Jacinta Ruru, Phil O'B. Lyver, Nigel Scott
and Deborah Edmunds

Reversing the Decline in New Zealand's Biodiversity

empowering Māori within reformed conservation law

Creating new conservation law that more holistically and comprehensively supports hapū and iwi leadership in conservation management should be embraced as a critical step towards reversing the decline of Aotearoa New Zealand's biodiversity. Treaty of Waitangi settlement statutes (for example, the Te Urewera Act 2014) and new conservation policies and practices (for example, the Department of Conservation's *Conservation Management Strategy Northland 2014–2024*) throughout the country are strongly recognising the need for tangata whenua to be more involved in the conservation and management of New Zealand's biodiversity. It is timely for conservation law itself to be reformed to better reflect and support these recent advancements. Conservation law reforms should reflect and support the intent of hapū and iwi to act as kaitiaki (guardians) of New Zealand's biological heritage.

Jacinta Ruru is professor of law at the University of Otago and co-director of Ngā Pae o te Māramatanga. **Phil Lyver** is a senior Māori scientist with Landcare Research. **Nigel Scott** is the Principal Advisor, Mahinga Kai for Te Ao Tūroa, the environmental unit of Te Rūnanga o Ngāi Tahu. **Deborah Edmunds** is a partner at Kensington Swan, leading the Māori business team. The authors are part of a wider team working on a research project within the New Zealand's Biological Heritage National Science Challenge (Ngā Koiora Tuku Iho).

Conservation law for future generations

Conservation is defined in legislation as:

> the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational

> enjoyment by the public, and safeguarding the options of future generations. (Conservation Act 1987, s2)

But what will be the options for our future generations? Despite New Zealand's conservation law, much of our native biodiversity and the quality of natural habitats continue to degrade under a suite of historic and emerging anthropogenic pressures:

> 21% of birds are now extinct; 63% and 18% of freshwater fish and vascular plants respectively are either threatened with extinction or declining; about two-thirds of the original native forests has been lost; wetlands have been reduced by 90%; soils have become seriously degraded; and the sediment and nutrient status of many rivers and lakes has deteriorated badly. (Ministry for the Environment and Statistics New Zealand 2015; Norton et al., 2016)

While native biota still dominates many ecosystems, invasive organisms (plants, animals, fungi, microorganisms) have dramatically affected species assemblages and natural ecosystem structures, processes and functions (see, for example, Fukami et al., 2006; Kelly et al., 2010).

After arrival, Māori literally became the original peoples of these lands – the tangata whenua – deriving identity and meaning from the lands and waters and the biodiversity that dwelled within those domains (Mead, 2016). For Māori, to lose native species is to lose something of themselves, the cultural spirit of and being Māori (Mead, 2016). For all New Zealanders, and especially for Māori, the richness of our biodiversity is essential for future generations. For Māori specifically, their world view will have little context if the lands become mostly devoid of original flora and fauna (Waitangi Tribunal, 2011). Biodiversity loss is a critical issue not just for Māori but for all within New Zealand, with many sectors of our society and economy relying on its integrity and function.

The Department of Conservation is primarily responsible for biodiversity management, with approximately one-third of New Zealand's land area under its mandate (in fact, New Zealand has a higher proportion of its land area protected for conservation purposes than any other OECD country (Ministry for the Environment, 2010)). However, the Department of Conservation remains one of the smallest of the government's ministries as a recipient of taxpayer funding, with a growing reliance on financial assistance from conservation use concessions – for example, tourism ventures – more business partnerships and the private philanthropic sector (see State Services Commission, Treasury and Department of the Prime Minister and Cabinet, 2014). Many species and habitat restoration and conservation initiatives, including day-to-day pest control, also rely heavily on contributions from iwi and hapū. For example, Ngāi Tahu are the biggest non-government contributor to kiwi restoration in this country as the owners of Rainbow Springs Nature Park (Ngāi Tahu have owned this park since 2004) and the hapū of the Maungaharuru ranges are actively involved in species reintroduction as part of the Poutiri Ao ō Tāne ecological and social restoration project (Poutiri Ao ō Tāne, 2017). Despite financial constraints, ambitious goals such as Predator Free 2050 emerge. We believe that for New Zealand to achieve these aspirational conservation goals, greater leadership from hapū and iwi is required. The capacity for Māori to achieve 'leadership', however, is questionable under the current legal conditions. New legislative and policy mechanisms that allow iwi and hapū to engage with their values and bring their knowledge systems and approaches to developing solutions are therefore needed. This point has been made forcefully by others, including the Waitangi Tribunal in 2011 when it stressed that partnership is the intellectual framework for understanding the principles of the Treaty of Waitangi and thus:

> [T]he department [of Conservation] must be looking for partnership opportunities in everything that it does. … opportunities to share power with tangata whenua should be a core performance indicator for the department rather than … the exceptional outcome driven by the wider pressures of Treaty settlements it now is. (Waitangi Tribunal, 2011, p.324)

Present conservation legislation arguably reflects antiquated ideas about the value of tangata whenua in contributing to biodiversity restoration because most of it was enacted prior to the modern Treaty of Waitangi settlement statutes.

Present conservation legislation arguably reflects antiquated ideas about the value of tangata whenua in contributing to biodiversity restoration because most of it was enacted prior to the modern Treaty of Waitangi settlement statutes. Many of these conservation statutes emerged from a period when policymakers and government members were heavily influenced by the Western conservation ideals of the 19th and early 20th centuries. The date of enactment of many of our conservation statutes evidences this. While some legislative amendments have attempted to keep the statutes relevant, many require reform especially in order to capitalise on new opportunities created by the contemporary Treaty of Waitangi settlements. For example, the Department of Conservation

administers the Conservation Act 1987, and another 24 statutes (as listed in schedule 1 of the Conservation Act 1987). Only four of these statutes were enacted after the first Treaty of Waitangi settlement statute in 1995. All of the others were framed from another era (one was enacted in 1897, another one in 1928, three in the 1930s, one in 1950s, nine in the 1970s, four in the 1980s and two in the early 1990s). More importantly, there has been little substantive legislative change since the Conservation Law Reform Act 1990. Many of these 25 statutes, including the Conservation Act 1987, National Parks Act 1980, Reserves Act 1977 and the Wildlife Act 1953, require updating to reflect treaty settlement legislation, but also to better empower Māori in the conservation space. While the government has indicated intended reform of one specific conservation statute – the Marine Reserves Act 1971 (Ministry for the Environment, 2016) – a coherent and coordinated overhaul of the whole discordant framework of conservation legislation is required. Others are calling for this too (see Wallace, 2016; Solomon, 2014; Waitangi Tribunal, 2011).

The objective of conservation through preservation and protection in New Zealand theoretically allows little opportunity for tangata whenua to practice their own environmental ethic. Government conservation regulation and management over the last century has contributed to the isolation and disconnection of hapū and iwi from their taonga (see, for example, Lyver, Jones and Doherty, 2009; Ruru, 2017). Crown policies have effectively interfered with the relationship between tangata whenua and their lands and natural environments (Waitangi Tribunal, 2011).

Although the Conservation Act acknowledges that conservation legislation must give effect to the principles of the Treaty of Waitangi (s4), more developed policy and practice to empower legislation from treaty settlements is required. For example, the Conservation Act contains only limited provision for authorising the taking of plants for 'traditional Māori purposes' (s30(2)). Further, in accordance with the Wildlife Act 1953, animals are categorised into certain levels of protection or ability to be taken, hunted or killed. A more coordinated new approach is required that includes valuing tangata whenua knowledge and solutions for thriving biodiversity.

A closer focus on the biodiversity within national parks is worthwhile to begin to illustrate this point. The National Parks Act 1980 clearly states that no person, without the prior written consent of the minister for conservation, can cut, destroy or take any plant or animal that is indigenous to New Zealand and found within a national park (s5). While policy documents soften this by providing for the potential for customary use, the policy is heavily qualified. The *General Policy for National Parks* dictates that customary use:

> may be allowed on a case-by-case basis where:
> i) there is an established tradition of such use;
> ii) it is consistent with all relevant Acts, regulations, and the national park management plan;
> iii) the preservation of the species involved is not adversely affected;
> iv) the effects of use on national park values are not significant; and
> v) tangata whenua support the application. (New Zealand Conservation Authority, 2005, policy 2(g))

In the case of most native protected birds, the Wildlife Act 1953 deems that this wildlife is vested in the Crown (section 57). This provision has implications for the weaving and ownership of korowai (traditional cloaks), positioning those feathers from absolutely protected birds as still Crown property.

Not surprisingly, Māori leaders have for some time aptly summarised the conservation protection objective as 'hostile to the customary principle of sustainable use' and observe that 'the spiritual linkage of iwi with indigenous resources is subjected to paternalistic control' (Ellison, 2001), and see national parks more broadly as 'gated areas where we are obstructed from our customary practices, locked out from decision making, and held back from continuing our relationship with sites of deep spiritual or cultural significance' (Solomon, 2014). Māori are formally submitting these views to government. For example, in a submission to the Ministry for the Environment's proposed National Policy Statement on Indigenous Biodiversity, the Raukawa Trust stated clearly:

> We note that 'kaitiakitanga' is commonly understood to relate to conservation of resources but that interpretation will be particular to each tangata whenua group according to their tikanga. For Raukawa it is important to note that the concept of kaitiakitanga relates to the management of resources and this includes their use and not just their protection. Effectively it refers to sustainable management and using resources in such a way and at such a rate as to ensure they are not diminished. This is an important

... Māori leaders have for some time aptly summarised the conservation protection objective as 'hostile to the customary principle of sustainable use' and observe that 'the spiritual linkage of iwi with indigenous resources is subjected to paternalistic control' ...

> distinction as recognising and providing for the role of tangata whenua as kaitiaki includes recognising and providing for our use of resources. (Ministry for the Environment, 2011, p.76)

Thus, from a tangata whenua perspective, use is an important part of the conservation ethic for the sustainable management of flora and fauna and for the sustenance of tangata whenua as a people (Kirikiri and Nugent, 1995). Although tangata whenua do not require use of flora and fauna within the conservation estate for physical survival, it is critical for cultural survival, identity and knowledge (including language revitalisation) (Mead, 2016). This observation about use is not meant to detract from the international and national priorities for the conservation of biological diversity. Tangata whenua agree with government that native plants and animals must flourish for future generations, but disagree that preservation is the sole means to achieve this goal. One option is to embrace the tangata whenua knowledge and practices of sustainable management for ensuring thriving species. Customary use (including the decision to not use) can sit within a flora and fauna-empowering conservation ethic that New Zealand's legislation could better enable as a 'value-add' to current state conservation management practices.

After all, the current conservation regime is comfortable with a progressive concession regime which permits major commercial use of, and activities within, the conservation estate. Some of this activity requires significant infrastructure and physical impacts, such as ski lifts, tourism facilities, telecommunication structures, golf courses, grazing, and many other non-conservation focused-activities. In the 2013–14 year, 4,470 concessions were granted, most unrelated to primary conservation or protection outcomes, representing an increase of more than 1,000 concessions in less than a decade[1]. Revenue from concessions and recreation activities (around $17 million) is now a vital element of income for the department in the face of an insufficient (due to the very high biodiversity challenge) yet static core funding appropriation (see the department's annual report for the year ended 30 June 2016). It is anticipated that an increasing focus of the department will be to improve this revenue. It is important, however, that this is not at the expense of tangata whenua relationships with the biodiversity within the conservation estate.

New Zealand's law and policy needs to shift from a principal objective of conservation as preservation to a more pluralist approach which also encompasses a tangata whenua inclusiveness that signifies conservation for cultural and sustainable management outcomes. A broader definition of conservation has existed on the world scene since before the Conservation Act 1987 was enacted. The World Conservation Strategy (1980) defines conservation as 'the management of human use of the biosphere so that it may yield the greatest sustainable benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations'. However, such a definition in New Zealand would have proved contentious in the 1980s and 1990s, especially if the motive was to give effect to the tangata whenua environmental ethic in the conservation estate (despite sustainable use concepts being legally applied to non-conservation resources, as in the Resource Management Act 1991) (see New Zealand Conservation Authority, 1997). Opponents of formal reintroduction of a tangata whenua environmental ethic point to past experiences as evidence of why it would be destructive to incorporate such an ethic into present day mainstream conservation practices (Taiepa et al., 1997). Common arguments include the hunting of the moa to extinction and the use of fire as a tool for forest clearing (New Zealand Conservation Authority, 1997). But, as Chanwai and Richardson have succinctly argued, this should not disqualify the tangata whenua environmental ethic:

> 'Pākehā development activities over the past 150 years have caused massive ecological damage, and yet this is not held to disqualify Pākehā society from seeking to improve environmental conditions today' (Chanwai and Richardson, 1998, p.163).

Such pastoral or commercial-based impacts continue today.

The political environment has now changed. The Treaty of Waitangi settlement statutes and co-management agreements show how the tangata whenua approach to sustainable conservation and restoration can work in partnership with the state (for example, predator removal from offshore islands and reintroduction of threatened species, e.g. Putauhinu Island – see Miskelly, Charteris and Fraser, 2013; Marotere Islands – see Towns, Parish and Ngātiwai Trust Board, 2003).

The Treaty of Waitangi settlement statutes and co-management agreements show how the tangata whenua approach to sustainable conservation and restoration can work in partnership with the state ...

Treaty settlements and the conservation estate

Significantly, New Zealand's cultural and socio-political landscape in relation to the environment is beginning to be transformed with the settlement of Treaty of Waitangi claims that began most prominently with the Waikato Raupatu Claims Settlement Act 1995 and the Ngāi Tahu Claims Settlement Act 1998. All of these settlements include important financial and cultural redress and are beginning to enable iwi and hapū to participate in some species recovery work. But to further facilitate

this transformation, core conservation legislation needs to be reformed so as to better accommodate the principles of the treaty and the principles of reconciliation inherent within treaty settlement legislation. These legislative reforms would then open the pathway for the Crown's treaty partner and strongest ally, tangata whenua, to become fully engaged in conservation and reversing the decline in biodiversity in this country.

The National Parks Act 1980 is particularly ripe for reform. No significant changes have been made since 1990. The purpose of the act is to preserve:

> in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest. (s4(1))

Completely absent from this legislation, enacted as it was prior to the practice of treaty references in statutes, is the tangata whenua relationship with these lands. Treaty settlement statutes provide the lens to guide the much-needed reform. By way of example we discuss here the first and latest comprehensive settlements concerning the conservation estate: the Ngāi Tahu Claims Settlement Act 1998 and the Te Urewera Act 2014.

The Ngāi Tahu Claims Settlement Act 1998 was the first treaty settlement statute to empower an iwi to have some role in contemporary conservation management. The reconciliation mechanisms inherent within this 1998 settlement statute include:

- recognition that Aoraki Mount Cook is a most important ancestor of Ngāi Tahu and that this maunga (mountain) will be returned to Ngāi Tahu for a period of seven days when they wish to action this; at the expiry of the seven days the mountain will be gifted back to the nation (see ss15, 16);
- provision for Ngāi Tahu representation on relevant conservation boards and the New Zealand Conservation Authority (ss272, 273); and
- laying of tōpuni (to cover) over stretches of conservation land that emphasise the Ngāi Tahu cultural, spiritual, historic and traditional association with that area of land (ss237-53).

These were the important first steps for providing a platform for Ngāi Tahu representation and some recognition of Ngāi Tahu customary rights and interests. They provided a starting point for Ngāi Tahu inclusion in conservation management, but Ngāi Tahu remain frustrated that conservation legislation itself is mostly indifferent to broader Ngāi Tahu rights and interests (Solomon, 2014). Ngāi Tahu must still seek to achieve their goals within paternalistic conservation law. As a Ngāi Tahu leader has remarked in regard to Aoraki: 'while there is a tōpuni in place and enhanced input into management plans, this does not override or alter the non-indigenous framework overlaying this park and others within our takiwa' (ibid.).

We believe that recognition of and respect for tangata whenua 'ways of knowing and doing' within the New Zealand public are increasing.

Fast-forward to this country's most recent treaty settlement concerning a national park, Te Urewera. Te Urewera was named a national park in 1954 and was managed by the Department of Conservation pursuant to the National Parks Act 1980. The park became simply Te Urewera on 27 July 2014: 'a legal entity' with 'all the rights, powers, duties, and liabilities of a legal person' (Te Urewera Act, s11(1)). The Te Urewera Act is undoubtedly legally revolutionary in New Zealand and internationally. However, this was also the government's politically acceptable solution to circumvent the Tūhoe proposal for outright ownership of the park (Lyver, Davies and Allen, 2014).

The Te Urewera Act makes it clear that those lands cease to be Crown land and cease to be a national park. Te Urewera is now not managed by the Department of Conservation but by a new Te Urewera Board. This board is responsible for acting 'on behalf of, and in the name of, Te Urewera' (Te Urewera Act, s11(2)(a)). The board, in contrast to nearly any other statutorily created body, encourages acknowledgement of Māori law. It can 'consider and give expression to' 'Tūhoetanga' and 'Tūhoe concepts of management' such as rāhui, tapu me noa, mana me mauri, and tohu' (s18(2)). The act expands on the meaning of these concepts:

- *mana me mauri* conveys a sense of the sensitive perception of a living and spiritual force in a place;
- *rāhui* conveys the sense of the prohibition or limitation of a use for an appropriate reason;
- *tapu* means a state or condition that requires certain respectful human conduct, including raising awareness or knowledge of the spiritual qualities requiring respect;
- *tapu me noa* conveys, in tapu, the concept of sanctity, a state that requires respectful human behaviour in a place; and in noa, the sense that when the tapu is lifted from the place, the place returns to a normal state;
- *tohu* connotes the metaphysical or symbolic depiction of things. (s18(3))

And the board 'must consider and provide appropriately for the relationship of iwi and hapū and their culture and traditions with Te Urewera when making decisions' and that the purpose of this is to 'recognise and reflect' Tūhoetanga and the Crown's responsibility under the Treaty of Waitangi (ss20(1), 20(2); see too Ruru, 2014).

Nick Smith, who was the minister of conservation in the 1990s when the Ngāi Tahu Claims Settlement Act 1998 was enacted and again in 2014 when the Te

Urewera Bill was in its third reading, stated in the House:

> It is surprising for me, as a Minister of Conservation in the 1990s who was involved under the leadership of the Rt Hon Jim Bolger – who is in the House – in the huge debate that occurred around the provisions of the Ngāi Tahu settlement in respect of conservation land, how far this country and this Parliament have come when we now get to this Tūhoe settlement in respect of the treasured Te Urewera National Park. If you had told me 15 years ago that Parliament would almost unanimously be able to agree to this bill, I would have said 'You're dreaming mate'. It has been a real journey for New Zealand, iwi, and Parliament to get used to the idea that Māori are perfectly capable of conserving New Zealand treasures at least as well as Pākehā and departments of State. (Smith, 2014)

The Te Urewera Act provides a prominent commitment to recognising Tūhoe customary rights and interests. However, with the mechanisms and principles within conservation law still largely applicable (for example, the list of activities requiring permits replicates that in the National Parks Act: see sections 55 and 58 of the Te Urewera Act), reform of conservation law would better enable the true vision for Te Urewera.

New conservation rules

The treaty settlement legislation, particularly the Te Urewera Act, begins to provide New Zealand with a model for how new conservation law, including national park law, could look. A starting point will be to amend the National Parks Act, because much of our native biodiversity lies in national parks, to include a reference to the Treaty of Waitangi (consistent with the Conservation Act) and recognise the importance of national parks not just for scenery, recreation and science but also for tangata whenua well-being. Further, the Wildlife Act 1953, the Native Plants Protection Act 1934 and aspects of the Conservation Act need to be reviewed and better integrated to provide for Māori engagement in biodiversity protection policy and practice, as well as better processes for traditional customary governance. The Ngāi Tahu Claims Settlement Act with its concepts such as tōpuni and the Te Urewera Act with its embracement of Tūhoe law are strong starting models demonstrating how respectful iwi and hapū management of lands, flora and fauna encased in the conservation estate could become the state norm. Within new rules could be weaved kawa, tikanga, mātauranga (Māori knowledge) and kaitiakitanga-based approaches to conservation and biodiversity protection and restoration.

We believe that recognition of and respect for tangata whenua 'ways of knowing and doing' within the New Zealand public are increasing. This growing appreciation is being facilitated across society, including in education, arts, the media and sports, with increased use of te reo Māori (the Māori language) and kapa haka (performing Māori arts). This trend is also becoming prevalent within environmental management, with recognition that tangata whenua seek the same outcome as all in New Zealand, which is flourishing native biodiversity supported within resilient and functioning ecosystems. The tangata whenua ethic of 'conservation for future use' is an end point that challenges current conservation law. Within that ethic, tangata whenua may also have different approaches to contribute towards that end goal than current conservation legislation prescribes and permits. Despite these differences, the time is now here for the government to embrace new rules for conservation that provide the opportunity for tangata whenua to fully engage in accordance with their rights and interests and goals.

Therefore, more enhanced approaches to biodiversity management supported by fit-for-purpose policy and legislation for Māori are needed to restore our biodiversity. Initial progress requires legislative amendments to increase and expand the way biodiversity is valued in New Zealand, and also to remove blocks to iwi and hapū engaging in biodiversity management in a manner that reflects core tangata whenua rights and interests, values and principles. Tangata whenua seek greater recognition and functionality of their mana within conservation policy and legislative processes. This emerges with rules that facilitate the rights and responsibilities of tangata whenua to set priorities and goals, identify issues, implement solutions and benefit from outcomes. New legislation is therefore needed to better facilitate the role of tangata whenua as a treaty partner (not merely a stakeholder), restore connections between iwi and hapū and environments, diversify value held in respect to biodiversity, and bring alternative approaches and capacity to conservation management.

We call for current conservation laws governing biodiversity management to be refreshed and refocused with this intent.

1 Department of Conservation concession at statistics sat http://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/concession-statistics/

References

Brown, M.A., R.T. Theo Stephens, R. Peart and B. Fedder (2015) *Vanishing Nature: facing New Zealand's biodiversity*, Auckland: Environmental Defence Society

Chanwai, K. and B. Richardson (1998) 'Re-working indigenous customary rights? The case of introduced species', *New Zealand Journal of Environmental Law*, 2, pp.157-85

Department of Conservation (2014) *Conservation Management Strategy Northland 2014–2024*, Wellington: Department of Conservation

Ellison, E. (2001) 'Deficiencies in conservation subsidiary legislation', unpublished report to the New Zealand Conservation Authority, 25 July

Fukami, T., D.A. Wardle, P.J. Bellingham, C.P.H. Mulder, D.R. Towns, G.W. Yeates, K.I. Bonner, M.S. Durrett, M.N. Grant-Hoffman and W.M Williamson (2006) 'Above- and below-ground impacts of introduced predators in seabird-dominated island ecosystems', *Ecology Letters*, 9, pp.1299-307

International Union for Conservation of Nature and Natural Resources (1980) *World Conservation Strategy: living resource conservation for sustainable development*, Gland, Switzerland: International Union for Conservation of Nature and Natural Resources with United Nations Environment Programme and the World Wildlife Fund

Kelly D., J.J. Ladley, A.W. Robertson, S.H. Anderson, D.M. Wotton and S.K. Wiser (2010) 'Mutualisms with the wreckage of an avifauna: the status of bird pollination and fruit dispersal in New Zealand', *New Zealand Journal of Ecology*, 34, pp.66-85

Kirikiri, R. and G. Nugent (1995) 'Harvesting of New Zealand native birds by Maori', in G.C. Grigg, P.T. Hale and D. Lunney (eds), *Conservation through Sustainable Use of Wildlife*, Brisbane: Centre for Conservation Biology, University of Queensland

Lyver P.O'B., J. Davies and R. Allen (2014) 'Settling indigenous claims to protected areas: weighing Māori aspirations against Australian experiences', *Conservation and Society*, 12 (1), pp.89-106

Lyver, P.O'B., C. Jones and J. Doherty (2009) 'Flavour or forethought: Tūhoe traditional management strategies for the conservation of *Kereru* (*Hemiphaga novaeseelandiae novaeseelandiae*) in New Zealand', *Ecology and Society*, 14 (1)

Mead, H.M. (2016) *Tikanga Maori: living by Maori values*, revised edn, Wellington: Huia Publishers

Ministry for the Environment (2010) *Legally Protected Conservation Land in New Zealand. Environmental Snapshot*, Wellington: Ministry for the Environment

Ministry for the Environment (2011) *Proposed National Policy Statement on Indigenous Biodiversity: summary of submissions*, Wellington: Ministry for the Environment

Ministry for the Environment (2016) *A New Marine Protected Areas Act: consultation document*, Wellington: Ministry for the Environment

Ministry for the Environment and Statistics New Zealand (2015) *Environment Aotearoa 2015: data to 2013*, Wellington: New Zealand Government

Miskelly, C.M., M.R. Charteris and J.R. Fraser (2012) 'Successful translocation of Snares Island snipe (*Coenocorypha huegeli*) to replace the extinct South Island snipe (*C. iredalei*)', *Notornis*, 59, pp.32-8

New Zealand Conservation Authority (1997) *Maori Customary Use of Native Birds, Plants and Other Traditional Materials*, interim report and discussion paper, Wellington: Department of Conservation

New Zealand Conservation Authority (2005) *General Policy for National Parks*, Wellington: New Zealand Conservation Authority

Norton D.A., L.M. Young, A.E. Byrom, B.D. Clarkson, P.O'B. Lyver, M.S. McGlone and N.W. Waipara (2016) 'How do we restore New Zealand's biological heritage by 2050?', *Ecological Management and Restoration*, 17, pp.170-9

Poutiri Ao ō Tāne (2017) *Embracing Restoration: collaborative ecological and social restoration project in the Maungaharuru–Tutira catchment, Hawke's Bay, New Zealand*, http://www.poutiri.co.nz/, accessed 14 March

Rousseau, B. (2016) 'In New Zealand, lands and rivers can be people (legally speaking)', *New York Times*, 13 July

Ruru, J. (2014) 'Tūhoe–Crown settlement: Te Urewera Act 2014', *Māori Law Review*, pp.16-21

Ruru, J. (2017) 'Reimagning governance for national parks', in L. Elenius (ed.), *Indigenous Rights in Modern Landscapes: Nordic conservation regimes in global context*, Oxon: Routledge

Smith, N. (2014) 'Tūhoe Claims Settlement Bill, Te Urewera Bill – third readings', *New Zealand Parliamentary Debates*, 23 July

Solomon, M. (2014) 'Locked out of National Parks: a call to action from Kaiwhakahaere Ta Mark Solomon', *Te Karaka*, http://ngaitahu.iwi.nz/our_stories/locked-national-parks/

State Services Commission, Treasury and Department of the Prime Minister and Cabinet (2014) *Review of the Department of Conservation*, Wellington: New Zealand Government

Taiepa, T., P. Lyver, P. Horsley, J. Davis, M. Bragg and H. Moller (1997) 'Co-management of New Zealand's conservation estate by Maori and Pakeha: a review', *Environmental Conservation*, 24, pp.236-50

Towns, D., R. Parrish and Ngātiwai Trust Board (2003) *Restoration of the Principal Marotere Islands*, Wellington: DOC Science Publishing, Science and Research Unit

Wallace, P. (2016) 'Unnatural divides: species protection in a fragmented legal landscape', *Policy Quarterly*, 12 (1), pp.10-16

Waitangi Tribunal (2011) *Ko Aotearoa Tenei: a report into claims concerning New Zealand law and policy affecting Maori culture and identity*, Wellington: Waitangi Tribunal

Waitangi Tribunal (2012) *Te Kahui Māunga: the National Park District Inquiry Report 2012*, Wellington: Waitangi Tribunal