"Nursing a Colonial hangover" – 15 years on.

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Abstract

In 1994, I completed studying for a Master's degree in Regional and Resource Planning at the University of Otago. I had just completed an undergraduate degree majoring in Maori Studies, and as a result in my second year I elected to undertake a thesis in which I considered whether the relatively new Resource Management Act 1991 was going to enable the incorporation of Maori environmental values into the New Zealand resource management system.

My thesis investigated the history of the relationship between European and Indigenous cultures, concluding that indigenous understandings of the world have been subjugated by European values and beliefs. These values and beliefs were translated into the political, economic and social structures of post colonial nations; values which still permeate policy and institutions to this day. As a post colonial nation, I contended that New Zealand was in the grip of a 'colonial hangover'.

Informed by this, a critical analysis of the Resource Management Act 1991 led to a conclusion that the Act did not adequately provide for Maori concerns to be addressed in planning. In the face of provisions that purported to be enabling and empowering, Maori values were still able to be effectively overlooked, and I concluded that this should be of significant concern to New Zealand's planning structures.

A series of recommendations were advanced that would elevate the status of Maori values in resource management, based upon a series of interviews with practitioners and Tangata Whenua. These recommendations included:

- Affording the Treaty of Waitangi greater status in the Resource Management Act 1991, such as amending the wording of section 8; and
- Affording Maori concepts and values, such as Kaitiakitanga, greater status so that they were at least on par with other matters.

Indigenous views of the world and the relationship of people with the environment can and should have a significant role in resource management processes. More than 15 years have passed since my initial, and perhaps superficial, recommendations. A shortened version of this paper was originally prepared and presented at the *Mana Kaitiaki* conference held in late 2010. That conference, and this NZPI conference, have presented a timely opportunity to revisit my earlier conclusions, from my experience as a non-Maori planning practitioner, to consider what may have changed since the completion of my research. In doing this, I have not undertaken a significant literature review. My comments are generally based upon my experience as a practitioner over the last 15 years or so.

As a starting point, I would like to very briefly traverse what I considered to be the differences between western and indigenous environmental rationalities, or world views, before moving on to very briefly comment on the western or European views of non-western or indigenous cultures.

I then look at the development of planning legislation in New Zealand, and comment on how Maori values have, or have not, been incorporated, before moving to the Resource Management Act and how it was seen to address Maori concerns not long after the Act came into being. Finally, as I mentioned, I would like to comment on those issues with the benefit of 15 years experience in the industry.

Western and Indigenous Cultures

Very briefly, culture is the expression of the way in which a social group conceptualises both

the natural world and its relationship to it[1]. A culture reflects and embodies the world view, or rationality, of a particular group.

Each culture has its own world view, a unique way of conceptualising and making sense of its natural environment and society. A world view is the integrated body of the experience of a culture. The world view incorporates cultural values and beliefs, and considers all of the experiences, beliefs and practices of a cultural group in an holistic manner[2].

By way of extension, environmental rationality is the way in which a culture conceptualises the natural world, and the difference between that of western and indigenous cultures is, in my opinion, stark.

The western environmental world view has seen nature and human kind as detached and in opposition to each other. This detachment is effectively a subject-object relationship[3], where nature is viewed as an object – something to be utilised, controlled, possessed, and managed. Western rationality contends that all physical and social phenomena can be explained through knowledge and calculation. Any explanation attributing supernatural causes to natural phenomena, for example, is considered invalid[4].

Indigenous environmental world views, however, are based on the view that humans and the natural world share equal status, and everything is considered interdependent and interrelated[5]. As a result, indigenous resource management systems reflect the knowledge accumulated by many generations observing the natural and physical environment surrounding them.

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[1] Andrew Henderson [1994] – Nursing a Colonial hangover: Towards Bicultural Planning in New Zealand. Unpublished Thesis, University of Otago.
[2] Gordon A and Suzuki D(1991) *It's a matter of survival*. Cambridge, Massachusetts. Harvard University Press.
[3] Nuit Bird- David (1993) *Tribal Metaphorization of human-nature relatedness – a comparative analysis* in Milton, K (ed) (1993) *Environmentalism: The view from anthropology* London; New York. Rutledge. .
[4] Weaver, C et al (1985) *Rationality in the public interest*: *notes towards a new synthesis* in Breheny, M and Hooper, A (eds)(1985) *Rationality in planning and the search for community* London: Pion Ltd.
[5] Te Puni Kokiri, 1993 *Mauriora Ki Te Ao: An introduction to Environmental and Resource Management Planning* Wellington: Te Puni Kokiri.

In contrast to indigenous controls that are sourced in complex cultural and religious beliefs, western culture attempts to make the exploitation of the environment by way of secular legislation and rules enforceable by law. In saying this I do not deny that much of western law is based in Judaeo – Christian values. However, cultural and environmental Maori values are explicitly more spiritual than western culture.

Taking this a step further, the cultural assumptions of West European societies (particularly Britain) up until and during the 18th and 19th centuries centred on the idea of western superiority. These attitudes were deeply inscribed with an intolerance of cultural difference. No attempts were made to understand the indigenous understanding of life in colonised countries[6]. Claims that western superiority was a proven scientific fact have long since been shown to be erroneous. However, they have nonetheless helped to fortify an enduring belief in western cultural superiority. It is these beliefs, in my view, that (unconsciously, perhaps) underpinned the development of planning policy and legislation in New Zealand, and that overall these views have influenced the development of legislation in New Zealand as a post colonial nation.

Brief history of planning in NZ

As settler townships developed in NZ during the mid to late 19th century, it became apparent that more was needed than just streets and dwellings. There was also a need for street lights, sewerage, stormwater management and other infrastructural needs. Following the British model, local government was seen as the answer[7], and over time various territorial bodies and special purpose bodies were created. Often, jurisdictions overlapped[8], and many organisations were unable to fulfil their duties as they were small with access to only limited resources[9]. Statutory planning was eventually introduced in the

[6] Johnston, R *et al* (1983) *The Dictionary of Human geography* Third Edition. Oxford: Blackwell Publishers.
[7] Wood, G (1988): *Governing New Zealand* New Zealand. Longman Paul.
[8] Memon, A (1991): *Shaking off a colonial legacy? Town and country planning in New Zealand, 1870's – 1980s*. Planning Perspectives 6 (1991).
[9] McMurran, J. L (1991): *The changing role of local government.* Master of Regional and Resource Planning Thesis, University of Otago.

form of the Town-planning Act in 1926, as a result of the country's developing urban environment[10].

This Act prescribed 'planning schemes' for settlements with over 1000 people. These schemes were intended to restrict land uses in certain areas, or zones, to specified uses. However, the schemes were not mandatory, and the legislation ultimately did not achieve its purpose[11].

In 1953, the Town and Country Planning Act replaced the 1923 Act. It empowered local authorities to counter the effects of the rapid urbanisation that occurred after World War 2. The 1953 Act introduced mandatory planning schemes which had to be prepared and administered by local authorities[12].

A right of appeal was also introduced in the 1953 Act in order to protect land owners against the possibility of local authorities abusing their powers[13]. The Town and Country Planning Appeal Board was established with functions including the development of case law from the planning legislation and consideration of appeals from Council decisions[14].

The regime established by the 1953 functioned relatively well, but a developing characteristic of planning was that it began to rely upon legal precedent or guidelines established through case law[15], rather than on the desired results of activities or environmental outcomes.

You will notice that to date the land use planning model was very British; the approach led by the western world view that the environment was to be controlled, possessed and managed. The planning system introduced a land ownership and management model totally foreign to Maori, and no account was given to Maori values in the legislation.

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[10] Bang, B (1992): *Aspects of local government planning in New Zealand: A study of the Dunedin City Council* Unpublished PhD thesis, University of Otago.
[11] Bang 1992, *ibid*
[12] Memon 1991 *op cit*
[13] Memon 1991 *op cit*
[14] Bang 1992, *op cit*
[15] Bang 1992 *op cit*

Local authorities could not, however, escape wider planning issues outside the physical environment. They also had to consider matters such as social, cultural and spiritual concerns, which could not be expressed in land use terms. In response to a recognition of these social needs, a 1962 amendment of the Act introduced matters of national importance. In 1977, the Town and Country Planning Act replaced the 1953 version, and included matters of national significance. This was the first indication of a national approach to planning[16].

Importantly, the 1977 Act was the first time Maori values were considered to be nationally important, with the inclusion of section 3(1)(g) which considered "The relationship of the Maori people and their culture and traditions with their ancestral land" as a matter of national importance to be recognised and provided for.

As we know, New Zealand's planning approach developed out of the British approach, during a time where indigenous values were not considered to be on par with western views. The traditional monocultural, or western, approach to planning was exemplified in the narrow legal interpretations that were afforded to Maori provisions in the Town and Country Planning Act of 1977.

A good example of this is the Planning Tribunal decision in *Knuckey v Taranaki County Council (*6 NZTPA 609), where the Planning Tribunal held that ancestral land was limited to land which, regardless of legal tenure, is owned or capable of being owned by the present members of the tribe and their descendants as one entity and that is associated historically with the burial of ancestors".

This determination was subsequently used for all following cases that involved ancestral land[17]. It was made as a legal decision, determined by western courts, at the expense of an

[16] Bang 1992 *op cit*
[17] Cotton, M (1989): *Resource Management law Reform: Town and Country Planning and the Treaty of Waitangi* Working Paper No. 28, Part A. Wellington: Ministry for the Environment.

acceptable definition that was either provided by Maori or at least captured the essence of their environmental world view.

The monocultural approach to planning was shown in this decision, where effectively a western definition or understanding of land was applied to Maori land. The fact that section 3(1)(g) of the Town and Country Planning Act was afforded such a narrow interpretation led to many Maori feeling its inclusion was nothing more than tokenism[18].

In the 1980's, spurred by the many overlapping bodies and authorities, the 4th Labour Government embarked on a process to reform New Zealand's resource management legislation. This initiative, the Resource Management Law Reform process, culminated in the enactment of an integrative statute, the Resource Management Act 1991, to govern the natural and physical resources of the country.

The new Act included a number of references to Maori issues, including a revision of the old section 3(1)(g) of the Town and Country Planning Act into the matters of national importance in section 6 of the Act, and the inclusion of Kaitiakitanga into section 7, which deals with matters that should be taken into account in decision making.

As part of my original research, I interviewed a range of Maori members of Government Agencies, Maori Trust Boards, and Iwi liaison officers at various Councils to gain an understanding of issues seen by Maori in the Resource Management Act 1991, with a view to determining whether the Resource Management Act was capable of accommodating a bicultural approach to planning in New Zealand, as opposed to an approach steeped in and dominated by western thought and practices.

Bicultural Approach

In my opinion, in order to be successful, a bicultural planning system would be required to have the Treaty of Waitangi as its cornerstone. In an opening address to the NZ Planning

[18] Cotton 1989 *ibid*

Council Seminar "Pakeha Perspectives on the Treaty", Koro Wetere noted that as the founding document of the nation, many Maori believe that the Treaty should underlie New Zealand's cultural and social policy[19].

The Treaty is relevant to resource management, as its contents specifically relate to resources and the right to control them. My argument was that a successful bicultural planning system must therefore have the Treaty as its cornerstone. Very basically, I considered a bicultural planning system[20] to:

1 Maintain the different cultural heritage and values of both Maori and Pakeha, noting that this was more than protection of Maori interests – equal status should be given to both sets of values.
2 Provide both cultures with an equitable share of state resources to enable the maintenance of their distinct cultural values.

Research Outcome

The majority of people felt that the legislators were serious in their attempt to incorporate Maori beliefs into resource management legislation, although this belief was qualified for the following reasons:

1 The Act arrived at a time when it was politically attractive to recognise Maori values in society – 1990 was the 150th anniversary of the signing of the Treaty of Waitangi, which meant that Maori concerns had a high social and political profile at that time.
2 The Act was not considered to go far enough. For example, the reference to the Treaty was weak, compared to other legislation.

[19] Wetere, K (1988): Opening address to the NZ Planning Council Seminar: *Pakeha Perspectives on the Treaty* 23 September 1988. Proceedings.
[20] Adapted from Smithies, R (1990): *Ten steps towards bicultural action: A handbook on partnership in Aotearoa – New Zealand.* The Catholic Commission for Justice, Peace and Development. Aotearoa – New Zealand, a national commission of the NZ Bishops' Conference.

3 Maori concerns were included without a full understanding of them and their implications. Kaitiakitanga, as an example, was included without an appropriate definition.

As a result of the interviews, a number of concerns with the Resource Management Act 1991 were identified. I will comment on some of these today. These issues are:

1 The role of the Treaty of Waitangi
2 Kaitiakitanga and Rangatiratanga
3 Using Maori concepts in European legislation
4 Iwi Management Plans.

The role of the Treaty of Waitangi

The majority of participants in the research considered that the reference in the Section 8 of the Act was inadequate. Section 8 of the Act requires all people exercising functions and powers under the Act to "**take into account**" the principles of the Treaty.

A number of issues were raised with respect to this part of the Act, including:

- The Privy Council decision in the *New Zealand Maori Council and others v Attorney General of NZ and others ([1994] 1 All ER 623)* deemed that the principles of the treaty should be so interpreted as to include the express terms of the Treaty – meaning it is not possible to dilute the terms of the Treaty by referring to the "principles".

- The Waitangi Tribunal, in the Ngawha Geothermal report (1993) considered the Act to be inconsistent with the principles of the Treaty as it did not require all persons acting under it to act in conformity with the principles of the Treaty[21].

[21] Waitangi Tribunal (1993): *Ngawha Geothermal Resource Report* (WAI 304). Brooker and Friend Ltd. Wellington, New Zealand.

- Comparisons were drawn with the Conservation Act 1988, where section 4 states that the Act is intended to be interpreted and administered so as to "give effect" to the principles of the Treaty.

At the outset, then, the Resource Management Act did not establish the framework that many Maori believed needed to be in place in order to appropriately provide for Maori values in resource management.

Kaitiakitanga and Rangatiratanga

As I noted earlier, Kaitiakitanga has been included in the Act without an acceptable definition. Kaitiakitanga was described to me as the overall concept which determines Maori resource management practice. Kaitiakitanga and Tino Rangatiratanga (variously described as sovereignty, or full, exclusive and undisturbed possession) were considered to be inextricably linked, and concern was expressed that the Resource management Act 1991 separated ownership and management of resources by virtue of the fact that the Act in no way addressed the ownership issue.

Kaitiakitanga is a significant resource management issue. However, the view expressed by many of the people I talked to was that the definition and understanding of it is weak. Article II of the Treaty guaranteed Maori the possession (Rangatiratanga) of their lands, forests, and other resources. Rangatiratanga, however, is not limited to ownership – it conveys the idea of having the mana to possess, control and manage those resources. Kaitiakitanga provides the parameters within which this is to be undertaken.

The Act, however, relegates this significant concept to an inferior position in the Act. Located in section 7, decision makers must have "particular regard" to Kaitiakitanga, along with other matters such as the habitat of trout and salmon. The Act defines Kaitiakitanga as the exercise of guardianship. So doing, in my view, fails to convey the complexity and cultural significance of the concept.

A Kaitiaki is a person or object assuming the custodial role over a resource. Kaitiakitanga, therefore described the process involved in performing the duties of a Kaitiaki, which is, put simply, to ensure the Mauri (or life force) of a resource is protected. Each whanau or hapu is the Kaitiaki in the area where it has mana whenua, translated crudely as the ancestral right of occupancy[22] . Only tangata whenua (having mana whenua) can be Kaitiaki, and, only Maori can be tangata whenua[23].

The outcome of my study identified that the full extent of Kaitiakitanga and Tino Rangatiratanga could not be realised into the regime of the Resource Management Act 1991. Ownership of the resources has been retained by the Crown, and effectively the weak approach of the Act towards Kaitiakitanga and all it entails serves to disenfranchise Maori from the resource guaranteed them in Article II of the Treaty.

Using Maori concepts in European legislation

Although Maori concepts are used in the Act, they are still effectively subject to a system controlled by western thinking. Merely 'grafting' Maori concepts onto legislation is not indicative of a bicultural or even inclusive approach to resource management – rather, it was simply considered to be tokenistic by some research participants.

While the use of Maori concepts resource management legislation is a step towards more culturally integrated planning, on some levels, it also presents a problem. Although the Act specifically refers to Maori concepts, various literature sources indicate that the translations and explanations given are not satisfactory to Maori.

In a 1994 paper, Margaret Mutu[24] noted that "each of the world's natural languages has been specifically crafted over time by its community of speakers to express the culture of that community".

[22] Mutu, M (1994): *The use and meaning of Maori words borrowed into English for discussing resource management and conservation in Aotearoa/New Zealand.* A discussion paper and presentation prepared for the Conservation Board Chairpersons' conference 1994.
[23] Minhinnick, N (1989): *Establishing Kaitiaki* Auckland: The Print Centre.
[24] Mutu, M (1994) *op cit*

In New Zealand's case, difficulty arises when attempts are made to interpret Maori values using another language and culture as a reference. Maori culture is more spiritual and communal than the more secular, rational European culture, and the application of Maori concepts to resource management issues in New Zealand should demand that those implementing the provisions are able to understand the concepts in their entirety. Referring back to the earlier discussion on Kaitiakitanga, this would appear to be a case in point. Kaitiakitanga appears to have been 'grafted' into the legislation without a true understanding of its importance and significance.

Although the Act includes references to Maori terms and concepts, I contended it failed to understand their often far reaching implications and meanings. The loss or degradation of meaning is a danger inherent in borrowing concepts[25] from one language for use in another. I expressed the view in my thesis, and still hold the view, that this problem can only be solved through an adequate consultation and education process.

This issue, and others, was also addressed in a paper presented by Robert Joseph[26] at the inaugural Maori Legal Forum Conference in 2002. He noted that Councils are having to directly confront Maori issues now more so than ever before, for a number of reasons including:

- A growing sophistication in the utilisation of the Maori provisions
- Increasing use of Maori advisers in planning processes.

Despite this greater awareness and familiarity with the provisions, Joseph goes on to say that while Maori values have entered the system the system may not yet have the tools or have developed a sufficiently informed approach to dealing appropriately with these values.

[25] 'Borrowing is a linguistic term applied when words from one language are taken into another language to convey a meaning or provide a definition or description. Finegan and Besnier (1989) *Language: Its structure and use*. Orlando, Florida: Harcourt Brace Jovanovich, Publishers.

[26] Robert Joseph (Te Matahauariki Institute, School of Law, University of Waikato) (2002) – *Maori Values and Tikanga, Consultation under the RMA 1991 and the Local Government Bill – Possible Ways forward*.

I consider that the comments made in the Joseph paper are indicative of the fact that while there is a greater awareness of Maori values in RMA processes, ultimately Maori values are still subservient to the western planning approach that I described at the outset of this paper.

The overall conclusion that I came to in 1994 was that the planning regime introduced by the Resource Management Act 1991 was incapable of providing a bicultural approach to planning, or in hindsight, even a regime that afforded Maori the opportunity to manage resources in a manner consistent with their own cultural practices and beliefs. Maori values have effectively been grafted onto the legislation and simplistically explained, effectively weakening their significance and watering them down into a form that while they may be understood on some level by non-Maori, they have become one of many matters that decision makers must consider, rather than forming part of the backbone of a planning system.

Iwi Management Plans

The general feeling among research participants was that Iwi Management Plans were not afforded enough status under the legislation. At the time, section 61 of the Act stated that Regional Councils were only to have regard to planning documents recognised by an iwi authority in the preparation of policy statements. Resourcing was also an issue, with the point raised that many iwi authorities did not have the resources needed to prepare such a document.

LIMITATIONS TO RESEARCH

Before moving on to revisit, albeit briefly, some of my original findings, I think it would be useful to acknowledge the shortfalls in the research and consider what could be done differently if the research was undertaken now, with the benefit of the passage of time.

- Firstly, the research was quite broad brush – a range of participants from a number of agencies were involved. A more strategic sample of people to interview would enable the research to be of greater relevance. For example, a good sample may involve iwi authorities, academics, practicing lawyers and Government departments.

- Secondly, at the time the body of research was relatively small. It had only been a couple of years since the enactment of the RMA, whereas now there is a significant body of case law, as well as significant resource and resources from a range of government and non-government departments.

15 YEARS ON

The fundamental elements of the Act have not changed, in respect of provisions relating to Maori values, since the Act came into being. At a basic level, many of the issues identified in my original research appear largely unchanged.

- The principles of the Treaty remain one of a number of things to be considered. Section 8 requires that they be "taken into account", a significantly weaker requirement than being given effect to, such as in the Conservation Act.

- Kaitiakitanga remains an issue that must be given particular regard. While knowledge of what Kaitiakitanga is growing, it still remains a matter than must be balanced against a number of competing values. As discussed earlier, Kaitiakitanga is a fundamental concept in Maori resource management approaches. As long as it remains one of a number of matters to be considered, I contend that the Act does not promote an approach where Maori values are valued as the Treaty of Waitangi would expect.

- Maori values are still subject to interpretation in effectively western courts. As noted in the Joseph paper I referred to above, the system is presently unable to appropriately understand or address these issues.

- The status given to iwi management plans has changed, although the change does not in my view alter the situation much at all. Iwi Management Plans are considered by consent authorities as Iwi Management Plans as an 'other matter' to be considered under section 104(1)(c) of the Act, which enables consideration be given

to ‘any other matter the consent authority considers relevant and reasonably necessary to determine the application’; having already considered the effects and any regulatory instrument such as policy statements or plans. In my view, for such plans to be afforded any significant weight, they would need to be elevated to have the same status as those plans and policy statements, or at least ‘other regulations’ as provided for under section 104(1)(b) of the Act.

Having said that, despite the apparent legislative shortcoming, I consider that many positives have come out of the last 15 years of planning practice, including:

- The development of partnership approaches between Tangata Whenua, local authorities and other organisations to manage significant resources. For example, the Integrated Kaipara Harbour Management Group was formed out of a hui initiated by a hapu of Ngati Whatua. The Group is aiming to achieve an integrated management approach to the sustainable management of the Kaipara harbour and its resources.

- The development of case law through appeals to various authorities which has allowed a greater investigation into many cultural ideas and assisted in at least understanding some of their complexity.

- A greater awareness among decision makers of the need to at least consider Maori values in their decisions. The Making Good Decisions certification programme, for example, now ensures that those training as hearing Commissioners have at least a basic understanding of the legislation and the values it introduces.

- Greater organisation among iwi authorities to facilitate consultation and engagement with local authorities and consent applicants. Many iwi authorities now have commercial consulting arms, or employ staff whose role it is to provide advice on Maori values to parties involved in resource management processes. I am familiar with Kai Tahu ki Otago Ltd, set up in Dunedin as a commercial unit. Kai Tahu ki Otago Ltd acts as a point of contact for the runanga in the Otago region, and

coordinates input into consultation and responses to applications for consent. I understand that many iwi authorities are now undertaking similar approaches.

- Greater awareness among policy makers that Maori values have a legitimate role in resource management. For example, the recent report of the Land and Water Forum[27] recognises that knowledge from "Matauranga Maori" combined with scientific and other knowledge is important in understanding freshwater systems. The report also recommends the establishment of a National Land and Water Commission on a co-governance basis with iwi.

- Detailed reports from bodies such as the Waitangi Tribunal have explained in depth many cultural practices and beliefs, and explained how they fit into resource management practices. Recent examples include the report on the Management of the Petroleum Resource (WAI 796)[28], which includes an in depth description of the Maori world view and its connectedness with the environment.

- Consultation case law has developed considerably over the last 15 years. There have been many decisions from the Environment Court, and indeed higher courts, which consider consultation and give good guidance on what it is and is not. Many resources have been developed by many government and non-government agencies that provide excellent information on consultation and ways to undertake an effective process.

In closing, I believe the general statement I originally concluded my thesis with is still relevant. That is, that in order to facilitate a bicultural approach to resource management, or at least one that is committed to recognising and advancing Maori values and the role they should play in resource management, all parties involved must be prepared to display the necessary commitment to include the rights and values of Maori in the political and

[27] Land and Water Forum 2010: Report of the Land and Water Forum: A Fresh Start for Freshwater
[28] Waitangi Tribunal 2010: WAI 796 – The Report on the Management of the Petroleum Resource (pre-publication report; available at www.waitangitribunal.govt.nz).

bureaucratic resource management institutions New Zealand, and that this commitment must be translated into policy and legislation.

Resource management practice has moved on considerably in the last 15 years. Knowledge of Maori values is advancing, and iwi are becoming more involved and better resourced, in some instances, to play an increasingly significant part in resource management. However, New Zealand's resource management legislation is still dominated by the western approach - the natural world is something to be controlled, exploited and managed. In contrast, in the indigenous Maori view, as I understand it, humans and the natural world share equal status, and everything is considered interdependent and interrelated. As a result the legislation as it presently stands remains incapable of accommodating a truly bicultural approach to planning. This tension is what I considered to the colonial hangover inherent in planning, and it can only be overcome, in my view, when the values and beliefs of indigenous peoples are accepted as equally valid in both legislation and in resource management practices.