

Maori GIS Conference Wednesday 13 – 15 May 09

OPENING REMARKS

This conference is to progress and record the where about of Maori owned land with the use of GIS technology. Congratulations.

I have attended and witnessed many hui/conferences and have observed high quality papers from many contributors. My observations also conclude that such papers tend to sit in files and gather dust rather than being used to fix up a problem which must always be the purpose of such hui. The lack of any outcomes or follow through from this hui would be a concern.

It is not enough simply to record the where about of Maori land, but to regard such work as a stepping stone for realising its potential and the potential of the landowners. As Maori we are owners of undeveloped Maori land assets and if realised have the potential of adding economic benefits amounting to billions of dollars to the economy of New Zealand as well providing social and cultural benefits also worth billions of dollars. The mapping topic is huge and could be divided into categories of different interests being, land that we actually own, than land we do not own but may have a spiritual relationship with it. The area of land we do not own shall always be subject to the public interest and other unknown criteria.

1. To be effective my paper shall deal with Maori land we own and have title to within the South Island, the known yet unknown rather than what we once owned.
2. I propose that with such mapping of Maori land is but the first step in the process.
3. It would be sensible that such maps of Maori land would also identify the purpose of any Crown grant of the title to such lands so that those who determine the use of these lands comply with the historical and contractual rights and obligations that such lands possess. My focus is on Maori land within the Ngai Tahu whanui takiwa as they all receive their titles from one of the 10 Deeds of Purchase between the Crown and our ancestors.
4. These Deeds recognise pre existing rights, rights that precede the Resource Management Act. I am also aware that some European titles in the South Island also have pre existing rights and have been recognised by the courts. We need to gather this information for our benefit as well so that we may realise the potential of Maori and their assets (Taonga tuku iho).
5. I submit that the current restrictions on Maori land use and development be identified and removed otherwise this project of mapping Maori land has no future or outcomes. Therefore I hope that this conference can produce outcomes that will;
 - a) Realise the potential of Maori
 - b) Realise the potential of Maori Land and such outcomes must be freely available to the Maori land owners such as the information coming from this hui in a manner that such owners have access to the research information and the intellectual property rights belong to Maori land owners so that progress is made.
 - c) That a coordinated approach to deliver all information as mentioned be supported and such a body identified to bring it to fruition.

To realise the potential of Maori owned land my submission looks at the historical background of Maori land tenure looking at the past, than the present and to the future.

PAST;

Historical problems facing the development and use of Maori lands have been two fold, being

1. "If Maori land owners have no development finance the development of such lands, its resources, therefore its potential as an asset in most instances means that Maori land remains idle and unproductive".
2. "If you can not use your land you loose it".
3. The two issues raised are actual restrictions that have confronted Maori land ownership when English law was applied after the signing of the Treaty of Waitangi. It has been a source of Maori land loss. The passage of Te Ture Whenua Maori Act has placed a restriction of taking Maori land but development is difficult. The most restrictive barrier that exists upon the use of such lands is determined by local

authorities. Hence when development is denied by denying the use right than loss of land is a result.

PRESENT;

As Maori many of you as owners or potential owners of Maori land here today maybe familiar with the past and the barriers of restrictions that I have mentioned. The present should be utilised to remedy something that is wrong. If something is wrong fix it. Remove the restrictions and allow the development of Maori assets for the benefit of the property owners, the economy and the cultural and social benefits belonging to Maori. I simplify for you the source of Maori Land title in our takiwa of Ngai Tahu whanui.

**NGAI TAHU DEED OF PURCHASE
IDENTIFIED LAND AND THE TYPE OF LAND AND USE RIGHT FOR SUCH LANDS**

THE CROWN THAN CREATED A STATUTE TO CROWN GRANT THE TITLE

CROWN THAN UNDER THE STATUTE GRANTED THE TITLE TO THE LAND

AS TITLE GRANTED TO OWNER CROWN REPEALS THE ACT – They recognise the purpose that comes from one of the ten Ngai Tahu Deeds of Purchase

Most local authorities have deliberately ignored such pre-existing rights. The last tools we have to seek justice where justice is due is to take court action, or take your case to the Waitangi Tribunal or request separate negotiations with the office of Treaty Settlements.

This is the pathway that we of this generation must pursue. Failure to do so will from my observation result in conflict between the races caused by the colonial imperialistic mono-cultural mechanisms which still exist in certain sections of our communities.

Collaboration between us is essential. As Maori and the first nations people our culture require the recognition and maintenance of intergenerational sustainability. Benefits must be for health commercial cultural and environmental wellbeing. Public good and community good is in my experience part of our cultural relationships.

FUTURE;

It is human to err all persons regardless of their ethnic upbringing make mistakes. The lesson is to identify the mistakes not repeat them and fix them. Judges appointed to the courts make mistakes. The right of appeal exists within the judiciary and the right of appeal applies more than once and at several levels. Parliaments make mistakes and you are or have witnessed parliament making apologies to Maori for their breaches of the Treaty of Waitangi and accompanied by cash and other remunerations recognising their mistakes.

I conclude with a prayer laid out by our ancestors in 1857 to follow being;
“This was the love that was laid upon thy governors,
That the nation be made one
That the commandments be made one
That the law be made one
That the white skin be made one
That we may all enjoy a peaceable life”.

My submissions is simple “mehemea kahore e tika, whakatikangia”. If something is wrong than fix it. That is for the present generation US not our children or grandchildren so that we may all enjoy a peaceable life.

Henare Rakiihia Tau