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Planning to develop land returned under Treaty
settlement in Waikato, Aotearoa New Zealand:
An institutional ethnography

A thesis presented in partial fulfilment of the requirements for the degree
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Abstract

This research investigates planning to develop land returned as settlement for breaches of Te Tiriti o Waitangi (the Treaty of Waitangi). Using institutional ethnography methodology, I explore a case study of the relationship between an iwi authority, Te Whakakitenga o Waikato, and a local authority, Hamilton City Council. In 1995, significant areas of land were returned to Waikato-Tainui through Treaty settlement. This research focuses on processes to develop planning regulation for land owned by Waikato-Tainui at Te Rapa, site of 'The Base' retail development and Te Awa shopping mall, and Ruakura where an inland port and associated activities are proposed.

Iwi planning documents describe a vision to develop land returned under Treaty settlement. Commercial property development to regain 'economic sovereignty' is a critical element in the 'integrated development agenda' for Waikato-Tainui. However, critical discourse analysis and intertextual analysis illustrate that this vision is not well-reflected in local government planning documents.

Relations between Hamilton City Council and Waikato-Tainui have changed from generally adversarial in 2009 during planning processes to restrict development at Te Rapa through *Variation 21*, to more collaborative during planning processes to approve the *Ruakura Plan Change* in 2014. Complementing data from interviewing practitioners with analysis of texts created through these planning processes, I consider control, timing, and trust as key factors in this changing relationship.

This research provides evidence for dual planning traditions in Aotearoa New Zealand. Communal ownership of land and inalienability are characteristics of land returned under Treaty settlement which have influenced development decisions made by Waikato-Tainui.

Planners and the planning profession can 'transform' planning practices to create new relationships between local government and iwi authorities. Interviews suggest that cross-cultural planning can be a challenging and emotional experience. Iwi planning documents articulate a vision for future relationships based on mana whakahaere (affirming Māori authority) and mātauranga Māori (valuing Māori knowledge). In response, I highlight the need for changes to the New Zealand Planning Institute *Code of Ethics* to support planners working to decolonise planning. I conclude by 'mapping' the institution of planning for Treaty settlement land, and identifying levers which planners can use to support Māori goals for land development and economic self-determination.

Dedication

This work is dedicated to the memory of my mother, Janet McCallum (1947-2015).

My mother was born in Calcutta, India in the months before Indian Independence. She was a student in Paris, France, in 1968 during the Student Revolution. She was a protestor against apartheid in South Africa in Wellington, Aotearoa New Zealand in 1981. She researched and wrote about the lives of women in power, in politics and in the press. These events were important in defining her identity, shaping her commitment to both diversity and democracy, and strengthening her resolve to explore untold stories from the 'other' side of history.

These events were also critical in the development of the theories which shape this thesis. Postcolonial theory emerged from post-independence India, from thinkers who were contemporaries of my mother but born as colonised, not coloniser. Disparate and anarchic critical theories were proposed by those who saw the great narratives of capital and labour disintegrate on the streets of Paris. Pākehā, like my mother, turned to decolonisation theories after the success of the Springbok Tour protests, challenged by Māori to turn their anger against racism at home. Feminist theory drew strength from the stories of women, past and present, making their own terms with a world in which they could see the possibility of equality and a better life.

JM, thank you for all that you shared with us.

Moe mai rā

Dieu ait son âme

Rest in peace

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Glossary

Most of the following definitions are adapted from the glossary provided in *Tai Tumu Tai Pari Tai Ao* Environmental Plan (Waikato-Tainui Te Kauhanganui Incorporated, 2013 pp258-263). Definitions for words not included in the *Tai Tumu Tai Pari Tai Ao* glossary have been sourced from Stuart & Thompson-Fawcett (2010) or Ngata Dictionary. These definitions are marked with a * or # respectively.

Hapū	Sub-tribe, usually containing a number of whaanau and marae with a common ancestor or ancestors
Hīkoi	March [#]
Hui	Gathering, meeting*
Iwi	Extended kinship group, tribe, nation, people, nationality, race - often refers to a large group of people descended from a common ancestor.
Kāinga	A home place, usually used for a village*
Kaitiaki	Caregiver, caretaker, the role of protecting and nurturing the mauri of all living things and the surrounding inanimate environment
Kawa	Underlying principles that govern behaviour
Kaumatua	Elders (male or female)
Koroneihana	Coronation [#]
Māori	Indigenous people of Aotearoa New Zealand
Mana	Authority, spiritual authority, protective power and prestige
Mana whakahaere	The exercise of rights and responsibilities to ensure that the balance and mauri (life force) of the rohe is maintained. It is based in recognition that if we care for the environment, the environment will continue to sustain the people. In customary terms mana whakahaere is the exercise of control, access to, and management of resources within the Waikato-Tainui rohe in accordance with tikanga.
Mana whenua	The taangata whenua group or groups with primary mana whakahaere over an area.
Manaaki	Help, care for [#]
Marae	Traditional and contemporary gathering places that may contain a whare nui (meeting house), wharekai (dining room), whareiti (ablution blocks), whare (other houses or structures). May also include a papakāinga.
Mātauranga Māori	Traditional and contemporary Māori knowledge, knowledge systems, and knowledge bases. This includes the body of knowledge originating from Māori ancestors, including the Māori worldview and perspectives, Māori creativity, and cultural and spiritual practices. As an organic and living knowledge base, mātauranga Māori is ever growing and expanding.

Mauri	Life force. Some hold the view that both animate (living) and inanimate (non-living – e.g. rocks) objects have mauri. Waikato-Tainui is intrinsically linked to the environment and so the mauri of the environment effects and is affected by the mauri of Waikato-Tainui. Having an effect on the environment’s mauri has a corresponding effect on the mauri of Waikato-Tainui.
Pākehā	New Zealander of European descent*
Papakāinga	Communities, places where Waikato-Tainui live primarily clustered around marae and other places of significance. ‘Papakāinga’ also means contemporary or ancient marae or paa sites with or without accompanying residences or buildings.
Poukai	An annual circuit of visits by the Māori King to marae affiliated to the Kingitanga (Papa and Meredith, 2012)
Rangatiratanga	Sovereignty, chieftainship, leadership, self-determination (from rangatira, a chief)*
Raupatu	Confiscation. In the case of Waikato-Tainui, the confiscation of lands in the Waikato-Tainui raupatu rohe, and includes the related invasion, hostilities, war, loss of life, destruction of taonga and property, and the consequent suffering, distress, and deprivation suffered by Waikato-Tainui.
Rohe	Tribal region, including the rohe of constituent marae and hapū.
Tangata whenua	Māori and their whānau, marae, hapū and iwi that whakapapa, or have genealogical connections, back to the land by virtue of first or primary occupation of the land by ancestor(s) through a variety of mechanisms such as maintaining ahi kā roa (long term occupation) or conquest.
Te ao Māori	The Māori world [#]
Tino Rangatiratanga	Independence [#] ; self-determination
Te reo Māori	The Māori language.
Tikanga	Values, ethics governing conduct
Tūpuna	Ancestors
Wāhi tapu	To Waikato-Tainui, means those sites of significance that are highly prized
Waka	Canoe; also used to describe a group of iwi who trace their descent to a single waka which was part of settlement*
Whānau	Family unit, not always of immediate family, and may include those that are family by marriage, adoption, fostering, or other close relationship.
Whāngai	Adopt [#]

Note on orthography

In this thesis I employ Massey University standard orthography for the Māori language, which uses a macron to indicate a long vowel. However, I respect that the Waikato-Tainui people use a double vowel in place of a macron. In citations from material prepared by Waikato-Tainui and where requested by interviewees, I retain the double vowel.

