

The Research Methodology & Plan for Protecting Sites and Areas of Significance

*Iwi/Hapu Input to Whangarei District
Council Sites of Significance*

This report has been prepared for WDC by Repo Consultancy Ltd

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1.0 Overview

1.1 Introduction

The Whangarei District Council (WDC) has recognised the need to review its policies and processes related to the protection of Sites of Significance to Maori (SOSM) due to ongoing criticisms of their efficiency and effectiveness (WDC, 2008, p1). The WDC has also recognised that its records, both internal and public, of SOSM are insufficient and sees the need to propose an acceptable research methodology to hapu and iwi of Whangarei District. The WDC has therefore developed a SOSM Project Brief and identified the project goals as: implementing a District Plan Change designed to preserve and protect Sites of Significance to Maori; developing Operational Procedures and Guidelines for Council staff to ensure that SOSM are protected; and working with Hapu/Iwi and Maori communities to ensure that Sites of Significance are identified according to levels of significance (WDC, 2009).

1.2 Purpose

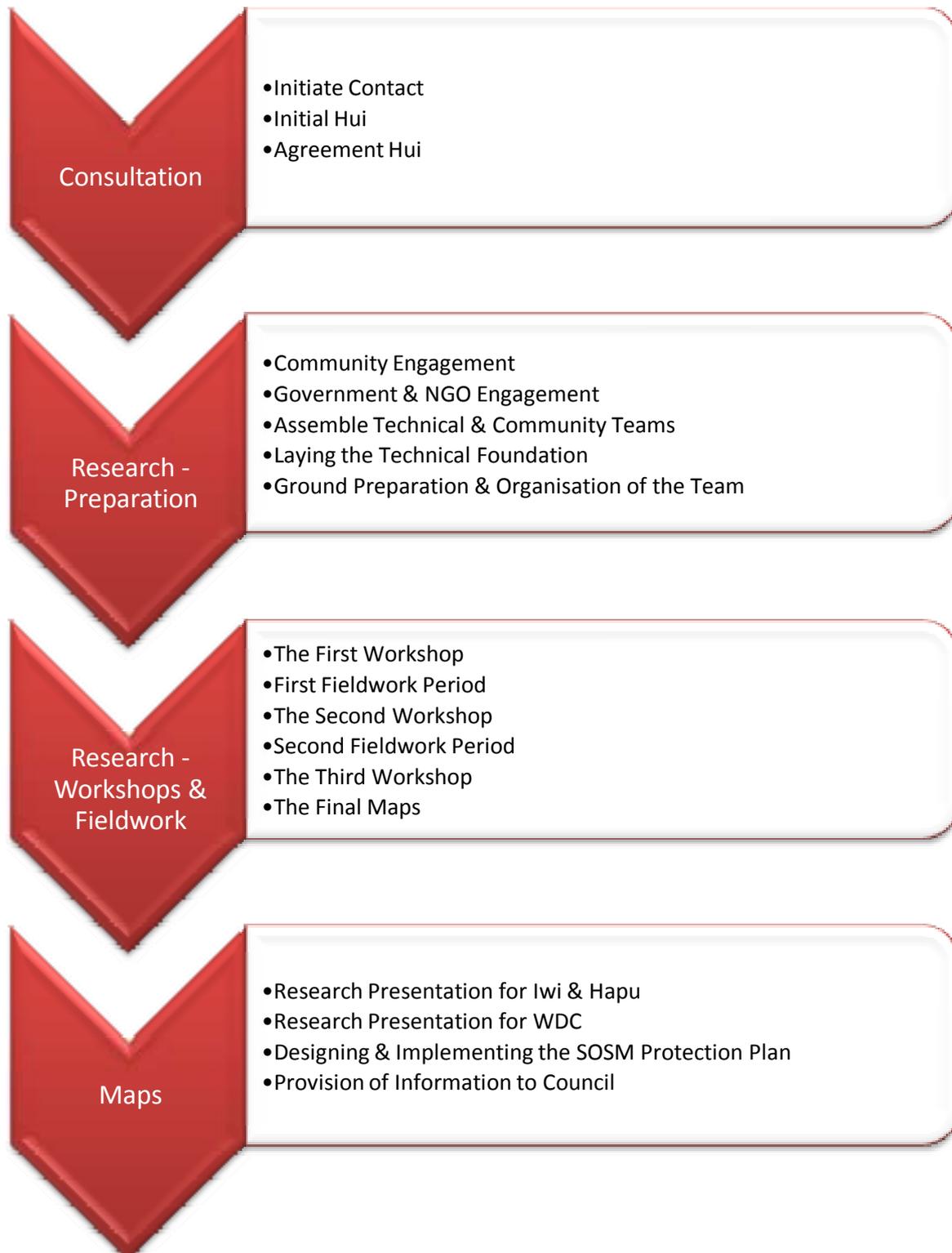
This report has been commissioned by the WDC as part of the SOSM project. The objective of this report is to provide guidance on consultation between Council and tangata whenua in relation to SOSM; outline a research methodology; and recommend improved Council policies and procedures. The consultation and research methodology may be replicated across all hapu and iwi within the district. Iwi and hapu are already carrying out SOSM research and it is hoped by council that they will work with council and provide information on SOSM so that council can assist in their protection (refer to Appendix 1 for a list of related research by hapu and iwi). The recommendations on policies and procedures will result in changes to internal Standard Operating Procedures and the District Plan.

1.3 What is a Site of Significance to Maori?

SOSM have a wide interpretation by Maori. Terms include waahi tapu, sites or areas of significance, taonga, historic heritage, and cultural heritage. In essence the significance of a site or area is up to the hapu or iwi to define. Appendix 2 explores the national and international definitions related to SOSM.

1.4 The Research Methodology

This research methodology is designed to promote ethno-cartography or participatory mapping for hapu and iwi to construct their own maps of their territories, on their own terms. The following is a flow-chart of the steps outlined in this report:



This process involves hapu and iwi producing useful data that can assist to:

- visualise their whenua as a whole;
- gather of dispersed knowledge about history, the land and its natural resources;
- work toward an effective collaborative strategy for conserving biological and cultural diversity;
- influence in positive fashion local and central government policies;
- raise the consciousness of land and natural resource issues and the unique local cultural identity and history;
- provide education in schools and for the tangata whenua population in general, about traditional knowledge, history, and linguistics;
- promote protection mechanisms such as Reserves;
- help to systemise knowledge of the ecosystems inhabited and exploited;
- help understand processes occurring outside of the hapu area of interest that may have an effect on the hapu;
- visualise and talk about diverse resource management issues; and
- stimulate efforts to recover and preserve the history of the region and its people.

A literature review was undertaken during the initial stages of the production of this report. An ideal strategy outlined by *Indigenous Landscapes: A Study in Ethnocartography* was then tested against several projects at their research and planning stages. The projects were:

- ≈ Nga Papa Pounamu, Te Runanga o Ngati Hine;
- ≈ Coastal Cultural Health Index, Te Runanga o Ngati Hine in collaboration with Nga Hapu o Ahipara, Ngati Rehia and Patuharakeke;
- ≈ Te Aho Claims Alliance Traditional Histories Report Mapping Project, Repo Consultancy Ltd;
- ≈ Hikurangi Swamp Drainage Scheme, Ngati Hau Trust Board in collaboration with Nga Hapu o te Reponui;
- ≈ Whaingaroa Biodiversity Strategy, Te Runanga o Whaingaroa.

This report is largely based on both the *Indigenous Landscapes Study* and *Nga Papa Pounamu*.

1.5 What is Ethno-cartography / Participatory Mapping and GIS

Ethno-cartography or participatory mapping is a powerful method of collecting and displaying community knowledge. For the purposes of this project participatory maps are created by tangata whenua and some of the information is shared with council for protection and shared management.

Geographic Information Systems (GIS) are utilised by both the tangata whenua and council to store the mapped information. GIS can be described as:

“The key word to this technology is Geography – this means that the data (or at least some portion of the data) is spatial, in other words, data that is in some way referenced to locations on the earth. Coupled with this data is usually tabular data known as attribute data. Attribute data can be generally defined as additional information about each of the spatial features. An example of this would be schools. The actual location of the schools is the spatial data. Additional data such as the school name, level of education taught, student capacity would make up the attribute data. It is the partnership of these two data types that enables GIS to be such an effective problem solving tool through spatial analysis.”¹

1.6 Information Ownership and Co-Sharing Formula:

The Māori contribution:

From a hapu and iwi perspective, recorded and unrecorded sites and areas of significance are a crucial component of the “cultural landscape”. Wahi Tapu (Sacred Sites), Wahi Whakahirahira (Sites of Significance) and Wahi Taonga (Treasured Sites) are cultural poupou or indicators that give hapu and iwi the ability to “walk one’s talk” throughout their rohe and areas of influence. These important poupou link them to their whakapapa (genealogical history) and to the history of their forebears going back to the discovery period of Māori migration.

One of the main attractions of hapu and iwi participating in the mapping of sites of significance is the opportunity that each group has to develop specific maps of their own territories, on their own terms and according to their own criteria and tikanga. Hapu and iwi will be encouraged to develop maps as they progressively research their own history. The stories associated with the maps and registers will also be critical as they are a tool to bring the history to life.

All maps, historical registers and stories will remain the spiritual and cultural property of the respective hapu, iwi and whanau that developed and drafted them. Running parallel to the property rights of the hapu and iwi will be a co-sharing formula that will clearly identify the respective levels of access to the information provided. This aspect of the project is critical and will ultimately determine how hapu and iwi will work collaboratively with the council or other interested parties that may wish to access the information. This co-sharing formula which enables interested parties like the Whangarei District Council to access the information and maps must be clearly defined and understood by all parties involved in either funding or supporting this project. This understanding must be explicit and agreed to by all parties involved and this must be expressed in writing.

The co-sharing formula will be expressly aligned to the three levels of access as identified in the Ngati Hine (Nga Papa Pounamu) model.²

¹ <http://gislounge.com/what-is-gis/>

² Access to the Record Forms of each site or area of significance is according to a tier system as follows (the level of access will be identified at the recording stage of each site by the kaitiaki of the sites).

Level 1 = Full access to 90% of the information

Local Territorial Authority staff desiring access to Level 1 information and data can do so under a 90% co-sharing arrangement. 90% of the information for these types of sites and areas can be stored electronically in Council GIS systems and alert flags will be attached to specific site information where Māori determine that development activities within the area may potentially impact on the site or area of cultural significance. The council would then require the developer to engage with the hapu or iwi regarding their development.

Level 2 = Limited access to 8% of the information

Level 2 information is considered to be higher in sensitivity than Level 1. The detailed information of the sites will be held by the hapu or iwi and interested parties such as Council or developers who wish to access information can do so under data sharing arrangements. This will mean alert flags will identify where all Level 2 sites are located and interested parties will need to engage with the respective Māori organisations and any developer will then be in a better position to mitigate against undesirable activities earlier in their planning processes.

Level 3 = Restricted access to 2% of the information

This level of information will contain highly sensitive sites with restrictive access as agreed by the whanau, hapu or iwi who have recorded the site. All the Level 3 information will be held by the delegated representative(s) of whanau, hapu or iwi and their permission will be required before any information is disclosed on a case by case basis.

NOTE: The percentages above are guidelines according to the experience of Ngati Hine. It is acknowledged that other hapu and iwi may produce different outcomes however the co-sharing formula governing access to each level of significance should be identified at the recording stage by the hapu or iwi.

1.7 Whangarei District Council contribution to the Co-Sharing Formula:

The Whangarei District Council has made a commitment to work collaboratively with Hapu, Iwi, and Whanau so that the majority/as many sites of significance in the district as possible will ultimately be listed under the relevant SOS Category of Restriction Register.

To enable the project to be successful, Council will contribute to the project operational fund for a period of five years to achieve the following outcomes

1. Setting up of the project team including the project coordinator/consultant position
2. Identifying the project boundaries

3. Developing the Project Plan
4. Funding the initial consultation/participation hui with Māori stakeholders
5. Ensuring all the stakeholder roles and contracts are completed
6. Ensuring that stakeholder researchers complete the registers and stories
7. Project coordinator/consultant develops Policy and Best Practice frameworks
8. Preparation of District Plan Change
9. Project closure
10. Post Implementation Review

Specific project expenses may also include:

1. Salaries of project staff for the duration of the project
2. Travel (to and from workshops, internal travel in the communities, field visits by Coordinators and research technicians)
3. Rental of facilities for workshops and technical staff associated with the recording of sites and or stories.
4. Consumables
5. Provision of technical support to register maps
6. Production of maps and associated documents
7. Honorariums for researchers to cover actual and reasonable expenses
8. Project Coordinator costs

From an operational point of view, the Whangarei District Council will ensure that:

1. Project information, maps and stories are professionally managed and stored in a manner that is consistent with stakeholder/Council memorandums of agreement.
2. Council will work with all stakeholders including staff and external stakeholders to ensure that the relevant sites of significance information is provided to enable the parties to make informed decisions.
3. Council will collaborate with and support the development of best practice and standard operational procedures with the project consultant.
4. Council will support the development of a District Plan Change for the Sites of Significance Policy.
5. Council will support the development of Hapu/Iwi Environmental Management Plans which will provide the vehicle for these groups to register their respective sites of significance.

2.0 Consultation Process

Consultation forms a vital part of identifying and protecting SOSM and requires clear guidance and direction. How best to undertake consultation with tangata whenua is guided through processes identified in many hapu and iwi management plans (refer to Appendix 3 for a summary of the preferred elements of consultation as included in hapu and iwi management plans). There is no 'one size fits all' approach to consultation, and it is recommended that the consultation process is

developed and approved through a collaborative approach with the respective hapu and iwi. This section provides a generic consultation framework on which to base discussions with hapu and iwi when deciding on a final consultation process.

2.1 Recommended Consultation Process

This process is based on sufficient resourcing being provided by the Whangarei District Council to support completion of any proposed work to be undertaken. It is recommended that this process is decided upon during hui held within the rohe of the relevant hapu.

Step 1: Initiate Contact ('shoulder tap' or seek expressions of interest)

- Provide introductory information
 - Resourcing available³
 - Outline commitment level required from all parties
 - Provide consultation and research methodology guidelines
 - Discuss protection mechanisms available once sites have been identified

- Selection of Lead Organisation based upon a ranking or set criteria⁴
 - Recording of SOSM is identified as a priority in their hapu or iwi management plan
 - There is sufficient capacity for the lead organisation and tangata whenua to participate in the project⁵
 - The rohe is within an area which is subject to a high level of development pressure (sites are at risk of modification/destruction)

- Shortlist and interview

Step 2: Initial Hui

The initial hui is an opportunity to begin to develop a joint memorandum between Council and hapu and iwi. The memorandum should be developed collaboratively, with full participation of representatives from communities whose lands are to be mapped. Because there are so many details involving the communities, on the one

³ Adequate and timely funding for the project is crucial.

⁴ While the project is a collaborative effort among several organisations such as council and community organisations, there must be a lead institution that gives direction to the work, is efficient, has the capability to manage project activities and provides a structure for making decisions.

⁵ Projects of this sort involve a relatively complex logistical schedule over a period of approximately six months, including all of the ground preparation work such as contracting in Geographic Information System programmers, administration of funds, organise logistics, laying out a schedule for the entire project, contracting for final production of the maps, and resolving conflicts.

hand, and the technical aspects of GIS on the other, all sides must be consulted and brought into the planning process. The following aspects need to be clarified:

- ∞ Identify roles and responsibilities for each party including:
 - Management Structure overseeing the project
 - Administrative team - project manager⁶, project co-ordinator(s)⁷, administrator, treasurer
 - Technical team
 - Community team
- ∞ Provide draft timeframe for project
- ∞ Identify project area
- ∞ Discuss how the information will be used
- ∞ Identify ownership of information (refer to section 1.6 above)
- ∞ Identify how hapu and iwi will provide feedback to Council on the consultation process and research methodology (including work in the communities and sequence the project will follow) between now and Step 3.

Step 3: Agreement Hui

- ∞ Both parties sign formal contract for SOSM project
- ∞ Contract to detail:
 - Lead organisation,
 - Role of council,
 - Key contact people,
 - Management Structure,
 - Administrative Team,
 - Detailed budget,
 - Consultation process,
 - Research methodology,
 - Extent of project area,
 - Timeframes,
 - Key milestones,

⁶ Responsible to manage the project, arbitrate disputes and be the final authority in ambiguous situations and on all matters of importance.

⁷ The coordinating staff should

- be respected leaders
- be able to communicate with tribal authorities;
- have a clear voice in hapu councils;
- command the respect needed to effectively supervise the Researchers
- be thoroughly convinced of the importance of the mapping;
- dedicated to the work; and
- physically and mentally strong enough to travel to the remotest corners of the territory being mapped.

- GIS and map requirements including projection, attribution, metadata requirements and printing,
- Reporting requirements, and
- Use and ownership of information.

3.0 Research Methodology

Step 4: Community Engagement

During the community engagement stage project leaders and iwi/hapu authorities visit the communities included in the project. These two to three hour presentations, including time for questions and answers should provide an opportunity to discuss the:

- objectives
- importance of the mapping, and
- methodology to be employed

The project can be given some advance publicity in the communities through broadcasts on the Iwi and Maori Radio Stations.

Letters describing the project may also be sent to schoolteachers, community leaders, and political authorities.

Each community's leaders should begin the process of selecting a Researcher who will carry out the research in their region.

Step 5: Government and NGO Engagement

The administrative team visits government organisations and NGOs with some influence over tangata whenua and their lands or with responsibilities for mapping territories. They visit the agencies to discuss the project and enlist collaboration. Collaboration may include the provision of GIS programmers for the technical team or to print the final maps, or to support the completed maps, etc.

Step 6: Assemble Technical and Community Teams

The Technical Team

A team of GIS programmers – numbers depending upon the magnitude of the project – are selected for their technical skills in working with GIS principles, software and data, their attention to detail, their interest in working with tangata

whenua, and their interpersonal skills. Firsthand knowledge of the region being mapped is useful but not necessary.

The Community Team

The community team consists of village Researchers and Coordinators (as discussed above) who supervise the work of the Researchers. The community team must be designed to deal with local political, social, and cultural realities, something that can only be done by local people (with assistance from other members of the project team).

The Researchers are the primary information gatherers at the community level. The number of Researchers in relation to the number of marae can vary. Selection of Researchers should be made by the villages, with input from hapu and iwi leaders. The Administrative Team who understands the attributes the Researchers need to possess to be effective should also have some say over the process.

Researchers should have the following characteristics:

- be tangata whenua;
- be respected members of the community and command the respect of elders;
- reside in the zone for which they gather information;
- be literate, since considerable writing is involved;
- be familiar with the area being mapped;
- be dedicated to the well-being of their community;
- be committed to the objectives of the mapping project;

In some cases two Researchers who cover all of the attributes above can work together. Selection of the Researchers is critical since the quality of the information depends on their skills and reputation. By the time Community Engagement is completed, all of the Researchers should be selected.

Step 7: Laying the Technical Foundation

Assembling GIS data and cartographic materials:

The technical team begins its job by gathering all available GIS data and cartographic materials pertaining to the region being mapped. These include government base maps, aerial photographs, satellite imagery, and any other relevant hardcopy maps and shapefiles. This should be done well before the first workshop so that the technical team will have developed a good knowledge of the region.

Simultaneously, they assemble equipment and materials required for the workshops.

Cluster Zones

If the region to be mapped is very large it may need to be divided into community cluster zones each assigned to different Researchers. The zones should be divided based on not only geography but also on whakapapa and whanaungatanga relations between villages.⁸ The time required for the Researchers to spend in the villages and gain the rapport needed to gather detail and cultural information from communities outside his or her own will need to be considered.

Step 8: Ground Preparation and Organization of the Team

The Coordinators take charge of notifying the Researchers and the communities of when the project will begin and make logistical arrangements and discuss the mapping project with the community leaders.

Step 9: The First Workshop

For the first time the entire team is brought together in one place, face to face. Hapu and iwi leaders, Researchers, Coordinators, and members of the Technical Team should all be present. Aside from the project team, the presence of hapu and iwi leaders is important since the presentations and discussions will give them a comprehensive introduction to the mapping work so that they can promote the project if the need arises.

Three to five days should be set aside for the workshop, to allow for ample airing of what is involved and to give everyone a chance to begin building a relationship of trust and respect.

Agenda for the First Workshop

General orientation:

The first workshop provides everyone with an orientation to the mapping project, to discuss in detail objectives, methodology, the team composition, project administration, and sequence of tasks, logistics, and other project details.

General explanation of maps and mapping:

A first step is to discuss what maps are, how they are used, how they are assembled and interpreted, and basic mapping concepts such as scale. The purpose of this is so

⁸ In deciding on the size of zones ensure that the Researcher has a manageable area and will not be overtaxed.

that tangata whenua have the opportunity to learn how to read, interpret, construct, and use their own maps.⁹

Data-gathering strategies:

There are three tools for the Researchers to gather information in the communities. These are (a) drawing sketch maps of the physical features and land use patterns of the region, (b) administering a questionnaire on land use, and (c) writing down supplementary information in notebooks. The questionnaire is developed in the workshop. The Researchers practice drawing maps of areas they know well, from memory, and these can be hung on the wall and critiqued by the group.

(a) The Researchers are given no instruction on techniques for drawing sketch maps. However, the Researchers are asked to draw sketch maps of the data they collect.¹⁰

(b) Project leaders and the Researchers develop a questionnaire regarding SOSM. The questions should be short and direct. Questions such as, “what are the names of the Papakainga that were here?” or “what are the names of places where people gather medicines there?” followed by lines for the answers.¹¹

Project leaders should run the Researchers through several practice sessions with the questionnaire. The Researchers break into small groups and interview people. The Researchers then place the names on the hand drawn maps. They may practice short speeches explaining the purpose and objectives of the project. They then return to the workshop center, report on their findings, and critique each other.

(c) Researchers are encouraged to keep notebooks with supplemental information that does not fit in the questionnaires or on the maps. The notebooks are to contain commentaries on the names of rivers, mountains, hills, lakes, etc. (e.g., historical origins, unusual facts, changes in names through time); types of birds, fish, and vegetation prevalent in different areas; unusual land features; and so forth. Some of the information is linguistic, historical, and cultural, while some helps to locate places and names on the maps and calculate distances.

Letters of introduction:

Project leaders and tribal authorities should draft an official letter of introduction that can be carried by the Researchers into the field. The letter should explain the

⁹ Thematic maps showing vegetation, climate, political districts, protected areas, population distribution, are good examples of the different uses of maps.

¹⁰ It is considered that training might stop the Researchers from developing the cognitive maps together with local people. This enhances rather than impedes their ability to draw maps and allows them to represent local realities much more effectively without inhibiting their creativity.

¹¹ Activities covered could include pakanga, pa, kainga, ceremonies, hunting, fishing, farming, and the gathering of medicines, firewood, building materials, and fruit etc.

objectives of the project, the general task of the Researchers, and the need for cooperation from the community.

Note: If researchers are required to enter peoples land to record information they must have permission from the landowner.

Finally each Researcher receives materials for the first fieldwork period: letters of introduction, sheets of paper for the maps, colored pencils, a plastic folder with the questionnaire, notebooks, and plastic tubes to carry the maps.

Step 10: First Fieldwork Period

A period of up to a month is advisable, no matter what the area's size is, to encourage discussion in the communities.

Gathering Information

Researchers meet with kaumatua and kuia immediately after returning home, and discuss the mapping project¹². Presentations at marae meetings should follow to bring everyone into the project and enlist support for the data collection and to discuss again the purpose and benefits to the locals of the mapping, and the research methodology. At this point, people knowledgeable about the region and its resources are assigned to work with the Researcher, and together they begin working on the map and filling in the questionnaire.¹³

Supervision of information gathering:

During the time that the Researchers are in the field, the Coordinators and Technical Team should visit them to evaluate their work and provide assistance where needed.

Step 11: The Second Workshop

This is when the Researchers and Technical Team begin to work together to transcribe the field data onto new GIS maps. Sufficient time¹⁴ should be set aside for this stage.

Pre-workshop Preparation

¹² its purpose and objectives, expected benefits, field methodology, and what is expected of the community.

¹³ Most of this information is held by local people who have cognitive maps of their region that are both precise and detailed; only a limited number of field visits have to be made. Choose small groups of four or five villagers with intimate knowledge of the region who would serve as principal advisors to the project.

¹⁴ at least three weeks dependent upon the extent of the project area

Before the Researchers return from the field, the technical team assembles their equipment and materials. They set up projector and screen and bring the maps and data already collected. The technical team ensures they have a base map of the major river systems and hill shade relief and traditional place names for each of the zones, setting the stage for the Researchers to fill in the details.

GIS Projections should be set to GD2000.

Attributes include the following:

- a) **Source:** Contractors/Consultant company/name who did the work/digitized/assembled
- b) **Date:** of Build or assembly
- c) **Authority:** eg: Engineering report, Document identification
- d) **Accuracy:** (typically eg: CRS, GPS, AIRDIGI, DIGI(tized), +/- 2m for example,)
- e) **WDC:** Contract number (if applicable) or WDC contact Dept/Div/person.
- f) **Comment:** additional information

Arrival from the field:

As soon as the Researchers arrive from their communities they should place their materials – hand-drawn maps, questionnaires, and notebooks – in individual folders. The Technical Team then makes a careful inventory of these folders and labels each with the name of the Researcher and the cluster zone.

A resolution should be met with all teams involved to establish the workshop structure. Work hours should be agreed to, with regular breaks.

The Technical Team then goes through the folders carefully, without the Researchers present, and notes down which ones are complete and which have holes. They then categorise each bundle according to degree of difficulty.

Transcribing field data onto new maps:

The Researchers work individually with the technical team to transcribe their information onto newly created GIS maps.

This work is split into two broad task areas that are done separately: (1) correcting, filling in, and naming the physical features of the maps (river systems, swamps, lakes, lagoons) and papakainga; and (2) plotting significant sites and areas, resource use patterns (hunting, fishing, agriculture, gathering, etc.). This work goes back and forth, comparing the data in the questionnaires, the hand-drawn maps, and the notebooks with base maps and aerial photographs.

Open discussion among the technical team and groups of Researchers with overlapping and shared knowledge of sub regions should be promoted. In this way,

differences of opinion can be resolved and data verified on the spot to minimize the number of questions to be resolved in the final field visit.

The technical staff and the Researcher could talk about fieldwork experience: how information had been gathered, what the dynamic was in the community, how the maps were drawn, and what difficulties had been faced.

Time should be taken to note knowledge gaps to be filled in during the second fieldwork period. When any matters are uncertain, the technical team places a question mark on the map and jots down a notation in the notebook so the Researcher can check it during the second fieldwork period.

Receiving visitors:

Project staff can invite government officials and staff, NGO representatives, and other interested parties to experience the workshop in action.

Activities during downtime:

The Coordinators could hold group sessions with the Researchers when they are not involved with the technical team. They could discuss their fieldwork in the communities, going over problems and strategies.

Tribal authorities can lead some discussions, presentations and videos dealing with conservation, forests, and tangata whenua; and the technical team can give the Researchers informal classes and practice sessions dealing with GIS.¹⁵

Print maps to take out for second fieldwork

The new maps produced can then be printed out for the Researchers to take back to the communities for verification. These maps can range in size depending on the project area, however it is recommended that the scale is no greater than 1 : 200 000.

Step 12: Second Fieldwork Period

The purpose of the second fieldwork is for the Researchers to return to their communities to thoroughly analyse, verify and fill in gaps in the draft maps and resolve ambiguities.¹⁶

The technical team should visit the Researchers in their communities during the fieldwork period to help out and evaluate their progress.

¹⁵ These activities should be carried over into the third workshop.

¹⁶ Sufficient time should be allowed for community debate and is desired fixing coordinates with a GPS

Step 13: The Third Workshop

This period is dedicated to correcting the maps and putting in the finishing touches so that they achieve their final form. The magnitude of this task will determine the length of the workshop; in normal circumstances, it should last no more than a week to 10 days.

Drafting detailed community maps:

The technical team completes the final versions of community maps showing the details of SOSM. These might be at a scale of 1:100,000 to 1:25,000.¹⁷

Discussion of map details:

This is an opportunity for the tangata whenua and kaumatua and kuia to make a final evaluation of the data being integrated into the maps. They verify the location of physical features and land use areas, check the proper spelling of place names, and review boundaries¹⁸. This is a chance to give the maps meaning; it should be seen as an opportunity to reflect on the practical uses of the maps and their importance for tangata whenua. During this time, the technical team is not required to be present, allowing the hapu and iwi to take over the maps.

Everyone on the team should discuss map features, including not simply size and scale but also symbolism, the legend, colours, and methods of depicting different kinds of information.

Step 14: The Final Maps

Community oversight and quality control:

While the GIS programmers take charge of this phase of the project, hapu and iwi input remains vital. Close attention should be paid to ensure that the information given by the hapu and iwi is reproduced fully and accurately. Hapu and iwi leaders and some of the Researchers should be present to ensure that the maps are being faithfully completed and that the maps are printed without delay.

Credit for the Maps:

¹⁷ E.g. zone maps at a scale of roughly 1:50,000. These could show physiographic features, settlement patterns, and SOSM and regional maps of 1:500,000 showing physiographic features, settlement patterns, and the boundaries of SOSM. These maps can be composites of the zone maps, fit together like pieces of a jigsaw puzzle.

¹⁸ The sessions with kaumatua and kuia could be taped and later transcribed for future use.

Hapu should consider a credits section on the map to outline contributors to the project such as the Lead Organisation, the team members, and the sponsoring institutions that supported the project.

A statement regarding reproduction being prohibited without the previous authorization of the map owners could also be included.

To provide some semblance of official recognition the Whangarei District Council could provide a supporting statement such as, "With the Approval of the Mayor of the Whangarei District Council".

Printing the maps:

Local printing facilities should be used, if they exist.

Because these maps will be used for years in the communities – especially in schools, marae and offices – they should be printed on strong, durable paper and be of high quality; the most durable maps are those laminated in plastic.

Step 15: Research Presentation for Iwi & Hapu

An event where the maps are presented back to the communities is an opportunity to acknowledge the contribution of the community in the project development. Confirmation of the purpose of the maps can be reinforced at this time. Presentations of maps to schools and other relevant groups can be considered.

A discussion amongst the community on how the maps will be presented to Council and the expectations for the protection of the information and the sites and areas of significance should be recorded.

This is also a good time to evaluate the project process.

Researchers could give presentation on assigned topics such as, sites of significance, flora and fauna of the region, ahu whenua, and so forth.

Step 16: Research Presentation for WDC

After presentations back to the community the project leaders and council arrange an event to:

- ∞ Present research findings
- ∞ Discuss and agree level of protection for sites
- ∞ Develop SOSM Protection Plan

∞ Evaluate the project

The event could include:

- the mapping process explained in a display showing how the maps developed during the sequence of workshops;
- a video pieced together from the workshops;
- displays of artifacts;
- talks covering cultural, political, demographic, and environmental aspects of the territory;
- the final maps displayed and explained during the presentation.

Step 17: Designing and Implementing the SOSM Protection Plan:

Project leaders are encouraged to develop a coherent strategy for managing the sites with council. The core of a strategy could consist of:

- a management plan regulating land tenure and management of SOSM
- Kaitiaki identified for sites
- Vesting of waahi tapu
- Use of 'silent files'
- Process for updating site register

Note: the matters above could be included in the original MOU between council and the iwi or hapu but it is valuable to revisit at this stage to ensure the plan suits the information gathered.

A collaborative approach with councils, the Department of Conservation, other government agencies and NGOs, should be pursued.

Step 18: Provision of Information to Council:

On agreement of the provision of information to council the iwi and hapu will provide GIS shapefiles, tiff images of the maps and a metadata document which:

- a) Describes the project, contract number(s), who commissioned the work in WDC, who did the work and their contacts, outline the scope, reason and purpose for the data and how to use it and any other ancillary information to support the project and the methodology of data capture.
- b) The metadata document will describe the attribute data with at least the following:

Map name: ie the Shape file name

Description: Brief explanation

Feature Type: Polygon, point, line

Attributes Used: List each and describe, these are in addition to the requirements to #3 above.

Attribute Codes: If attribute fields use a specific set of unique codes, these are described.

Accuracy: To what accuracy was the data captured and how is it to be used, for example, if lines were digitized to represent a physical feature, then what width on the ground should they be used or the appropriate scale of display.

Source(s): Company, persons involved.

Date of build:

Authority: Suitable engineering or other study/analysis report identification

WDC Contract Number: If data supplied under contract.

Other information: As required.

4.0 Policies and Processes

This section provides comment and recommendations in relation to existing national and international policies and processes relating to SOSM and provides recommendations for improvements to council policies and procedures.

4.1 Protection Mechanisms and Policies Relating to SOSM

There are several laws and policies relating to the protection of SOSM (refer to Appendix 4), however council has identified that current District Plan policy and their internal procedures are not adequate in protecting SOSM. Council is currently carrying out a rolling review of the district plan and is committed to improving their SOSM policies and procedures.

4.2 The Whangarei District Plan

In general, Chapter 7 of the Whangarei District Plan provides a strong framework on the issues of relevance to tangata whenua and supports the identification and protection of SOSM. However, the protection of SOSM relies heavily on the implementation and enforcement of Chapter 7. The following are recommendations relating to the Whangarei District Plan:

1. Implement Council's 'Taking into Account' Policy for iwi and hapu management plans
2. Provide resourcing to hapu and iwi for developing management plans
3. Include rules and assessment criteria on how sites identified in iwi and hapu management plans will be considered when assessing resource consent applications
4. Clarify the term "validated information" and link to policy to have sites included in the district plan
5. Consider provisions for joint management agreements
6. Clarify how 'heritage areas of significance to Maori' fit within the district plan framework
7. Identify priority initiatives and how they can be resourced
8. Clarify the difference between "heritage areas" and "SOSM"
9. Plan changes to incorporate sites identified in iwi and hapu management plans into the district plan completed on a regular basis
10. Include policies in the district plan to consider sites identified in iwi and hapu management plans when assessing discretionary resource consents
11. Develop a guidance note providing examples on activities that would comply and those that would not
12. Include a requirement that a CIA will need to be provided in order to determine the effects of the activity on the matters listed
13. Provide training to resource consent planners

14. Include an additional column on the SOSM Schedule identifying the group who sought to have the site included in the District Plan

4.3 Resource Consent Processing & Standard Operating Procedures

The following are recommendations relating to Resource Consent Processing and Councils Standard Operating Procedures:

1. Develop a step-by-step process for staff to help determine when comment from iwi and hapu should be sought
2. Provide training opportunities for iwi and hapu on resource consent processes
3. Expand SOP to include guidance on processing resource consents that affect an SOSM or where a site has been identified in a iwi or hapu management plan
4. Provide training for staff, include examples to ensure consistency in interpretation of SOP
5. Develop an internal contact database, include information such as:
 - a. interested in receiving resource consent applications within a defined/named areas
 - b. contact details
 - c. have a dedicated department to keep and maintain database
6. Amend resource consent application form to include questions such as:
 - a. is the proposed application site near a SOSM?
 - b. is the proposed application site near a site identified on a iwi or hapu management plan?
 - c. If so, has engagement been undertaken with the relevant iwi/hapu?
 - d. What was the outcome of the engagement?
 - e. Has a cultural impact assessment been included as part of the resource consent application?
7. Council to encourage pre-application engagement with tangata whenua as best practice
8. Develop best practice guide on undertaking engagement with tangata whenua
9. Agree a standard set of resource consent conditions with iwi and hapu (note: this does not replace the need for additional conditions to be used where appropriate)
10. Investigate avenues for funding/resourcing iwi and hapu to participate effectively in process
11. Cultural Impact Assessment guidelines
12. Cultural Impact Assessment policy on who shall produce CIAs
13. Guidelines for conditions on resource consents
14. Monitoring undertaken by tangata whenua (subject to appropriate skill base)
15. Guidelines on how iwi and hapu management plans are used to inform resource consent process
16. Information included as part of PIM's/LIM's

Appendix 1 - Current SOSM Related Research by Iwi and Hapu of Whangarei District

During the development of this report numerous SOSM related research by iwi and hapu within Whangarei District have been identified. For the sake of consistency and future reference the project owners, objectives and key contact personnel are listed below:

Te Orewai – (1) Sites of Significance to Maori - Delaraine Armstrong, (2) Traditional Histories Report – Tui Shortland (3) Nga Papa Pounamu – Tui Shortland

Patuharakeke – (1) Sites of Significance Research – Dave Milner, (2) Coastal Cultural Health Index - Dave Milner;

Ngati Korora, Ngati Taka, Te Waiariki – Traditional Histories Research – Hori Parata;

Te Whanau o Rangiwihakaahu – Traditional Histories Research – Clive Stone;

Te Whanau Whero – Traditional Histories Research – Clive Stone;

Whangaruru – Traditional Histories Research – Clive Stone;

Ngati Hau – Sites of Significance Research – Alan Halliday;

Ngati Kahu o Torongare – Traditional Histories Research – William Pohe;

Te Parawhau – Traditional Histories Research – Richard Nathan;

Appendix 2 - National and International Definitions related to SOSM

Te Tiriti o Waitangi

Sites of significance to Maori can be considered as those things proclaimed by Article Two of Te Tiriti o Waitangi 1840, namely lands, villages and all things highly prized including tangible and intangible possessions (TPK, 2001, p39)

Hapu and Iwi Management Plans

A number of Te Tai Tokerau hapu and iwi management plans were reviewed in preparing this report. Of special note is that many of the management plans referred to sites of significance as 'waahi tapu' - there were no distinguishing differences between the two terms.

All the management plans noted the importance of identifying and protecting sites of significance. Waahi tapu play a significant role in determining the relationship of Maori to their environment. The management plans described waahi tapu as:

- places that are sacred, significant or important;
- being based on tangible or intangible values, and can be applied to both land and water;
- including a wide range of sites which have significance for a number of reasons. For example, where an important battle took place, or where an important pa once stood, or perhaps where a victorious chief rested on his return from battle;
- each site has a level of tapu associated with it; and
- including sites of importance to both Maori and non-Maori.

United Nations Educational, Scientific and Cultural Organisation, Convention Concerning the Protection of the World Cultural and Natural Heritage 1972

The UNESCO World Heritage Convention links together the concepts of nature conservation and the preservation of cultural properties. New Zealand ratified the Convention in 1984. The Convention defines cultural and natural heritage as:

- monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;
- groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

- sites: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.
- natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;
- geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;
- natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty (UNESCO, 1972, p2).

Resource Management Act 1991 (RMA)

The RMA (s2) states that historic heritage

(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- (i) archaeological:
- (ii) architectural:
- (ii) cultural:
- (iv) historic:
- (v) scientific:
- (vi) technological; and

(b) includes-

- (i) historic sites, structures, places, and areas; and
- (ii) archaeological sites; and
- (iii) sites of significance to Maori, including wahi tapu; and
- (iv) surroundings associated with the natural and physical resources (New Zealand Government, 2009)

Historic Places Act 1993 (HPA)

The HPA defines waahi tapu as meaning "a place sacred to Maori in the traditional, spiritual, religious, ritual, or mythological sense" (New Zealand Government, 2008).

Regional Policy Statement for Northland (RPS)

The RPS does not define SOSM but does include a definition for waahi tapu as a sacred site, defined locally by the hapu and iwi which are kaitiaki for the waahi tapu and typically includes burial grounds and sites of historical importance to the tribe (Northland Regional Council, 1999, p23).

Whangarei District Plan

The Whangarei District Plan does not contain a specific definition for sites of significance; however it does define waahi tapu as a place which is sacred or spiritually meaningful to tangata whenua.

Appendix 3 - Hapu and Iwi Management Plans

A review was undertaken of various hapu and iwi management plans relevant to Te Tai Tokerau. These are:

- ≈ Ngatiwai,
- ≈ Ngati Hine,
- ≈ Te Roroa,
- ≈ Ngati Rehia, and
- ≈ Ngati Kuta me Patukeha.

Of these, Ngatiwai and Ngati Hine have lodged their plans with the Whangarei District Council. Council has also received plans from Nga Hapu O Mangakahia (July 1995) and Patuharakeke.

All the management plans reviewed included sections on how engagement should be undertaken and provided for. Practices that were advocated for include:

- Early and direct engagement is promoted and undertaken (for example pre-application engagement between the resource consent applicant and tangata whenua, or between councils and tangata whenua when developing policy)
- Use of Cultural Impact Assessments to provide guidance on tangata whenua views, concerns and solutions
- Clarifying when tangata whenua consider themselves to be an affected party
- Recognition of matauranga Maori as a valid form of knowledge
- Notification to tangata whenua of resource consent applications where the activity concerns, or may potentially affect, environmental resources
- Agree policies/procedures on how engagement will be undertaken between parties
- Support made available for tangata whenua to actively and effectively participate in engagement processes
- Engagement policies and procedures need to reflect that engagement is a collaborative process.

Appendix 4 - Protection Mechanisms and Policies Relating to SOSM

Te Whakaputanga o Nga Rangatira o Niu Tireni (1835) me Te Tiriti o Waitangi (1840)

Te Whakaputanga o Nga Rangatira o Niu Tireni asserts that all sovereign power and authority within the territories of Te Wakaminenga (the United Tribes of New Zealand)...reside(s) entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity (TPK, 2001, p27). This Declaration of Independence was soon after reinforced by Te Tiriti o Waitangi which amongst other things guarantees the authority and self determination of chiefs and hapu over their lands, villages and their highly prized tangible and intangible possessions (TPK, 2001, p39).

United Nations Declaration on the Rights of Indigenous Peoples

In 2007 the United Nations General Assembly guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter, adopted the United Nations Declaration on the Rights of Indigenous Peoples. This universal human rights instrument was affirmed by the New Zealand Government on April 20th 2010. The Declaration is seen as representing the minimum standards for the survival, dignity, and well being of indigenous peoples. The relevant Articles of the Declaration to SOSM are:

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

UNESCO World Heritage Convention

The Convention sets out duties in identifying potential sites and their role in protecting and preserving them. By signing the Convention, New Zealand pledged to conserve not only the World Heritage sites in New Zealand, but also to protect our national heritage. The Parties are also encouraged to integrate the protection of the cultural and natural heritage into regional planning programmes, set up staff and services, undertake scientific and technical conservation research and adopt measures which give this heritage a function in the day-to-day life of the community. Transmission to future generations of the cultural and natural heritage is acknowledged as belonging primarily to that State and that it will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Resource Management Act 1991 (RMA)

Section 6 of the RMA identifies that all persons exercising functions and powers under the Act shall recognise and provide for the:

- relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance; and
- protection of historic heritage from inappropriate subdivision, use, and development.

Section 7 states all persons with functions and powers under the RMA shall have particular regard to 'Kaitiakitanga' in achieving the purpose of the Act, while section 8 states that the principles of the Treaty of Waitangi shall be taken into account.

New Zealand Historic Places Trust (NZHPT)

The NZHPT, which is the organisation responsible for the administration of the Historic Places Act 1993, gives some protection to waahi tapu areas, but only where such areas contain archaeological evidence and are therefore deemed to be an archaeological site. The Historic Places Act 1993 defines an archaeological site as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. As with other NZHPT registered places and areas, registration of 'waahi tapu' alone by the NZHPT does not provide protection. Protection can only be achieved if the place is listed in a regional or district plan under the Resource Management Act, or if the place is also an archaeological site as defined under the Historic Places Act, as mentioned above.

Regional Policy Statement for Northland (RPS)

Chapter 14 of the RPS refers to Northland Regional Council's responsibilities under sections 6(e), 7 and 8 of the RMA, and the need for engagement to occur between Council, the developer and tangata whenua in considering the management of resources (including waahi tapu).

Whangarei District Plan

Chapter 7 (Tangata Whenua) of the District Plan contains a comprehensive section on issues of relevance to Maori. Those provisions directly related to SOSM include:

- Protection of features, places and characteristics of natural and physical resources of special value to Maori, which may include, but are not limited to waahi tapu, tauranga waka (canoe landing site), mahinga kai, mahinga mataitai (food resources from sea), taonga raranga (plants used for weaving), urupa (cemetery or burial site), ancestral lands, wai whakaheke tupapaku and buried whakairo.
- Recognition of the Treaty Principle of Active Protection.
- An objective to ensure priority is afforded to the protection of taonga of tangata whenua and their relationship with their ancestral lands, water, sites, waahi tapu and other taonga.
- Recognition of enabling tangata whenua to exercise rangatiratanga and kaitiakitanga over their ancestral lands, waters, sites, waahi tapu and other taonga.
- A policy to ensure land use, subdivision and development does not adversely affect SOSM, or other taonga identified in the district plan or hapu environmental management plans.
- Recognising the need for effective engagement with, and participation of, tangata whenua in resource management processes.
- The use of regulatory and advocacy/educational methods to achieve protection of SOSM (including imposing financial penalties for illegal destruction of heritage areas of significance to tangata whenua).

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