

Environmental decision-making and
community involvement: lessons from
Ōwairaka

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Abstract

This thesis is concerned with the meanings around stakeholder engagement expressed within an alignment of local community and Indigenous actors contesting environmental decision-making by Auckland Tāmaki Makaurau co-governance entity Tūpuna Maunga Authority (TMA). It focuses on the breakdown of collective goodwill when shared vision around the renaturing strategy for one of the city’s iconic maunga, Ōwairaka, is revealed at the implementation level to involve the single-operation removal of all her existing exotic trees. Furthermore, it integrates the role of the media in shaping understandings of the protagonists’ perspectives and actions in the ensuing dispute and of the Treaty of Waitangi collective redress context within which the issue was situated.

The case reveals escalating tensions that can arise when local community members, tangata whenua and mana whenua actors anticipate a significant loss of value, in historical, ancestral, spiritual and environmental dimensions from a co-governance entity’s decision-making around management of a natural resource. For the TMA, its decision-making around implementing the native restoration plans for Ōwairaka was deemed to be founded on value-creation in these dimensions for the wider public as well the entity’s purpose of enabling the exercise of mana whenua and kaitiakitanga for its iwi and hapū. For the contesting voices, environmental restoration of the maunga precluded removing non-pest exotic trees believed to have mauri and to support important existing natural ecosystems. For tangata whenua and mana whenua amongst these voices, their identities interwoven with kaitiaki obligations to the maunga, this meant allowing the exotics to transition through the natural cycles of te taiao, fulfilling their role as canopy, nursery for seedlings and habitat for fauna - an approach not seen as mutually exclusive of the renaturing objectives of the TMA.

The findings reveal how these contesting voices expressed the legitimacy of their claims, incorporating meanings with respect to their connection to the maunga, to the protection of her environment and to their relationships with and expectations of engagement from the TMA. They uncover a racist underbelly in Aotearoa New Zealand that served to cloud the issues in dispute. They also reveal a layer of complexity that arose when one of the contesting voices, Ngāti Whātua Ōrākei, hapū represented on the TMA, achieved High Court acknowledgement of its mana whenua status based on ahi kā with respect to Ōwairaka,

bringing with this an expectation of higher-level consultation within the Authority. Moreover, the case brings to light tensions around differing tribal approaches to kaitiakitanga and tikanga around engagement with local communities and the environmental management of co-governed resources.

The case opens up for consideration the prerogative of the TMA to persist in its stance that, in having its renaturing strategy for the maunga approved in its public submissions stage, this permitted operational decisions to be made without further public notification or local community consultation. It provides an alternative perspective of a more flexible stakeholder engagement approach based around anticipating and/or responding to claims of loss of value by community stakeholders that arise as a result of decisions and seeking compromise if necessary.

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Glossary

Ahi kā – Continuous occupation

Awa - river, stream, creek

Hapū – Kinship group – section of a large kinship group and the primary political unit in traditional Māori society. A number of related hapū usually shared adjacent territories forming a looser tribal federation (iwi).

Hui – Gathering, meeting, assembly, seminar, conference.

Iwi – Extended kinship group, tribe – often refers to a large group of people descended from a common ancestor and associated with a distinct territory.

Kaitiaki – Guardian, steward.

Kaitiakitanga – Guardianship, stewardship.

Kaumātua – Elder, elderly man, elderly woman, a person of status.

Mahi – Work

Mana – Prestige, authority, control, power, influence, status.

Mana Motuhake – separate identity, sovereignty

Mana whenua – Authority over land or territory – also refers to the people who exercise that authority.

Manaakitanga – Hospitality, kindness, generosity, support – showing respect and care for others.

Marae – The open area in front of the wharenui (meeting house) where formal greetings and discussions take place. Often also used to include all the buildings around the marae.

Maunga – Mountain, mount, peak.

Mauri – Life principle, vital essence – the essential quality and vitality of a being or entity. Also used for a physical object, individual, ecosystem, or social group in which this essence is located.

Rangatiratanga – Chieftainship, right to exercise authority, chiefly autonomy, chiefly authority, ownership, leadership of a social group.

Raupatu – Conquest, confiscation.

Rohe - boundary, district, region, territory, area, border (of land).

Rōpū – Group, party of people, company, organisation.

Rūnanga – Tribal council.

Tangata whenua – Local people, people of the land.

Take raupatu - land right obtained by conquest.

Taonga – Treasure, anything prized.

Taonga tuku iho - treasures handed down the generations

Tapu – Sacred, prohibited, restricted, set apart, forbidden.

Te taiao – The environment

Tuku whenua - gifting land, ceding land

Tikanga – Custom, way, values, and practices.

Wairua – immortal spirit, soul

Whānau - Family group

Whanaungatanga – relationship, kinship, close connection between people as a result of shared experiences

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Despite the challenges I've faced in completing this thesis, my perception and connection with Tāmaki Makaurau's history (as well as my son's whakapapa) has completely changed, including my understanding of Te Ao Māori. I hope that the Tūpuna Maunga Authority can successfully engage the communities in their journey toward complete Native Restoration of the maunga – it is a really admirable vision. This way, the community can honor the unique relationship mana whenua has with these taonga and fulfill their intergenerational role as kaitiaki.

Chapter One: Introduction

1.1 Thesis overview, topic and research questions

Since the 1980s, the notion that businesses should take notice of the interests and needs of a range of stakeholders beyond simply prioritising those of their shareholders has taken root in management discourse. Stakeholder theory, arising from the writings of (Freeman, 1984; Freeman, Phillips, & Sisodia, 2020; Freeman & Reed, 1983; Freeman & Velamuri, 2006) places emphasis on the strategic imperative for organisations to engage with all stakeholders in decision-making. Corporate responsibility, it is argued, should entail the creation of value for all stakeholders. Furthermore, the argument is made that the exclusion or ignoring by decision-makers of certain interests will likely lead to obstacles in achieving organisational objectives (Freeman & Velamuri, 2006).

The Influence of stakeholder theory, as it has evolved and been put into practice, has not remained exclusive in its application to the business world. In the public sector, the stakeholder concept has become the foundation of a variety of participatory arrangements (Metzger, Soneryd, & Linke, 2017). The question that is thoroughly pursued in the literature, whether deriving from private or public sector arenas, is how organisations can identify and prioritise which stakeholders should be engaged with (Donaldson & Preston, 1995; Gago & Antolin, 2004; Mitchell, Agle, & Wood, 1997). Mitchell et al. (1997) advanced a theory of stakeholder salience whereby a stakeholder can be identified as having, to varying degrees, one or more of three attributes: power, legitimacy and urgency (Mitchell et al, 1997). Mitchell et al. (1997), like Freeman (1984), emphasise the changing nature of organisation-stakeholder relations depending on the strength of salience of the stakeholder and the importance of organisations being able to adapt proactively to these shifts.

In the realm of decision-making in relation to the environment there has been a systematic marginalisation of the stakeholder rights of Indigenous communities in the pursuit of economic and urban development, the outcome often to the detriment of environmental well-being (Poata-Smith, 2013). Indigenous communities traditionally value the environment as

ancestor, as kin, as taonga (treasured possession), to be left in a better state for future generations (Ahuriri-Driscoll et al., 2008; Harmsworth & Awatere, 2013; Kennedy, McGouran, & Kemper, 2020). Moreover, a school of thought has arisen that argues the environment itself should be considered a stakeholder (Driscoll & Starik, 2004; Haigh & Griffiths, 2009).

In Aotearoa New Zealand a power imbalance has prevailed in which Indigenous Māori interests, values and knowledge have been ignored or dismissed in environmental decision-making. This is founded upon a Eurocentric colonising mentality which has masqueraded as the dominant settler doing what is best for the environment and public (Dickinson, 2012). Steps have been taken to redress this with the introduction in the public sector of partnership, joint decision-making and co-management/co-governance arrangements between hapū and iwi and the crown (Maxwell, Awatere, Ratana, Davies, & Taiapa, 2020). This development has resulted in growing attention being given in mainstream media around the topic of the role and influence of Māori, state and other community stakeholders in defining and pursuing objectives for shared natural spaces. This case study explores, within a collective redress context and stakeholder theory framework, the ways in which different perspectives around environmental care and management and differing approaches to the right way (as tikanga) to achieve this are incorporated (or not) into the objectives, practices and actions of a co-governance entity.

The case study is set within the context of Treaty of Waitangi redress settlements in Tāmaki Makaurau Auckland which returned sovereignty of 14 maunga to a grouping of mana whenua and established co-governance entity the Tūpuna Maunga o Tāmaki Makaurau Authority (TMA) to administer them. The issue at the heart of the case study is the TMA plan to remove 345 exotic trees from tupuna maunga Ōwairaka in the pursuit of the strategy of a native restoration project. This sparked the formation of local community protest group, Honour the Maunga (HTM) that before long became augmented with formalised relationships with tangata whenua and aligned mana whenua and ecological expert voices.

The research is focused on the events, voices, relationships and media coverage relating to the TMA decision and planned action to fell the trees 2019-2021. It covers: the issue coming to public notice in late 2019; the outcome of the 2021 Court of Appeal case that ruled the TMA had acted unlawfully by failing to comply with its obligations to properly notify and

consult the local community and allow space for the heritage and ecosystem protection value of the trees to be factored in to the TMA decision-making processes; and the re-opening of the public submissions process around the amendment to the Ōwairaka operational plan to include the specifics of the removal of the exotic trees.

Essentially, the research is a case study of: (1) the range of voiced perspectives on the environmental meanings and value of Ōwairaka, and on the decisions and the processes of the TMA with regards her care and future; and of (2) the ways in which the mainstream media within Aotearoa New Zealand has presented those perspectives and viewpoints.

Thus, the aim of the research is to contribute to understandings around community engagement in environmental decision-making that incorporates Indigenous interests, focusing on the ways in which stakeholder salience (through attributes of legitimacy, power and urgency (Mitchell et al., 1997)) can be established in such contexts, and the imperatives and consequences of this salience being given attention (or not) by decision-making entities. How the media contributes to these understandings is incorporated into this aim.

In order to fulfil this aim, the research questions that are addressed are:

RQ1: To what extent is it necessary for co-governance entities to pay attention to the salience of community stakeholders, around environmental decisions?

RQ2: In what ways are disputes between co-governance entities and community stakeholders represented in the media?

1.2 Research significance

This case study brings to light a reality in Aotearoa New Zealand in which there has been an alignment of Indigenous and non-Indigenous voices in opposition to the decisions, rationales and decision-making processes of a co-governance entity around the value of exotic trees in shared, co-governed natural spaces. Of particular importance, arising from the findings and conclusions, are the understandings around the ways in which Indigenous actors can feel and be excluded by a co-governance entity, even if they are included in the arrangement and when the purpose and functions of the entity is to promote and protect Indigenous values and

interests.

1.3 Outline of thesis

Chapter one: Introduction; has provided an introduction to the parameters of the thesis, an overview of the research topic, the research aim and questions.

Chapter Two: Literature review; reviews the literature relating to stakeholder theory, stakeholder salience, participatory and co-governance arrangements in environmental management literature, in particular when Indigenous interests and values are implicated. The co-governance context in contemporary Aotearoa New Zealand is described as it has arisen out of collective redress relating to the Treaty of Waitangi, along with the example of the Tūpuna Maunga Authority. The chapter finishes by looking into the role played by media coverage in normalising certain perspectives and viewpoints, especially towards Māori.

Chapter Three: Methodology; outlines the research design including its case study parameters, its qualitative methodology and methods for gathering, organising and analysing its data. Researcher positionality is presented with respect, due to my residence and whānau connections in the heart of Ngāti Whātua Ōrākei, to my being embedded in an Indigenous frame of reference based around the relationship the hapū has with central Tāmaki Makaurau.

Chapter Four: Findings; presents the findings as they relate to the research questions. It outlines the purpose, values and objectives of the TMA as enshrined in its Integrated Management Plan and the rationale and processes around its decision-making with respect to felling the exotics. It reveals the meanings around stakeholder claims and community engagement expressed within an alignment of local and Indigenous actors contesting the TMA decision. The TMA's responses to these claims and contestations are presented. Racist elements ignited by the dispute are brought to light as well as the voice and changing status of contesting hapū Ngāti Whātua Ōrākei. Lastly it reveals the ways in which the media has contributed to understandings of the perspectives of the protagonists in the dispute and of the Treaty of Waitangi settlement collective redress context in which it is situated.

Chapter Five: Discussion; provides discussion around the findings and draws conclusions around the extent and nature of TMA engagement with the voices amongst stakeholders (Māori and non-Māori) and mana whenua with respect to the operational-level tree-felling decision. It looks into whether the TMA should have: a) anticipated their claims to loss of value arising from this decision and plans, and; b) sought to engage productively with the voices, either before the decision was made or once their contestation was voiced. It finishes with presenting limitations to the research and directions for future research.

Chapter Two: Literature review

2.1 Introduction

This literature review begins by presenting and discussing stakeholder theory, followed by exploring definitions of stakeholders. The benefits of, and challenges and limitations to, engagement with all stakeholders in decision-making are then considered. Arguments supporting the application of stakeholder theory in the public sector are discussed next, including the introduction of stakeholder engagement via participatory processes in situations demanding environmental conservation. The review examines how organisations can determine which groups should be engaged with or given attention – exploring in particular stakeholder salience theory based on stakeholder attributes of legitimacy, power and urgency. The notion that the environment itself should be considered a stakeholder is presented.

Literature on the historic marginalisation of Indigenous peoples' rights, knowledge and practices in decision-making around territory and natural resources is covered, with a focus on the changing landscape of environmental decision-making in Aotearoa New Zealand into which Māori perspectives and practices are being woven. This is followed by a summary of the evolution of co-governance in the Aotearoa New Zealand context of post-colonial collective redress. In this context, the chapter moves on to outlining the establishment of the Tupuna Maunga Authority (TMA) co-governing entity with the administering role over the maunga of Auckland Tāmaki Makaurau (including Ōwairaka) and its purpose of providing mechanisms by which the iwi and hapū could exercise mana whenua and kaitiakitanga (guardianship). Literature on the principles of building productive co-governance relationships towards common objectives is touched upon along with the relationship of the wider Auckland Tāmaki Makaurau public to the TMA. Tensions within the TMA associated with the mana whenua status of individual groups is also addressed.

Lastly, the role played by New Zealand media coverage in normalising certain perspectives and determining the relative influence of different perspectives in environmental disputes is discussed.

2.2 Stakeholder theory

Stakeholder theory is regarded as an important advance in the fields of business ethics, management theory and practice (Wicks, Gilbert Jr, & Freeman, 1994). The theory was developed by Freeman (1984) as a counter view to traditional shareholder theory that was based on business entities giving the highest priority to maximising financial returns to shareholders (Brandt & Georgiou, 2016). The theory arose out of concerns that in the business management world, where maximising financial returns was the primary motive, any connected actors other than shareholders (that is, stakeholders) had traditionally been viewed as a means to an end, even as adversarial (Donaldson & Preston, 1995; Freeman et al., 2020). Freeman advanced the idea that the purpose of business should be seen as extending beyond this free-market norm to integrating the creation of value (of various forms) for all stakeholders (Freeman, Harrison, Wicks, Parmar, & De Colle, 2010; Rajablu, Marthandan, & Yusoff, 2015). Although stakeholder theory is sometimes used as a tool for long-term performance optimisation, its fundamental point is normative rather than pragmatic. Its central claim is that organisations ought to consider the interests of groups other than just their shareholders (Brandt & Georgiou, 2016).

Therefore, stakeholder theory, alternatively called the stakeholder approach (Donaldson & Preston, 1995), moves beyond the purely competitive nature of business relationships to viewing business, from a more humanist perspective, as having the integrated role of an instrument of human co-operation (Freeman et al., 2020). Donaldson & Preston (1995, p.73) argue that the value of Freeman's stakeholder approach lies in its normative validity, whereby there exists a social contract between business and society and that managers have an ethical and social obligation to carry out business practices "as if all stakeholder interests have intrinsic value". Ethically, business systems should be less self-serving and more designed to ensure that corporate and stakeholder interests are interconnected and mutually reinforcing (Donaldson & Preston, 1995; Scholl, 2001). An organisation's strategic management therefore must involve the balancing of its economic interests with the interests and concerns of stakeholders (Cennamo, Berrone, & Gomez-Mejia, 2009; Donaldson & Preston, 1995; Phillips, Freeman, & Wicks, 2003). A prominent line of argument within the stakeholder literature is that organisations can no longer choose *whether* to engage with stakeholders or not, rather that the central decision is *how to* most effectively engage (Freeman & Gilbert Jr,

1992).

2.2.1 Defining stakeholders

Where stakeholder theory has influenced the business management literature, definitions of stakeholders of an organisation have expanded from those for whom there is an economic stake or financial value (Freeman et al., 2020) to any group or individual that can affect or be affected by an organisation's objectives and behaviour (Donaldson & Preston, 1995; Freeman, 1984; Freeman & Reed, 1983; Key, 1999). Stakeholders are those who can claim "actual or potential harms and benefits that they expect or anticipate expecting as a result of the firm's actions or inactions" (Donaldson & Preston, 1995, p. 86).

Narrowing the field, Dunham, Freeman, and Liedtka (2006) state that a stakeholder can represent any group which the organisation needs in order to exist. Earlier stakeholder literature takes a broader view, presenting stakeholders as individuals or groups who have a relationship with the business that is based on mutual dependence and exchange, in which no one set of interests or benefits should have priority over another (Donaldson & Preston, 1995; Freeman, 1984). The broader view has also included actors who are situated at the margins of an organisation and who may be impacted by its actions without having any contractual link to it (Carroll & Buchholtz, 1989; Key, 1999). Nonetheless, the stakeholder approach assumes that all stakeholder groups' interests have at least a degree of inherent value and are therefore worthy of being engaged with (Choi & Robertson, 2014; Freeman, 1984; Key, 1999).

2.2.2 Benefits of stakeholder engagement

Cottrell et al. (2014, p. Conclusions and Future Directions) found the benefits of stakeholder engagement to include "creating credibility, foreseeing controversy, safeguarding transparency and accountability, improving relevance, and enhancing quality of the decision-making". Greater value-creation for all can be the outcome where stakeholder engagement involves having a long-term orientation based on shared value, purpose and trust (Freeman et al., 2020). Thus, when organisational aims of maximising value are "subject to the legitimate claims of the different stakeholders" (Scholl, 2001, p.740) stakeholder participation is argued

to be not only necessary but also beneficial (Lennox, Proctor, & Russell, 2011). This is put forward as a reason for business practice involving environmental issues that affect communities to incorporate the engagement of the most relevant stakeholders (Granovetter, 2005; Sariatli, 2017; Wijkman & Skånberg, 2015).

To the contrary, if stakeholders are not actively sought out by the organisation an outcome may be their eventual (potentially hostile) demand to be consulted, and these stakeholders may eventually protest or boycott the organisation (Eesley & Lenox, 2006). Polonsky (1996) argues that businesses that are more stakeholder-oriented take more care in considering the responses that various stakeholders might make to their objectives and activities, and in factoring in conflict-mitigation. Through strategic stakeholder engagement, risk can be managed and reduced through accommodating or averting demands for change or resistance and also help create new opportunities and ideas to enhance an organisation's reputation with stakeholders (Jeffery, 2009; Polonsky, 1996; Walley, 2013). Moreover, Freeman et al. (2020, p. 225) suggest that the stakeholder approach can, in situations where there is friction amongst stakeholders, open "opportunities for value enhancement between stakeholders". There is increasing evidence that community and stakeholder engagement can improve organisational performance and, in some contexts determine the success of some organisations, by providing a means of navigating and responding to the complex social, economic, cultural, and political settings in which the organisations operate (Lavery, 2018; Salem, Shawtari, Shamsudin, & Hussain, 2018).

Organisations' management of stakeholder relationships, it is argued, should be based on their understanding of societal values and expectations and of important social issues, as well as assessment of the impacts of their activities on communities (Barrett, 2001; Foster & Jonker, 2005; Mainardes, Alves, & Raposo, 2012; O'Brien, Jarvis, & Soutar, 2015). According to Brandt and Georgiou (2016) organisations need to understand their influence as social and political institutions as well as their stakeholders in more elaborate ways. Conversely, this enables society to see organisations in the wider context - as social and political institutions as well as economic actors (Crane, Matten, & Moon, 2004; Den Hond & De Bakker, 2007; Granovetter, 2005). Noland & Phillips (2010) suggest that when moral grounds normatively guide stakeholder engagement, the relationships will be less tainted by power imbalances or coercive strategic agendas, and win-win outcomes are more possible.

2.2.3 Stakeholder engagement and environmental sustainability

The stakeholder approach has increasingly become integrated into managing the environmental aspect of corporate decisions and activities, with some authors arguing that stakeholder engagement and participation is key in environmental management (Shackleton et al., 2019). The concept of corporate sustainability, which has three dimensions – economic, social, and environmental - was itself developed, in part, in response to stakeholder demands around environmental well-being (Herremans, Nazari, & Mahmoudian, 2016; Montiel & Delgado-Ceballos, 2014).

Stakeholder participation in environmental decision-making has been progressively pursued and embedded into corporate practice and policy, as the complex and dynamic nature of the environmental problems requires elastic and transparent decision-making embracing a diversity of knowledge systems and values (Tengö, Brondizio, Elmqvist, Malmer, & Spierenburg, 2014). This trend has similarly been evident in public sector settings around the world.

2.2.4 Applying stakeholder theory in the public sector

Whilst Freeman's stakeholder theory is grounded in private sector practice, there are those who believe a stakeholder approach can be applied 'instrumentally and normatively' within the context of public sector organisations (Scholl, 2001, p.743; Oates, 2013). Scholl (2001) explains that just as the direction of relationships between the business organisation and its stakeholders become less linear and more equal when considered through a stakeholder theory perspective, so too should public sector organisations become more networked and less hierarchical. Deliberate moves away from operating as technocratic bureaucracies to creating genuine pathways for stakeholder participation in management and decision-making, toward shared-value outcomes, can be seen as these entities fulfilling their reason for existence.

With respect to environmental management, the trend toward participatory mechanisms has taken hold in the public sector in many countries, involving a range of stakeholder interests - from business, government and scientific, to community, conservation and Indigenous groups (Rockloff & Lockie, 2006). This more open-ended process, involving a wide net of stakeholders and consensual deliberation based around fairness will result, it is suggested, in greater trust in democracy (Chilvers, 2009), shared ownership of decisions and commitment to the collective good (Rockloff & Lockie, 2006).

2.2.5 Participatory processes as stakeholder engagement

Community-based participation in decision-making around the environment, incorporating local knowledge and shared needs and aspiration, is becoming accepted as a strategy to balance human and economic development and environmental conservation (Chilvers, 2009; Leach, Mearns, & Scoones, 1999). This approach, Chilvers (2009) explains, seeks to empower voices often marginalised when environmental policy is based purely on technocratic, science-based approaches, and allows for communities to be more invested in protecting the local environment (Freilich, 2018; Ribot, 2002). According to Reed (2008), stakeholder participation that emphasises empowerment, fairness, trust and respect for the diversity of knowledge systems and values helps provide a more comprehensive, shared understanding (Reed, 2008), rather than outcomes that simply perpetuate a status quo that serves certain interests, identities and preferred forms of knowledge.

Constructive dialogue amongst stakeholders embracing a collective understanding of diverse values is argued to facilitate the setting aside of particular interests where this enables common good outcomes to be achieved (Chilvers, 2009; Rockloff & Lockie, 2006). However, any assumption of the greater democracy merits of wide and inclusive stakeholder involvement in these arrangements needs to be qualified by the awareness that time and place, resources and the specifics of an issue can limit who has agency and a right to a voice (Metzger et al., 2017).

2.3 Determining stakeholders: power, legitimacy and urgency

The early definitions of stakeholders associated with stakeholder theory in management theory left open a wide scope for identification as: any individual or group that can affect or be affected by an organisation's behaviour (Freeman, 1984) and/or the achievement of the organisation's objectives (Freeman & Reed, 1983). This leaves open the question, when stakeholders have different and opposed interests and preferences, of which perspectives should carry most weight, of which stakeholders are most worthy of attention.

Mitchell et al. (1997) advanced a theory of stakeholder salience incorporating a model based on a definitive stakeholder typology. In this model, which has had considerable influence within stakeholder management discourse (Driscoll & Starik, 2004; Khurram, Pestre, & Charreire Petit, 2019; Oates, 2013) a stakeholder can be identified as having, to varying degrees, one or more of three attributes: legitimacy, power and urgency (Mitchell et al, 1997). Seen as independent variables that can be combined to add to a stakeholder's salience these three attributes are explained as:

- *Legitimacy* which relates to the relationship an individual or group has with the business entity or the issue at hand, where the stake or claim may be, for example based on legal/contractual or moral rights (Driscoll & Starik, 2004).
- *Power* where a social actor can influence the behaviour and objectives of another (within a relationship or perceived relationship) towards their own ends, that is, by using coercive means, material incentives, moral imperatives or other means to impose its will (Mitchell et al., 1997).
- *Urgency* in which a stakeholder relationship or claim demands immediate attention from the business, such as where management delays in attending to the relationship or issue at hand are unacceptable to the stakeholder, or where changes to business objectives or behaviour are perceived by the stakeholder as representing critical loss of value to them (Driscoll & Starik, 2004; Mitchell et al., 1997).

Mitchell et al (1997) emphasise the changing nature of organisation-stakeholder relations depending on the changing salience of stakeholder claims - through different combinations of the three attributes posing rankings from high to moderate to low saliency (Mitchell et al, 1997).

Studies that have looked into refining the concept of stakeholder salience with respect to legitimacy have pointed to the need to distinguish between the salience of the stakeholder as an entity (such as of an established environmental or local community group) and the legitimacy of the claim made by the stakeholder (such as the best way forward for environmental protection) (Gifford, 2010; Neville, Bell, & Whitwell, 2011). Santana (2012) added the attribute of the legitimacy of a stakeholder's behaviour, which in this case study might suggest that groups espousing racist viewpoints do not warrant engagement by the organisation. Another dimension to legitimacy might be when stakeholders form coalitions or become aligned in their claims, requiring that their salience be considered from the perspective of their combined strength (Neville & Menguc, 2006). It is suggested that there will be groups with legitimate claims on an organisation or around an issue who may not be deemed stakeholders until they develop a collective voice (Khurram et al., 2019).

Mitchell et al (1997) suggest that salience based on legitimacy alone is not so likely to receive attention and needs to be augmented with power. Colonial histories in which the voice and interests of Indigenous communities have long had legitimacy, as having deep connection to land or natural resources and rightful claims around environmental protection, have seen them having little power and hence their values and claims receiving little attention. Whilst it is argued in the literature that organisations should take a proactive approach to stakeholder engagement, that considers stakeholder legitimacy to be more important than power, it is more often the case that organisations take a reactive approach in prioritising the paying of attention to powerful stakeholders (Khurram et al., 2019). The latter strategic management approach has therefore served to perpetuate power dynamics in stakeholder settings in which Indigenous communities have been systematically under-represented. Regarding the attribute of urgency, Khurram et al (2019) allude to its demand for attention having weight when it is incorporated as a dynamic dimension into the exercise of power (Khurram et al, 2019; Neville et al, 2011), prompting reactive engagement from the organisation.

The Mitchell et al (1997) model introduced a more networked shape of organisation-stakeholder relations which has come to prevail in the stakeholder management literature (Donaldson & Preston, 1995; Oates, 2013). In the public sector, where the constellation or network concept of organisation-stakeholder relations has gained traction due to the growing trend over the past few decades towards participatory arrangements, the stakeholder net has

tended to be cast wide (Metzger et al., 2017). In these settings, rationales for stakeholder participation will tend to be argued situationally – in relation to a specific issue at a specific ‘time-space conjuncture’ (Metzger et al, 2017. p.2524). Whilst the notion of participatory processes suggests a more democratic relationship between organisation and stakeholders, where stakeholders are seen as more than just a means to an end, Metzger et al (2017) argue that the organisation ultimately has the power to decide on the legitimacy of a stakeholder and of the legitimisation of certain stakeholders over others, and to direct its attention accordingly.

With respect to the public sector and environmental management, Chilvers (2009. p.404) defines participants as ‘publics, stakeholders, or specialists based on their different epistemic (knowledge) and ethical (values) claims’. Horisch et al (2014. p.339), in extending the normative push of stakeholder theory to embrace sustainability-based value creation for all, contend that stakeholders should be educated and empowered to ‘act as intermediaries on behalf of nature’. This is to consider the environment as having primary stakeholder salience requiring that value be created for it (Driscoll & Starik, 2004; Horisch et al, 2014).

Indigenous environment management understands the natural environment as a legitimate stakeholder in itself, a living entity with intrinsic worth based around deep and reciprocal spiritual, cultural and livelihood bonds with the ecosystems in which they live (Bayod, 2020; Lyver et al., 2017). However, the legitimacy of these claims has not historically been acknowledged in situations where power dynamics has allowed industry, agriculture, commerce and urban development (and the related preference for a certain form of rational-technical-western-scientific knowledge) to take away the value Indigenous people have vested in these ecosystems, (Park, 2002). It has been argued that, in order to address these power imbalances where marginalised voices are concerned, and to fulfil the stakeholder theory’s normative imperative of creating shared value, the notion of equity be incorporated into stakeholder salience along with power, legitimacy and urgency (Myllykangas, Kujala, & Lehtimäki, 2010).

Some of the challenges and limitations raised in the stakeholder literature around the issue of power dynamics are now discussed.

2.4 Challenges and limitations to the stakeholder approach

It has been argued that the stakeholder approach, in its application, has continued to have a centrist approach to stakeholder relations, where the capacity to decide what and who matters remains with the organisation (Driscoll & Starik, 2004; Hörisch, Freeman, & Schaltegger, 2014; Noland & Phillips, 2010). Stakeholder theory is based around an organisation's perception of stakeholders' ability to impact positively or negatively on its objectives and/or activities (Polonsky & Scott, 2005). As a result, power has tended to be used in a top-down, one-directional way in stakeholder engagement, whereby decisions about who to engage with are based on the interests of the central, decision-making organisation.

Metzger et al. (2017) raise the concern that decision-making in participatory arrangements is invariably subject to legal and institutional constraints and related relations of power.

Moreover, participatory governance structures can be mechanisms for subduing an antagonistic community response (Metzger et al., 2017) or can create biases which, whether intentionally or unintentionally, benefit some stakeholders over others (Leyden et al., 2017).

The emphasis on collaboration and consensus among particular stakeholders can tend to counteract and exclude rather than empower certain less privileged stakeholders (Birnbaum, 2016; Chilvers, 2009). Power imbalances among stakeholders themselves can constitute a threat to effective collaboration (Bryson, Crosby, & Stone, 2006; Chris & Siv, 2005).

Nelson and Wright (1995) state that citizen participation can, despite its promise to include more voices in public conversations, emphasise existing privileges and group dynamics and thus prevent minority perspectives from being expressed and/or taken seriously. Furthermore, certain ways of participating and speaking which are associated with dominant positions in society (such as rational, calm, evidence-based) tend to be prioritised, thus undermining the emancipatory promise of participatory processes, in particular for Indigenous groups (Young, 1989).

Noland and Phillips (2010) suggest that where corporations, driven by self-interest, have acted irresponsibly towards the environment, they have allowed their power and strategic purpose to bias their judgement as to the salience of stakeholders and to corrupt the honesty and respectfulness of their stakeholder approaches. Indigenous groups have contended that historically, with respect to their stakeholder claims around natural resource use and management, corporations and public sector organisations have tended to ignore these in

order to promote economic or other development objectives; for example, in Aotearoa New Zealand wetlands, highly valued to Māori, were seen as problems by the settler-farmers and allowed to be drained and cleared to support agriculture (Banerjee, 2006; Park, 2002; Rockloff & Lockie, 2006; Skilling, Barrett, & Kurian, 2021).

There is thus a particular risk that if salience is based, in part, on the degree of power possessed by different stakeholders, then Indigenous knowledge, values and aspirations can be outweighed by those of dominant participants in community-based environmental management (Iorns Magallanes, 2021; Young, 1989). A stakeholder (such as an Indigenous group or local community) may have a legitimate claim, but without the attributes of power or urgency this claim may not be acknowledged (Driscoll & Starik, 2004; Mitchell et al., 1997).

In Aotearoa New Zealand, a power imbalance exists between the dominant Anglo-Western Pākehā populations and Indigenous Māori, who have historically been marginalised with respect to environmental management of land and sea (Kritharides et al., 2010; Zambas & Wright, 2016). This has led to Māori values and aspirations being compromised (Sinner & Berkett, 2014; Sinner & Harmsworth, 2015; Stewart-Harawira, 2020) Indigenous ways of knowing are not recognised as valid in a western, technocratic setting (Young, 1989).

2.5 Indigenous and local community stakeholder engagement in decision-making around the environment

Indigenous communities and their knowledge systems have centuries-long, intimate relationships with the lands they belong to. However, the importance of such knowledges has only been promoted within the last three decades, such as in global organisations like the United Nations (Agrawal, 1995; Nakashima, McLean, Thulstrup, Castillo, & Rubis, 2012; Osofsky, 2003). An important outcome of post-colonial discourse has been the recognition at the global level of the ways in which Indigenous knowledge incorporates sustainable ways of living and as such is part of the solution for many of the problems caused by modern development approaches (Laubner, 2002). This recognition accorded Indigenous communities a high level of legitimacy and led to their role as stakeholders bringing important conservation-based solutions being increasingly played out in shared or joint decision-making with state authorities (Bowcutt, 1999; Castro & Nielsen, 2001). Co-

management of territories and natural resources has been argued to have the potential to cater to local initiatives, improve collaboration and lead to great stakeholder engagement (Ayers, Kittinger, Imperial, & Vaughan, 2017; Jentoft, McCay, & Wilson, 1998).

The challenges (and benefits) associated with stakeholder participation in co-management settings - particularly those involving natural resources and Indigenous groups - have in recent years received much attention in the scholarship. Castro and Nielsen (2001) highlight the cultural, political and legal obstacles such as access to, and use of, natural resources encountered by Indigenous people in trying to negotiate co-management arrangements. The intention behind the formation of co-management mechanisms has often been the formalised acknowledgement of Indigenous peoples' rights to land and natural resources, particularly in postcolonial settings (Iorns Magallanes, 2021). However, concerns have been raised that these mechanisms of apparent shared authority are commonly constrained by their being located within regulatory frameworks such as state conservation policy, which may not align with Indigenous interests (Dodson, 2014).

Casimirri (2003) suggests that the challenge facing co-management arrangements is not how to integrate Indigenous knowledge into resource management, but how to integrate Indigenous knowledge holders into planning and decision-making, as stakeholders able to articulate environmental management in their own terms as an expression of self-determination (Hepi, Foote, Makey, Badham, & Te Huna, 2018).

The changing landscape in Aotearoa New Zealand represents a new era of potential for the reassertion of Māori authority as tangata whenua to be exercised in planning and decision-making around the natural environment (Parsons, Fisher, & Crease, 2021; Ruru, O'Lyver, Scott, & Edmunds, 2017). Any re-positioning of Māori, as the Indigenous peoples and tangata whenua, into new spaces that gives legal authority to their voice and interests (although Māori already recognise their own authority in these spaces), brings with it the authority and integration of Māori Indigenous knowledge mātauranga Māori. Before moving into discussion around arrangements established to recognise and enable Māori authority in decision-making on the natural environment, the next section will expand on meanings embedded in mātauranga Māori and discuss the ways it has been ignored, sidelined and denigrated by society in Aotearoa New Zealand as being of less worth than Western knowledge.

2.6 Weaving Māori perspectives into environmental decision-making spaces

Mātauranga Māori describes Māori knowledge, which includes worldviews, values, traditions and incorporates the relationships tūpuna (ancestors) had with the ecosystem (Cram & Mertens, 2016; Mead, 2003; Webster & Cheyne, 2017). Mātauranga Māori underpins and guides the ways in which Māori values are upheld, interests are fulfilled and practices are carried out with respect to the inherent role Māori have as kaitiaki (custodians) of the natural environment. These values and the obligation to maintain, protect, and enhance the spiritual and material well-being of precious resources passed down through generations through whakapapa (genealogical) narratives, story, song and oral histories (Harmsworth & Awatere, 2013; Roberts, Norman, Minhinnick, Wihongi, & Kirkwood, 1995). Whilst mātauranga Māori has a universality for its people it is at the same time widely accepted that truths can differ and that none of the variations are wrong (Taute, Fa’au, & Ingham, 2019).

The kinship connection between the earth and humans creates an inherent sense of place, identity and belonging, and this generates an obligation to protect all things into the future (Cowie, Greaves, Milfont, Houkamau, & Sibley, 2016; Harmsworth & Awatere, 2013; Kiro, Langford, & Ratima, 2003). Kaitiakitanga is focused on *intergenerational equity*, as the environment is seen not only as resource but as sacred, as ancestor, as kin, as taonga, to be left in a better state for future generations (Ahuriri-Driscoll et al., 2008; Kennedy et al., 2020). Rather than managing nature for the long-term benefit of people, an Indigenous worldview is more likely to manage human activity to ensure the long-term benefit of nature (Kauffman, 2020). An example of this is rāhui, the tikanga (customary practices or behaviours) practice that restricts human activity, which can be put in place over a resource-depleted or damaged area until the mauri (lifeforce) is restored (Kauffman, 2020; Kawharu, 2000).

Colonisation, through British Crown rule in Aotearoa New Zealand, has led to the land dispossession and marginalisation of Māori. Since the 1880s, there has been much degradation and re-shaping of the country’s natural landscape with introduced (exotic) biota replacing or displacing the Indigenous native flora and fauna over much of the land to make way for settler development and modernisation (Parsons et al., 2021). As a result, Māori

capacity to exercise kaitiakitanga, or guardianship, over the lands and natural resources has been systematically undermined (Mika & O'Sullivan, 2014; Moewaka Barnes & McCreanor, 2019; Parsons et al., 2021).

Despite the benefits that mātauranga Māori can bring to efforts to maintain or restore the well-being of natural ecosystems, historically Māori interests and values, mātauranga and kaitiakitanga have been rejected and side-lined (Broughton et al., 2015). Māori histories have been reduced to myths and 'pre-history', a decoration to the central Pākehā story (Mahuika, 2009). With the arrival of Pākehā in Aotearoa New Zealand, there were two effective, fully formed knowledge systems that came together, Māori (Indigenous) and British (Anglo-Western), and yet it has been Western knowledge, supporting Western development, that has dominated (Hutchings, Potter, & Taupo, 2011; Mikaere & Hutchings, 2012). Racism, both symbolic and functional, has been a tenacious element in the endurance of colonial societal structures that have been powerful at excluding Māori, their interests and values (Pack et al. 2016c).

Increasingly the Māori perspective or world view is being woven into environmental decision-making and particularly in relation to Te Tiriti o Waitangi, which accords Indigenous Māori values equal standing with settler British values, and even a preference when Māori values are jeopardised (Humpage, 2006). Statutory and other obligations to Māori have, in some contexts, resulted in concepts such as mātauranga Māori and kaitiakitanga being implemented in law and practice through inclusive institutional programmes and participatory and shared power arrangements (Dodson, 2014; Iorns Magallanes, 2021; Parsons et al., 2021; Whaanga, Waiti, Hudson, Williams, & Roa, 2017). The intention behind raising the profile of mātauranga Māori through enhanced Māori voice is to create shared knowledge of environmental management (Spiller, Pio, Erakovic, & Henare, 2011).

Specified areas of water and land with historical and cultural importance to Māori have come under co-governance arrangements in which there is shared power in environmental decision-making involving local councils and iwi and hapū (Māori tribes) associated with those areas. This is the structural context in which this research is situated.

2.6.1 Co-governance in Aotearoa New Zealand emerges out of Collective Redress

The Treaty of Waitangi, signed in 1840, comprises two separate documents: one signed by the settler government and the other signed by Māori Rangatira (chiefs), known as Te Tiriti o Waitangi (Came, 2013; Mutu, 2019). The Treaty of Waitangi contains three articles: the first article describes a bicultural partnership, the second, protection for Māori and their initiatives, and the third, equal citizenship, equal respect and mutually shared knowledge (Evans & Paewai, 1999). Several Treaty of Waitangi settlements in the past decade have established co-governance arrangements as formalised expressions of the equal partnership expected by Māori between iwi and the Crown and as collective redress in the process of settling injustices of Aotearoa New Zealand's colonial past (Iorns Magallanes, 2021; Ruru et al., 2017). These co-governance arrangements reflect a positioning of Māori requiring higher consultation than if they were traditional stakeholders (Parsons et al., 2021). In the collective redress landscape, Māori cannot be considered as just another cultural group in Aotearoa New Zealand, but must be honoured as a recognised treaty partner with inherent links to the land (Herbert, 2002; Jollands & Harmsworth, 2007).

However, whilst recent treaty settlements have established certain hapū and iwi as holding mana whenua over particular lands (as individual or collective groups), and have returned Crown-owned lands to these entities, in many cases these lands are subject to the restriction whereby they retain their reserve status. These restrictions, as well as co-governance arrangements that have been established for the purposes of administering the reserves, limit the ability of iwi and hapū (such as Ngā Mana Whenua o Tāmaki Makaurau) to exercise complete autonomy over the land. Transferring ownership does not necessarily equate to transferring power. Further, the fee simple title does not align with the Māori worldview that land cannot be owned (Klein, 2000) and mana whenua and ahi kā a Māori are traditional concepts that cannot be influenced by legislation (Clark, 2001).

Treaty settlements involving cultural redress in the form of co-governance arrangements have been informed by a set of Cabinet-approved guidelines whereby they should:

- provide an effective role for iwi in managing natural resources;
- lead to good environmental, economic, social and cultural outcomes for iwi and other New Zealanders;

- address matters giving rise to the claim but not create new injustices;
- be well designed, simple, transparent, and affordable; and
- result in durable settlement of the claim (Provost, 2016, p.17).

Nonetheless, collective opinion from participants involved in a breadth of co-governance settings in Aotearoa New Zealand emphasises the importance of all parties being willing to invest in building effective relationships (Provost, 2016). This involves taking time to understand different perspectives, being committed to listening and learning from each other, being adaptable to evolving circumstances or changing aspirations and being willing to compromise if necessary (Provost, 2016). Establishing and engaging in processes that encompass these principles reduce the potential for parties to feel the need to try to resolve issues in court and for community antagonism to be stirred up.

The past decade has seen several of these Crown and iwi co-governing bodies established in the sphere of the conservation management of natural resources, albeit within conservation and local body legislative and regulatory frameworks. By 2018, there were 10 such bodies, which complemented at least 10 further non-statutory co-management/joint committee arrangements (LGNZ, 2018). The 14 Auckland maunga are examples in which natural resources are now co-governed as the result of settlements of historic claims arising from Crown breaches of the Treaty of Waitangi (Bargh & Jones, 2020). The co-governing body of the Auckland maunga is the Tūpuna Maunga Authority (TMA) and is the focus of this case study.

2.6.2 Ngā Mana Whenua o Tāmaki Makaurau Collective Redress and Tūpuna Maunga Authority

The TMA was established by the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014. The Act's purpose was to provide redress to the 13 iwi and hapū of Ngā Mana Whenua o Tāmaki Makaurau (the hapū and iwi with Crown-acknowledged historical ties to the Tāmaki Makaurau region), which included restoring ownership of certain maunga of Tāmaki Makaurau (of which Ōwairaka is one¹) to the iwi and hapū, the maunga being

¹ According to the Auckland Council, Ōwairaka is in an Tribal Area Overlap of 13 hapū and iwi, some of which, are not in the TMA for example: Waikato – Tainui (Auckland Council, 2023).

treasured sources of mana (Peart, Woodhouse, Schlaepfer, Koolen-Bourke, & Taylor, 2021). As a cornerstone of its purpose and role in administering the maunga, the TMA was to provide mechanisms by which the iwi and hapū could exercise mana whenua and kaitiakitanga (Tūpuna Maunga o Tāmaki Makaurau Authority, 2019)². This was to reflect the importance of regard to the “spiritual, ancestral, customary, and historical significance of the Maunga and administered lands to Ngā Mana Whenua o Tāmaki Makaurau” being given by the Authority in the exercise of its powers and functions (Provost, 2016, p. 45).

Notwithstanding this emphasis, the governance arrangement “reflects the value of the Maunga to mana whenua and others” (Provost, 2016, p. 45) as they are held in trust for the “common benefit” of the iwi and hapū of “Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland” (“Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act”, 2014, p. 41). The representation of ngā mana whenua and Auckland Council (with six voting appointees each) on the Authority thus reflects the partnership aspect of the Treaty. Protecting and enhancing the environment of the Maunga are key goals, with indicators for success being proposed as when “mana whenua are enabled and supported to express their Kaitiakitanga over the Tūpuna Muanga” and the “wider community shows its commitment to the Maunga” (p. 47).

The TMA, in having the governance role and responsibility of setting strategies or objectives for the maunga of Tāmaki Makaurau is positioned as the central organisation within the stakeholder engagement framework of this study. Linked in with this central organisation positioning is the role given to Auckland Council for the operational management of the maunga (which includes decision-making powers of the operational manager around implementing TMA objectives) in keeping with its responsibilities under the Resource Management Act 1991 and the Local Government Act 2002. However, both mana whenua and Auckland Council appointees to the Authority have the duty to represent the interests and aspirations of their constituent bodies (that is, the 13 iwi and hapū of the Tāmaki Collective and the wider Auckland public, which includes Māori other than those represented on the TMA). Thus, whilst the TMA is not itself a stakeholder, it might be said that the constituent

² Although Ngāti Whātua Ōrākei argue “The Limited Partnership arrangements [referring to the TMA] do not purport to establish the Tāmaki Collective as the body that exercises mana whenua over Tāmaki Makaurau. That notion is incompatible with tikanga Māori because mana whenua cannot be exercised in the same area by more than one iwi or hapū (Chapman Tripp, 2021).

bodies they represent must be deemed potential stakeholders regarding its objectives and decisions, decision-making processes and actions with respect to these objectives.

2.6.3 Complications with the Tūpuna Maunga Authority

The Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 lists 13 distinct groups (all considered to be “Ngā mana whenua o Tāmaki Makaurau”) and gives all the iwi and hapū listed as having the same status with respect to sovereignty and in the co-governance of the maunga. However, this arrangement does not necessarily reflect the complex of layers of iwi and hapū interests and comparative strengths and dominance between the groups represented in the TMA due to nuances of history³. It is not within the scope of this research, nor the prerogative of the researcher, to discuss and analyse these nuances. However, in terms of the TMA decision-making around Ōwairaka maunga, it is within the scope to pay attention to examples of inter-iwi and hapū tensions when these are expressed publicly, outside of the bounds of organisational discussions, and with respect to stakeholder claims. According to the TMA Integrated Management Plan, out of the 13 iwi and hapū within the Tāmaki Collective, 11 have vested interests in Ōwairaka: Ngāi Tai ki Tāmaki, Ngāti Maru Ngāti Pāoa, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Te Ata, Ngāti Whātua Ōrākei, Ngāti Whātua o Kaipara, Te Ākitai Waiohua, Te Kawerau ā Maki, and Te Rūnanga o Ngāti Whātua (Boffa Miskell, 2016).

The public expression of stakeholder claims (or of contestation over decisions and decision-making processes) with respect to co-governance has received increased exposure within the New Zealand media. This exposure has brought with it viewpoints, attitudes and behaviours around approaches to environmental protection and well-being, and the implications of these regarding questions of the legitimacy of Indigenous values and interests.

³ The Act was seen as resolving the controversy created by the ‘Agreement in Principle between the Crown and Ngāti Whātua Ōrākei’ that was seen by other hapū and iwi with historical ties to the Tāmaki Makaurau region, to put Ngāti Whātua Ōrākei in a privileged position relative to other iwi with competing claims to Tamaki Makaurau (Kawharu, 2011; Waitangi Tribunal, 2007). The Agreement in Principle between the Crown and Ngāti Whātua Ōrākei would have seen Ngāti Whātua Ōrākei co-managing three Auckland maunga and having the sole advisory role on four other maunga in their traditional rohe (including Ōwairaka). Although opposed and still opposed to the settlement. Ngāti Whātua Ōrākei claim to have felt very real political pressure to join the Ngā Mana Whenua o Tāmaki Makaurau Collective. They could either join or be left out entirely. The prospect of not being included in a collective redress that considered land within their rohe would have been an affront to their claimed mana whenua status (Chapman Tripp, 2021).

Media coverage in the collective redress landscape can play an important role in both normalising societal recognition of mātauranga Māori and kaitiakitanga, of Māori rights and responsibilities as treaty partners, or a negative role in keeping the colonial narratives alive. So too is the attention and weighting given by the media to the salience of the claims of various stakeholders (in terms of legitimacy, power and urgency) compared to how Māori perspectives in environmental decision-making are represented. The following section explores the role of the New Zealand media in reporting on and providing commentary and analysis on the involvement of Māori in this landscape.

2.7 The role of the media in Aotearoa New Zealand in influencing public perception towards Māori

Scholars have long argued that the media does not neutrally report objective facts. Rather, through its editorial decisions and practices, it actively constructs the way in which the public understands what is going on, what issues are important and what perspectives are normal and valuable to society, such as around Indigenous issues (Belfer, Ford, & Maillet, 2017). The Aotearoa New Zealand media is no different and it has played a pivotal role in shaping public perceptions and opinions about Māori (MacDonald & Ormond, 2021).

This role has historically reflected and perpetuated colonial narratives which carry with them racism manifest at socio-cultural, institutional and political levels. In colluding with Pākehā and the Crown in the systemic manifestation of the lack of recognition and respect by for Māori rights, identity, knowledge and values (Pack, Tuffins & Leons, 2016a), the media has contributed to the entrenched marginalisation of Māori, in particular the notion of Māori as ‘other’ (Amoamo & Thompson, 2010).

Rankine et al. (2014) found that the mainstream media in Aotearoa New Zealand covered Māori stories at very low rates, focussed on a narrow range of topics and prioritised Pākehā sources over Māori, even in articles specifically about Māori issues. Moreover, Gregory et al. (2011) argue that the racial stereotypes about Māori in the mainstream media has contributed to the normalising of these stereotypes in society, and the dismissal of Māori aspirations as being of low value (Barnes, Taiapa, Borell, & McCreanor, 2013; Pihama, 1996). Indigenous rights literature highlights the ways in which negative mass media representations of Māori have impacted harmfully on how Māori see themselves, their collective health and wellbeing,

and generated understandings of how ultimately these racialised stereotypes undermine the fundamentals of equity and justice in society (Barnes et al., 2012).

Phelan (2009) argues that the New Zealand media has constructed and echoed a widespread hegemonic discourse that has been prejudicial to Māori interests being fulfilled and has been contrary to the spirit of democratic analysis and openness. The positioning of Māori as a threat in stories around land, sea and natural resource management represents part of this discourse (McCreanor et al., 2014; Phelan & Shearer, 2009). As Wetherell and Potter (1993, p. 158) concluded: “over again we are told that it is Māori groups who initiate friction, division and disruption and who thus disturb the harmonious ‘resting state’ of New Zealand society”. According to Gregory et al. (2011), mainstream Aotearoa New Zealand media, in its representation of Māori, of relationships between Māori and non-Māori, and in its promotion of particular (prejudicial to Māori) understandings of the Treaty of Waitangi / Te Tiriti o Waitangi, has the potential to undermine opportunities for Treaty-based social justice to be fully realised.

More recently, however, there have been influential sectors of the media in Aotearoa New Zealand that have acknowledged the historic role media has had in shaping the public perception and viewpoint towards Māori and who are taking positive, proactive steps to address this. An example is the media organisation Stuff which has issued an apology acknowledging its bias, and the racism towards and marginalisation of Māori, instituting a new charter based on Te Tiriti O Waitangi as part of its commitment to tackle this (Mutu, 2022; Williams, 2020).

2.8 Conclusion

This chapter has explored the literature around stakeholder engagement, discussing why we should care about including stakeholders in decision making, and why practices of engagement do not always achieve their stated aims. Stakeholder theory (providing guidance for this research) was discussed, with its imperative that engagement with stakeholders should be an organisation’s objective, looking to create value for all stakeholders, not just its shareholders. An organisation was argued to be a “social collective that exists within a broader societal framework that is highly diverse, rapidly changing and extremely complex”(Foster & Jonker, 2006, p. 127). Attention was drawn to how engagement with all

stakeholders helps an organisation understand how to balance economic interests with the ethical and social concerns of the interested parties.

The review explored definitions of stakeholders and addressed the benefits and the challenges and limitations of stakeholder engagement. It discussed how practices of stakeholder engagement that remain top-down and centralised are problematic due to the power vested in the organisation in determining which groups should be engaged with. The stakeholder salience theory of Mitchell et al. (1997), based on stakeholder attributes of legitimacy, power and urgency, and which informs this study, was explained. Benefits such as enhancing an organisation's credibility, improving transparency and accountability and the relevance of decision-making for all stakeholders were advanced. These were countered with explanation of the numerous practical and systemic barriers that must be overcome if stakeholder participation's potential is to be fully realised. These barriers include the prioritising of certain ways of participating (typically those associated with socially-dominant stakeholders) and conscious or unconscious bias against the values and perspectives associated with marginalised groups, such as Indigenous knowledge.

Sharpening the focus onto stakeholder engagement for environmental decision-making, the review drew upon the environmental management literature. Compelling arguments were highlighted for stakeholder engagement and participation being critical in environmental management, as the issues the world currently faces require adaptable and transparent decision-making which embraces a diversity of knowledge systems and values.

Awareness of Indigenous populations' sustainable way of living, together with the decline of the environmental conditions of the planet, have captured the interest of the international community, with associated respect for Indigenous knowledge and practices leading to the concept of shared knowledge being incorporated into decision-making and practices (Spiller et al., 2011).

The review then looked into co-governance arrangements in Aotearoa New Zealand emerging out of the process of collective redress and representing a moving forward from a Eurocentric colonising mentality. It highlighted how Māori practices of mātauranga and kaitiakitanga are being proactively implemented in law and practice through inclusive

institutional programmes, stakeholder participation and co-governance mechanisms (Dodson, 2014; Iorns Magallanes, 2021; Parsons et al., 2021; Whaanga et al., 2017).

Finally, this literature review analysed the role and response to the media in Aotearoa New Zealand in shaping public perception and viewpoint towards Māori. It highlighted how, through the repetitive use of racialised discourse to portray Māori, the mainstream media has supported the continued marginalisation of Māori through the normalisation of negative and stereotypical depictions of Māori. However, it found that in recent years influential sectors of the media in Aotearoa New Zealand have been acknowledging the historic role media has had in continuing the denial of Māori identity, interests and values, and the importance of Indigenous voices and roles in conservation management.

The literature review provides a theoretical and conceptual framework which guides the approach in this case study around: the aim organisations should have to create value for all stakeholders; exploring the salience of groups claiming to speak for the environment, and; the imperatives (or not) of meaningful stakeholder engagement within the co-governance social reality in its focus. This guidance, on the one hand privileges the salience of legitimacy over that of power, whilst on the other, acknowledges the importance of previously marginalised groups with legitimacy being accorded power so that their voices are heeded. It further provides the contextual society background of the research out of which is drawn imperatives to guide the research. That is, that special weight should be given in settler societies to Indigenous groups, since these groups typically have:

- a) a deep sense of connection to place
- b) suffered historical injustice that should be redressed
- c) low levels of power, such that they are often overlooked.

Therefore, co-governance arrangements are a constructive response to the argument that a wide range of groups (and especially those with a connection to place, deep knowledge and attachment, and a history of marginalisation) should be included in environmental decision-making processes.

In addressing Research Question 1, the theoretical/conceptual framework and prerogatives arising from the contextual background contribute to the understandings arising out of the findings around:

- whether the TMA, in itself being a decision-making entity that is deemed representative of both Indigenous groups and the rest of the Auckland Tāmaki Makaurau citizenship with the purpose to fulfil important Indigenous needs with respect to maunga environments, should have lower expectations around its need to engage further with local communities.
- whether engaging with local community groups who offer differing perspectives around environmental well-being, based on their source of expertise and knowledge of the natural resource in question, would help arrive at better decisions.
- how to approach environmental decision-making where Indigenous stakeholders represented both within and outside of a co-governance structure have differing perspectives.

Chapter Three: Methodology

3.1 Introduction

This chapter presents the methodology and methods used in this study. Firstly, it looks at the research purpose and aim. This is followed by discussion of the research methodology, including notions of social reality as explored through qualitative inquiry. The case study parameters are then described. The research methods used in the study are next presented, outlining the sources of data, data selection and collection, and how the data is organised and analysed. The final section looks at ethical considerations and the researcher's positionality in conducting the research.

3.2 Research purpose and methodology

The research questions for this research are:

RQ1: To what extent is it necessary for co-governance entities to pay attention to the salience of community stakeholders, around environmental decisions?

RQ2: In what ways are disputes between co-governance entities and community stakeholders represented in the media?

The aim of this research is to contribute to understandings around community engagement in environmental decision-making that incorporates Indigenous interests in a co-governance setting. In particular, it focusses on a lived scenario, Ōwairaka, Tāmaki Makaurau, in which there is contestation over the extent to which the co-governance entity, Tūpuna Maunga Authority (TMA), should pay attention to or consult with the local community over environmental decisions and actions. It also situates the aim conceptually within stakeholder theory, which proposes the normative imperative that decision-making entities seek to create value for all stakeholders by their objectives and actions.

The research explores community engagement in environmental decision-making through the claims, objectives, viewpoints and actions of protagonists (and social and legal repercussions of these) in the dispute around the TMA plans to remove all the exotic trees on Ōwairaka as it

developed. Within the context of the TMA's environmental objectives for Ōwairaka, it considers the evolving stakeholder salience (as legitimacy, power and urgency) of those contesting the TMA's exotic tree removal decision and decision-making processes (in particular local community group Honour the Maunga (HTM), local community members who lodged legal cases, and Māori voices). Further, it brings to light the TMA's responses to the contestations and outcomes arising from its engagement (or not) with local community stakeholders. Additionally, the research extends to exploring how the media has contributed to shaping public awareness and providing information and interpretation that shape public attitude and opinion in its delivering of the news around the Ōwairaka dispute.

The research follows a qualitative methodology to explore the voiced viewpoints, the behaviours, perceptions and beliefs, attitudes and actions of the interconnected decision-making and stakeholder actors within the specific social reality centred around the future ecosystem of Tūpuna Maunga Ōwairaka. It draws on material presented in the literature review as it explored concepts and cultural and historical context (Hammarberg, Kirkman, & de Lacey, 2016) and also sourced from the voices, explanations and actions of the Ōwairaka dispute protagonists as they appear in website, document and media texts.

3.3 Exploring and explaining social reality through qualitative inquiry

Qualitative inquiry is based on ontological assumptions around the nature of social reality and epistemological assertions about the ways of knowing that reality (Bryman, 2016). The ontological assumption behind this research is that social reality is produced or constructed through the actions of individuals, interwoven with relationships with others and patterns of belief systems (Smith, 2013). It is shaped by societal norms, organisational structures, processes and rules, and state legislation and policies (Smith, 2013). It can also be shaped historically by conflict, such as through the colonisation of Aotearoa New Zealand.

In looking into the subjective meanings that are attached to social reality by different groups and individuals, the research also takes a constructivist epistemological approach whereby meanings are seen as constructed and not discovered (Gray, 2016). This helps to understand that multiple meanings around connection to place and around environmental well-being and management can exist (Gray, 2016), and opens the study to bringing to light the various aligned and conflicting voices in the Ōwairaka restoration dispute. These meanings traverse

historical, spiritual, social and cultural dimensions encompassing motives, emotions, perspectives and prejudices within a situation and series of events containing relationships of cooperation and dispute (Charmaz, 2006).

This research is a case study based around community responses to what the TMA's Integrated Management Plan (IMP) re-naturing strategy (as part of a restoration project) was to mean in practice – namely the wholesale removal of all exotic flora on the maunga in late 2019, an action that was not signalled in the IMP. This study examines how members of the Ōwairaka local community and other individuals in Auckland, including Māori both represented and unrepresented within the TMA, were motivated to share their personal connections and meanings attributed to Ōwairaka and its ecosystem. It delves into their viewpoints regarding the TMA's maunga plans and the strategies proposed for their implementation, shedding light on their perceptions of these proposals. Additionally, the study focuses on their public and legal challenges against the TMA's decision to remove 345 exotic trees on Ōwairaka, the decision-making processes involved, and the subsequent actions taken in response. The public presentation of these meanings required the TMA to pay attention to the stakeholders behind them via its media responses and, ultimately, the legal presentation of them required the entity's attention to be channelled into court proceedings. Within the stakeholder conceptual framework of the research, these meanings contribute to building the picture of stakeholder engagement towards creating shared value (or not) around Ōwairaka. An important facet contributing to this picture has been the meanings around the dispute presented by Ngāti Whātua Ōrākei (represented on the TMA) as well as its ongoing legal contestation of who should hold mana whenua status over the central Auckland isthmus.

The case study design adopted for the research allows the whole picture of the interconnected social phenomena of the Ōwairaka tree removal dispute to be brought to light (Yin, 2012). The temporal boundaries of the case study provide the scope to trace and bring to light over a period of time evolving relationships, social processes, clashing and alignment of belief systems or ideologies as they relate to the specific issue and social reality in focus (Denscombe, 2017; Flyvbjerg, 2006; Yin, 2012).

3.4 Case study parameters

The historical context of the case study is the Treaty of Waitangi settlement of Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 through which fourteen Maunga were returned to the 13 mana whenua iwi (tribes) and hapū (kinship groups) of Tāmaki Makaurau Auckland in a move to right the wrongs and address the negative effects of colonisation.

The organisational parameters of the case study contain the social structure of the co-governing body established under the 2014 legislation to administer the Maunga, the Tūpuna Maunga o Tāmaki Makaurau Authority (TMA), and the representative system incorporated within. As previously explained, this representation comprises an equal balance of six members from Ngā Mana Whenua o Tāmaki Makaurau and six appointees from Auckland Council.

The temporal parameters of the research extend through the history of the dispute around the TMA decision and plans to clear-fell 345 exotic trees on Ōwairaka. They open at the point when the decision came to public notice in late 2019 sparking local protest action and the stalling of the tree-felling operation, and extend through the court actions and up until the subsequent opening up of the felling plans to public submissions in the latter half of 2022.

The social parameters of the study encompass the organisations, actors, events, relationships and media responses that have been engaged in the Ōwairaka dispute. They include the TMA as the decision-making entity, in particular actors within and outside supporters who have promoted and defended the TMA's environmental perspective and objectives and decision-making processes and those who have publicly contested these. They further include the stakeholder actors (individuals and groups already existing or having formed since the 2019 TMA decision) who have made their voices heard in response to the decision and subsequent protests. These range from the protest group HTM, local Ōwairaka residents, and Māori who are not part of Ngā Mana Whenua o Tāmaki Makaurau but are members of HTM, and environmental groups.

The study is based around qualitative data sources of texts (written, spoken and visual) that communicate the voices, relationships and events that illuminate the topic of the case study. The research methods for gathering, interpreting and analysing these texts are now presented.

3.5 Research methods

3.5.1 Data sources, selection and collection

With regards Research Question 1, the literature review goes some way to addressing this. It provides the theoretical and conceptual framework for this research as well as covering the historical context for the establishment of the TMA as the co-governance entity, its representative structure, purpose and statutory obligations. Further knowledge has been sought from communication texts regarding the TMA's obligations around consultation and engagement with the other people of Tāmaki Makaurau Auckland around its objectives and proposed actions implementing these. Data relating to this was sought from TMA and Auckland Council minutes and websites and the public submissions prior to the adoption of the IMP as well as that relating to when, how and by whom the exotic tree-felling decision was made. Of note is that this project was unable to access the critical 2019 TMA minutes stating the intent to remove the 345 exotic trees from Ōwairaka, as these were removed from the TMA website. Waitangi Tribunal and court documents were sourced to shed light on the role and voice of Ngāti Whātua Ōrākei (as a dissident voice within TMA) during the period of the case study. Further text data in media, the TMA website and court documents contributed to understandings around the TMA's approach to stakeholder engagement, its rationale for the exotics removal decision and defence of its operational level decision-making processes, supplemented with data from texts of supporting environmental experts such as Te Ngahere, Tree Council and Forest and Bird.

Communication texts were also sought in order to explore the stakeholder salience of those contesting the TMA's tree-felling plans and actions. These texts appeared in, for example, HTM's website and those of organisations with aligned environmental viewpoints such as Tree Advocates and the Department of Conservation (DOC), court documents, IMP submissions, opinion pieces published in media by HTM members and Ngāti Whātua Ōrākei spokespersons, coverage in media outlets. Communication texts (written, verbal and visual)

that appeared in media outlets concerning the dispute were the sole source of data for addressing Research Question 2.

Regarding the media-based data, having established a comprehensive list of relevant outlets, their websites were searched for variants of the key terms “Honour the Maunga”, “Ōwairaka”, “Mt Albert”, “Ōwairaka tree protest”, “Ngāti Whātua Ōrākei”, “Mana whenua” and the “Tūpuna Maunga Authority”. Narrowing the results down to those that related specifically to the dispute and removing duplicate search results, a total of 85 media items made up the data sample size. These included texts from public radio, Māori radio, commercial radio, news and media publishers, television channels, print publishers and media websites, and digital news media.

After all audio and visual reports taken from media sources were transcribed into written text, the data was organised via a coding process related to the research questions.

3.5.2 Organising and analysing the data

For Research Question 1, passages in the texts that related to the contextual, theoretical and conceptual notions framing the study were identified and organised under main headings and sub-headings. A significantly large portion of the findings were grouped in the thematic area of the salience of the legitimacy claimed by the stakeholders. This theme was branched into areas relating to: claims around their right to have their voices heard and concerns taken heed of by the TMA; claims around their connections to Ōwairaka; claims to the loss of value should the exotics be removed; their differing perspective on her ecosystem protection, and; concerns around the tikanga of TMA decision-making processes. Consequently, much of the analysis and discussion centred around these areas – and particularly on the positioning of the contesting Māori voices within the stakeholder alignment and within the TMA.

Attributes of power and urgency emerged in smaller strands of descriptive data as these were exhibited by stakeholders in the dispute, such as in the HTM protests stalling the chain-sawing operation and the court action setting aside the tree-felling decision. Attending to the theme of the power dynamics involved around the dispute also encompassed analysing whether the viewpoint and actions of HTM (and associates) perpetuated a colonial legacy of

powerful white privilege being exercised to the undermine the interests and values of marginalised Indigenous people.

The findings on the TMA's role, responsibilities and decision-making, and its responses to the legitimacy of the aligned contesting voices and associated power and urgency, were organised along both stakeholder theory angles and as they related to the principles of co-governance in the Aotearoa New Zealand collective redress context. Themes that emerged were around: the onus on (and consequences of) the TMA attending (or not) to the claims of loss of value for the contesting community stakeholders arising from the tree-felling; the need for the TMA to take heed (or not) of differing expert opinion on the best way forward for the Ōwairaka natural environment; the place and legitimacy of contesting Māori voices within a co-governance setting, and; whether in engaging with the contesting stakeholders the TMA would be compromising its purpose in upholding the importance of its representative iwi and hapū being able to exercise mana whenua and kaitiakitanga with respect to Ōwairaka.

3.5.3 Drawing on qualitative discourse analysis

In organising and analysing the media texts relating to Research Question 2 (Appendix 1), the initial exploration revealed a tendency towards the media taking a binary approach to the dispute. The qualitative method of discourse analysis was chosen as appropriate for this research. Discourse analysis explores the meanings produced by language use and communication, the contexts, processes and practices associated with and caused by these meanings (Brown, Brown, Brown, Yule, & Gillian, 1983). It aims to perceive and categorise various meaning-making processes, networks and practices from text communication data (Gill, 2000), taking into account context as important in both data selection, collection and analysis (MacMillan, 2005).

For critical discourse analysts such as Van Dijk (1998) and, Fairclough (2013), discourse is correlated to power and social interests, an approach with which this research also aligns (Van Dijk, 2017). In power relationships based around different perspectives on the world a polarisation between "us" and "them" is created (Philo, 2007). Communication texts around ideologies, perspectives, justification for action, or contestation of any of these, involves positive in-group description and negative out-group description (Van Dijk, 1998), such as might:

- 1. Emphasise our good properties/actions
- 2. Emphasise their bad properties/actions
- 3. Mitigate our bad properties/actions
- 4. Mitigate their good properties/actions (Van Dijk, 1998, p. 10).

Van Dijk (1998) developed a methodological tool around these four broad categories of intent arising from communication texts (such as Websites or media profiles) for use in discourse analysis called the ideological square (Van Dijk, 1998). The ideological square model has been employed to analyse discourse and ideology in a wide range of issues and across multiple disciplines (King, Skipper, & Tawhai, 2008) and is part of the toolkit for the analysis in this study. Meanings communicated in the media texts were extracted and organised across four versions of emphasis/de-emphasis-based squares (see Figure 1, p.46). The squares were arranged in columns across four excel spreadsheets. The texts of the 85 media items were then categorised according to how they (or segments thereof) aligned with the columns in each of the spreadsheets. The subsequent analysis was able to bring to light the weightings the various media placed on the meanings of the perspectives, behaviours and actions of the dispute protagonists as well as on the meanings of the Aotearoa New Zealand co-governance context.



Figure 1 Ideological squares

3.6 Ethical considerations and research positionality

This research was guided by Te Ara Tika, the framework for Tauwiwi researchers (those without Māori whakapapa) to conduct ethical research in Aotearoa New Zealand (Hudson, Milne, Reynolds, Russell, & Smith, 2010). The framework became a reference to ensure that the mana of all parties, and in particular of Māori, has been upheld throughout the research process through cultural appropriateness, social responsibility and spiritual integrity.

As a Pākehā student I have a lot to learn about Te Ao Māori, but I recognise the insight and guidance of Ngāti Whātua Ōrākei whānau through my partner and son. This lived

relationship has given me intimate awareness of the ways in which Māori draw upon whakapapa to inform their connection with the environment - that is, the multiple connections to land, mountains, rivers, ancestors, hapū (kinship groups) and iwi (tribes) (Came, 2013; Mahuika, 2008; Rangiwai, 2018; Wyeth, Derrett, Hokowhitu, Hall, & Langley, 2010). This awareness also brings with it the understanding that amongst iwi and hapū there are differing perspectives on the appropriate tikanga for achieving co-governance objectives with respect to the environment. This entailed some complexity in ethically navigating the findings as events and perspectives surrounding Ōwairaka and TMA unfolded in the case study.

As a first generation Pākehā (settler) New Zealander and a researcher I have been mindful of my positionality throughout. I have immigrant Scottish & English parents and also have links through whānau to tangata whenua of Tāmaki Makaurau. My partner and son are Ngāti Whātua Ōrākei, Ngāti Whātua Kaipara and Te Uri-o-Hau and I live with them in the Ngāti Whātua Ōrākei papakāinga (village) on Takaparawhau. I am therefore embedded amongst an Indigenous group mindset based around the relationship Ngāti Whātua Ōrākei have with central Tāmaki Makaurau (in which Ōwairaka is located) in terms of history, tikanga (customary practices or behaviours), whakapapa (genealogy) and kaitiakitanga. All of which is founded on Ngāti Whātua Ōrākei ahi kā (continuous occupation) of central Tāmaki Makaurau since the early 1700's (Clark, 2001; Pihema, 1997; Royal, 2022). With respect to the 'other people of Auckland' whom the Council members of TMA represent, Ngāti Whātua Ōrākei views their relationship with these stakeholders in a similar manner to the model on which the land at Takaparawhau Bastion Point has operated, of managing the maunga for Māori and all of Aotearoa New Zealand (Chapman Tripp, 2021). I bring a particular commitment to honouring the mana of Ngāti Whātua Ōrākei which requires that I do my best to represent its voice and interests as these relate to the issues of co-governance and Ōwairaka, but that also requires me to remain vigilant to not allowing this representation to dominate or distort the data selection and analysis.

3.7 Conclusion

This chapter explains the purpose of the research as bringing to light a social reality involving

issues of stakeholder engagement in environmental decision-making in a co-governance setting and discussing whether the normative imperative (arising from stakeholder theory) of creating shared value was fulfilled (or not). Added to this purpose is that of highlighting the ways in which the media has presented the protagonists' viewpoints, behaviours and actions around the social reality in question. It reinforces the importance of the research context (of co-governance arrangements being established as collective redress in order to address the wrongs and harms of a colonial past) as backdrop for the study.

The chapter discusses the reasons for the use of a qualitative methodology for bringing forth understandings of the social reality of the Ōwairaka dispute and why the case study approach is the most appropriate shape for the inquiry. The temporal, organisational and social parameters of the case study are described along with its historical context of the Treaty of Waitangi Tāmaki Makaurau collective redress settlement of 2014.

The part played by the literature review in going some way towards addressing Research Question 1 is explained, followed by the rationale for exploring further findings sourced from written, audio and visual communication texts arising in websites, documents and media. Methods for data selection and establishing sample size are outlined as well as how the data is organised via a coding process and analysed using thematic analysis and qualitative discourse analysis. The chapter concludes with discussion on my ethical approach as Taiwi researching an issue involving Māori in Aotearoa New Zealand and my researcher positionality as it is influenced by my whānau proximity to Ngāti Whātua Ōrākei, one of the hapū represented on TMA. The next chapter explores and evaluates the research findings.

Chapter Four: Findings

4.1 Introduction

This chapter explores the texts (written, audio and visual) pertaining to the maunga Ōwairaka dispute as they provide insight with regards the research questions. The first section presents the findings as they relate to Research Question 1. It begins with introducing the co-governance context in which the single-operation exotic tree-felling decision was made - that is how it relates to the TMA's strategic objectives for the maunga and the rationale behind the decision and decision-making processes.

It moves on to the emergence of Honour the Maunga (HTM) as a protest organisation in response to the decision, decision-making processes and ensuing Tūpuna Maunga Authority (TMA) action with respect to the felling of 345 exotic trees on Ōwairaka. It explores the organisation's claims to stakeholder legitimacy with respect to the local community relationship with the TMA and expectations around consultation and the loss of heritage and ecosystem value expected if the trees were to be removed.

The chapter then brings to light the viewpoints within the Māori voices (of mana whenua represented on the TMA and of tangata whenua represented as 'other people' of Tāmaki Makaurau Auckland) that also contested the TMA decision and decision-making processes. Their claims, from the perspectives of Te Ao Māori, kaitiakitanga and tikanga, and the orientation of these with the perspectives of HTM are highlighted.

Next, findings around the TMA and its supporters responses to the stakeholder claims of HTM are presented. Following this, racist elements stirred up by the dispute are looked into, along with how these threaten to undermine the legitimacy of the stakeholder claims of HTM and the organisation's responses to them. The chapter proceeds to portraying the nature of power, as latent and manifest, of the contestants of the TMA plans and decisions around the Ōwairaka exotics, as this has/has not drawn the attention of the Authority and affected its objectives and actions. Lastly, in this section of the findings as they address Research Question 1, the relationship of urgency (as the demand from the contesting voices to pay

immediate attention to the claimed criticality of loss of value for them through the planned exotics removal) to the stakeholders salience is brought out.

The second part of the chapter looks into the media texts that are relevant to Research Question 2. The relative emphasis placed by the media on the perspectives, behaviours and actions of the protagonists in the Ōwairaka dispute is explored drawing on Van Djyk's approach to discourse analysis.

4.2 Describing the context of the dispute

As was explained in the literature review, arising out of the Tāmaki Collective Settlement Act, 2014, the TMA is the administering body for Ōwairaka for the purposes of the Reserves Act 1977. One of its statutory roles has been to prepare and approve an Integrated Management Plan (IMP) for the fourteen maunga of Tāmaki Makaurau Auckland in accordance with s41 of this Act – a document which was developed for the TMA by the environmental and design consultancy firm Boffa Miskell (Boffa Miskell, 2016). The IMP claims to encompass shared-value sentiments (for mana whenua, tangata whenua and Pākehā) around spiritual, cultural, heritage and biodiversity aspects of the maunga. It states that these shared values:

weave together and give expression to mana whenua and other world views, and the diverse connections and histories in a manner that complements and creates a richness to the relationship all people have with the Tūpuna Maunga (Boffa Miskell, 2016, p. 58).

Cultural and heritage values are explained as mana whenua history and whakapapa being interwoven with the Tūpuna Maunga, which create a “strong emotional connection with and .. a sense of identity ...for local communities” (Boffa Miskell, p.65). The restoration project of the IMP promised to recognise and encourage reciprocity of the relationship between people and place, by facilitating “the sense of living connection, identity and guardianship over the maunga felt by neighbours and the surrounding communities to be engaged with the maunga and active in its protection, restoration and enhancement” (Boffa Miskell, 2016, p.79). The IMP's biodiversity strategy promises to “restore areas of the Tūpuna Maunga with Indigenous ecosystems and reintroduce and attract Indigenous species and culturally

appropriate species”. To this end it signalled large-scale native planting and the “proactive management of plant pests and inappropriate exotic vegetation” (Boffa Miskell, 2016, p. 95).

The preamble to the document states that stakeholders had been involved in its drafting but does not specify who these were, although it might be assumed that this process would have involved in-depth discussion amongst iwi and hapū and Council members represented on the TMA. Part of the IMP process involved an “Auckland-wide public engagement” (via a submissions process) around the plan (Tūpuna Maunga Authority, 2022, p. 1). The plan was unanimously adopted by the TMA in June 2016. This process of community consultation has been asserted by the TMA chair in numerous media items as sufficient for the Authority to go ahead with operational plans to remove the exotics.

Thus, sometime in the period of 9 August to 11 October 2018, the decision was made by the operations manager for the TMA that, based on his assessment, all 345 exotic trees on Ōwairaka should be removed in a single operation. The decision was made as “part of a broader sequence of decision-making that included the Tūpuna Maunga Integrated Management Plan (IMP) (2016) and the 2018/18 Annual Operational Plan. This is the Ōwairaka ecological restoration project” (“Norman v Tūpuna Maunga O Tāmaki Makaurau Authority,” 2020, p. 8). The decision was founded on a 2018 assessment carried out by Te Ngahere (an ecological restoration and management consultancy company) on the existing Ōwairaka vegetation and the impacts of removing exotics and replanting with natives. Their conclusion was that the action of removing up to 345 exotic trees would produce low adverse ecological effects if carried out outside of bird-nesting season (August to January) and that, combined with the native plantings, would have an overall positive effect on the existing ecological values of Ōwairaka (Mairs, Mairs, Le Grice, & Floyd, 2018). It was also based on the operational methodology provided by arborist contractor Treescap Limited for a single-operation felling involving chainsaws and helicopters which it claimed would cause minimal environmental damage and protect the archaeological elements (Rowland, 2018).

As the decision was around implementing the IMP at the operational management level it was not considered by the TMA as a whole, nor was there any written record of this decision (“Norman v Tūpuna Maunga O Tāmaki Makaurau Authority,” 2022). Resource consent, of a non-notifiable kind, was given by an Auckland Council employee on the basis that the anticipated adverse effects of the operation were deemed to be minor when considered

alongside the plan to plant 13,000 indigenous trees and plants to bolster the existing 442 native trees (mostly pōhutukawa, totara and pūriri) ("Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2020). Of note is that the actual timing of the felling operation in November 2019 was to be within the bird-breeding season identified by the Te Ngahere ecological assessment (Mairs, Mairs, Le Grice, & Floyd, 2018).

Thus, between the time when the IMP was adopted and the measures taken by the TMA in late October 2019 to inform the local Ōwairaka/Mt Albert residents of the imminent exotic tree-felling operation within the next month, there was no indication available to the Auckland public of the planned action. As well as there being no formal recording of the decision, the TMA minutes of around this time are not available for public access. Two prominent Māori voices amongst the contestants to the tree felling, who advocated a more grassroots consultation process whenever significant tree-felling was proposed, reflected in a community newspaper: "After more than a year of denials, the Authority admitted that nobody was consulted about the specific intention to get rid of all the exotic trees; in fact, this was never even voted on" (Ngaropō & Waru, 2021, p. 1). It was in response to finding out about the proposed and imminent tree-felling that the local community protest group, Honour the Maunga (HTM), was formed and subsequently conducted a lengthy period of protest action, its forces joined by Māori voices of mana.

4.3 Honour the Maunga (HTM) claiming legitimacy as a prominent stakeholder group in the dispute

4.3.1 Who are they, what are their claimed connections with Ōwairaka?

The stakeholder theory guiding this research denotes stakeholders as groups who have a relationship with a decision-making organisation, or issue relating to that organisation, who have a degree of inherent interest in its objectives, and who can claim actual or potential harms and benefits they anticipate as a result of the organisation's actions (Choi & Robertson, 2014; Donaldson & Preston, 1995; Freeman, 1984). Members of HTM claim the status of their relationship with Ōwairaka and her environment as: local residents (as living, having lived or having had kin who have lived locally); recreational users; tangata whenua

with ancestral and/or lived links to Ōwairaka, and; ecological experts with an interest in the maunga.

HTM was initially a group of concerned local Ōwairaka Mt Albert residents who gathered on the maunga in response to a Mt Albert Residents' Association (MARA) Facebook post by long-standing Pākehā local resident Anna Radford. In late October 2019, the residents had received a letter advising that the TMA would be felling 345 exotic trees on the maunga in the five weeks beginning 11 November. Radford, who claims to have tried to get answers from the TMA to no avail, approached the NZ Herald in early November. Aware of growing concern amongst the local community, she gathered a group for a photograph to accompany the subsequent Herald article, with the group then deciding to set up the protest organisation, Honour the Maunga (Honour the Maunga, 2020a). In a short time HTM attracted over 100 volunteers, largely consisting of local residents, many of whom became engaged in protest action from 11 November, the day before felling was due to begin (Dubby & Strong, 2019). Attracting considerable media interest, HTM maintained a presence on the maunga (with an interruption during the 2020 Covid lockdown) for 800 days, claiming their supporters grew to reach the thousands (Honour the Maunga, 2020a).

The organisational structure of HTM has consisted largely of local Mt Albert residents - one of whom claiming to have grandparents who were involved in action to stop the quarrying in the early 1900s and two of whom are Māori (Dr Yo Heta-Lensen - Ngāpuhi, Ngāti Hine ā Hine-ā-Māru, holding the whanaungatanga/relationships portfolio and Wendy Gray - Ngāti Hine, Ngāti Awa ki Te Awa o Te Atua, with the policy and tree advocacy portfolio). HTM two patrons are Sir Harold Marshall and Dr Pouroto Ngaropō (Mataatua, Te Arawa, Tainui, Takitimu, Ngā Toki Matawhaorua), both of whom are Distinguished Companions of The New Zealand Order of Merit. Sir Harold Marshall is a fourth-generation Mt Albert Resident, long-standing Chair (now co-chair) of MARA (Honour the Maunga, 2020c; MARA, 2017b). Ngaropō, recognised as being an expert in mātauranga Māori, tikanga, and kawa (Wikaire-Lewis, 2022), belongs to the Ngāti Awa ki Te Awa o Te Atua Hapū of Bay of Plenty. Occupying the roles of Te Tāwera Trust Chairperson and Te Rūnunga o Ngāti Awa Hapū Deputy Chairperson, he became involved in the protest due to his claimed ancestral, spiritual,

and cultural connection to Ōwairaka through his ancestress Wairaka⁴ - although this connection has been contested by various Auckland iwi and individuals (Waatea News, 2020a, 2020b). Ngaropō claims:

I am the mountain and the mountain is me, I am the trees and the trees are me, I am the birds and the birds are me, I am the land and the land is me. Everything is universally connected to the creator, the universe, the earth and our ancestors. I am grateful and honoured to work alongside Sir Harold Marshall and Honour the Maunga as a symbol of partnership representing the Treaty of Waitangi to protect the mauri of Ōwairaka, (Ngaropō in Honour the Maunga, 2020c).

Moreover, a partnership between HTM and Ngāti Awa ki Te Awa o Te Atua was established whereby HTM members were accepted as uriwhanaunga (extended family / indirect descendant) of the hapū (Waatea News, 2020b), with shared goals for the maunga expressed as being based on Te Ao Māori (Ngaropō & Radford, 2021). Voices on the HTM website reflect a range of ages, ethnicities and narratives of connection to the maunga (Honour the Maunga, 2020a).

4.3.2 The stakeholder relationship of HTM with the Tūpuna Maunga Authority.

The TMA, when exercising its decision-making powers and carrying out its functions must, according to s41 of the Collective Redress Act 2014, have regard that the maunga is held in trust for “the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland” (“Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act”, 2014, p. 41). The other people of Auckland include all ethnicities as well as “tangata whenua from iwi and hapu who were not part of the Treaty settlement” (Ngaropō & Waru, 2019). This section, according to 2014 Treaty Settlements Government Minister Chris Finlayson in conversation with HTM, was to “emphasise the legitimate ongoing interest of the broader community ...who generally loved the maunga...[and the relevance of] the broader community’s aspirations” (Honour the Maunga, 2019).

⁴ Ngāti Whātua o Kaipara website (Ngā Maunga Whakahii o Kaipara, 2023), and the encyclopedia of Aotearoa New Zealand refer to Ngāti Awa living on the Tāmaki isthmus (Taonui, 2017)

As ‘other people of Auckland’, HTM expected that their interests would be sought and represented by the six Auckland Council members on the TMA. These members comprise three Governing Body appointees and three appointees nominated from the Auckland local boards (Auckland Council, 2014). More specifically, local residents could expect to have their voices heard and taken into account by the Albert-Eden Local Board. HTM have pointed to their expectation of local community engagement as being reflected in Tūpuna Maunga Authority’s Integrated Management Plan:

- Future individual maunga plans will provide an opportunity for us to work closely with the Local Boards and diverse communities to produce plans that capture and enhance the unique qualities of each maunga. – IMP part 1, Foreword
- ...The role of the 21 Local Boards is to make decisions on local matters, provide local leadership and support strong communities (Radford, 2022a).

Ngaropō (in Ngaropō and Radford, 2021) whilst acknowledging that his hapū and his personal relationship with the TMA is as ‘other people of Auckland’, draws upon his whakapapa claim to ancestress Wairaka to explain his relationship to the protest group and concept of Treaty partnership:

Wairaka herself actually brought us to the party and at that time our wairua was connected with HTM. It wasn’t something that we knew would happen, it was a spiritual energy that brought us to people and place. In this case it’s about building, looking after, protecting the relationship between Māori and non-Māori. And HTM is an important part of that for us. You can’t have a true treaty relationship if you’ve only got one partner. I as the leader of my hapū, I don’t have any concerns what others think, under the mana of my ancestors and my people, I’ve made that decision to support HTM, that our spirits are connected, and I’m glad I’ve made that decision.

Of note is that Te Rūnanga o Ngāti Awa told Waatea News in early 2020 that it “supports tangata whenua to make the best decisions for their taonga, lands and waters in their rohe”(Waatea News, 2020c).

4.3.3 The claims of HTM as community stakeholders.

HTM claims fall into three areas:

- Felling all of the exotics represents a loss of well-being, lived, spiritual and ancestral value
- Clear-felling the exotics in a single operation represents the destruction of an important environmental ecosystem, unwise within a climate change context
- The TMA did not follow appropriate community consultation and notification procedures around its decision to remove all the exotics in a single operation.

With regards to these three areas, some separate treatment will be given to the particular claims of Māori members and supporters of HTM and the other Māori voices that have contested the TMA decision, decision-making processes and rationale behind these (see 4.5).

4.3.3.1 Loss of value to local residents and other Aucklanders

HTM claims that the removal of the 345 exotic trees on Ōwairaka will create a significant loss of value to local residents of Ōwairaka/Mt Albert and to wider Tāmaki Makaurau. The following quotes give some narrative indication of this:

Many of these trees have spiritual significance for individual residents of this area, significance gained over years of acquaintance, Mt Albert resident (Graham Davison in Neilson 2019a).

Over the decades, many locals have gifted native and exotic trees to the maunga, including kahikatea planted in memory of a loved one, olives planted by returning soldiers from WWII and a cherry tree grove planted by a local family. All these native and exotic trees serve as sacred memorials to the past – and our present - from those who love this ‘high place’ in our midst, (Sir Harold Marshall in Honour the Maunga 2020c).

Along with puriri, rimu and pohutakawa planted by my grandfather, the old olives on the northern slopes grew from seeds sent home from Palestine by my father on leave for a

week in 1940 prior to four years as a POW in the Second World War, Mt Albert resident (Mary Tallon, in Honour the Maunga 2020a).

Ko Ōwairaka he maunga whakahirahira, he maunga kōrero. There are so many stories that the maunga can tell. The Indigenous rakau – yes – but all trees have sovereignty, and all trees are Indigenous to somewhere, (Yo Heta-Lensen in Honour the Maunga 2020a).

I feel a deep spiritual connection to nature, including this beautiful maunga and the trees, birds and all the lifeforms it supports. It would break my heart to see them destroyed, (Anna Radford in Honour the Maunga 2020a).

4.3.3.2 Threats to the Ōwairaka ecosystem

HTM claim to support TMA’s “plan of succession to fully native vegetation over time” (Radford, 2022b), but the organisation believes the plan to remove all of the exotics at once will have a huge impact and represents a threat to ecosystem of Ōwairaka:

Many of the maunga’s Eucalyptus trees were planted by local school children during the 1950s [and] form a valuable wind break on the exposed north-eastern side of the mountain. The wind would roar in if those trees were removed (Honour the Maunga, 2020e).

Blair (2020), the Deputy Chair of the Ngāti Whātua Ōrākei Trust noted HTM’s mission to be “a simple one ... motivated by environmental concerns”. This mission Radford (2022b) explained as “native regeneration by saving the exotic trees so they can protect the maunga, its wildlife and the young native plantings as they grow to maturity”. Neilson (2019a) cited Radford as saying the exotic trees are loved by birds such as kākā and ruru (morepork) and “The dawn chorus is spectacular, so I am really concerned about any impacts the mass removal may have on that. We get fantails (pīwakawaka), kingfisher, obviously tūī - a whole platter”.

HTM cite expert opinion from the Department of Conservation (DOC) stating that removing the tree canopy provided by exotic nurse plants has the risk of slowing the growth of under-plantings through exposure to sunlight, frost and weed growth. Concern was noted that no formal survey of herpetofauna (skinks and lizards) had been made and around the

methodology for surveying nesting birds used by TMA's arboriculture contractor by which "it is highly unlikely that all native bird nests were identified". DOC biodiversity officials Polkanov and Wilson (2019) stated:

We agree that in the long term, removal of exotic species and replacement with native flora will significantly benefit the ecosystems present on Ōwairaka, however I believe that oversights have been made with regard to the value of vegetation currently present in terms of its provisioning for native species, and also the short term effects of vegetation removal which is our primary concern ...our recommendation that tree removal at Ōwairaka wait until the cessation of the bird breeding season. Our additional recommendation is to leave Banksia trees intact until the newly planted native trees become well established in the area. Banksia provides an excellent food source for various native birds especially honeyeaters e.g. tui in urban/suburban environment over winter period. This tree species is not invasive and doesn't pose risk in the monitored and controlled situation while providing food and shelter to native bird species as well as connectivity of fragmented elements of the habitat.

The DOC report further noted that due to the size of the removal site, there is potential that the chosen tree felling methodology (including the operation of cranes, helicopters and machinery as well as manual felling) will disturb native nesting birds.

A November 2019 Stuff article by Saxton (2019) raised similar concerns, citing native bird rescue experts who found the proposed felling operation disturbing. Bird scientist, Dr Lynn Miller, highlighted the impact on the birdlife if felling happened during nesting:

You've got nesting going on, there are going to be babies all through those trees. You're going to have abandonment. Fledglings will die. Then birds that flee will face huge territorial issues because it's nesting season: You don't have time to feed, you don't know where the safe places are, and you don't have time to figure it out when you're being harassed by your own species. (Saxton, 2019).

4.3.3.3 Importance of the existing exotic trees for mitigating climate change impacts.

HTM argued further that “it is a travesty to destroy 2500 more [trees] during a climate emergency” (Radford, 2022b). Ngaropo (Ngaropō & Radford, 2021) expressed concern about climate change being imminent and that removing trees would be depriving future generations. Environmental scientist Kit Howden (who claims 30 years’ experience in parks and conservation management and ethics), also raised concerns that whilst expert advice has been given to the TMA on ecology and arboriculture, the public had not been informed of the climate zero carbon implications and urban forestry considerations associated with the tree removals. Whilst referring to mana whenua right to have the greater say, he urged that “in the age of climate change, respect for heritage and changing recreation patterns, we still have to relate to a biological world. Greater understanding and research is urgently needed to make wise decisions in the Anthropocene forest and parks of Auckland” (Howden, 2019).

4.3.3.4 Lack of appropriate consultation and notification

With respect to the TMA’s plan to remove all 345 exotics in a single felling operation, HTM claim that there “there has never been any public consultation over specific plans to remove all exotic trees from Ōwairaka Mt Albert” (Honour the Maunga, 2019). The organisation asserted that “it appears that nobody - Māori or otherwise - were consulted even though they should have been” (Ngaropō 2020). They believe “there was never any discussion, or consultation, with iwi, the council or the community members about doing this” (Ngaropō and Radford, 2021). Howden (2020) expressed his concerns that:

There has not been a community discussion on alternative methods or I believe adequate consideration given to its implications. I believe a 'red flag' should have been raised before proceeding with such large scale landscape change without greater community engagement (Howden, 2020).

In response to claims by the TMA Chair that HTM had refused to attend a hui on Ōwairaka in November 2019, the organisation offered the explanation that they did not believe the hui had been organised in good faith for them to have their concerns raised:

For three weeks before the hui, we had been trying to get the Authority to attend a public meeting so the community's questions could be answered. We had a public meeting

arranged, including a respected QC as a Chair. The Authority refused to attend this meeting and instead called a hui on a completely different date, and without advising us of it. The first we knew about it was when journalists started phoning for comment (Honour the Maunga, 2019).

Moreover, overtures from Auckland Council made for setting up a public meeting for TMA to attend had been accompanied by the proviso that the protest group cease their blockade of access to Ōwairaka allowing “the Authority’s contractors to undertake preparatory work but not removing any exotic trees and then the meeting to follow” (Tūpuna Maunga Authority, 2019). Concerns about HTM not being offered genuine engagement with the TMA were echoed by Māori within and outside of the organisation, as well as claims to loss of value with the tree-felling.

4.4 Contesting Māori voices making claims to legitimacy around connection to Ōwairaka, relationship with the Tūpuna Maunga Authority, tikanga and kaitiakitanga

The Māori voices contesting the TMA decision and decision-making processes represent a range of tangata whenua who, whilst overall in accord with the claims of HTM, have differing levels of association with the organisation. They bring to the dispute Indigenous viewpoints on loss of kaitiaki mana, of the mauri of flora (indigenous and other) and of viewpoints on tikanga at variance with that exhibited by the TMA.

4.4.1 Threats to the mana and mauri of Ōwairaka

Ngaropō explained the partnership between HTM and Ngāti Awa ki Te Awa o Te Atua as “about protecting the land, about protecting the life force and the spirit of Wairaka that still exists there. Her essence is there in the trees” (Ngaropō & Radford, 2021). He offered a Te Ao Māori context whereby in felling so many trees the whole ecology and mauri would suffer, and that it is his responsibility as kaitiaki (guardian) to “protect the mauri of the trees, which then protects the mauri of the mountain, which then protects the mauri of Wairaka, but more importantly protects that relationship in the spiritual mauri of us as people.” Ngaropō (2020).

Yo Heta-Lensen echoes his sentiments:

After so many years of neglect, over-extraction and quarrying, the maunga has settled in to a rhythm. There was a serenity up there. It has grounded me. I would often frequent the maunga and reconnect with my being as Māori. I would face my homelands and let the tears flow as I called to my grandmother and my mother – two strong Māori women who raised their moko in the shadow of Ōwairaka ... Papatūānuku is the foundation of our existence. If we fail to care for the ecology of the maunga then we are not healing her. Therefore this project, these aims laid down, are NOT and WILL NOT contribute to cultural restoration – at least not for me. To me it tramples on the mana of our taonga tuku iho [treasure to be handed down]. All Papatūānuku tamariki have mauri, have mana, have wairua. This includes the trees. It includes the people (Heta-Lensen, 2021).

Mereana Hono (Te Tāwera hapū, Ngāti Awa Ki te Awa o te Atua) expressed the belief that protecting the trees is part of the obligation to protect the “ancestral sites where our ancestors came and walked” (Honour the Maunga, 2020a), and Rawinia Hawke (Ngāti Whātua Ōrākei) told Te Ao Māori News:

“I think the tuis are going to be affected more. You know, they don’t know about colonisation, they don’t know about why are the trees getting cut down. They’re not getting told that their homes are gonna be gone. You know it’s gonna be them whose gonna pay it at the end of the day. It’s not my house getting cut down” (Martin, 2019).

4.4.2 Threats to the lifeforce of Papatūānuku

For the contesting HTM Māori voices, protecting Papatūānuku means protecting the life force of all her children, native and exotic. As Ngaropō (2020) stated, this is because:

all trees give life and come from Papatūānuku, Mother Earth. Removing hundreds of trees all at once from Ōwairaka, and thousands more from other Auckland maunga, will harm the environment... all trees provide us with the air that we breathe and connect us all to a shared existence in the time dimensions of the past, present and future (Honour the Maunga, 2020a).

The most important thing here: "...He tangata, he tangata, he tangata ..." simply, if we pluck the centre shoot out of the flax bush where should the bellbird rest? Let it be known on the land, the sea, and the world, what is the most important thing? And my response is it is the people. That is a very important Māori proverb, that has held the test of time in terms of our relationship - with non-Māori, with all cultures, with all people. So, in saying that the position that Ngati Awa Ki Te Arawa, Iramoko marae has taken, and I as the leader of the hapu of Te Tawera, believe that the philosophy and vision that has been taken by HTM is the same as the vision of our people. ... it's about looking after the environment, if you look after the environment then the environment looks after us. (Ngaropō in Ngaropō & Radford, 2021).

4.4.3 Claims the Tūpuna Maunga Authority did not follow a tikanga-led approach

It has been held by the contesting Māori voices that the TMA did not follow a tikanga-led (correct protocol or customary practice) approach in its decision-making. Waru (2021) of Māori-led Māngere-Ōtāhuhu community group Respect Mt Richmond Ōtāhuhu claimed that the " trees being felled and the habitat of our native birds being destroyed, is not Tikanga. It's not Mātauranga Māori and the things that the Tūpuna Maunga Authority are saying on behalf of Ngā Mana Whenua, are actually not correct ".

Ngaropō has expressed his views on the Treaty of Waitangi based partnership in Ngaropō and Radford (2021) thus:

Even though Māori now have ownership over the land in terms of the legislation, but in terms of the partnership, how we work together is key...The important issue is for me is: Is it appropriate for us to totally disregard tikanga Māori, that is to understand and value the spirit of the trees, without any proper consultation to all of us in terms of our connection to the life force of the trees? ... There are many people who have connections with the life force of the mountain and the exotic trees and the native trees. We need to be consulted, Wairaka's presence is still there ...the essence of Wairaka lives in us. And so that's what's really important in this.

Heta-Lensen (2022a) argues that the TMA has structural shortcomings which has caused the issues and the authority's main problem is that it is: "a crown construct rather than informed

by Māori cultural principles”. Therefore the authority’s practices: “undermine rather than support our own traditional values and practices” whereby such a significant decision would have been subject to “considerable consultation and discussion”. She claims the TMA: “enabled by Auckland Council - is acting in poor faith” and that the Auckland Council has: “largely absolved themselves” from the decision-making process and their responsibilities, which behaviour, while probably well-intentioned is “deeply patronising” and fails in honouring the Council’s Treaty obligations.

Additionally, Heta-Lensen (2022b) claims that the structure of the TMA does not represent the voice of Papatūānuku: “And that’s who I stand for”. She claims the process “has left me as a Māori in my local community with no voice and feeling as if I am being colonised all over again” (Heta-Lensen, 2021). She suggests that within that tikanga-led process whilst “more weight may have been given to some voices” it was everyone's responsibility “to care for Papatūānuku” and the local area's “longstanding residents would have assumed a degree of kaitiakitanga (guardianship) for the local resources” (Heta-Lensen, 2022a). This point was reiterated by Ngarimu Blair who said “locals will be the ones who daily will need to care for the new trees” (Blair, 2020).

The voice of Ngāti Whātua Ōrākei has added complexity to the dispute, as they are a hapū represented as one of the mana whenua on the TMA, and yet increasingly asserting its own mana motuhake (separate identity as holding ahi kā (continuous occupation) over central Tāmaki Makaurau (Royal, 2022)). They have voiced complaints about the TMA processes and of not being informed of or consulted over the felling decision. While initially supporting the TMA’s vision of ecological and cultural restoration, the repercussions of the Ōwairaka exotics decision prompted the hapū to distance itself from the Authority’s processes: “The maunga authority has not acted decisively and as a result the chance to bring all in the community along with its solution has been lost” (Blair, 2020).

Moreover, in 2022 a submission on the proposed IMP amendment regarding Ōwairaka by the chair of Ngāti Whātua Ōrākei Trust, Marama Royal, stated that the hapū do not support the proposed methodology and removal of the 345 exotic trees (Royal, 2022). Further, the submission argued that the hapū should expect direct engagement from the TMA under its own mana motuhake with its views given greater weight regarding Ōwairaka (Royal, 2022).

In contrast, the only other submission to the amendment by a TMA iwi or hapū, Te Rūnanga o Ngāti Whātua, expressed “full support” of the TMA actions (Paniora, 2022).

The salience of the claims to legitimacy of HTM was contested by the TMA as well as its supporters. The organisation was also put in the position of having to defend its salience in the face of opinion and actions of racist elements that were stirred up as a result of its protest.

4.5 The Tūpuna Maunga Authority and supporters respond to HTM claims of stakeholder legitimacy

The TMA, through its chair Paul Majurey, several times stressed the validity of its own expert advice backing its decision and the fact that the single-operation felling plans had received resource consent on the basis that they would create only minor adverse ecological effects. He has stated that the Authority had fulfilled its obligations to consult with community and suggested that the issue was about a clash of worldviews whereby the protest group could not accept the Treaty settlement and the authority of the co-governing body. The following quotes give some narrative indication of this:

It does say something about the value set of those who seek to portray themselves as victims (Majurey in Neilson, 2020b).

We can guarantee the trees that have nesting birds in them won't be felled – that's requirement of the resource consent. Our contractors have been very clearly instructed on conditions ... all those trees clearly identified ... we've had independent experts, ecologists and arborists, give their reports, council has assessed anything around the consents, and interestingly we've had The Tree Council & Forest & Bird give their 100% support. (Majurey in Forbes, 2019).

It has become clear that it had become not about trees or protecting nesting birds, because those allegations had been clearly debunked and there had been independent ecological experts in support of the programme and council consent granted. (Majurey in Dunlop, 2019).

It is a restoration program to remove some exotics, and maintain a large canopy of natives (Majurey in Morning Report (2019c).

While short term there could be adverse impacts, they took a long-term view to enhance the areas and native wildlife for 'generations to come'. (Majurey in Wilson, 2019).

The operations manager of the TMA stated that: “There are few places left where Māori culture has not been destroyed or modified. This is about restoring significance of mana

whenua to these sites” (Turoa in Neilson, 2019b).

With respect to the TMA having the prerogative to decide, supporters claimed: "They [the TMA] have the authority, not you. You can speak to as many trees as you like." (Henare in Neilson, 2019b) and:

There is an opportunity through what’s planned to make an immense difference to the environment in this city, and the Tree Council really hopes that that the Tūpuna Maunga Authority has the ability to fulfil the plans that it’s put forward. (Freeman in Russell, 2019).

It is important for people to understand that Auckland Council is in full support of the Tūpuna Maunga Authority and has huge admiration for the Authority’s innovation and thought leadership in caring for Auckland’s most iconic landscapes, (Filipaina in Dewes, 2020).

4.6 HTM stakeholder salience shaken by accusations of racism

4.6.1 Local community/other people of Auckland criticise HTM as anti-mana whenua.

Journalists Henry and Strong (2019) quote a Māori woman who claims ties to Tāmaki iwi:

It is quite a slap in the face, [HTM has] just ignored all of the history of the area. Māori were never consulted about Ōwairaka [in the past]. Meanwhile, the authority has gone through all of the consultation processes required of it, done all of the proper assessments ... We don't own them - nobody owns them. But we said let's put it back to what it was like, before even Māori were here. Revert the maunga to places where all wildlife flourish.

Kingi Snelgar, resident of Ōtahuhu in Henry and Strong (2019) alluded to a ‘Democracy and Equality’ letterbox leaflet (not originating from HTM) he saw as expressing anti-Māori sentiment in its calling out the TMA actions as representing racial privilege and separatism:

It is very concerning to see this idea coming through of Māori receiving special privilege, when we know Māori make up all of the worst socio-economic indicators. People need to be more aware of the history - colonisation, land alienation and loss of culture - before making such comments. Many of the houses nearby were built on confiscated land. There was also a perception people didn't want to be told what to do by a Māori organisation. But Māori have been caretakers for over a thousand years. These plantings are a way to bring back mana to these traditional places.

Mark Beavis, a local resident who has lived near Ōwairaka, said in Henry and Strong (2019) that as Pākehā he felt there needed to be more respect shown for mana whenua:

I think this protest is by a small group who don't really seem to respect the fact mana whenua really have the best interests of the maunga at heart...The authority could have better communicated the plans, but people also needed to do their own research before getting up in arms, he said...They are not clear-felling the maunga, just specific trees. We need to respect the opinion of experts. It seems like we are all arborists now.

4.6.2 HTM criticised as virtue-signalling

Spoonley in Neilson (2020a) deems the use of Māori words by the protestors as a superficial display of respect towards Māori suggesting cynically that this is a strategy to mitigate being labelled as a racist organisation: "The veneer [of the protest] appears to be respectful, such as using Māori terminology, but when you dig deeper it really is quite concerning, and appears to be a reaction to that Māori authority". Ngahina Hohaia, a Māori woman who speaks of being racially abused on Ōwairaka, also comments on the use of Te Reo Māori by the protestors as "co-opting Māori words like "maunga" for their campaign, while undermining the authority of the iwi collective that governed it" (Johnsen, 2020).

4.6.3 HTM protest stirs up racist elements

Majurey told media of the change in the atmosphere on the maunga because of the protestors' presence: "We've had a lot of feedback that people do not feel as they had previously that this is a safe space for them and their whānau, people being abused, even tamariki from kura

kaupapa being approached and questioned as to why they're there ... it's simply unacceptable” Majurey in (Johnsen, 2020).

In response to the protest, extreme views in the community not shared by HTM came to light. Lisa Prager a lone Pākehā protester who attended the TMA November hui on Ōwairaka in a Forbes (2019) interview said: “What makes you say I’m not mana whenua?” At the same hui, Independent Māori Statutory Board (IMSB) deputy chair and former Member of Parliament, Tau Henare, in Neilson (2019b) described the protestors as a "bunch of woke, entitled, Pākehā" after Prager and her Samoan partner accused mana whenua of colonising Ōwairaka⁵.

Alf Filipaina, Auckland City Councillor and duty chair of the TMA stated in Dewes (2020) that individuals who feel comfortable delivering hate speech have been emboldened by HTM’s activities and statements:

Hate speech has no place in our society, yet we have seen this increase as the protest group [HTM] continues to provoke their following with misinformation and messaging that undermines the Treaty of Waitangi settlement that returned the maunga to the iwi of Marutūāhu, Ngāti Whātua and Waiohua (para. 16).

A conspiracy theory was circulated in 2020 claiming that the TMA natives replanting plan was secretly a Jewish elite plot for putting 5G cell towers on the maunga. TMA Chair Majurey argued that:

The repeated anti-Semitic and supremacist use of the Star of David and other symbols shows the protest group has lost control of their campaign and it has taken a dangerous turn ... it has over time been ramping up the temperature on this place and causing some of the tone and issue we are seeing here really sadly (Dewes, 2020).

The protest also attracted blatant racism from a passer-by who signed the HTM petition: “Oh shut up you black b****, you disgraceful idiots who go around with mokes on your face” (Johnsen, 2020) is what Hohaia, Māori woman with a moko kauae (female chin tattoo),

⁵ HTM later clarified Prager was not a member of HTM.

claims was yelled at her. Radford in Johnsen (2020) on behalf of HTM said the organisation did not condone the alleged action and stated HTM "don't know the woman, the matter's in the police's hands" ... [it] has nothing to do with our group." Hohaia in Johnsen (2020) claimed that for her "to enter the maunga past that campaign every single time, and the campaign messages that are visible on the maunga every single day, it's become a really uncomfortable place to be as a Māori woman."

Another form of racism appeared from Former Labour MP Michael Bassett who used the Ōwairaka protest to present his views on co-governance. Bassett referred to "Māori who nearly all have majority Pākehā DNA in their bodies. . . form only 17% of New Zealand's population. They now want that 17% turned magically into majority status in all decision making". To him the co-governance model is "a mechanism for stealing resources that belong to all of us, irrespective of race, in order to satisfy some primeval tribal goal that rackets through the minds of the undemocratically-selected Māori partner" (Bassett, 2022).

Pita Turei (Ngai Tai Ki Tamaki, Ngāti Pāoa, Ngā Rauru Kīitahi) a Tāmaki based artist and storyteller in Turei (2020) argues that the protest on Ōwairaka has uncovered a disconnect in Aotearoa New Zealand society between Māori and the general population in the context of "racism and bigotry". This context seems to come from a time "back in the dark ages where racism was normal, when Māori concerns and beliefs were not important" (Turei, 2020).

Ben Thomas (a former press secretary to the National Party's Minister for Treaty of Waitangi Negotiations) in referring to the Maunga being held in trust "for the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland, expresses his viewpoint that "what's really grating about the Ōwairaka protesters is an almost brattish refusal to recognise that this is just one more act in a long tradition of iwi generosity in Auckland" (Thomas, 2019). Thomas is expressing his opinion that the Ōwairaka protesters are being obstinate and irritating by not recognising that their actions are just another example of a historical trend where mana whenua have shown generosity or positive contributions. The implication is that the protesters might not fully appreciate the context and history surrounding their actions. He asserts that the TMA in exercising its powers on behalf of iwi is giving effect to the Treaty of Waitangi: "Māori actually do get some rights" (Wilson, 2019).

4.6.4 HTM and supporters counter criticism

HTM have used both their website and media opportunities to counter accusations of racism, arguing that the reason for this labelling is their challenging of the TMA: “How is it racist to question a publicly funded co-governance organisation?” (Honour the Maunga, 2020d). Radford (2022b) commented: “It is evident in this and other issues in Aotearoa that the meaning of racism has changed from denigrating people based on their race, to daring to criticise anything that has a Māori component”, explaining that HTM questions about the TMA’s processes are directed at its Auckland Council representatives as much as the hapū and iwi representatives: “It is ironic and sad that the actions of a co-governance organisation created to give positive expression to a Treaty partnership has caused such division and discord” (Honour the Maunga, 2020d). Radford, cited in Wilson (2019), suggests that in trying to portray HTM “as a bunch of racist rabble-rousers” this simply serves to stifle debate around the removal of the 345 trees. Radford in Baker (2021) states that the consequence of this portrayal has been the reason “numerous arborists and ecologists”, who have privately given HTM their support, will not do this publicly - from a fear they will be labelled racist. Wilson (2019) offers the suggestion that it is not up to Pākehā to decide if this is a race issue.

A code of conduct was constructed on the HTM website in order to distance itself from actors misaligned with their intention appearing to talk on behalf of the organisation: “when I saw Don Brash [member of Hobson’s Pledge] at one of our events here, I walked over and I asked him to leave” Radford states in Hayden (2020). The first rule within their code of conduct deems unacceptable: “violent, intimidating, demeaning, discriminatory, racist or disrespectful language or behaviour (written / in person / online)” (Honour the Maunga, 2020b).

Māori within HTM have stated that: “it is shameful to see this as a Māori versus Pākehā issue” (Ngaropō, 2020). Ngaropō and Waru (2021) argue that the TMA and its supporters are “actually undermining - not protecting - Mātauranga Māori (traditional Māori knowledge and culture)” and that the “real racists are the Pākehā who are taking the Authority’s side”. By focusing the attention on the Pākehā members of HTM, the TMA and media have been ignoring and ultimately “marginalising the many Tangata Whenua and People of Colour who disagree with the Authority’s environmentally destructive plans”.

Nonetheless, despite the TMA and media according little weight to the tree-felling contestants' claims, as stakeholders on the side of Papatuanuku with legitimacy worthy of meaningful engagement, HTM and associates have been able to exercise effective influence (as the attribute of stakeholder power) on the ability of the TMA to carry out its restoration objectives for Ōwairaka.

4.7 Power as an attribute of HTM and associates' stakeholder saliency

As the Ōwairaka dispute evolved, community stakeholders were seen to make use of coercive means and moral imperatives (as attributes of power which require attention (Mitchell et al, 1997)) in order to influence the outcome of the TMA tree-felling decision to their own ends. The findings reveal layers of power, from latent to effective, towards changing the TMA's activities.

4.7.1 Stakeholder power as exercised

The initial exercise of power by HTM and associates was strong enough in November 2019 to halt the planned exotic tree removal operation through their protest action at the entrance to Ōwairaka. It then took the extended legal action by local residents Averill and Warwick Norman (independently of HTM but supported by affidavits of HTM and local community members establishing various personal and historical connections with the maunga) to further stall any further action by the TMA ("Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2020; "Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2022).

The Normans' first application to the High Court was subsequently rejected in December 2020. The Normans contended that while s109(2) and (3) of the Collective Redress Act 2014 require the TMA to have regard to the "spiritual, ancestral, cultural, customary, and historical significance" of the maunga when exercising its powers and functions in relation to them, these "do not expand the Maunga Authority's powers beyond what is provided in the Reserve Act" ("Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2020, p. 18). It was further contended, citing the Act that protects all trees equally, that the "proper management and maintenance" of recreation reserves under s42(2) could not involve the removal of exotic flora simply on the basis that they were not native ("Norman v Tūpuna Maunga O Tāmaki

Makaurau Authority," 2020, p. 17). They asserted the value of the exotic trees on Ōwairaka by referring to s17(2) of the Act whereby the existing qualities of reserves that “contribute to its pleasantness, harmony and cohesion should be conserved (p.19). Affidavits referred to trees of considerable heritage value that would be destroyed, to the poor record of the TMA’s replanting on other maunga and the considerable years it would take before any positive renaturing outcomes arose from the restoration project (p.22).

Justice Gwyn in this first court case referred to the applicants’ “interpretative approach” to the Reserves Act as giving lip service to the Collective Redress Act and the underlying settlement process, as well as to the subjectiveness of assessments of the trees’ contribution to the “pleasantness, harmony and cohesion of the natural environment”. She deemed it acceptable for the TMA to reach a different view on what qualities of Ōwairaka should be conserved or protected (p.25). Justice Gwyn also judged that the long-term view taken by the TMA is consistent with s109 of the Collective Redress Act and reflects a Māori world view, including recognition of the intergenerational responsibility of Mana Whenua as kaitiaki (p. 31). The restoration project was not deemed to be inconsistent with the Maunga being held in trust “for the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland” (p. 30).

Further, from an expediency angle, Gwyn judged that there was “sufficient basis for the Maunga Authority to reach the conclusion that the felling of the trees was necessary for proper management and maintenance” (p. 29). Moreover, she pointed out that regarding minimal impact the Reserves Act is simply concerned with the methodology of removal - which was deemed to cause minimal damage with any impact mitigated by the large-scale consented restoration programme (p. 30).

With respect to non-notifiable consent being given by the Council under the Resource Management Act (RMA) for the tree removal, Gwyn ruled that there were no special circumstances requiring this, nor that there was anything out of the ordinary in the proposal that required a statutory duty (under the Reserves Act) to consult by the TMA (“Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2020). She took the approach, balancing differing qualities and values, to view the project holistically, as it would facilitate the restoration of the “natural, spiritual and native landscape” of Ōwairaka (p. 83).

The Normans' subsequent application in 2021 for judicial review by the Court of Appeal was successful with both the TMA decision to fell and remove the exotic trees and the decision by the Council to grant resource consent being set aside. The reasons of the ruling, presented by Justice Cooper (Ngati Mahānga), took into account the Collective Redress Act 2014 and underlying Treaty of Waitangi settlement contexts as well as the intent of the IMP, importance of the maunga to mana whenua and of the significance of indigenous planting ("Norman v Tūpuna Maunga O Tāmaki Makaurau Authority," 2022). The Court agreed with Justice Gwyn's approach of balancing the adverse environmental effects of removing the exotics with the long-term positive outcomes arising from the proposed native plantings to restore the indigenous landscape of the maunga (p. 88). However, the Appeal that the application for consent should have been publicly notified under s 95A of the RMA was allowed on two grounds where the Court found the previous High Court ruling flawed. These were: the manner in which the Council handled the issue of temporary effects of the "very extensive tree removal proposal"; and the heritage and historical significance of some of the exotics (p.89).

Justice Cooper pointed out that removing the trees would result in the amenity of Ōwairaka being adversely affected for however long it took until new vegetation became established, in environmental, landscape and visual ways, and that the experts the TMA relied upon could not provide any evidence nor adequate information on the nature and duration of the adverse effects (that they considered would be minor) (p. 92). The Court of Appeal therefore did not accept that the mitigation effect of renaturing the maunga over the long-term was an argument for characterising the exotics removal as minor.

Regarding the Council taking into account the heritage and historical significance of some of the exotic trees in the decision to grant consent on a non-notifiable basis, the court deemed that this process had given no opportunity for Aucklanders to draw the Council's attention to any significance and therefore the material informing the Council was inadequate (p. 95).

In the face of the Court of Appeal ruling, Majurey in Waatea News (2022a) defended the decision-making processes of the TMA with respect to implementing the vision of the IMP at the operational level:

Management plans typically last for about 10 years so it's a pretty important point here in terms of in a management plan in say year one of that plan. A proposal comes

along in five, six or seven years that no one thought of at the time, how do you signal that when that activity is formulated down the track?

Majurey also concluded that the Court of Appeal's decision raises real questions as to the relationship of Treaty settlements and the outdated Reserves Act" (Waatea News, 2022a) and his response to the subsequent Supreme Court rejection of the TMA's Appeal was that it has implications for every council and every iwi which gets reserve land back in a treaty settlement (Waatea News, 2022b).

The tree-felling decision and resource consent remained set aside with the outcome that the TMA opened a public submissions process in 2022 around an amendment to its operational plan for Ōwairaka specifying the removal of the 345 exotics.

In addition to investigating the discoveries concerning the exercise of power by those against the tree-felling, the latent dimension of power, with its potential source requiring anticipation or engagement by the TMA, was examined.

4.7.2 Stakeholder and aligned Māori power as latent

It would appear that the local community had a historical base of power to influence decisions and actions relating to Ōwairaka in the Mount Albert Residents' Association (MARA), which has been in existence since the early 1900s. MARA, has an active history of successful lobbying for government and civic body attention to be paid to protecting the social and physical environment of Mt Albert community, including stopping the quarrying in the early 1900s which was "disfiguring" the maunga (MARA, 2017a). Whilst MARA have not explicitly supported the HTM protest, of importance is the acceptance by Sir Harold Marshall, the organisation's previous chair, now co-chair, to become one of HTM's patrons in May 2020. It might be expected that the Albert-Eden Local Body (represented on the TMA) would have been aware of this relationship, as indication of latent local community power that might be activated by the attributes of legitimacy and/or urgency when tree-felling on the maunga was proposed.

Additionally, it would seem that previous local community responses as "other Aucklanders" to exotic tree-felling on Auckland's other maunga by the TMA provided some indication that

there was the potential for an organised response (as an exercise of power) to the removal of exotics on Ōwairaka. In 2019 when TMA contractors Treescape felled more than 400 exotic trees on Māngere, Maungarei/Mt Wellington, and Ōhūiarangi/Pigeon maunga, the action came to the community as a “surprise” (Chapple, 2022). In 2017 a cliff face on Mt Richmond /Ōtāhuhu had already been felled of near 100 olive trees, prompting the formation of Māori-led Māngere-Ōtāhuhu community group Respect Mt Richmond / Ōtāhuhu. The voice of this organisation became aligned with that of HTM, through its spokesperson Shirley Waru (Te Rarawa o Ngāpui, Te Uri o Tai) who had in media and non-media interviews expressed her views about the TMA’s non-attention to local community stakeholder concerns thus:

Our community got no notification whatsoever about that felling. We weren’t given the courtesy of a sign put up to let us know they were coming. We just arrived one morning to find a lot of hurricane fencing up... The communities have not been included in that conversation, and we want that conversation – all of our various communities. Even the communities that have had their trees felled want the conversation because we’re not happy with the planting replacement of all the trees that have come down. We are not happy with the loss of birds we have experienced on our different mountains and we are not happy about the sporting facilities our children used that are being taken away (Waru, 2021).

By May of the year following the initial protest Ngarimu Blair (2020), Deputy Chair of Ngāti Whātua Ōrākei hapū represented on the TMA, wrote an opinion piece for the New Zealand Herald newspaper in which he asked:

As ahi kā, and those who live in Tāmaki, are faced daily with the hurt and loss of this impasse ... it is time for this to end and calm wise heads to guide us forward ...the chance to bring all in the community along with its solution has been lost

He referred to the example of the community collaborative approach taken by his hapū to restoring Takaparawhau Bastion Point, which has included planting exotic flora: “our wider community has planted and weeded the trees with us, together, in friendship and understanding of the future we are trying to recreate” (Blair, 2020). This approach followed the return of Takaparawhau Bastion Point to the hapū after a lengthy occupation and subsequent Treaty settlement in which the hapū had demonstrated much tenacity and exercise

of power. This tenacity has continued in their efforts (eventually successful) to get formal acknowledgement in the High Court of their ahi kā status in central Auckland according to Ngāti Whātua Ōrākei tikanga. There appeared no indication that the power behind the voice of Ngāti Whātua Ōrākei had been factored in to TMA discussions around Ōwairaka.

Having explored the findings with respect to the stakeholder salience, in attributes of legitimacy and power, of the voices contesting the TMA decision, the next section focuses on how the attribute of urgency has been integrated into this salience.

4.8 Urgency as an attribute of Ōwairaka stakeholder salience

The literature review explained the attribute of urgency with respect to stakeholder salience as being a level of criticality around the perceived loss of value expected by stakeholders from an entity's objectives or behaviour and where that organisation's delay in attending to the issue is unacceptable (Driscoll & Stark, 2005; Mitchell et al, 1997). The previous findings, with respect to the local community voices contesting the TMA exotic tree-felling plans, provide illumination that for them there was criticality through loss of value - expected in historical, cultural, well-being and spiritual dimensions. Whilst they publicly expressed this and approached the TMA with their concerns on first hearing about the imminent tree-felling operation, on its own, the findings have shown that this attribute of urgency did not prompt the TMA to meaningfully engage with the claims. However, with respect to the criticality of time (with the tree-felling operation being already contracted by the TMA and imminent), this aspect of urgency for local Mt Albert community members, when not attended to, prompted them to attempt to exercise power by engaging in direct protest action and to strengthen this by forming the organisation, HTM.

Once the felling operation was stalled due to this action, to the initial unorganised voices claiming criticality of loss of value were added, through HTM, voices of tangata whenua. Ngaropō as a person of stature, along with his hapū in holding the wānanga on Ōwairaka (involving kaumātua of Ngāti Whātua and the Kīngitanga) suggested that he was so significantly moved and negatively impacted by the TMA tree felling decision and decision-making process as to intervene, bringing his hapū along with him in support of HTM. Ngaropō states in Waatea News (2020c): "I'm not challenging the mana of the other iwi and

their stories and what they believe, not at all. In fact, I would like to work alongside them”, effectively making an overture to the TMA for more meaningful engagement. Yo Heta-Lensen (Senior Lecturer in Teaching at AUT with expertise in Māori pedagogies and in charge of whanaungatanga for HTM) has stated her support for the importance of the TMA engaging meaningfully with Ngati Awa Ki Te Arawa and claims the Authority’s plan: “effectively replaces colonial violence with another form that shifts power to a place that disenfranchises nearly everyone” (Heta-Lensen, 2022a). Her apparent mana and outspoken alignment with HTM in expressing her expected critical loss of value from the felling added to the attribute of urgency—that the situation was unacceptable and demanded immediate attention from the TMA.

Although the previously mentioned legal action by local residents the Normans was not pursued under the HTM banner it was nonetheless pursued by a community stakeholder with the same concerns (Chapple, 2022). It added a formal element to the urgency of the contestation of the tree-felling decision and decision-making processes, demanding immediate attention from the TMA in the court cases. It was through legal avenues that the Normans and supporting voices (presented earlier in the findings) chose to have their urgency claims of criticality heard. As a result of the TMA not paying earlier attention to the potential for local residents to pursue the tree felling opposition beyond placard protest action the critical cost outcome to the TMA and Auckland Council of the Supreme Court ruling has so far exceeded \$870,000 (Jacobson, 2022).

The findings with respect to how they relate to Research Question 1 and the conceptual/theoretical framework and contextual setting of the research have been presented. The next section explores the texts expressing the nature of attention given by the New Zealand media to the claims, behaviours and actions of those contesting the TMA decision, to the co-governance context in which it was made, and to the subsequent responses of the TMA.

4.8.1 Exploring media representations of the dispute.

The findings show that the media, across the board, whilst giving air space to HTM’s perspective and objectives, was consistent in explaining (in a positive light with significant

in-depth coverage) the authority of ngā mana whenua as represented on the TMA in decision-making around the maunga of Tāmaki Makaurau Auckland. For example, the TMA has been described as “the authority, which co-governs Auckland’s mountain reserves on behalf of 13 Tāmaki Makaurau iwi” (Lahatte, 2022). Neilson (2020b) makes the clarification that the TMA exercises its powers having regard to “the spiritual, ancestral, cultural, customary, and historical significance of the maunga to Ngā Mana Whenua o Tāmaki Makaurau”. In one item the removal of the exotics was described as “part of a regeneration program being undertaken by the TMA “a collective of Auckland’s iwi responsible for the region’s volcanic cones” (Forbes, 2019). At no time did the media allude to tangata whenua as being of the 'other people of Auckland' and therefore stakeholders. Ngaropō and Radford (2021) claim “the issue is far more complex than how it’s been portrayed in the media”.

The Chair of the TMA, Majurey, has been approached on numerous occasions as the voice of mana whenua represented on the Authority, with air time also given to the TMA operations manager, to explain the IMP restoration project. At the onset of the dispute significant space is given to the Chair of the Tree Council, Sean Freeman, as an expert voice backing the TMA decision, who expresses his full support for the decision representing the best way forward for restoring the mana of the maunga for iwi (Mulligan, 2019).

HTM has largely been presented as a Pākehā protest group, with the media placing significant focus on the racist underbelly of society that has been stirred up by HTM’s actions. For example, an in-depth article by Neilson (2020a) cites Te Tiriti expert and one of the most widely respected voices in Te Ao Māori, Dr Moana Jackson (Ngāti Porou, Ngāti Kahungunu) as saying:

I have no doubt in my mind the trees are a shield for some quite fundamentally racist attitudes, about the fact Māori people are making decisions which traditionally for over 100 years have been made by Pākehā ... People wanting to protect these trees, while not taking into account the bigger picture of cultural restoration and mana, is symptomatic of that wider issue.

The findings show that the consequence to the emphasis given to the interests of mana whenua as represented via the TMA is that the interests and claims of those associated with

HTM, whilst sought, are de-emphasised in most of the media coverage. This emphasis could be argued as part of the media honouring Te Tiriti o Waitangi.

There was no mention in the media of the expert opinion in the DOC report drawn upon by HTM that suggests other ways to restore the maunga than felling the exotics. Nor was the comment by Forest & Bird picked up, that whilst they “supported the long-term vision to restore Auckland’s maunga [there were] potentially other ways that the restoration work could have been done” (Saxton, 2019). The only media outlet to approach native bird habitat experts appears to have been Stuff, in one November 2019 article (Saxton, 2019).

HTM spokesperson Radford has repeatedly been sought for HTM’s responses as the dispute evolves. However, it has been largely through opinion pieces, press releases and YouTube that the breadth of voices, in particular the Māori voices associated and aligned with HTM, have been made public in the media. One example of minimal coverage was of an announcement of a 2020 wananga on Ōwairaka organised by Ngaropō for HTM which devoted a sentence to his spiritual connection to the maunga and titled the article “Ngāti Awa spin put on Ōwairaka story” (Waatea News, 2020c). The explanation of the ancestral links of Ngaropō was sought a year after the protest began by the Māori news outlet (Black, 2020)

The discourse analysis of the media texts showed that the mana of Ngāti Whātua Ōrākei and their claim as ahi kā along with its position on the tree-felling was also de-emphasised in the media. The calling by Ngarimu Blair in Neilson (2020b) on the TMA and Auckland Mayor to compromise with HTM was the only coverage given in the media of the position the hapū took in the dispute. It took the form of a press release to the NZ Herald from Blair, with a later Herald reference to it in Neilson (2020b) but with no explanation as to the relationship of the hapū to the TMA. Reportage of a karanga organised by Precious Clark of Ngāti Whātua Ōrākei in support of Hohaia who experienced racial abuse on Ōwairaka, whilst mentioning her hapū, did not mention its relationship with the TMA (Waatea News, 2020a). Nor was any concerted attempt made by the media to explore the shared similarities Ngāti Whātua Ōrākei expressed with the main messaging of HTM (it’s Pākehā and Māori members) - that a gradual transition to native regeneration would better respect the natural cycles of te taiao (environment).

Another de-emphasis in the media of the contesting voices is the oversight of the 2022 comprehensively worded submission of Marama Royal (chair of Ngāti Whātua Ōrākei) on the amended Ōwairaka operational plan which stated opposition to the current plan used for the felling of the exotics (Royal, 2022). The brief submission of Te Rūnanga o Ngāti Whātua in full support of the current plan (Paniora, 2022) was not mentioned either. In covering these voices the media would have more accurately portrayed how layered the mana whenua voices were in the dispute.

Furthermore, where the media, in relation to the dispute, refer to the sale of Auckland central land to the Crown after the Treaty signing in 1840 (and the subsequent resale to Pākehā settlers for “a mark-up of around 8,500%” with the associated environmental degradation of the maunga), the media do not specify Ngāti Whātua Ōrākei as the hapū in question, just referring to the Crown purchase off “iwi” (Thomas, 2019; Wilson, 2019). This de-emphasis also saw prominent media outlets taking a quote from Ngarimu Blair referring to the manaakitanga (generosity) of Ngāti Whātua Ōrākei, and claiming that the manaakitanga Auckland was built on was offered simply by “Māori” - with no specification of Ngāti Whātua Ōrākei (Neilson, 2020a, 2020b; Thomas, 2019; Wilson, 2019).

The following tables provide a snapshot of the texts as they have been organised under the emphasis/de-emphasis squares in the excel spreadsheets. The texts are journalistic comment, interview clips or a summary of the media item. They provide examples in the findings to illustrate the weighting the media has given to the viewpoints of the protagonists of the dispute. The empty squares indicate that there were very few texts relating to the column.

Emphasise TMA as having prerogative to make decisions re: Ōwairaka	Emphasise HTM et al as problematic in contesting TMA decision/processes	De-emphasise TMA as having obligation to consult local community re: decision/plans	De-emphasise HTM as having legitimacy to be consulted re: Ōwairaka clear-felling
"restore and heal maunga to the way they were before European settlement" RNZ (The Detail, 2019)	The occupation of Auckland's Ōwairaka/Mt Albert by the group Honour the Maunga, which is protesting a plan to fell 345 exotic trees and replace them with 10,000 natives, has entered its third week. Stuff (Christian, 2019)	2016 IMP is sufficient community consultation RNZ (Morning Report, 2019a)	"Clash of world views whereby HTM can't accept Treaty settlement, co-governing body having authority, that sufficient public consultation has happened" RNZ (Dunlop, 2019)
"There are few places left where Māori culture has not been destroyed or modified. This is about restoring significance of mana whenua to these sites" NZ Herald (Neilson, 2019a)	"protestors posing as victims, circulating conspiracy theories about TMA .. that [the Authority is] going to come in with chainsaws after planned Hui." RNZ (Dunlop, 2019)	James Baker: "That final plan, did it explicitly state that 345 trees were going to be cut down?" Paul Majurey: "No, it didn't, and that's not what plans do". Te Ao with Moana (Baker, 2021)	"Over the last 12 months the Tūpuna Maunga Authority has been running regular public hui in relation to all aspects of their management of each of the maunga. These hui have provided an opportunity for any member of the public to raise their concerns about the Integrated Management Plan and for the authority to explain the rationale behind specific elements of that plan." Stuff (Mulligan, 2019)
"Removing the trees was part of a broader cultural and environmental restoration plan, designed to return the native flora and fauna, and culture and mana, to a landscape long dominated by colonisation".NZ Herald (Neilson, 2020b)	"The group ironically calling themselves 'Honour the Maunga' are trying to distance themselves from these attacks by claiming it is not the work of their members. Whether or not the direct work of their membership, the protest group needs to take responsibility for the fact that their campaign has incited people to act with appalling racism and hate speech."Te Ao Māori New(Dewes, 2020)	"Settlement legislation overrides Reserves Act requirement for community consultation" RNZ (Johnson, 2020)	HTM "criticism is unfounded and ignores principles of the Treaty of Waitangi." NZ herald (Neilson, 2020b)
"It is important for people to understand that Auckland Council is in full support of the Tūpuna Maunga Authority and has huge admiration for the Authority's innovation and thought leadership in caring for Auckland's most iconic landscapes," Te Ao Māori News (Dewes, 2020)	"You can't disguise white privilege under the banner of environmentalism." Te Ao with Moana (Baker, 2021)	"We took three stages of public consultation... Starting 2016. And once we'd been through those two sets we then notified the formal plan, and that had some detail in it, and received submissions on that. We then held a hearing and a decision was produced. No-one challenged that decision in terms of the IMP. And we also then, following that on an annual basis had our operational plan" Te Ao with Moana (Baker, 2021)	"brattish refusal to recognise that this is just one more act in a long tradition of iwi generosity in Auckland" NZ Herald (Neilson, 2019a)

Table 2 Support for TMA as rightfully representing mana whenua re: clear-felling Ōwairaka decision/actions

Emphasise TMA rationale for single operation clear-felling exotics	Emphasise HTM as on wrong environmental track re: gradual re-naturing process	De-emphasise TMA plans as harmful to Ōwairaka ecosystem	De-emphasise validity of HTM expert environmental opinion
“In terms of language it’s not felling but restoration” RNZ (Morning Report, 2019c)	“Ecological considerations not only aspect and gradual removal is hugely problematic” RNZ (Mulligan, 2019)	“large scale tree removal requires consent which TMA would have got in order to protect native species in process.” RNZ (Morning Report, 2019a)	gives HTM env. perspective but follows with Moana: but is that actually true?. The TMA had the legal and moral clout. They’ve already planted 3000 new natives on Ōwairaka, yet the group led by Anna Radford insists there is no need to remove exotic trees. James Baker checks out the ecological merits of that argument... The TMA has the backing of both The Tree Council and Forest & Bird. Te Ao with Moana (Baker, 2021)
"TMA says its plan is ecological best practice and it has the backing of "heavyweight experts" on that". NZ Herald (Neilson, 2019a)	"ideas about protecting nesting birds have been debunked" RNZ (Mulligan, 2019)	"We can guarantee the trees that have nesting birds in them won't be felled – that's a requirement of the resource consent."	Talks about a "couple of ecologists" who advise gradual process but moves on immediately to explaining experts' rationale for clear-felling. RNZ. (Morning Report, 2019c)
“Removing all the trees at once removes the entire seed source so that we don’t have to be constantly managing regrowth” Te Ao with Moana (Baker, 2021)	“HTM not interested in hearing TMA rationale that their arguments for gradual change & concerns nesting birds are unfounded” NZ herald (Neilson, 2019a)	“We have a specific vision that mana whenua and Council wish to pursue, and that’s to bring back those native forests that we previously had. And also hopefully native fauna that we had at that time. The concept that we may have kiwi there one day is pretty exciting for us.” Te Ao with Moana (Baker, 2021)	Three articles covering the court cases: each starts with same 2.4 min. visual clip of interviews with woman at hui & Samar Ciprian (HTM at gates) giving the transition perspective but caption doesn't alert reader to who speaks or what about: <i>‘The Tūpuna Maunga Authority held a peaceful hui at Mt Albert / Ōwairaka to hear the woes of the protestors who are concerned about trees being cut down on the mountain.’</i> Stuff (Clent & Earley, 2020)
“the long-term outcomes of removing exotic and weed species and restoring the native ecology, not just on one maunga but between all of them, will be hugely positive for both Mt Albert residents and the whole of Auckland.” Stuff (Mulligan, 2019)	“difficult to establish seedlings under eucalyptus because root system spreads.” RNZ (Mulligan, 2019)	“Less harmful way to go” RNZ (Mulligan, 2019)	

Table 3 Favouring TMA environmental perspective re: clear-felling exotics on Ōwairaka

Emphasise TMA as having mana whenua prerogative for representing Māori	Emphasise contesting Māori voices as having little or no significance re: TMA decision	De-emphasise TMA as being criticised/challenged by Māori from within & without	De-emphasise contesting Māori voices as having legitimacy
Article heavily weighted towards TMA representing <i>iwi</i> interests & decision being right. RNZ (Mulligan, 2019)	Mention of IMP restoring Iwi relationships with maunga implies all Māori are in support of it RNZ(Mulligan, 2019)	Paul Majuery says he is saddened protestors missed opportunity to hear different world view Newshub (Du Plessis-Allan, 2019)	Quotes Ben Thomas' history of Ōwairaka, in which he states Auckland built on Māori capital, says crown bought downtown Auckland from iwi (doesn't mention Ngāti Whātua Ōrākei): "The iwi of Tāmaki Makaurau continue to welcome guests with open arms. (NB: Actually it was Ngarimu Blair who said this re NWO) NZ Herald (Neilson, 2019a)
TMA plans give me mana as Māori RNZ (Dunlop, 2019)	Restoration going to bring Māori significance back to Tupuna Maunga RNZ (Morning Report, 2019c)	The tree protection group occupying Ōwairaka / Mt Albert has strongly spoken out against culturally inappropriate comments made at yesterday's Tupuna Maunga Authority hui. Following consultation with tangata whenua whanau, Honour The Maunga decided to stay away from the hui. However, some people who shared the group's concerns about proposed the tree felling went to the hui and voiced personal opinions completely at odds with HTM's view. Spokesperson Anna Radford says that HTM has been tainted by association and wished to clarify the group's position. "Firstly, we do not – and have never – regarded ourselves as mana whenua. "Furthermore, I and other members of HTM were shocked to learn that a hui attendee had cursed members of the Authority and their descendants. Scoop (Honour the Maunga, 2019)	"I have no doubt in my mind the trees are a shield for some quite fundamentally racist attitudes, about the fact Māori people are making decisions which traditionally for over 100 years have been made by Pākehā. People wanting to protect these trees, while not taking into account the bigger picture of cultural restoration and mana, is symptomatic of that wider issue." NZ herald (Neilson, 2020b)
"We'll be looking at pa restoration, things like palisading, making people really understand that these are Tupuna Maunga, they're not just your average park. These are sites that are of world heritage quality, these are sites that are significant from a Māori perspective, they're wahi tapu, they're place where people's tupuna are buried, they're a visible bastion of Māori culture across Tamaki Makaurau." Te Ao with Moana (Baker, 2021)	"You represent the future of New Zealand, the ngāhere (forest) will represent the new, New Zealand, not these stains of colonial past." NZ herald (Neilson, 2020b)	Protests started last year after some mainly Pākehā residents became unhappy with a decision by the Tupuna Maunga Authority to cut down hundreds of exotic trees on Ōwairaka Mt Albert. (1news, 2020)	
The Ngāti Awa Runanga has distanced itself from Mr Ngaropo's action and says it supports tangata whenua to make the best decisions for their taonga, lands and waters in their rohe. (Waatea News, 2020c)	Suggests that when people who are in support of HTM say it shouldn't be made into a race issue, "is it really up to Pākehā to decide that?" Ignores fact that Māori have said same thing NZ Herald (Wilson, 2019)	Another local resident said there were "huge amounts of Pākehā" who supported the TMA's plans. Article doesn't mention Māori challenging TMA. Stuff (Christian, 2019)	

Table 4 Down-playing/ignoring contesting Māori voices

Emphasise HTM as having legitimacy as stakeholder to challenge TMA decision	Emphasise TMA as being undemocratic, especially in favour of mana whenua	De-emphasise HTM & associates as being anti-mana whenua/racist and environmental Stances anti-Māori cultural /historical /spiritual interests	De-emphasise TMA as having prerogative to promote tangata whenua interests
<p>Anna Radford quoted as saying all HTM want is to be respected and have not unreasonable questions answered [after TMA had brought in heavy machinery before first arranged meeting] RNZ (Dunlop, 2019)</p>	<p>Kim Hill makes suggestion that 3.30am arrival of contractors was an attempt by TMA to get job started before meeting HTM the following week. Therefore HTM have legitimate distrust RNZ (Morning Report, 2019b)</p>	<p>HTM spokesperson Anna Radford said the group did not "condone the alleged action ... We don't know the woman, the matter's in the police's hands. We have naturally cooperated with the police in any way we can but this is an incident that happened between two members of the public, and has nothing to do with our group." RNZ (Johnsen, 2020)</p>	<p>Two weeks later ahi kā Ngāti Whātua Ōrākei organised a karanga on the maunga in support of Hohaia, to stand strongly against violence, aggression and racism. NZ Herald (Neilson, 2020b)</p>
<p>Anna Radford saying severity & speed of felling plans equals issue. Lived under Ōwairaka 21 years, part of local pest-trapping group which claims to have increased native bird life & dawn chorus; another resident quoted as saying many of exotics have spiritual significance to residents gained over years of acquaintance, wholesale removal. NZ herald (Neilson, 2019a)</p>	<p>Ngaropō and hapū Ngāti Awa ki te Awa hold wananga on Ōwairaka for HTM et al. Ngāti Awa ki te Awa o te Atua oppose ... the lack of consultation surrounding approved earthworks, which will see the 345 foreign rākau cut down and replaced with native seedlings. Te Ao Māori News (Black, 2020a)</p>	<p>Quotes HTM protestors as saying not against native restoration programme NZ herald (Neilson, 2019b)</p>	<p>Mataatua historian Pouroto Ngaropo claims that the TMA is planning to make Te Ahi Kā-a-Rakataura the sole name of Ōwairaka (Mt Albert)...Ngāti Awa ki te Awa o te Atua oppose the name change ...The maunga was given the name Wairaka to commemorate the chieftainness of the same name who built her seat of power on the peak about 800 years ago. Wairaka's people lived alongside the Tutumaio people who were already living there at the time of Wairaka's arrival. It is for this reason that Ngaropo sees this as an "Attempt to rewrite history." Te Ao Māori News (Black, 2020a)</p>
<p>'It's about the trees' allows Anna Radford & Pouroto Ngaropō to answer accusations that HTM is racist NZ herald (Neilson, 2020c)</p>	<p>A spokesperson for Honour The Maunga claimed the group had been trying to meet with the authority since November 6 and it felt "backed into a corner ...At every stage we have engaged with the authority respectfully, with the utmost of integrity and an unwavering desire to meet them so that our many questions could be answered. "Honour The Maunga only learned of the hui when journalists started calling for comment." Scoop (Honour the Maunga, 2019)</p>	<p>Pouroto Ngaropo, chairman of Ngāti Awa ki Te Awa, Te Tāwera Hapū, & patron of Honour the Maunga, wrote of his support for the protesters in the Herald, based on the "shared belief that all trees are the children of Ranginui and Papatūānuku". He also acknowledged the hapū's Scottish family connections that "put us right alongside our Pākeha whānau in protecting the trees at Ōwairaka and protecting the Treaty relationship we have with each other ...it was not a racial, but an environmental issue. "For 200 or so years some of these trees, natives and exotics, have existed together. ..Honour the Maunga say they believe in protecting all life forms, that it is pointless to destroy these trees, and that falls in line with the philosophy of my ancestors." NZ herald (Neilson, 2020b)</p>	<p>Paul Majurey recognises Wairaka as one of (Dunlop, 2019) names for maunga. The Auckland Council group responsible for governing Auckland's maunga are at the centre of ongoing controversies. The most recent issue, is the claim that Wairaka, the namesake of Mt Albert, was not the famous Mataatua ancestress, but was, a fairy. Ngāti Whātua Ōrākei, one of the 13 iwi that are part of the Tūpuna Maunga Authority have a different version of Wairaka's history. Their whakapono, is that Wairaka was a Patupaiarehe (ancient fairy people), who lived at the summit in "ancient times." Te Ao Māori News (Black, 2020b)</p>

Table 5 Checking emphasis/de-emphasis entries

The next chapter provides discussion and draws conclusions from the findings.

Chapter Five: Discussion

5.1 Introduction

This chapter discusses the findings as they relate to the research aim, that is, to contribute to understandings around community engagement in environmental decision-making that incorporates Indigenous interests. In particular, it sheds light upon the complexities in a co-governance environmental decision-making scenario around an urban natural feature. These complexities include: who should be listened to (within local community and amongst experts); whether all important Indigenous voices are being taken account of appropriately; and what the consequences can be (culturally, socially, and legally) when there is a deficit of meaningful attention paid to salient stakeholder voices by the decision-making entity. This scenario relates to the decision of the Tūpuna Maunga Authority (TMA) of Tāmaki Makaurau Auckland to remove all of the exotic flora on Ōwairaka Mt Albert in a single operation in November 2019 and the subsequent public dispute that this ignited.

The discussion is situated within the conceptual framework of stakeholder and stakeholder salience theory, and the contextual framework of statutory redress in Aotearoa New Zealand aimed at righting the wrongs of a colonial past and establishing effective Treaty partnerships of iwi and hapū and community for the protection and enhancement of environment. It draws conclusions with respect to Research Question 1:

To what extent is it necessary for co-governance entities to pay attention to the saliency of community stakeholders around environmental decisions?

Furthermore, the chapter draws conclusions around the weighting (positive and negative) the media in Aotearoa New Zealand has given in its portrayal of the rights, rationales, values and behaviours of the protagonists in the Ōwairaka dispute. This discussion addresses Research Question 2:

In what ways are disputes between co-governance entities and community stakeholders represented in the media?

5.2 Tūpuna Maunga Authority as co-governance

As has been explained in Chapter Two, Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 returned sovereignty of the volcanic cones (maunga) of Tāmaki Makaurau Auckland to The Tāmaki Collective (of 13 iwi and hapū deemed to represent mana whenua of the area). The maunga retained their reserve status under the Reserves Act with the TMA having the authority over their administration. The representation of ngā mana whenua and Auckland Council (with six voting appointees each) on the Authority reflected the partnership aspect of the Treaty of Waitangi, with the status of the maunga as being held in trust for “the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland” (“Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act”, 2014, p. 41). In administering the maunga, mana whenua and Auckland Council appointees to the Authority have the statutory duty to represent the interests and aspirations of their constituent bodies, that is, the 13 hapū and iwi of the Tamaki Collective and the wider Auckland public, the latter which includes Māori other than those represented on the TMA.

Chapter 2 also explained Treaty of Waitangi settlements as partnership arrangements which reflect a positioning of Māori requiring higher consultation than if they were traditional stakeholders (Parsons, Fisher, & Crease, 2021). Underlying the Treaty settlements is the understanding that processes aimed at redressing the harm to Māori and their lands through Aotearoa New Zealand’s history of colonialism would include respect for Māori aspirations and values around land and natural resource management (especially when these are jeopardised). The TMA thus, whilst being a co-governance arrangement that “reflects the value of the Maunga to mana whenua and others” (Boffa Miskell, 2016), has a statutory purpose, in exercising its powers and functions, of having ‘regard to the spiritual, customary, and historical significance of the Maunga and administered lands to Ngā Mana Whenua o Tāmaki Makaurau’. As a cornerstone of its purpose and role in administering the maunga, the TMA was to provide mechanisms by which the iwi and hapū could exercise mana whenua and kaitiakitanga (guardianship) towards these taonga tuku iho (treasures handed down the generations) (Tūpuna Maunga o Tāmaki Makaurau Authority, 2019). One such mechanism is the 2016 Integrated Management Plan (IMP) for the maunga which is a central backdrop in this study.

The IMP was the document that the TMA presented as enshrining the value of the maunga to mana whenua and the other people of Auckland, weaving together and giving expression to “mana whenua and other world views, and the diverse connections and histories in a manner that complements and creates a richness to the relationship all people have with the Tupuna Maunga” (Boffa Miskell, 2016, p. 58). Native vegetation restoration plans in the IMP were to bring the maunga ecosystems back to pre-European status, plans which would entail “reintroducing and attracting indigenous and culturally appropriate species and the proactive management of plant pests and inappropriate exotic vegetation” (Boffa Miskell, 2016, p. 95). At the onset of the maunga management dispute the findings show that the TMA understood its objectives in the IMP for Ōwairaka to be widely accepted as being in the interests of mana whenua and the other people of Tāmaki Makaurau Auckland.

However, with respect to the operational aspect of carrying out its plans for Ōwairaka (the responsibility of the operations manager employed by Auckland Council), this study sheds light on overlapping groupings of actors who did not feel the TMA represented their interests, and for whom much of the media de-emphasised any right they felt to have these interests heeded. These were local Mt Albert community protest group Honour the Maunga (HTM) of which Māori were represented in the leadership, Bay of Plenty Hapū Ngāti Awa ki Te Awa o Te Atua (with claimed ancestral ties to Ōwairaka and led by HTM Patron Dr Pouroto Ngaropō), Māori-led Māngere-Ōtāhuhu community group Respect Mt Richmond / Ōtāhuhu who added their voice to that of HTM, and hapū Ngāti Whātua Ōrākei (represented on the TMA as mana whenua).

Before the discussion moves any further, the complexity brought in to the study through the evolving stance taken by Ngāti Whātua Ōrākei needs some focus. This stance relates to how the hapū views its positioning of within the TMA and how this relates to their expectation that their differing viewpoint on ecosystem protection and tikanga around environmental management in a co-governing setting. Over the period of the dispute Ngāti Whātua Ōrākei gained recognition in the High Court for its primary mana whenua status claim as having ahi kā (according to its tikanga) within central Auckland (Los’e, 2023) (see Appendix 2). This claim led the hapū to suggest that its interests regarding the maunga of central Auckland should have been the focus of higher-level engagement within the TMA as its mana motuhake (separate identity and mana through self-determination) became apparent. However, throughout the Ōwairaka dispute, the TMA chair and the media consistently

presented the Authority as a united front of iwi and hapū, even as Ngāti Whātua Ōrākei dissociated itself from the 2019 tree-felling decision, decision-making processes and asserted its own differing approach to tikanga around community consultation.

Little TMA or public attention was given to the changing status of the hapū within the Authority. Little acknowledgement was given to problematic issue the hapū raised with the TMA being, as Deputy chair of Ngāti Whātua Ōrākei Blair claims in Los'e (2023), a flawed arrangement of an “unnatural lumping together of so many iwi” by the Crown “in the settling of rival treaty claims in the Ngāti Whātua Ōrākei rohe”. Whilst the other iwi and hapū on the TMA have their own claims of rights to this rohe that must be respected, this case study has brought to light the nuance of complication indicating the TMA does not necessarily reflect a united front of all mana whenua as it pursues its objectives. With Ngāti Whātua Ōrākei asserting changes to its status within the TMA with regards the maunga, and its differing viewpoint to the Authority around kaitiakitanga and tikanga (viewpoint shared by other contesting voices of tangata whenua), this research endeavour became challenged by the ethical question of upholding the mana of all Indigenous protagonists in the dispute.

This research was guided by the Te Ara Tika framework which incorporates the elements of whakapapa (relationships), mana (justice and equity), tika (research design) and manaakitanga (cultural and social responsibility) (Came, 2013; Hudson, Milne, Reynolds, Russell, & Smith, 2010). In the context of the three levels of the mana element, mana tangata (informed risks), mana whenua (local tangata whenua) and mana whakahaere (responsibility for outcomes), this research operated within the mid-level of mana whenua and was conducted from the Ngāti Whātua Ōrākei papakāinga (village) on Takaparawhau. Hudson et al (2010) suggest that during the research design/conceptual stage, it is important for researchers to build significant connections with mana whenua to ensure that the research provides positive outcomes for Māori. This meant that for this study, the researcher obligations are fore-fronted with the values and tikanga of Ngāti Whātua Ōrākei with regards the long-term care of Ōwairaka. These values, with regards her exotic trees, recognise their spiritual and ecological significance, as integral elements to be retained in the long-term care of the maunga (Royal, 2022). The tikanga of the hapū relevant to this particular situation involves resolving rather than sidestepping or ignoring local community tensions around environmental management and protection, through compromise if necessary. However, the

researcher remained mindful that amongst Māori there are differing approaches to tikanga, and different viewpoints around who are kaitiaki in a Treaty partnership setting.

In distancing itself from the TMA, Ngāti Whātua Ōrākei has not, in this case study, been deemed a stakeholder in this case study. It remains mana whenua within the co-governing entity that has authority around the administration of the natural environment of Ōwairaka. However, with respect to the stance Ngāti Whātua Ōrākei has taken around the TMA's tree-felling plans and decision-making processes around Ōwairaka, (along principles of ecosystem protection, correct tikanga and enhancement of kaitiakitanga for those with connection to the maunga) the hapū has been deemed in the research to be aligned with the contesting stakeholder voices (Māori and non-Māori).

5.3 The recognition (or not) by the Tūpuna Maunga Authority of who might be stakeholders

According to the theoretical/conceptual framework guiding this research, a stakeholder is an actor or group of actors who can claim to have a relationship with a decision-making entity and/or an intrinsic interest in an issue arising from the entity's objectives or behaviour. These are actors who can claim creation or loss of value arising from the entity's objectives or behaviour and for whom there is an imperative that they be paid proactive attention.

The TMA, whilst not disclosing the range of stakeholders it stated as being involved in the 2016 drafting of the IMP, could confirm the input of 'other people of Auckland' via stakeholder submissions to the draft did in the main support the Authority's restoration project. Other supportive stakeholders the Authority mentioned after the dispute arose were environmental NGOs, The Tree Council and Forest and Bird. These groups expressed themselves to be fully on board with the purpose and re-naturing strategy of the TMA as these express the important values and interests of mana whenua. The former, whilst supporting the rationale behind the single-operation felling of the exotics, did suggest that a more proactive approach to informing the local Mt Albert Ōwairaka community might have been preferable. The latter suggested there were alternative ways to achieve the IMP objectives than clear-felling all of the exotics. These suggestions did not appear to detract from their position of believing that mana whenua know best how to manage the environment

of the maunga. Whilst there was no mention in the findings of actual engagement with these stakeholders by the TMA, the Authority's mention of their support is entirely reasonable.

It appears that, having carried out its obligations regarding opening up the IMP draft to community-wide consultation, and having sought the expert advice of ecological company Te Ngahere and arborist contractor around the plans to remove the exotics, the TMA assumed it could exercise its authority in going ahead with these plans. However, the 2019 decision to clear-fell all the 345 exotics had not been signalled in the 2016 IMP nor in any subsequent operational plans, nor was discussion within the TMA made available to the public's notice (if any were held which due to Authority minutes during the time being missing on its website this cannot be ascertained), and the felling decision was made by the operations manager alone. This absence of information created a whole new scenario with respect to the emergence of local community and aligned stakeholder voices, who whilst supporting the IMP re-naturing vision, wanted to retain the exotics as an approach they deemed not being mutually exclusive to this vision.

From the stakeholder theory perspective of making space for shared value-creation to be integrated into objectives, the 2016 IMP appeared to embody this. However, engaging with local community and other stakeholders before the felling decision was made, to ensure this actioning of the IMP objectives would continue to mean the co-creation of value for mana whenua, tangata whenua and Pākehā was not on the TMA's agenda. The notion that there might be stakeholders for whom the felling of exotics on Ōwairaka might represent critical loss of value was not one the TMA appeared to feel the need to factor in to its decision-making, in spite of previous vocal protest from local residents of other maunga (such as Mt Richmond/Ōtāhuhu) where such felling had already taken place.

Once the non-notifiable resource consent had been given, the dates set for the felling of the exotics, and the local residents told two weeks before of the dates this meant the TMA re-naturing strategy was being implemented with the requisite authority at the operational level. The only stakeholder space open for those claiming critical loss of value and failure of the TMA in its consultation obligations with regards the planned operation was in direct protest action at the gates to Ōwairaka, in making their voices heard through a protest organisation website and in the media, and in petitioning action. The subsequent lack of meaningful engagement by the TMA with HTM (as an organised group of local community members)

was deemed by Ngāti Whātua Ōrākei as a lost opportunity for compromise to be reached. This lost opportunity resulted in lengthy and costly legal proceedings through which the claims of the contestants were eventually upheld. These claims were that the felling plans represented significant ecosystem disruption on the maunga and the decision-making processes had failed to consider the heritage value the trees might have to local and other stakeholders, .

5.4 Where interests, concerns and values have diverged and clashed around Ōwairaka

In its practical application, it became evident that the IMP had not fully taken into account the historical, spiritual, and environmental bonds and significance that both Māori and non-Māori might genuinely hold towards non-pest exotic flora, particularly well-established trees, on maunga with which they share a connection. When it became clear that the renaturing vision at the strategic level of the TMA's purpose and objectives would involve, at the operational level, chainsaws and helicopters removing established non-pest trees over a matter of weeks (and during bird nesting season), the claims to legitimacy of the contesting voices came rapidly onto the public stage. These voices, coalesced into organisational form through HTM, and within a matter of months from were augmented by those of TMA hapū Ngāti Whātua Ōrākei .

This alignment of voices embraced the IMP vision for enhancing the ecosystem of Ōwairaka (and those of other Tūpuna Maunga in Auckland Tāmaki Makaurau) through ambitious plantings of natives representing the creation of value. Furthermore, none of the organised contestation of TMA's undisclosed plan to fell the exotics on Ōwairaka in a single operation in 2019 contained sentiments of disrespect for, or resistance to, the importance of collective redress for mana whenua and the formalising of their authority in a co-governance arrangement. Rather, the contestation came from a place of connection to and valuing of a maunga of which an integral and highly valued component (spiritually and from a heritage and an ecosystem protection standpoint) was the established non-pest exotic trees.

Furthermore, the opposing voices shared the belief that in the TMA operations manager making the decision and getting resource consent without engaging with the local community, proper processes or tikanga had not been followed.

From the ecosystem-protection perspective of the local community, ‘other people of Auckland’ tangata whenua voices and that of Ngāti Whātua Ōrākei, the preferred and right way to reach the TMA objective was to transition the Ōwairaka vegetation over time. This would respect the interconnectedness of her ecosystem by following a strategy sympathetic with the exotics playing their part by finishing their life cycles in respect of the natural cycles of te taiao (the environment). Ngāti Whātua Ōrākei was already known for advocating the retention of mature exotic trees throughout their rohe, for the vital role they play in the ecosystem (Pawson, Ecroyd, Seaton, Shaw, & Brockerhoff, 2010). In contrast the TMA plan was deemed to be: culturally inappropriate; disrespectful of the mauri and wairua of the exotic trees; significantly disruptive to the fauna and landscape of the maunga; leaving a high carbon footprint within a climate change context, and; having a significant cost, both financially and environmentally (Royal, 2022). Moreover, the transitioning perspective, for the HTM Māori voices, reflects the inherent sense of place, identity and belonging they share with the maunga. These elements bring an obligation to protect her environment, as a stakeholder in itself, which includes protecting the lifeforce of all of the non-pest exotic trees, as children of Papatūānuku into the future.

The legitimacy of these environmental perspectives has been also supported by highly credible ecosystem protection experts in DOC and bird rescue personnel (Mairs et al., 2018) expressed concerns over the tree-felling plan. These experts reinforced the assertions by the contesting voices that the pursuit of the IMP’s long-term native restoration vision and the retaining of these exotics through to the end of their lifecycle were not mutually exclusive. These viewpoints, representing areas that productive stakeholder engagement might have investigated, were not meaningfully engaged with by the TMA at any point, nor were they highlighted by the media. Moreover, there appeared to be no attention paid by the TMA to conflicting tikanga, by both mana whenua and tangata whenua which asserted the value of the exotics from a Te Ao Māori perspective and of bringing consideration of differing local community perspectives into decision-making as they might arise.

Attempts by HTM to meet with the TMA in November 2019 failed, offers made by Council for them to meet and discuss their concerns came with the proviso that the protestors cease their blockade and allow the contractors to move onto the maunga to prepare for the felling operation. Tangata whenua within HTM had supported the organisation’s non-attendance at a TMA hui on the maunga claiming that the entity’s actions did not represent good faith

stakeholder engagement. In addition to the legitimacy of the protestors' environmental (and spiritual and heritage) claims not being taken seriously, the TMA and its supporters portrayed them in the media, from the start of the dispute, as being anti-mana whenua rights, colonialist and racist. The media tended to endorse the TMA's rationale for its exotics felling decision and actions and also to portray HTM as problematic Pākehā, being on the wrong track environmentally (even wrongly emphasising the exotics as mostly pests) and further, in some coverage implying that in being against the removal of the exotics they were per se against the planting of natives (Christian, 2019).

While the protest stirred up racist actions and comment from within the Auckland public (which laudably were categorically condemned in the media), the credibility of the tangata whenua leadership within HTM and the alignment of Māori-led Mt Richmond/Otāhuhu group should at the least have given the TMA chair and media commentators reason not to associate HTM with these actions. These Māori voices insisted that the Ōwairaka dispute should not be made into a race issue, with Ngaropō (Mataatua, Te Arawa, Tainui, Takitimu, Ngā tōki matawhaorua), in Ngaropō and Radford (2021) stating that the involvement of himself and his hapū "provided the support and the spiritual dimension that would keep HTM safe. Prior to us arriving here there were a lot issues, racist issues, judgemental issues that were wrong." The near-complete lack of attention paid by the TMA and its supporters to the claims and mana of these contesting Māori voices and inadequacy of much of the media's understanding of the meaning of these voices became an important strand of the research. It suggests that in attempting to render the dynamics of the dispute easily understandable to its audience, the media invisibilised Māori voices of significance.

The TMA claims that through the IMP the relationship "all communities have with these special places, [as Tūpuna Maunga] is woven into their unified and cohesive long term care" and also that its objectives represent a celebration of Māori identity. However, as the dispute evolved, the TMA put more emphasis on the opinions and reports prepared by consultancy companies than the contesting voices of mana whenua with ahi kā status and tangata whenua represented in the group 'other people of Auckland. These are actors who either live near and/or have interacted with the maunga on a regular basis and/or have ancestral or spiritual connections. As Māori, they claim their identity is interwoven with kaitiaki obligations to the maunga (although, depending on tikanga, some tangata whenua believe only mana whenua can be kaitiaki including one of iwi on the TMA, Ngāti Te Ata Waiohua (Ngāti Te Ata,

2020)). These obligations precluded removing non-pest exotic trees that they believe to have mauri and support important existing natural ecosystems. The TMA approach was contrasted with the example of the tikanga provided by Ngāti Whātua Ōrākei with respect to relationships with community stakeholders around natural resources over which they have sovereignty. This is the model on which the land at Takaparawhau Bastion Point has operated, based on the principle of managing the maunga for Māori and all of New Zealand (Chapman Tripp, 2021). In the renaturing of Takaparawhau, exotic trees have been valued for their contribution within the ecosystem and the whole local community has been positively brought on board with respect to kaitiakitanga and embracing the mana whenua relationship the hapū has with the land (Blair, 2020; Chapman Tripp, 2021).

The position that the TMA did not follow a tikanga-led approach around kaitiakitanga of Auckland's maunga was echoed by Māori in the leadership of HTM and the Mt Richmond/Otāhuhu protest group (Ngaropō & Radford, 2021). Whilst recognising the need to allow for the kaitiakitanga of mana whenua within the co-governing entity, they raised the reality of local community members having a heightened sense of responsibility for the well-being of their maunga and that the differing viewpoints arising from this be recognised.

This case study shows the Tāmaki Makaurau collective redress reality to be one where the very structure set up to enhance the Māori voice through shared knowledge and values around environmental management has been seen as representing the only legitimate Māori voice. Moreover, the findings raise a perspective from Māori voices within HTM who consider the Pākehā who are taking the Authority's side, in their belief that the only Māori voices that have relevance and authority in the dispute are those represented on the TMA, are being racist. Heta-Lensen (2022) saw the Council's approach to the TMA's decision-making as hands-off and whilst probably well-intentioned also "deeply patronising and appearing misled in the way it is attempting to honour its Treaty obligations." In the disregard by the Authority of the potential claims to anticipated loss of value by local residents and tangata whenua and the importance of tikanga being practised throughout the whole process of fulfilling IMP objectives she felt disempowered.

Furthermore, for the contesting Māori leaders, the TMA, in its lack of engagement, was "marginalising the many tangata whenua and People of Colour who disagree with the Authority's environmentally destructive plans" (Ngaropō & Waru, 2021, p. 1). Within the

context of a moving away from colonial structures, it might be argued that the breadth of Māori voices has been homogenised in the statements of TMA, its supporters and the media, effectively excluding Māori outside of the co-governance structure from having their voice and interests heeded with respect to their connections to Ōwairaka, their understanding and obligations around kaitiakitanga and environmental protection.

Systemic power imbalances have historically seen Indigenous communities ignored or dismissed by powerful organisations, as they have watched the destruction and/or exploitation of natural resources they value (King, Skipper, & Tawhai, 2008). In this case study, the contesting Māori voice of Heta-Lensen (2022b)(whose whakapapa includes Ngā Puhi, Ngāti Hine, Tainui and Ngāti Whātua) explained that for her the TMA and its actions “effectively replaces colonial violence with another form that shifts power to a place that disenfranchises nearly everyone”. The centralised decision-making process of the TMA at the operational level, whilst reflecting the statutory authority the council has for following through on the Authority’s strategies for the maunga environment, had side-lined the Māori interests and values, and mātauranga and kaitiakitanga, offered by the Māori voices within HTM (Broughton et al., 2015). Moreover, the sentiment of Ngāti Whātua Ōrākei that its primary mana whenua status be given greater weight within the collective redress structure (Royal, 2022) was not acknowledged by the TMA. This ironically suggests that yet again there are Māori for whom their capacity to exercise kaitiakitanga over the lands and natural resources within their claimed ancestral rohe has been undermined by legislation.

An irony is that it was in the power exercised by Pākehā local Mt Albert residents in legal proceedings that the meanings in the claims of the contesting Māori voices (aligned with those of the case put forward) were acknowledged as being of significance. The outcome saw the operations manager’s felling decision and Auckland Council’s resource consent to be set aside until the proper consultation processes had been pursued.

The perception arising from this research, of a non-recognition of these Māori voices and interests in the dispute was reinforced in the media. The TMA was not infrequently (but also not in a denigratory way) referred to in the media as a Māori organisation (Henry & Strong, 2019) (thus homogenising Indigenous people as all being represented). Moreover, HTM (despite the Māori in its leadership and ranks) was frequently described as a group of mainly Pākehā protestors with antipathy towards the Authority. This homogenising effect was

evidenced in much of the media coverage that over-simplified the complex Ōwairaka situation in venerating the mana whenua perspectives around maunga ecosystem protection and environmental enhancement as expressed by the TMA and down-playing the differing perspectives of other mana whenua and tangata whenua voices. Moreover, the manaakitanga that commentators discussed that Auckland was built on (and was seen as invested within the TMA) was portrayed as having historically been offered for Crown purchase by Māori or iwi, with no specification of Ngāti Whātua Ōrākei being the hapū in question (Neilson, 2020a, 2020b; Thomas, 2019; Wilson, 2019).

Notions that the TMA should: proactively engage with local community stakeholders and tangata whenua with compelling arguments contrary its perspectives around environmental care and enhancement of the maunga, and; be open to the tikanga of a hapū member that seeks conflict-free, flexible outcomes in local community stakeholder engagement were not ones that gained meaningful traction in across the range of media outlets.

Roberts, Norman, Minhinnick, Wihongi, and Kirkwood (1995) argue that countering the negative effects of colonisation requires processes that include Māori perspectives in environmental decision-making. This argument is complicated by the reality, evidenced in this case study, that amongst Māori voices within a co-governance/stakeholder setting there can be differing views and a complexity of connections to the resource in question. Out of the 13 iwi and hapū within the TMA, 11 had claimed vested interests in Ōwairaka. However, only two gave official public submissions on the tree removal (Ngāti Whātua Ōrākei against and Te Rūnanga o Ngāti Whātua for). The danger is that Māori voices and perspectives are homogenised, which key Māori of mana contesting the TMA decision and actions claimed experiencing as a new kind of colonising behaviour.

Belfer, Ford, and Maillet (2017) suggest that the media actively constructs the way in which the public understands what is going on, what issues are important and what perspectives are normal and valuable to society. In the case of the Ōwairaka dispute, the media largely worked to construct binary, one side is right, understandings. To this end, the prerogative of the TMA to represent the interests of mana whenua within a Treaty settlements setting and to pursue the expression of these interests in the IMP's native restoration project through the removal of inappropriate exotics on the maunga were more often emphasised. The corollary to this was the de-emphasis of the interests and perspectives of Māori and non-Māori voices

contesting the plans and tikanga engaged at the operational level of actioning the IMP strategy, as well as the mana of Ngāti Whātua Ōrākei as claimed ahi kā of central Tāmaki Makaurau. The omission by the media in not presenting a Te Ao Māori and kaitiakitanga perspective of a TMA hapū (calling for the protection of the mauri in the existing exotic vegetation of Ōwairaka (Royal, 2022)) raises the question of its potential harm in undermining the identity (and collective well-being) of the Indigenous people sharing this perspective (Barnes et al., 2012).

Further, the findings showed there was no attempt made by the media to explore the shared similarities Ngāti Whātua Ōrākei expressed with the main messaging of HTM that the gradual transition to native regeneration would respect the natural cycles of te taiao (environment). Instead it simplified the dispute dynamics by presenting HTM ‘s environmental perspective as the only opposing one and as having low legitimacy.

This research is not a critique of the concept of co-governance, grounded as it is in the perspective that these arrangements are an important step forward in formally recognising the spiritual, ancestral, customary, and historical significance of natural resources to Māori, and formalising the role of iwi and hapū in their environmental administration. The case study raises opposing viewpoints on the extent to which the TMA should seek to engage with community and tangata whenua stakeholders. It has explored the viewpoints of those outside of the co-governing structure who have expressed their claims to legitimacy which require that they be engaged with. It has presented the TMA position that, in its representative structure, it already represents the important breadth of Māori and non-Māori stakeholders to whose interests it should pay the most attention. The findings in this research raise the possibility that these sorts of opposing viewpoints need not necessarily be polarised and incapable of being reconciled. The possibility is also that it need not be that, in the reconciliation, the intent of the collective redress that saw the TMA established to achieve valued outcomes for mana whenua, spiritually, culturally and environmentally becomes lost.

In the case of Ōwairaka, the alliance of local residents (Pākehā, people of colour and Māori) reflected stakeholder salience with historical and spiritual connections to and caring of a shared natural resource that incorporated the mana and values of Indigenous leaders and groups. With a more flexible, anticipatory approach by the TMA to engaging with this stakeholder salience, perhaps involving following the community partnership approach used

by Ngāti Whātua Ōrākei for Takaparawhau, conflict mitigation might have been successful and huge costs for the Authority avoided⁶.

5.5 Conclusion

This dispute was lengthy and its evolving complexity showed that any exploration of decision-making in contested environmental governance circumstances should not be approached in a binary, only one side is right, manner. The involvement of tangata whenua stakeholder actors and the rise to recognised primary mana whenua status of Ngāti Whātua Ōrākei (Los'e, 2023), their Indigenous perspectives aligning with the perspectives of HTM, presented a powerful coalition of perspectives that were asking to be heard. Notwithstanding the importance of the establishment of the TMA for the purposes of pursuing objectives that fulfil the collective redress needs of mana whenua, the stepping in to the dispute by Māori of considerable mana and nuanced viewpoints around tikanga and environmental protection added layers of complexity to the concept of meaningful stakeholder engagement within a co-governance setting.

This research potentially highlights the need for a co-governing body to be flexible in embracing shifts in local iwi tangata whenua status with regards the weighting of their authority as Treaty partners in such environmental decision-making as in this case study. It also brings to light the importance of such a body having an awareness that there will likely be non-formally represented tangata whenua affected by its decision-making who bring a unique stakeholder perspective in environmental management due to their particular whakapapa connection with the land (Harmsworth & Awatere, 2013). And it reveals a social reality that shows that it is not inconceivable that Māori and non-Māori (who also feel deep connection with a taonga or highly prized environmental resource and expect meaningful stakeholder engagement around its future well-being) will feel compelled to align forces to contest and protest what they believe to be the wrong path a co-governance entity is taking.

The values and tikanga of Ngāti Whātua Ōrākei which this research is guided by correspond with the stakeholder theory imperative of entities proactively seeking to resolve local

⁶ The Auckland Council court costs came to over \$876000 (Jacobson, 2022). Plus, the Ōwairaka tree feeling budget is over \$650000.

community tensions around environmental management and protection. These entail engagement in good faith, through transparent communication of plans and actions that threaten to take value away from legitimate stakeholders, and through lengthy engagement involving compromise if necessary. This case study reveals opposing positions around stakeholder engagement that need not have been deemed mutually exclusive if the differing viewpoints on how to enhance the environmental well-being of Ōwairaka had been anticipated and invited into meaningful engagement at the outset of setting strategies for the maunga. This might have meant that within the IMP's impressive restoration strategy, aimed at generating renewed appreciation of the ancestral landscape, the views of those who believe they are speaking on behalf of the maunga as taonga tuku iho whose trees (both exotic and native) have enriched the landscapes and nourished her ecosystem, might have been accommodated. As the deputy chair of Ngāti Whātua Ōrākei Trust stated: "Compromise to find a solution that benefits us all ... compromise so that we can progress the essential mahi of replanting on Ōwairaka." (Blair, 2020).

5.6 Limitations

This research is subject to some limitations. Firstly, the data was drawn entirely from secondary sources which meant it lacked the depth which primary sources such as interviews can bring. Also, as the TMA kept no record of making the decision to remove the 345 exotic trees from Ōwairaka and the TMA minutes of around the decision making time were deleted from their website this meant that assumptions had to be made from media reports, TMA press releases and court documents about the extent of Authority discussion that took place.

Regarding the Te Ara Tika framework that guided the research, the researcher's positionality meant that interpretation around the primacy of mana whenua status in central Tāmaki Makaurau prioritised Ngāti Whātua Ōrākei. Other hapū and iwi would have their own narratives and histories which would challenge this position.

As previously outlined in this chapter, among the 13 iwi and hapū associated with the TMA, 11 had asserted vested interests in Ōwairaka. However, only Te Rūnanga o Ngāti Whātua and Ngāti Whātua Ōrākei, both part of the TMA, formally submitted responses concerning the proposed amendments to the IMP regarding tree removal. Ngāti Whātua Ōrākei expressed

support for retaining the exotic trees, whereas Te Rūnanga o Ngāti Whātua provided complete endorsement for their removal. It was necessary to make assumptions about whether the remaining nine hapū and iwi within the TMA endorsed (or did not endorse) the mandate for tree removal.

5.7 Recommendations for future research

Through the Resource Management Act, the Crown acknowledges the special relationship that tangata whenua have with the environment (Willis, Enfocus, Koroheke, & Environment Waikato, 2005). This research has shown differing approaches amongst tangata whenua as regards respecting the mana and mauri of environments as well as differing Indigenous approaches to the tikanga around environmental engagement with local communities, within a Treaty of Waitangi partnership context of co-governed resources. Exploring such differences as in the value of retaining exotic flora species within indigenous re-naturing initiatives could provide meaningful direction for win-win local community stakeholder engagement in urban recreation reserve settings that are wāhi tapu.

Throughout this dispute the media did not appear to acknowledge or largely ignored the presence and voice of the People of Colour within HTM who disagreed with the TMA plans and tended to refer to the organisation as solely Pākehā. Another recommendation for future research is examining the extent to which, in the contemporary Collective Redress context, the media has become colour blind in terms of race, simply presenting (and potentially normalising) a binary perspective in situations where co-governance decisions are contested by local communities and tangata whenua.

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Appendix One

Media name	Media type	Owner
RNZ	Public radio	Radio New Zealand
NewstalkZB	Talk radio	NZME Radio
Radio Waatea	Māori radio & news	UMA Broadcasting Ltd
Newshub	News & media publishers	MediaWorks
Te Ao Maori News: Whakaata Maori formerly Maori Television	Television channel	NZ Government
1News: TVNZ 1	Television channel	Television New Zealand Ltd
Stuff Ltd	Print media website: feeds <u><i>The Dominion Post</i></u> <u><i>Manawatu Standard</i></u> <u><i>Marlborough Express</i></u> <u><i>The Nelson Mail</i></u> <u><i>The Press</i></u> <u><i>The Southland Times</i></u> <u><i>Sunday News</i></u> <u><i>Sunday Star-Times</i></u> <u><i>Taranaki Daily News</i></u> <u><i>The Timaru Herald</i></u> <u><i>Waikato Times</i></u> ^[27]	Sinead Boucher
Scoop Publishing Ltd	Digital news media	Independent. Wholly owned by the <u>Scoop Foundation for Public Interest Journalism</u> a Not-For-Profit charitable trust established in 2015.
NZ Herald	Print publisher	NZME

Appendix Two

Ngāti Whātua Ōrākei is a collective of three hapū: Ngā Oho, Te Taoū, and Te Uringutu. Every member of Ngāti Whātua Ōrākei can trace their ancestry to Tuperiri, the principal leader of Te Taoū hapū of Ngāti Whātua. As stated by Pihema (1997) in her book ‘The History of Ngāti Whātua’ from the early 1740s Tuperiri built his pa at Maungakiekie / One Tree Hill and occupied Tāmaki Makaurau, and held undisputed possession. Apihai te Kawau was the grandson of Tuperiri, and was granted dominion over Tāmaki drawing on his links to both paternal and maternal lines for validation, this undisputed dominion recognised in both the Pākehā legal system (Apihai Te Kawau on 20 March 1840, signed a copy of the Treaty of Waitangi) and by Māori throughout the region (Clark, 2001).

Ngāti Whātua Ōrākei claim that they alone are mana whenua of the central Auckland/Tāmaki isthmus, their traditional rohe and heartland through take raupatu (having conquered), tuku whenua (gifting land) and their continuous connection to and occupation of (ahi kā). Ngāti Whātua Ōrākei claim their mana whenua and ahi kā status was established in the early 1740s, and it should not be considered solely through a historical lens. Ngāti Whātua Ōrākei traditional lands are still the central Tāmaki isthmus, in which their urupā and their marae lie and their traditional practises are still practiced.

Having mana whenua and ahi kā is an assertion they have pursued staunchly but with limited success with the Crown and with ultimate success through legal channels in August 2022 ("Ngāti Whātua Ōrākei v Attorney-General ", 2023). They claim, according to their tikanga, the Limited Partnership arrangement (“a form of partnership involving general partners, who are liable for all the debts and liabilities of the partnership”(New Zealand Companies Office, 2023, p. 1)) of the Tāmaki Collective (as represented in the three groupings of the thirteen hapū/iwi within the TMA) should not translate into mana whenua being exercised in the same area by more than one iwi or hapū. The High Court ruling recognised that because of the hapū holding mana whenua/ahi kā status, the obligations that go with this to the rohe will be carried out “according to the tikanga and historical tribal narrative and tradition of Ngāti Whātua Ōrākei” ("Ngāti Whātua Ōrākei v Attorney-General ", 2023, p. 3). However, the clarity of this declaration by the Judge of the High Court, Justice Palmer, was clouded by his proviso that other iwi with current mana whenua status did not recognise that Ngāti Whātua

Ōrākei have mana whenua and ahi kā and his non-judgement on whether mana whenua status was exclusive or capable of being shared.