulates Board. Grant to help publish Maori magazine. *Grant to Wiremu Tamehana - represents King Koroki. Te Puea suggests use of portion of Kings Grant. Resolved to reduce tribal grants to accumulate fund. *Grant to member because he had provided timber. Seaside property given to Board 1/2 King 1/2 Board.	16.7.49
13th	Chairman's son acting secretary. Unpaid accounts overspending at Turangawaewae. *Case made by Tuhoe to receive compensation for helping Waikato.	8.10.49
14th	Loans. Applying to Government to extend/enlarge payments. Te Kopua School's punt. Acting Secretary gave up and Chairman appointed! OK'd if Government approved.	11.2.50
15th	5 Scholarships. Government OK Pei Jones - Secretary. Resigned chairmanship. Funds from Te Aute, Hukarere and Ngarimu Scholarship. Bought tape recorder. Sixtennial celebration.	7.10.50
16th	Te Puea recommended purchase of land at Ngawha Springs - bathing and treatment. She also opened a fund to improve baths.	11.3.51
17th	Marae improvement problems - costs. Set up carving school. 8 maraes need funds for maintenance. Purchase of Pukaki burial bround. Problems of boundaries and scholarship grants.	14.8.51
18th	Visit of Under Secretary Maori Affairs. Pan-Pacific Womens Association - Te Puea recommended assistance to 2 delegates.	8.10.51
19th	Te Puea moved to postpone meeting to permit Pan	6.2.52

Meeting		Date
	Pacific visitors to be met. Moans about inadequacy of travel expenses. King Koroki sends message to King George through Government. Grant recommended to wife of Winiata MA Department Education to go to England. Approved £300 p.a. for years. 4 scholarship grants. Set up a sawmilling company. Te Puea purchased tractor for sawmill.	
20th	Winiata requested increase to wife - declined. Trustees had no money to look after Tawhiao land. (Cousin of late King Te Rata).	May 1952
21st	Te Puea expressed views that Board was too big. Te Puea was endeavouring to cut costs.	21.8.52
22nd	Te Puea died 12.10.52. More problems over travel expenses. 7 scholarships.	July 1953
24th	4 new members. Minutes now recorded in English. Taxaton problems - links with Arawa, Tuwharetoa. Ken Bowker appointed receiver for sawmill. Raglan Marae demolished - need help to re-erect. 4 scholarships. Ngata Memorial Fund. Peter Buck Memorial Fund.	July 1954
25th	Sawmill closed. Expenses approved £5-7. Maori Trust Board Bill fully discussed. £300 grant made to Bruce Biggs Linguistics at USA 5 scholarships granted £25-50. Eric Ramsden offered Te Puea's portrait for £35. Problem of surplus lands compensation. Travelling expenses still insufficient. 1-1.10, 6pm to 9pm.	8.8.55
26th	Maori Trust Board Conference.	Jan 1956
27th	Debtors and problem with loans. Refused to make tax return. Election rolls. Bob Kerr £40 scholarship. 10 scholarships. Maketu Marae - timber there.	March 1956
28th	Grant to erect toolsheed at Taupiri. Problem over boundaries and elections. Gazetted Board for <u>three</u> years. Secretary's salary increased £250-300.	July 1956
29th	Raglan Brass Band - £500.	Aug 1957

Meeting		Date
	St Stephens School grant. 5 scholarships - medical, dental, teaching	
30th	7 scholarships. Purchase of a farm.	Aug 1958
31st	Grant to young Maori Leaders Conference in Auckland.	Oct 1959
32nd	4 scholarships.	Aug 1960
33rd	Paid ≠250 to Maori Education Foundation. Funds to purchase farm for Koroki.	Oct 1961
34th	Pei Jones OBE awarded.	Oct 1962
35th	March 1963 G.H. Forbes appeared. Maungatapu Farm transferred to Tainui Trust Board. Te Ata involved. Scholarship N.K. Hopa to Oxford ≠300.	Oct 1963
36th	10 scholarships. Kiri Te Kanawa deferred.	Oct 1964
37th	Maungatapu Farm neglected and not worth having. Robert Mahuta ≠400 scholarship.	May 1965
38th	Sell the farm and livestock.	Oct 1965
39th	Koroki death May 1966. Not all stock recovered - maybe rustlers. R.T. Mahuta, Secretary to Board 31.3.67.	Oct 1966
40th	J.R. Dyall - scholarship ≠80. Maketu Marae - key marae. Jones still scretary.	Oct 1967
41st	Mahuta brings up investment strategy. Jones still secretary. Jones against this. 'Young Peoples Party'	Oct 1968
42nd	Adjourned.	May 1969
43rd	Mahuta now elected to Board. Jones still secretary. 6 scholarships including RJK.	July 1969
44th	Dame Te Ata recognition by Government. Mahuta requests investment discussion/go to Government. Reduce Board members. Secretary not happy. 1. Passed $6000 p.a. to be invested annually. 2. Go to Wellington. 3. Get register of Tainui member.	Feb 1970
45th	June 70 deputation to McIntyre and Wetere.	July 70

Meeting		Date
	Jones secretary. Real estate subcommittee.	
46th	Still trying to get funds to invest.	July 1971
47th	Accounts passed. Pei Jones secretary.	Jan 1972
48th	4 members of Queens Council present. Half annual grant to Kimikimi Hall project. Accounts to be handed to accountant. Dame Te Ata suggested H. Forbes to be chairman but he supported Manihera who was elected.	Aug 1972
49th	H. Forbes to be secretary 1.4.74. Feb 74 Queens visit to Turangawaewae.	Sept 1973
50th	Trust Board Conference.	Aug 1974
51st	Mahuta deputy chairman. Trust Board Conference - new horizons - housing for elderly. More support for Technical Institutes. Help for people to recover land. Takeover part of role of Maori Affairs. Ownership of Waikato River. Submissions to Huntly Power Planners.	Nov 1974
52nd	Wi Taka replacing Mrs Zister who complained about election!	22.5.75
53rd	Treaty of Waitangi Bill - Tainui made submission. Water Right objection Waikato River.	Aug 1975
54th	Hon Doctorate, Pei Jones. Wi Taka - Treasurer. Mahuta at Oxford. Pei Jones died May 1976. Forbes became Maori Queen's rep on Board?	Oct 1976
55th	Accounts for payment. Submission to PM for advance of 20yrs of subsidy. 115 scholarships now $100.	21.8.77
56th	Maori Queen's grant increased to $1500. Ministry of Energy offering grants. 9 scholarships.	June 1978
57th	Building investment proposal abandoned. Pensioner flats.	Oct 1978
58th	Problem of quorum.	Dec 1978
59th	Land being vested in Tainui Trust Board. 12 scholarships. Guaranteeing loans. Forbes resigning.	Aug 1979

Meeting		Date
60th	Mahuta criticised capitalisation. Dairy farm purchased.	Nov 1979
61st	Mangere land transfer disputed - despite unpaid rates. Capitalisation $127,000 heavily discounted.	Dec 1979
62nd	Manoeuvres.	April 1980
63rd	Te Hoe Dairy Farm purchased for $200,000. 16 scholarships. Hangawira Station reverting to Trust Board.	July 1980/ Aug 1980
64th	Ritchie report on Taharoa - too much dependency. Huakina - need of Tainui Trust members to work and listen on their maraes. Logs being made available for carving. 11 scholarships.	Sept 1981
65th	Board supported Nganeko's appeal against NZ Steel water right.	Oct 1981
66th	Language school support. Trust Board and NZ Steel Dairy Farm.	March 1982
67th	Appeal lost. Hangawera Station passed over plus 1/2 million to buy another farm. Work skills and PEP. OK NZ Steel dairy farm. Reports indicated Waahi schemes setting example.	April 1982
68th	Opening 21 September. Huakina set up underway. NZ Steel proposes 10 houses approved but never acted upon.	Aug 1982
69th	Tainui Maori Trust Board considered NZ Steel reactions to ARA levy ideas. House purchase for Huakina. NZ Steel donating roofing for Mahinorangi Meeting House. Opposition to marine farming at Kawhia. Application for control of Kawhia Harbour. Courses in management at Massey.	Oct 1982
70th	Maori Queen in attendance. Wetere also. PEP programmes. Land offered to Tainui Maori Trust Board to administer 3080 acres on lease for 21 years.	Jan 1983
71st	Appeal by Egan to setup a plan. Better education, health, marae, etc. Huakina to be a model for others to follow. Agreed in principle to discuss Wanganui River and Waikato River.	April 1983

Meeting		Date
	Wetere Board of Maori Affairs to visit Tainui Trust Board because of example it is setting. Forbes - Government grants not compensation but Government paying for earlier sins!!	
72nd	Huakina requesting support to Water and Soil Conservation Act submissions. Huakina needs Tainui Maori Trust Board support to run PEP schemes.	May 1983
73rd	Forbes over-loaded, therefore Mahuta to be Queens Rep. Reopen Tainui Maori Trust Board. Revamp of Board admin.	July 1983
74th	AGM. Waikato River and Western Harbours to go to McIntyre. Huntly Power Station site on Maori land. PEP schemes.	Aug 1983
75th	Special meeting. Minutes in Maori.	Sept-Nov 1983
76th	Reference to a strategic plan.	Nov 1983
77th	Nganeko to be Tainui Maori Trust Board rep to make submissions on Water and Soil Conservation Authority. Strategic Plan - P. Winiata preparing. Whitianga land issue. New series of subcommittees - education and youth, finance and management. Waihere Island case involved P/R. Tainui Maori Trust Board - Development.	Feb 1984
78th	Maori Queen attended. Request for Julie Wade to be seconded to Huakina. $15,000 received from Maori Affairs to help strategic plan. Elections method improved. G.H. Fores elected chairman.	April 1984
79th	Tainui Maori Trust Board Hamilton Museum. Water Rights appeal against New Zealand Steel reviewed and supported. University researching Power Board and coal fields.	June 1984
80th	Tainui Maori Trust Board holding $100,000 development levy - Huakina requested it to be paid to them. Strong suggestion it be invested. Waitangi Tribunal costs by Huakina $16,500. Making videos.	Dec 1984
81st	Travel company doubtful value. Hangawera Farm valued $1.8M - offered $1/4M to buy it.	March 1985

Meeting		Date
	Investing in Maori International.	
82nd	Bioenergy dream - vegetable seed oils to diesel. Joint venture company possibility.	April 1985
83rd	Procedural detail.	June 1985
84th	Mahuta suggests Huakina Farm be revalued and New Zealand Steel be asked to handover capital gain. Mangere flat may be built after 11 years. Objecting to Rotorua sewerage.	Sept 1985
85th	Reviewed Waitangi Tribunal findings. Fuoy requested Board help - Tainui Maori Trust Board suggested Sian Elias. Attendance on fisheries matters.	Nov 1985
86th	Ministry of Agriculture and Fisheries - report needed on Western Harbour marine farming ideas. Board now operate Te Hoe, Hangawera, Huakina, Hukinui need training plant.	Dec 1985
87th	Set up a fulltime development unit - 3 staff. Assets $2.8M. Training centre at Waahi. Tainui Maori Trust Board out of Maori International. Establishing management committees in areas ready for it. Questions about need for health advisers. Submission to Coal Mines Act.	Feb 1986
88th	Maori enterprise development scheme. Need $1.5M - maybe a marketing unit? 'Driving to improve Kingitanga' Ritchie. Need to train young Maori - management courses at Waikato University. Farm management training course at Waikato Tech. Bioenergy Co fell apart! Tainui carrying the loss $64,000! Maori Affairs taking over Mangere flats land! ARA approached Tainui Maori Trust Board on 2nd New Zealand Steel development levy!!	April 1986
89th	Welcomed Maniapoto, Hauraki, Tamaki reps - historic occasion. Maori Queen in attendance. Joint thinking. Need to rethink Tainui Maori Trust Board role. Committee reports tabled.	May 1986
90th	General business.	Aug 1986
91st	SOEs appearing - Tainui Maori Trust Board objecting. Investigate stopping of corporatising Lands and Survey Department. Historic Places Trust referring matters to Tainui	Nov 1986

Meeting	Date
Maori Trust Board. Pollution problems caused by New Zealand Steel on Huakina Farm. Triennial elections still had boundary problems. Tainui education development report - land argument. Maori Broadcasting Board. Ngati Te Ata claimed it had received not raupata monies - incorrect. Manukau tribunal division did get the money 1946-1973.	

APPENDIX D

ADDRESS IN SUPPORT OF APPLICATION FOR THE INCORPORATION OF THE OWNERS OF TAHAROA C

Mr Brian O'Shea LLB
Legal Adviser

The application for this meeting was filed by me as solicitor for the owners and was prompted by New Zealand Steel Limited telling me that they wished to negotiate for the Taharoa ironsands deposits.

Some of the owners of Taharoa Company block will know the history of the block and I ask for their patience while I outline briefly the background and the events that have led up to the proposed resolution which the owners are now asked to consider.

Scientists tell us that the ironsands on the west coast of New Zealand were erupted from Mt Egmont and that the Taharoa deposits have formed by being washed up from the ocean and then blown inland by the warm prevailing wind. Although the ironsands extent along practically all of the west coast, I believe that there are 4 major deposits namely at Taharoa, Kawhia, Waikato Heads and Maioro.

There have been many geological investigations of the Taharoa deposits, quite a number of which have been available to the public, but probably the work and report of Mr W.R.B. Martin M.Sc a Senior Research Fund Fellow of Victoria University, Wellington, will be most familiar to the people of Taharoa. From 1953 to 1960 Mr Martin did research work on ironsands. He spent some time at Taharoa. He wrote a paper on his work which was published in "New Zealand Engineering" in 1955 but I believe that his principal contribution was to prove that an iron and steel industry in New Zealand using ironsands was a workable proposition.

Sparked by Mr Martin's enthusiasm, two companies commenced negotiations for prospecting and mining rights. These companies were New Zealand Development Corporation Limited and Fletcher Holdings Limited. At the same time, the late Mr Maurice Bell, a Commissioner of the Maori Land Court, did a very thorough job regarding the Taharoa land titles. The sand area was partitioned from 22 blocks and a new

block called Taharoa C was created. Furthermore, 221 succession applications were dealt with. This was in 1958. The result was that on 17 October 1968 Taharoa C containing 3257 acres was created with 3257 shares spread among 607 owners. The next step was incorporation in 1959.

The two interested companies actively worked towards prospecting and mining rights but these rights could only be obtained through the Minister of Mines and, although at first he assisted the companies, he later upset all negotiations by promoting the Iron and Steel Industry Act which passed through Parliament on 23 October 1959.

When the Iron and Steel Industry Act 1959 became law all ironsands in a strip of land 3 miles wide from high-water mark from the Whangaehu River to the Kaipara Harbour were taken by the Crown. The question of royalties was left as a matter to be decided by the Minister of Mines and the owners of the ironsand with a minimum of ninepence per ton. That is still the position. I went to Wellington and spoke on your behalf before a Parliamentary Committee objecting strongly to any maximum royalty. At least I had the objection recorded.

The Government, after taking the ironsands, set up the New Zealand Steel Investigating Co Ltd, to investigate the industry and in 1952 this company made a report which contains 50 pages and is, of course, far too comprehensive for me to tell you all about now. However, among other things this investigating company recommended that an iron and steel industry should be established in New Zealand as soon as possible, the site should be in the South Auckland area, that major ironsands deposits should continue to be reserved, and that a public New Zealand owned company should be formed to operate the business.

The report was adopted by the Government and a company called New Zealand Steel Limited was incorporated. In 1966 a prospectus was issued inviting applications for 13,000,000 shares of $1 with the Government offering to take 2,250,000 of these shares. The Government also promised the Company $22,000,000 loan capital and gave other assistance. That was in 1966. Since then the Company has extended its capital because of its development.

It is New Zealand Steel Limited which now wishes to open negotiations with the Taharoa owners and I think it proper for me to tell you who they are. It is not the Company with which the owners previously dealt, in fact it did not come into existence until about 1964. From the start Sir Woolf Fisher of Auckland has been Chairman of Directors and I have confidence in his integrity and ability. I believe that New Zealand is fortunate in having such a man to lead this new industry. I am sure that he will give the Taharoa owners a fair deal. His directors of the Company are Mr A.U. Wells, C.B.E., a company director of Auckland, Mr D.S. Cox an accountant of Auckland, Mr M.J. Moriarty the Secretary of Industries and Commerce of Wellington and Mr S.C. Parker the Assistant Secretary to the Treasury of Wellington. The Secretary is Mr William L. Birnie. The General Manager is Mr J.H. Ingram and the Mining and Development Manager is Mr J.W. Ridley. There are several other senior officers of this big company.

In 1968 New Zealand Steel Limited obtain from the Minister of Mines a licence to prospect the Taharoa deposits and, on 19 September 1968 before commencing their operations, some Company officials were welcomed at Kawhia by a group of your people and explanations were given as to what would be done. A drilling rig went on to the sands taking further test bores.

I think that all New Zealanders know that the big steel works at Glenbrook near Waiuku, is working very successfully, the preliminary construction has been completed and processed iron and galvanised products have been marketed. A company representative would be only too pleased to tell you exactly what products are now being made and what is being planned.

The Company has already shown it is active. Now it wants to do something about the Taharoa deposits. I do not know the Company's proposals but I expect they hope to process Taharoa concentrate at the Glenbrook Steel Mills and to export some of this concentrate. Already the Company has an overseas order for 15,000 tons of concentrate for delivery in March. It will be the duty of your Committee of Management to obtain the best deal possible. This does not merely mean royalties but could cover such things as utilisation of local

labour, protection of sacred places, utilisation of land after ore has been extracted, amenities for workers.

The Maori Affairs Amendment Act 1967, Part IV, abolished the old rules for Maori Incorporations and set up a completely fresh procedure governing their establishment and running. Taharoa C, incorporated in 1958, did not function because the Government took over the ironsands so it was dissolved on 3 October 1967. A new incorporation is now required and the suggested objects are set out in the Court notice. His Honour Judge M.A. Brook of the Maori Land Court has authorised this meeting and approved the proposed resolution and the objects. It is open to the owners at this meeting to vary the resolution and the objects. After the meeting, I will apply to the Court for confirmation of the resolution passed by the owners and for appointment of a Committee of Management. Owners may if they wish attend the Court when this matter is dealt with. Owners will realise that there are initial expenses involved in the present proceedings. New Zealand Steel Limited has provided us with an advance of $200 but if incorporation proceeds, the Committee of Management will have to look into ways and means of obtaining the further monies required and in this respect Mr K. Bowker a chartered accountant has made a report to me and would be happy to give you further details.

Perhaps I could merely say that we would have to set up a full register of owners with their names, addresses, entitlement, etc with index, a registered office with essential books of account, arrangements for meetings both of the Committee of Management and of the owners. Just as an indication of expenses, I may add that postage alone for one letter to each owner would be $18.30.

Should anyone wish for further information I am sure that Mr Blair who controls this meeting will direct your questions to the several people who are here to assist you.

May I now introduce to you:-

This material is all that exists of Sir Woolf Fisher's speeches

MEETING AT KAWHIA WITH OWNERS OF TAHAROA IRONSANDS DEPOSIT, SATURDAY, JANUARY 31 1970

Sir Woolf Fisher
Chairman
New Zealand Steel Ltd

Mr Chairman, Ladies and Gentlemen:

It is a great pleasure for us to be here today and I should like to thank you for your welcome and to extend to you all our greetings and good wishes.

May I now introduce our party ... Mr Higgins, Mr Ridley, Mr Jonson, Mr Fenwick and Mr Buist.

I should also like to apologise for not having been able to come to Kawhia in September 1968 when a meeting was held between you and representatives of the steel company.

The reason I could not come then was that I was in hospital. The meeting was kind enough to send me good wishes from the people of Taharoa. I very much appreciated that message and want to thank you for it.

The purpose of that meeting 16 months ago was to discuss with you a proposal to carry out prospecting at Taharoa and to seek your permission and co-operation.

We are grateful for all the help and co-operation that was given to us during the time that we were drilling in this area. The people doing the work for the company and the company itself very much appreciated the happy relationship that existed.

At that meeting in September 1968, Mr Fenwick, who was representing me, said that by the end of 1969 the company would have a better idea of the true extent of New Zealand's ironsands resources and that with this information it would be able to reach conclusions and give a

definite idea of its thinking to you as the owners of the Taharoa ironsands deposit.

From time to time over a period of several years I have discussed the utilisation of this deposit with Mr Seath, whose electorate includes this area. Mr Seath has asked me to apologise for his absence today. He would very much like to have been here, but another engagement prevented his coming.

Several times he has suggested that I should visit Kawhia to discuss the future of this deposit, but we both felt that it was better to delay doing so until we could give you worthwhile information. We now believe we can do so. As those of you who were at the previous meeting will already know, New Zealand Steel holds prospecting rights from the South Head of Kaipara Harbour to the Tongaporutu River, about 32 miles north of New Plymouth.

We have in the last 16 months carried out an intensive programme of drilling and testing and proved that there is approximately 700 million tons of ironsand concentrate in the deposits within this area.

At Taharoa, which is the biggest single deposit, there is about 300 million tons of recoverable concentrate.

These tonnages I have mentioned mean that there could be a surplus over domestic requirements and we are anxious that the owners of the Taharoa deposit should gain benefit from it during their lives.

In time the Taharoa deposits will become an important source of ironsand concentrate for the New Zealand steel industry but we feel there is a sufficient tonnage to allow us to export some.

With this object in mind we have entered into discussions with Japanese companies and we are sending them ironsand concentrate for testing. At the present time the general manager of New Zealand Steel, Mr Ingram, and the development manager, Mr Goodfellow, are in Japan having further talks and negotiations on possible contracts.

At the meeting 16 months ago you were asked to allow New Zealand Steel

to undertake extensive prospecting at Taharoa, by far the most intensive ever done there.

Now we come to ask you to agree to setting up a management committee so that we can enter into negotiations with you and, if we are successful in gaining export contracts, to make an arrangement which will give the owners of Taharoa an early return from this asset.

There will need to be careful consideration given to any arrangement between you, the owners of Taharoa, and New Zealand Steel, and the Government will need to be a part to it.

If our hopes are realised and our plans can be put into effect, this development will provide employment from a fairly early date, not only in work concerned directly with mining, but also in roadwork and construction.

The Waikato North Head ironsands deposit from which the Glenbrook steelworks is supplied is covered by an extensive pine forest planted in the 1930's to check sand drift.

This forest does not present any problems because the trees are ready for milling and this can be phased in with mining operations which do not cover a very large area at any one time.

Because of the similarities of the Taharoa area and the obvious economic advantage of afforestation, we asked the New Zealand Forest Service to advise us of this possibility.

The Forest Service carried out a very thorough investigation and has given us a detailed report.

In it they say that radiata pine could be established on 75 per cent to 80 per cent of the area of sand dunes and this would present no major problem.

About 10 percent of this area could be planted now without preliminary planting of marram grass and lupin to stabilise the sand. We believe that apart from the obvious and urgent need to check sand drift at

Taharoa, afforestation is most desirable and could be of financial and other benefit to the present and future owners - and indeed to the whole district.

Our company would be happy to discuss with your representatives as to the best way in which this could possibly be undertaken.

I have referred briefly to the steelworks at Glenbrook and I know that you will be pleased to hear that we are now using ironsands - the same as your own - for steelmaking and that this is proving very successful.

We use it in combination with scrap, but we have already begun using ironsand as a high proportion of the charge.

We are making good quality steel and we are delighted with progress.

Ladies and Gentlemen, we appreciate that you have waited long and patiently to see some development of the Taharoa ironsand deposit.

We hope now that you will not have to wait much longer and we look forward to entering in discussions with your representatives.

APPENDIX E

graphic Address: MAORIFAIRS
FAX NO: 721.138

Our reference: .....

Your reference: .....

DEPARTMENT OF MAORI AFFAIRS

ssey House
-132 Lambton Quay
ephone 720 588

Private Bag
WELLINGTON 1.

DATE 4/4/89

ADDRESS TO Mr David Rust
No 2 Sheet LED
Waiuku (09) 2798408

FROM Brian Gaynor
Maori Affs

Number of Pages including this page 15.

(Inquiries to 720-588 x8709)

Kia ora Dave,

Just to emphasise Maraka's views on Wai
highly regarded & close to the Kahui / Nga Ati.

/ /

REPORT FROM MAORI AFFAIRS DEPARTMENT ON MOEATOA MARAE

2.1 THE WAITANGI TRIBUNAL REPORT

1. In its findings on the Manukau Claim (Wai 8), the Waitangi Tribunal made reference to the Moeatoa Marae. (Paragraph 5.3, p 32 of the Tribunal's Report refers).

   The Tribunal states that "Moeatoa Marae of the Ngati Te Ata people once stood on a promontory overlooking a narrowing of the Waiuku Isthmus known today as "The Needles" on the bank opposite NZ Steel Mill. It was here the first mission station in Franklin District was established. As is not uncommon, title to the marae and Papakainga was in the name of one person. Nganeko Minhinnick told us that in the 1920s the land was sold by a public administrator of his estate who treated the deceased as owner of the land instead of as a trustee."

2. The Waitangi Tribunal Report recommends that "Even after all these years, Ngati Te Ata ought to be fully informed on why they had to vacate Moeatoa Marae."

2.2 DOSLI'S HISTORICAL RESEARCH INTO MOEATOA MARAE

1. The Moeatoa Marae site is now described as Lot 1 DP 63704 contained in CT 19D/691 with an areas of 34.7397 ha (see Attachment M 1.1). Refer to Attachment M 1.2 for locality.

2. The above marae site was originally included within the Omaru and Moeatoa block which was purchased by Reverend R. Maunsell and Hamlin on behalf of the Church Missionary Society on 13 September 1837. The land was purchased by payment in a miscellany of goods to Kaihau, Awarahi and others, Chiefs of the Ngati Te Ata as evidenced by Turton's Private Land Purchases, Deed No. 363 (see Attachment M.2).

3. Ordinance Sess. I, No. 2 (1841) authorised the Governor of the Colony of New Zealand to appoint Commissioners with certain powers to examine and report on claims to land and declare all other titles except those allowed by the Crown null and void.

4. Under the provisions of the abovementioned ordinance, the Church Missionary Society submitted a claim in which a Court hearing was enacted on 17 June 1842 to examine the claim before the Land Claim Commissioners. In the hearing, the Deed of purchase was produced before the Court by James Hamlin on behalf of the Church Missionary Society. He also stated that "I am not aware that this land has been disputed by either Native or European since it was purchased. The society has not sold any of this land."

   Also appearing before the Court was Kaihau, Awarahi and Manu, Maori Chiefs who were sworn in to provide further evidence.

Kaihau stated:

"That is my signature to the Deed now before the Court, I saw th other Natives sign - it was read and explained to me before we affixed our names. I fully understood it and was satisfied. We received the payment, as stated in the Deed for the land described therein, which we sold to Mr Hamlin. I was aware that I parted with it forever. The land was ours and we had a right to sell it. We have never sold the land to any other person. The boundaries are correctly described in the Deed. The land was sold by us to Mr Hamlin and Mr Maunsell on behalf of the Church Missionary Society."

Awarahi and Manu also made similar statements as evidenced by the report prepared for the Royal Commission 1948 - re surplus lands (see Attachment M.3).

The Land Claim Commissioners rules that a Deed of Sale was executed by the abovenamed Chief and others, the alienation of the land. The Commissioners therefore recommend that a Grant for 372 acres should issue to the Church Missionary Society, His Heirs and Assigns forever.

5. A Grant did not issue until 3 August 1855 for 253 acres, 3 roods, 2 perches as delineated in Crown Grant No. 7546 (see Attachment M.4) being land known as Allotment 144 Waipipi Parish.

6. On 2 November 1864, the Crown purchased the Waiuku No. II block as the full and final sale conveyance and surrender by the Chiefs of the Ngati Te Ata on behalf of themselves, relatives and descendants as evidenced by Turton's Deed No. 288 (see Attachment M.5).

The Moeatoa Marae site was included within this purchase by the Crown as delineated by the plan annexed to the Deed (see Attachment M.6).

The total purchase price paid by the Crown for the Waiuku No. II block was 5,250 pounds paid in three yearly instalments in which the last payment made was on 27 February 1868 as evidenced in Turton's Deed No. 290 (see Attachment M.7).

In the Deed of purchase, the Crown agreed to ceding 18 specific areas for the Ngati Te Ata tribe who had not been engaged in rebellion, together with 15 specific burial grounds (Wahi Tapu).

From DOSLI's records, it can be confirmed that Moeatoa Marae site is not included within the above specific areas that were ceded by the Crown.

7. The Church Missionary Society retained ownership of Allot. 144 until 28 December 1896 where it was sold to Ellen Falvell for 100 pounds as evidenced on Conveyance Deed No. 138032 (see Attachment M.8).

8. Ellen Flavell, being a half caste Maori, sold the southern portion of Allotment 144 containing 126 acres 3 roods 21 perches to Henare Kaihau on 15 June 1901 which required confirmation of alienation by the Justice of the Peace pursuant to Section 54 and 117 of the Native Land Court Act 1894. This was obtained as evidenced by conveyance 185576 (see Attachment M.9).

9. Henare Kaihau, Maori Chief, purchased the southern portion of Allotment 144 for 82 pounds and 10 shillings as evidenced by conveyance 185576 (see Attachment M.9). The purchase was made on a cash basis, as the land was freehold until a mortgage was registered against the land in 1914, as shown in Deeds Index 7A/52 (refer to Attachment M.10). In making this purchase Henare Kaihau does not specify in the conveyance deed that he made the purchase on behalf of his tribe or on behalf of his trustee (see Attachment M.9).

   No application had been made by Ellen Flavell or Henare Kaihau to declare the land in question, Maori Freehold land with the Native Land Court, thus the land remained as European Land with Native ownership.

10. On 15 July 1911, Ellen Flavell disposed of the balance of Allotment 144 being the northern portion to Joseph Lockie, a Waiuku Farmer for 475 pounds as evidenced by Transfer No. 60460 (see Attachment M.11).

11. On 8 December 1914, Henare Kaihau mortgaged the southern portion of Allotment 144 for 400 pounds as evidenced on Mortgage Deed 239683 (see Attachment M.12).

12. Joseph Lockie, the owner of the northern portion of Allotment 144 on 24 August 1915, transferred his interests in the land to Henare Kaihau for 1275 pounds as evidenced by Transfer No. 88072 (see Attachment M.13).

    Thus Henare Kaihau now held ownership of all land formerly granted to the Church Missionary Society by the Crown in 1855.

    This situation ended upon Henare Kaihau disposing of the northern portion of Allotment 144 to Charles Harrold, a Waiuku Farmer for 1467 pounds as evidenced by Transfer No. 100956 (see Attachment M.14).

    The northern portion of Allotment 144 remains to this day as European Land with private ownership as evidenced by CT 141/49, CT 296/58 and CT 334/231 (refer to Attachment M15/1, 15.2, 15.3).

13. On 14 September 1918, Henare Kaihau discharged the abovementioned mortgage registered against the southern portion of Allotment 144 and obtained another mortgage totalling 800 pounds as evidenced on Mortgage Deed 263318 (see Attachment M.16).

14. On 3 August 1920, the Native Land Court held a sitting to

consider the estate of Henare Kaihau as a result of Henare Kaihau passing away on 21 May 1920 without having a will. The Native Land Court Judge stated that "All parties agreed that letters of administration should issue to the Public Trustee. Letters so issue to Public Trustee accordingly." As the land in question was European Land, the Judge ordered pursuant to Section 15 of the Native Land Act 1909 and Section 129 of the Native Land Amendment Act 1913 that Henare Kaihau's seven children to succeed his estate with the Public Trustee as Trustee for the minors. Refer to attachments M17.1 and M17.2 for supporting legislation and Attachment M17.3 for N L Court Orders (AK 14/122-118).

15. Section 12 of the Public Trust Office Act 1908 allows the Public Trustee to be appointed as Trustee, Executor and Administrator where a Judge having such jurisdiction makes such an order. Under existing legislation of that period, the Public Trustee had the authority to sell property for payment of debts pursuant to Section 29(a) of the Public Trust Office Act 1908 and Section 5 of Administration Act 1908. Refer to Attachments M18.1, 18.2, 18.3 for supporting legislation.

    As there was an outstanding mortgage of 800 pounds contained in Mortgage Deed 263718 affecting the land in question, the Public Trustee arranged for disposal of the property.

16. Part III of the Administration Act 1908 sets out how the distribution of the net value of intestate estates should be effected. Also under Section 20 of the Public Trust Office Act 1908 states that Public Trustee shall hold shares of infants as Trustee until such infancy ceases.

    A search of the Public Trustee Office records can only reveal the net values of Henare Kaihau's estate that were distributed to each of his successors and as to when these shares were paid out.

17. Section 51 of the Public Trust Office Act 1908 gives the authority of the Public Trustee to register as proprietor of any estate where he had been authorised to administer the estate. The Public Trustee made such an application with the Land & Deeds Registry Office on 23 February 1921 as evidenced by Transmission 216998 (see Attachment M.19).

18. The Public Trustee exercised its authority to sell the property by making several Deed of Assignments and then finally transferring the land to George Baker, Framer on 22 December 1928 for 1320 pounds as evidenced by Transfer No. 230459 (see Attachment M.20).

19. The southern portion of Allotment 144 remains to this day as European Land with private ownership as evidenced in:

    (a) CT 302/205 (Attachment 21.1)
    (b) CT 873/186 (Attachment 21.2)
    (c) CT 874/196 (Attachment 21.3)
    (d) CT 19D/690 (Attachment 21.4)

(e) CT 19D/691 (Attachment 21.5)
(f) CT 21D/654 (Attachment 21.6)

20. The land formerly held by the Church Missionary Society is now currently held in three separate parcels, i.e.

(a) CT 334/231 - Land on DP 3975
(formerly Pt Allot 144 Waipipi Parish)
- Ronald Bowler

(b) CT 19D/691 - Lot 1 DP 63704 - Ronald Bowler

(c) CT 21D/634 - Lot 2 DP 63704 - Kent Walmsley & Diane Walmsley

as shown on DOSLI's record sheet (see Attachment M.22).

2.3 SUMMARY

1. There is clear evidence that the Chiefs representing the Ngati Te Ata people sold the marae site known as Moeatoa in the first instance to the Church Missionary Society on 13 September 1837 which was confirmed by the Land Claim Commissioners in 1842 and secondly to the Crown in 1864. In the purchase made by the Church Missionary Society and subsequent Court hearing by the Land Claim Commissioners no mention was ever made that the land in question was of great significance to the Ngati Te Ata people.

2. Upon purchase of the land held formerly by the Church Missionary Society in 1896 by Ellen Flavell and then by Henare Kaihau, the land remained as European land with Native ownership. Neither party made application to the Native Land Court to have the land declared Maori Freehold thereby offering protection under their customs or usages.

3. Between 1901 and 1914, Henare Kaihau held the southern portion of Allotment 144 without debt registered against the title. As the land was European Land, it was available for mortgages to be registered against the land in which Henare Kaihau opted to do. Upon his death on 21 May 1920 his estate was left in an intestate position with a substantial debt registered against the land. Upon the authority of the Native Land Court, the Public Trustee acted as Administrator. In accordance with existing legislation at that time, the Public Trustee acted as it saw fit to resolve the debt and distribute the net estate amongst the successors by selling the land in question. The land to this day remains in European ownership.

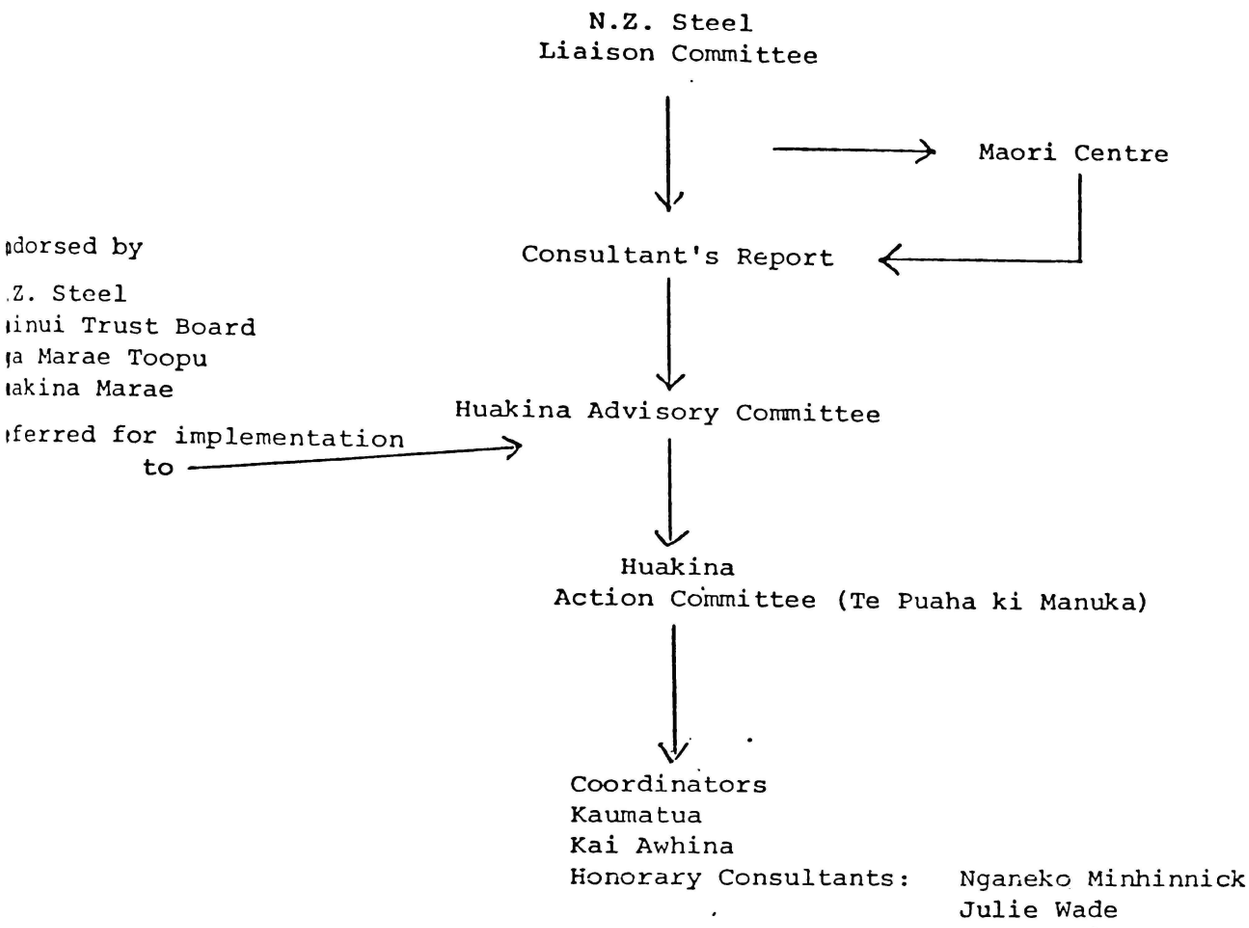
4. The northern portion of Allotment 144 was formerly held in Native ownership between 1896 and 1917, barring a brief period of four years between 1911 and 1915 in which Joseph Lockie, a Waiuku Farmer held ownership, subsequently it was sold by Henare Kaihau in 1917, to which this day remains in European ownership.

5. A brief summary of the ownership is shown on Attachment M.23.

F.

HISTORICAL ORIGIN OF ORGANISATIONAL STRUCTURE

APPENDIX F



rations:

) Huakina action committee to work with local marae committees to expedite:

a) work projects for direct action;

b) longer term development plans and work programmes for submission through Tainui Trust Board representatives on A.R.A. committee;

c) through coordinators to build up liaison with:

Maori Affairs
Labour Department
Education Department
Local bodies

) Coordinators

i) To act as an executive planning team

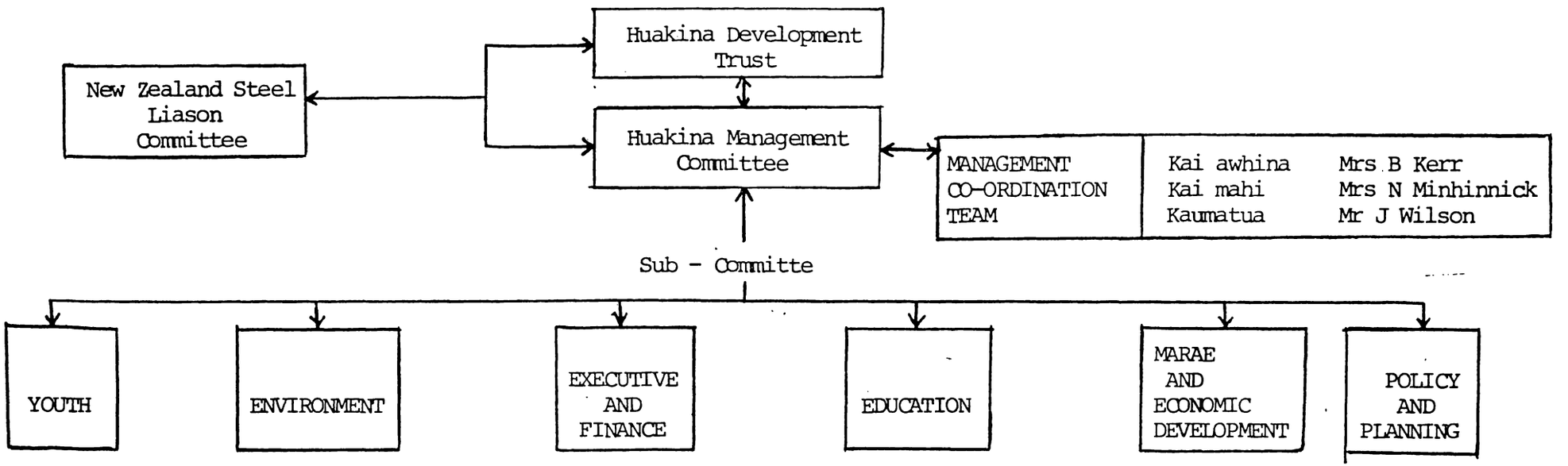
ii) To act as a resource team for local marae

iii) To report on policy and progress to:

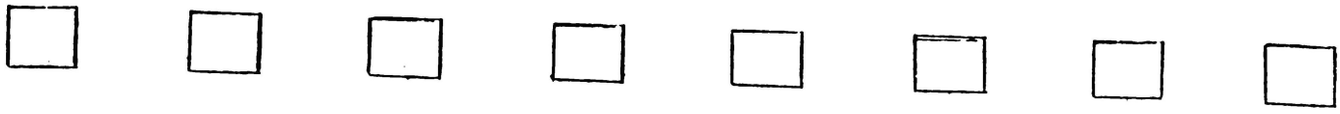
a) Huakina Advisory Committee
b) N.Z. Steel Liaison Committee
c) Tainui Trust Board
d) Nga Marae Toopu

HUAKINA - TE PUAHA KI MANUKA

MANAGEMENT STRUCTURE



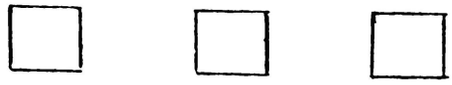
ORGANISATIONAL STRUCTURE



INITIAL EIGHT MARAE

(Each having its own trustees)

+



FURTHER RELATED MARAE

(Within the Huakina area but not in original survey)

HUAKINA ACTION COMMITTEE

(Core: Te Puaha ki Manuka)

2 or 3 representatives of each marae

Coordinators
Kaumatua: Joe Wilson
Kai Awhina
Hon. Coordinators
Occasional Consultant
(including Ken Egan)

Contact: Nganeko Minhinnick

POLICIES AND PROGRESS

Reporting to

'AINUI TRUST BOARD
:hair: George Rawiri
:xec. Officer:
G.H. Forbes
:ec: Wi Taka
:ocal members from
Huakina area

NGA MARAE TOOPU
Chair: Bob Kerr
Sec: Bea Kerr
Local members from
all Tainui marae
including those in
the Huakina area

N.Z. STEEL
Liaison
Committee

HUAKINA ADVISORY COMMI
Has representatives of
Tainui Trust Board, plu
Centre staff.
Centre for Maori Studie
and Research (as
consultant)
Chair: Jim Ritchie

Report

APPENDIX G

LIST OF ARTICLES IN PERMANENT REFERENCE TAKEN FROM NATIONAL AND LOCAL NEWSPAPERS AND MAGAZINES 1970-1984

Auckland Star

3.2.70; 9.3.70; 26.12.70; 18.2.71; 10.5.71; 11.71; 2.2.70; 19.2.71; 8.73; 24.11.73; 26.11.73; 8.73; 22.10.73; 1.3.74; 12.1.75; 8.74; 4.9.75; 20.1.77; 31.3.77; 26.8.78; 11.9.78; 6.8.79; 14.11.79; 13.1.81; 10.2.81; 29.4.81; 7.5.81; 10.81; 27.10.81; 25.11.81; 12.81; 13.1.82; 6.4.82; 11.4.82; 20.4.82; 31.5.82; 7.9.82; 7.10.82; 25.10.82; 7.12.82; 18.3.83; 17.8.83; 15.12.83;

Bay of Plenty Times - Tauranga

13.9.82

Christchurch Press

3.2.70; 8.73;

Christchurch Star

8.2.72; 24.11.73; 12.81;

Courier - thence South Auckland Courier

4.4.72; 23.8.73; 28.8.73; 15.7.80; 4.9.79; 25.11.80; 22.2.83;

Daily News - New Plymouth

17.7.70; 15.8.80; 17.2.84;

Dominion - Wellington

7.2.70; 7.8.76;

Evening Post, Wellington

18.7.70; 25.8.70; 22.1.70; 11.71; 8.73; 24.11.73; 21.11.77; 17.1.81; 12.81;

Franklin Times and County News

22.10.73; 14.4.76; 9.6.76; 20.8.76; 1.12.76; 21.12.76; 14.12.76; 1.77; 1.3.77; 27.9.77; 2.7.80; 18.2.81; 11.2.81; 4.3.81; 4.11.81; 9.12.81; 16.12.81; 3.3.82; 3.3.82; 24.2.82; 2.3.82; 6.4.82; 7.4.82; 16.6.82; 26.5.82; 15.9.82; 30.9.82; 13.10.82; 7.12.82; 8.12.82; 15.12.82; 4.5.83; 8.6.83; 27.9.83; 4.4.84; 17.7.84;

Greymouth Evening Star

3.8.78; 8.10.82;

Hawera Star

17.7.70

Hawkes Bay Herald Tribune

14.3.71

King Country Chronicle - Te Kuiti

14.4.70; 7.6.74; 13.5.75; 21.2.75; 13.5.75; 15.4.76; 13.8.75; 28.8.75; 12.7.76; 30.7.76; 15.10.76; 4.11.76; 8.4.77; 5.4.77; 17.10.77; 2.12.77; 11.10.77; 12.10.77; 31.3.78; 30.5.78; 2.6.78; 1.8.78; 26.9.78; 3.80;

Manukau Courier

30.1.90

New Zealand Herald - Auckland

6.5.70; 3.8.70; 21.11.70; Sunday Herald 8.2.72; 1.3.74; 12.1.75; 8.74; 7.6.75; 19.8.75; 8.1.77; 28.12.76; 25.1.77; 15.3.77; 3.6.77; 25.7.77; 9.8.77; 29.12.77; 5.4.80; 14.2.81; 8.1.80; 18.6.80; 14.8.80; 25.8.80; 31.7.81; 9.9.81; 12.11.81; 17.11.81; 24.11.81; 12.81; 19.12.81; 7.4.82; 15.10.82; 20.10.82; 22.12.82; 16.2.83; 15.3.84; 1.7.83; 11.7.83; 24.2.84; 4.7.84; 19.7.84; 5.9.84; 16.11.84; 23.11.84; 24.11.84;

Oamaru Mail - Oamaru

24.2.84;

Otago Daily Times - Dunedin

3.2.70; 26.1.71; 8.73; 24.11.73; 26.7.75; 6.4.82;

South Auckland Courier

13.9.77; 4.78; 25.11.80; 1.5.84; 6.11.84;

South Auckland Gazette

29.2.72

Southland Times - Invercargill

13.11.81;

Taranaki Herald - New Plymouth

17.7.70; 1.9.70; 12.9.70; 26.12.70; 17.6.83

Times Advertiser

2.9.71

Truth - Wellington

10.10.72

Waikato Times - Hamilton

30.1.70; 7.3.70; 13.6.70; 23.1.71; 12.3.71; 17.7.70; 5.70; 25.8.70; 24.11.73; 28.2.76; 23.11.77; 18.7.78; 11.11.81; 26.11.81; 1.3.83; 16.3.83; 29.3.83; 13.1.84; 23.8.84; 4.9.84; 2.10.84; 3.10.84; 12.10.84; 3.11.84

Waiuku News - Waiuku

2.9.69; 9.9.69; 8.73; 24.8.77;

Wanganui Herald

11.71

MAGAZINES

Auto Age Magazine

8.80

'Eve' - Publication

7.73;

Metal Bulletin - Tokyo, Japan

3.11.70; 2.81;

National Business Review

5.4.82; 18.7.83

NZ Engineers Journal - 'Metal'

7.6.77;

New Zealand Weekly News

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New Zealand Women's Weekly

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