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URBPLAN 323: MĀORI URBAN PLANNING ISSUES

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Introduction

The Treaty of Waitangi was signed in 1840 between the British Crown and the Hapu of Aotearoa and is often thought of as New Zealand's founding document, and was effectively New Zealand's first planning document, setting out a long-term vision for Aotearoa and a power-sharing agreement between the Crown and Hapu (Orange, 2015).

Two versions of the Treaty exist, the English and Māori versions. A key contentious issue arising from the Treaty is whether Māori ceded tino rangatiratanga (sovereignty) or not. In the Māori version, Māori ceded Kāwanatanga (right of governance) to the Crown, not their tino rangatiratanga (sovereignty) (Orange, 2015).

The Māori text was the primary source of signatures to the treaty and is therefore the version recognised as taking precedence. Thus, an issue arises of how Māori's tino rangatiratanga can be recognised and enabled, upholding the Treaty.

The Treaty of Waitangi is not enforceable but can be given power through incorporation into legislation. The Resource Management Act 1991 (RMA) is one such legislation that incorporates the Treaty of Waitangi and also governs the nation's resource management regime or urban planning system (Quality Planning, n.d.). Through setting the groundwork for resource management, a key issue of the Treaty, and incorporating the Treaty, the RMA plays a significant role in whether tino rangatiratanga is enabled or prevented by the Crown.

Definitions

Urban planning is a technical field, focusing on creating positive economic, social, and environmental outcomes through managing and developing resources (Britannica, 2025; New Zealand Planning Institute, n.d).

Tino rangatiratanga is what Māori are guaranteed in the Māori version and can be broadly understood as a right to self-determination, sole control over resources, or, in European terms, sovereignty (Te Aka Māori Dictionary, n.d.-b; Te Papa Tongarewa Museum of New Zealand, 2020).

Methodology

An annotated bibliography was created on relevant resources to understand better the state of Treaty relations in New Zealand and the performance of the RMA in directing urban planning to recognise and enable tino rangatiratanga.

First, a systematic literature search was conducted to find relevant, modern and authoritative texts discussing the issue.

Following the literature search, resources were evaluated using the CRAAP test to ensure their relevance and quality. Four articles were chosen, the first by Kiddle et al. (2023) was chosen due to demonstrating tino rangatiratanga in its research design, and its exploration of tino rangatiratanga and urban planning through a utopian point of view.

The article by Dale-Dickson (2022) was chosen as it provided an interesting linguistic analysis of National Level resource management policies and analysed the failings in recognising Māori rangatiratanga, and through analysing what is holding planning back from recognising rangatiratanga, presents a way forward for Treaty relations in urban planning.

Livesey (2019) was chosen as it explored rangatiratanga through the lens of economic sovereignty and presented an interesting case where, even past the Treaty settlement process, urban planning as a field prevents rangatiratanga through limiting development on settlement lands.

Wever's (2013) was chosen as it provided an interesting analysis of urban planning and rangatiratanga through a more legal perspective and also pointed to potential shortcomings of co-management and urban planning in trying to recognise Māori rangatiratanga, and potential ulterior motives of the Crown for doing so.

The four articles were annotated critically to help understand better where Treaty relations under planning have stood, stand currently, and may stand in the future.

Article 1: Imagining a decolonized city in and from Aotearoa New Zealand (Kiddle et al., 2023)

This paper focuses on imagining a future decolonised city in Aotearoa New Zealand. The paper summarises research findings from three phases where an urban design competition was first held, followed by workshops and a symposium.

The authors translate Rangatiratanga into English as sovereignty. Still, their understanding of rangatiratanga is not as narrow as the European translation, the evidence being the care given to the research design, which demonstrates the tino rangatiratanga concept. Whilst the research team did include pakeha, the research team was led by Māori. Ngāti Toa Rangatira educators and academics from Māori studies were included, creating a team led by Māori, for Māori, and with Māori. Ensuring rangatiratanga over the research project was done intentionally, to imagine how decolonisation may take shape when coming from Māori but including Pakeha and others.

The research paper's primary purpose is to utilise utopian thinking as a decolonisation tool, freeing imaginations from colonial thinking, to ascertain what a decolonised city would feel like. Though arguably this argument is not made directly by the authors, the paper's central argument can be easily understood as urban planning is a colonial tool and has prevented tino rangatiratanga.

Though urban planning as a field is never directly named throughout the paper, its presence can be felt throughout.

In the background section, the historical sins of urban planning are explored, painting a picture of the planning institution as a tool of the settler state during 1948-1960, when acres of Ngāti Toa Rangatira land were confiscated under public work legislation for general housing. This, while not directly doing so, paints a clear picture of urban planning as a European concept, with disregard for Māori values or rangatiratanga, and as a settler state, to use for the betterment of its settlers and settlements.

Moreover, urban designers are called out as engaging in Māoriness, but only to a superficial extent, not as a practice of decolonisation; and Ihumātao is explored as an example where Western institutions have failed in recognising their wrongdoing, and Māori protest has resulted as a tool of decolonisation in action.

These examples are evidence of the prevention of Māori rangatiratanga by urban planning, whether due to negligence or malice.

The essay holds an excerpt of an email forwarded to the team in charge of the project, which reads "If you want me to design a pre-colonised city, return me to my original place in society as a Chief with sovereignty over my own lands and I will show you what an imagination free of 200 years of racism and oppression can conceive..."

This excerpt is a powerful demonstration of just how far Aotearoa is from true rangatiratanga, past Treaty settlements and unfairly confiscated lands, runs a deeper wound; whether Māori have their land or not does not matter, as they do not have control over that land. The settler state has set up the planning apparatuses to directly oppose Māori from exercising their rangatiratanga over their lands, whether in fisheries or urban development.

The author's argument that urban planning has prevented tino rangatiratanga is backed by historical evidence, and present-day research which asserts that urban planning as an institution prevents decolonial thinking, and strips Māori of their power over their resources and hands it to a settler institution.

Article 2: Exploring the opportunity of co-design: a framework for recognising tino rangatiratanga in the environmental policy-making space in Aotearoa (Dale-Dickson, 2022)

The thesis's central argument is that whilst there has been growing consideration of integration of mātauranga Māori into national-level resource management policies and co-management schemes, tino rangatiratanga is being undermined as the language utilised otherises Māori issues and mātauranga Māori, not properly aiding their integration into the wider resource management system and reserving their application only to specific issues.

The author first explores the historical context to construct this argument, explaining that the Declaration of Independence of New Zealand reaffirmed Māori sovereignty. The author states that Māori did not cede sovereignty in the Treaty of Waitangi, and that the Treaty is an agreement of authority and power sharing.

The thesis explores how planning, a Western institution, can live up to its obligations as a treaty partners. The New Zealand Coastal Policy Statement 2010 and the National Policy Statement for Freshwater Management 2020 are analysed by the author as evidence that the integration of mātauranga Māori and te ao Māori has otherised Māori and their issues and undermined tino rangatiratanga, the opposite of their supposed stated goals. The author argues that this is done through distinct concerns as Māori or non-Māori, symbolising the ideological division of the Western planning system and Kaupapa Māori and preventing the integration of the two into a cohesive bi-cultural planning system.

The author explores how mātauranga Māori is often criticised and not understood as science due to not being western, before stating that if this criticism of western knowledge systems were to stop, mātauranga Māori could be integrated into western environmental management and policy-making systems, leading to policies that are just as effective, if not more effective, than Western policies, while upholding tino rangatiratanga in engaging mana whenua in creating such policies.

This excerpt succinctly summarises the author's views on tino rangatiratanga and institutions of planning as they stand, and potential ways to change them: "What needs to

change is ‘who’ is in the position of deciding when and where it is applicable. Understood in the Aotearoa context, this means that to uphold tino rangatiratanga, Māori must decide when and where mātauranga is applicable, not the crown.”

The author also explores co-governance. The author first explores Māori governance over Māori-focused services and explains how such systems often produce better outcomes for Māori. But the author critically asks, are these arrangements done to recognise tino rangatiratanga and improve outcomes for Māori, or as outsourcing services in a neoliberal market?

The author further explores co-governance as an outlet for a bi-cultural planning model, where the conversations with tangata whenua can lead to positive outcomes and recognition of tino rangatiratanga; however, the author is cautious about whether such practices go far enough or are reincarnations of neoliberal practices.

The author's main argument is backed up by historical evidence and discursive analysis of semantic and linguistic patterns embedded in national-level resource management policies.

Article 3: 'Returning resources alone is not enough': imagining urban planning after Treaty settlements in Aotearoa New Zealand (Livesey, 2019)

The author's main argument is that urban planning prevents Māori tino rangatiratanga by not recognising the importance of 'economic sovereignty' concerning land development of lands returned to Māori following the Treaty settlement process.

The author has a clear understanding of tino rangatiratanga as it relates to planning, as the author argues that the returning of resources such as land under Treaty settlements is not enough to honour the Treaty and Māori rangatiratanga, as authority over those returned resources is still held by local governments, who give little thought to how to honour their Treaty obligations.

To back up these claims, the author explores a case study focusing on the treaty claim of Waikato-Tainui. Waikato-Tainui's land was stolen in 1863, during the invasion of Waikato. In 1995, Treaty settlements were completed to return some lands to Waikato-Tainui. The author focuses on developing a specific piece of land at Te Rapa. Following the 1995 settlement, Waikato-Tainui transferred holdings to its commercial arm, Tainui Group Holdings, which aimed to develop the land as large-format retail; this went against Hamilton City Council's vision, which aimed to prevent suburban retail developments hollowing out the importance of the city centre.

The requirement for consultation with tangata whenua was not met. The author argues that by not naming Waikato-Tainui as the owners of the land upon which the development is proposed, the planners make Māori invisible, and despite the planner's decision having a significant effect on whether or not the iwi can rebuild its economic base, consideration of these factors seems not relevant.

The author's example clearly backs up the claims that urban planning as a settler institution is preventing the realisation of tino rangatiratanga, as final decision-making power is held in the hands of planners, who have little interest in even engaging with dialogue with tangata whenua, let alone promoting tino rangatiratanga.

The author further explores the concept of economic sovereignty as set out in Whakatupuranga Waikato-Tainui 2050. Economic sovereignty is explained as linking economic development with tribal identity and tribal independence, emphasising that the commercial benefits of developments by iwi, benefit the iwi's tribal members and the wider public community.

Moreover, the author explores how the economic success of iwi is deeply linked to their cultural and social success. This further expands the concept of tino rangatiratanga as it explicitly states that commercial development of treaty settlement land through increasing the economic base of tangata whenua better allows cultural expression and social success; therefore, sovereignty over how these lands are developed is essential.

The author provides various sources of evidence to back up the claim that economic sovereignty is essential to realising Māori tino rangatiratanga, and that urban planning as a field has repeatedly failed to take these issues and address their Treaty obligations following treaty settlements.

Article 4: Recognising Rangatiratanga through Co-management: The Waikato River Settlement (Wevers, 2013)

The article's main argument is that the Treaty of Waitangi is a partnership, and co-management provides an essential way to exercise rangatiratanga, whilst strengthening fundamental aspects of the Westminster parliamentary system.

The author clearly understands urban planning as essential in Treaty relations due to its control over resources and how they are managed or developed. The author states that the right for management of resources is devolved to local government, which may or may not consult with mana whenua, and will almost certainly not give Māori rangatiratanga over resources, as was guaranteed in Article II.

The author states that Māori have no legal sovereignty, do not make laws, nor have any real decision-making power; despite having never seceded their rangatiratanga. The author argues that due to this lack of legal sovereignty, co-management regimes are a preferred legal and political solution to address Māori rangatiratanga over resources.

However, the author's conception of rangatiratanga is slightly flawed; the way rangatiratanga is described as working in a co-management scheme is not accurate; it is argued that co-management can be seen as a partnership; however, the way that the Crown's right to govern with rangatiratanga over resources is phrased points to co-management not being so much about giving Māori rangatiratanga, but rather legitimising the falsely claimed rangatiratanga of the Crown.

This reading of the authors work may however in itself be flawed, as the author is mainly painting the spectrum of possibilities when engaging in co-governance, ranging from Māori veto powers, or Māori having no greater rights than the general public in consultation; however it is clear, but not pointed out by the author explicitly, that somewhere along that spectrum, Māori are not given rangatiratanga over their resources. Therefore, Treaty relations are effectively back at square one.

The author explores the Waikato River Authority as an example of a co-management body, and in doing so explores the local government and planning apparatuses and their potential for co-management and realising rangatiratanga. However, the author's conception of rangatiratanga as it relates to the management of resources once again seems flawed.

It is argued that by local government and iwi coming together in good faith, structures can be established to protect rangatiratanga; however, simultaneously, the author argues that such a scheme protects the Crown's right to govern. There is a tension in the writing, and it is unclear whether the writer is simply pragmatic about the world and treaty relations, in that co-management is a compromise that must be made, as it is the best possible solution forward for achieving as much Māori rangatiratanga as possible; or whether the author truly believes that the crown's right to govern, supersedes that of Māori rangatiratanga over natural resources.

Overall, the author provides evidence to back up the main argument; however, the conceptual understanding of what tino rangatiratanga seems slightly flawed throughout the article, and it seems to suggest that the actual main argument of the paper may be that the Crown may utilise co-management to legitimise its own falsely claimed tino rangatiratanga, rather than provide an avenue for Māori rangatiratanga.

Conclusion

The four articles demonstrated considerable variation in their conception of tino rangatiratanga and avenues for enabling tino rangatiratanga within the field of urban planning.

Kiddle et al. (2023) Demonstrate a broad conceptual understanding of tino rangatiratanga and explore how urban planning as a field has not only historically diminished Māori rangatiratanga but continues to do so through limiting the imagination of Māori, and makes the case for decolonisation in action, whereas Wevers (2013) explores co-governance, and seems to have a flawed understanding of tino rangatiratanga, believing that under co-management schemes the Crown can still hold their (falsely claimed) tino rangatiratanga, whilst Māori do the same.

However, governance and sovereignty are differing concepts, and for a co-governance scheme to ensure the rangatiratanga of Māori, it needs to be designed in a way that empowers Māori decision-making, rather than placating and tokenising them in the pursuit of legitimising the Crown's falsely claimed tino rangatiratanga.

Livesey (2019) explores tino rangatiratanga through the lens of economic sovereignty and expands the conversation into arguing that if iwi cannot develop their Treaty settlement lands, their rangatiratanga is prevented, not only through limiting their decision making over their resources, but also through limiting their socio-economic development and capacity building.

Dale-Dickson (2022) provides an interesting analysis of how mātauranga Māori has been attempted to be integrated into national-level resource management policies, and paints a picture where Māori are once again being tokenised, rather than truly having their rangatiratanga recognised and provided for.

However, all four articles point to a future where a bi-cultural planning system that recognises and is based on the Treaty can exist and provide for Māori rangatiratanga whilst ensuring even better environmental, social and economic outcomes, as current western plans provide for.

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Appendices

Appendices 1 | Literature Search Pathway

Searched for... (e.g. keywords, subject headings)	Looked in... (e.g. Library Catalogue, database name)	Results (Lots of hits? None? Anything else to help you track your pathway?)	Notes (Anything useful? Other searches to try?)
Exact phrase, title, “Māori” AND any field, exact phrase, “urban planning”	Library Catalogue Filters: Articles and more 2000 onwards	134 results Many are irrelevant, and more are looking at urban concepts rather than urban planning.	Can use co-governance, urban development, environmental planning, or Tino rangatiratanga. Many results focused on health and not urban planning.
Any Field, all words, “Rangatiratanga” AND Any Field, All Words, “Resource Management”	Library Catalogue Filters: Articles and more 2000 onwards	17 Results, some duplicates, but highly relevant results	Can try Māori sovereignty or indigenous planning
Any Field, all words, “Rangatiratanga” AND Any Field, All Words, “Environmental Planning”	Library Catalogue Filters: Articles and more 2000 onwards	17 Results, only two relevant	I have found 13 relevant articles total and will stop the search, but if, upon further reading, the articles are not appropriate, I can try searching for sovereignty within planning, which I haven't done yet.

Appendices 2 | RefWorks Citations

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Appendices 3 | CRAAP Test

Citation 1: IMAGINING A DECOLONIZED CITY IN AND FROM AOTEAROA NEW ZEALAND	
Currency	This peer-reviewed article was published in the Journal of Urban and Regional Research in 2022. This is a highly relevant and up-to-date article, exhibiting high currency.
Relevance	The information is highly relevant; the article explores decolonisation in an urban environment and explores the concept of Māori Authority throughout the project design. The issues covered are a little more surface-level; however, the scholarly level of the article and its unique outlook in imagining
Authority	The authors include local iwi educators, environmental experts and academics from Māori Studies and Architecture and Environmental Studies from Te Herenga Waka. The New Zealand National Commission provided funding for UNESCO. The article has been referenced only once, but it is a
Accuracy	The information comes from a research project conducted by an educational body, sponsored by a government agency. There are no grammatical errors, and the information is research-based, indicating high accuracy.
Purpose	The information aims to imagine a future decolonised city, using utopianism to construct hope and explore decolonisation. The purpose is made clear, and the authors are forthcoming about their funding and present information in an objective manner, describing experiences throughout the research project.
Would you use this in your assignment?	It is highly relevant and takes a unique approach to exploring urban planning and tino rangatiratanga.

Citation 2: Exploring the opportunity of co-design: a framework for recognising tino rangatiratanga in the environmental policy-making space in Aotearoa	
Currency	This thesis was published in 2022, making it highly current.
Relevance	The article explores co-design, environmental planning, and rangatiratanga, making it highly relevant to the research. Being a thesis, the topics are covered in extreme depth.
Authority	This thesis was submitted in partial fulfilment of the requirements for the degree of Master of Arts in Political Science and International Relations in 2022. No contact information is given, but the author's credentials and the educational organisation to which the thesis was submitted are clear. Being
Accuracy	The information is highly accurate, referenced, and verifiable personally and through other references. There are no grammatical errors. The organisation is educational in purpose.
Purpose	The article explores the opportunity for co-design in policy making, particularly in the context of National Policy Statements under the Resource Management Act, in honouring Te Tiriti O Waitangi.
Would you use this in your assignment?	Whilst this thesis has slightly less authority than a peer-reviewed journal article, it is highly relevant and explores concepts at a profound level, and I will use it.

Citation 3: 'Returning resources alone is not enough': imagining urban planning after Treaty settlements in Aotearoa New Zealand	
Currency	This article was published in 2019 and is recent enough to utilise for research in this assignment.
Relevance	The article is highly relevant, exploring planning, sovereignty and decolonisation in a New Zealand context. The topics covered are examined thoroughly. The intended audience is planners and policymakers.
Authority	This is a peer-reviewed article published in Settler Colonial Studies. Contact information is provided. Acknowledgement is supplied to the New Zealand Centre for Sustainable Cities and Waikato-Tainui College for Research and Development, Hamilton City Council and Waikato Raupatu Lands Trust for
Accuracy	There are no grammatical errors, and the information is appropriately referenced and verifiable, some personally and others from other sources. The organisation is educational.
Purpose	The authors intend to explore urban planning after treaty settlements and are very clear about this. The purpose is to inform planners and policy makers of current pitfalls and potential future actions to honour Te Tiriti.
Would you use this in your assignment?	I will use this for my assignment as the content is highly relevant and takes a unique approach in exploring the current pitfalls of planners in honouring Te Tiriti due to being bound by a settler colonial planning system. The information is also highly accurate and current.

Citation 4: Recognising Rangatiratanga through Co-management: The Waikato River Settlement	
Currency	The article was published in 2013 but written in 2011; though not highly recent, the content is still current.
Relevance	The article is highly relevant in that it explores co-management, rangatiratanga, and environmental management to a high degree of depth.
Authority	This is a peer-reviewed article published in the New Zealand Law Review. The article won the Legal Research Foundations Unpublished Student Paper Award 2011.
Accuracy	The information is accurate, the article is thoroughly referenced, and the information is verifiable.
Purpose	The purpose of the article is to argue that co-management schemes provide a way for the Crown to meet its Treaty Obligations.
Would you use this in your	I will use this reference in my assignment as it points to co-governance as a way of recognising rangatiratanga in environmental planning and is relatively current and highly accurate.

Appendices 4 | Glossary

- Aotearoa - **(location)** North Island - now used as the Māori name for New Zealand.
- Hapu - **(noun)** kinship group, clan, tribe, subtribe - section of a large kinship group and the primary political unit in traditional Māori society. It consisted of a number of *whānau* sharing descent from a common ancestor, usually being named after the ancestor, but sometimes from an important event in the group's history. A number of related *hapū* usually shared adjacent territories forming a looser tribal federation (*iwi*).
- Iwi- **(noun)** extended kinship group, tribe, nation, people, nationality, race - often refers to a large group of people descended from a common ancestor and associated with a distinct territory.
- Kaupapa Māori - Māori approach, Māori topic, Māori customary practice, Māori institution, Māori agenda, Māori principles, Māori ideology - a philosophical doctrine, incorporating the knowledge, skills, attitudes and values of Māori society.
- Kāwanatanga – **(loan) (noun)** government, dominion, rule, authority, governorship, province
- Māori - **(noun)** Māori, indigenous New Zealander, indigenous person of Aotearoa/New Zealand
- Mātauranga Māori - **(noun)** Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.
- Pākehā - **(noun)** New Zealander of European descent - probably originally applied to English-speaking Europeans living in Aotearoa/New Zealand.
- Tangata whenua - **(noun)** local people, hosts, indigenous people - people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placenta are buried.
- Taonga - **(noun)** treasure, anything prized - applied to anything considered to be of value including socially or culturally valuable objects, resources, phenomenon, ideas and techniques.
- Tino rangatiratanga – **(noun)** self-determination, sovereignty, autonomy, self-government, domination, rule, control, power.
- Tiriti O Waitangi - **(loan) (noun)** Treaty of Waitangi.
- Definition derived from Te Aka Māori Dictionary (n.d.-a)