

hearings they tried to present their case with photographs and spoken explanations. The judges at the methanol hearing would not allow them to present their case this way, but at the synthetic petrol hearing it was ruled that they could. Now they have a very effective visual and spoken presentation of the traditions they are trying to preserve, and a legal precedent to use it.

They have also won some victories. They fought a proposal by the New Plymouth authorities to pipe sewage out to sea, arguing it would pollute the seafood as it has done at Waitara. They won, and the sewage will now be treated in a land-based plant.

At the methanol plant hearing the Maoris objected to the closing off of a section of the Waitara river. They argued it was the only area where the large worms for eeling could be dug, and they won.

Again at the methanol plant hearing a proposal to pipe waste into the Waitara river rapids was turned down and now the waste must go through the Waitara sewage outfall.

That outfall has a crack in it, and raw sewage has polluted the reefs close by and made the beach unsafe for swimming. Next year the Waitara authorities and others who discharge through the outfall (the freezing works and methanol plant) will face the full force of opposition when they have to apply again for a water right to discharge.

#### Losses too

But there have been losses too. The latest decision to go against them is approval for the synthetic petrol plant to build its waste discharge pipe over the urupa, across the reefs and out to sea.

And there are personal losses. Aila Taylor won a seat on the local borough council and is now a strong voice on that body for Maori rights. But it has cost him a lot in time and money. And financially the huge cost of legal advice and attending the long National Development Act planning hearings places a burden on the local community. The marae is up to its eye-balls in debt.

But perhaps the greatest loss is the sense of disillusionment that you know you must try, but in the end you can't win. That's not just a Maori problem.

The chairman of the North Taranaki Environmental Protection Society, Dr Ben Gray, puts the problem as simply this. If you want to object about your neighbour building a chook house too close to your fence, the planning processes work very well. But if you want to object about a multinational company building a chemical plant close to your fence, the planning processes simply can't handle it.

Other groups are similarly affected. Many find a common interest in the Wellington-based Coalition For Open



(From left back) Aila Taylor, spokesperson Te Atiawa tribe, Tuti Wetere, Aotea District MWWL rep, Ray Watemburg. (Middle row) Dr Ben Gray, Mutu Bailey, Mokeroa Love (host) Ngarere Love (host) Mary Clark. (Front row) Mary Turner, Ena Okeroa, Vera Bezems, Ivy Papakura. (Absent from photo Sam Raumati). Outside Tau Te Po Petone before going to Court of Appeal — photograph Fiona Clark.

Government. There, spokesman Keith Johnston said the concern is that the Government has made up its mind about the big projects and it doesn't want their future discussed.

#### Little issues only

So the Planning Tribunals have been restricted to talk only about the little issues, the fringe problems. The Commission for the Environment has had its powers restricted and the Commission for the Future has been dumped.

Putting time and effort and money into Planning Tribunals is not, according to Keith Johnston, worth the effort. With the Government unwilling to discuss the big issues, such as how energy resources should be used, Keith Johnston says the Coalition is trying to provide the forum for this.

"That takes initiative and time, and we're only beginning. I'm not exactly hopeful," he said.

Dr Gray shares that feeling. "The National Development Act is designed for them to build what they want, where they want, the way they want," he said.

That feeling of disillusionment is creeping in to the thinking of leaders among the Taranaki Maoris. Vera Bezems, who has argued before tribunals, points to the site workers on the synthetic petrol project. The tribunal restricted construction to certain time limits but the noise of earthworks has gone beyond them from the outset. Concessions won, said Vera Bezems, are not worth the paper they are written on.

#### No-win situation

In a wider sense Aila Taylor too sees a no-win situation ahead. "We don't want to end up like Bastion Point, but those kind of protests may be the only thing left. I've told the younger generation that. I've said, don't laugh at the people at Bastion Point or the Raglan Golf Course. You may have to do it yourself."

Section 3(g) of the Town and Country Planning Act includes among the list of matters to be recognised of national importance and provided for: "The relationship of the Maori people and their culture and traditions with their ancestral land".

Maori Affairs Minister Mr Ben Couch adopts the view that Maoris too drive the cars, use the flush toilets in preference to a hole in the backyard and so on. So Maoris too must share in the compromises.

It's another version of the "give a little, take a little" philosophy that is drilled into our way of thinking. The reasonable person accepts graciously the losses along with the wins.

What the planning laws don't tell anybody is how you can go on tinkering with something as basic as your culture and traditions and still retain them.

Aila Taylor believes over the years the Maoris have lost more than they've won. Now he says the point has been reached where it's a question of retaining the little that is left.

Energy Minister Mr Bill Birch says the planning process is designed to listen and take into account the Maori view along with all other views. But Mr Birch says if you give absolute priority to any one viewpoint projects would never get built.

Taranaki Maoris on the other hand say their relationship with their culture and traditions and ancestral land is an absolute, guaranteed under the Treaty of Waitangi.

And that in the end is the dilemma. Simply put, will the Maoris ever get a cup of tea out of the Court of Appeal?