

SUSTAINABLE  
SEAS

Ko ngā moana  
whakauka

# Te Pā o Tangaroa – asserting mana moana in customary fisheries management



Report

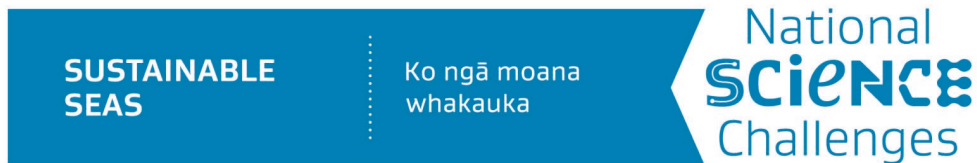
## Report for Sustainable Seas National Science Challenge project, *Huataukina o hapū e!*

### Date of publication

June 2024

### For more information on this project, visit:

[sustainableseaschallenge.co.nz/our-research/huataukina-o-hapū-e!](https://sustainableseaschallenge.co.nz/our-research/huataukina-o-hapū-e!)



### About the Sustainable Seas National Science Challenge

Our vision is for Aotearoa New Zealand to have healthy marine ecosystems that provide value for all New Zealanders. We have 75 research projects that bring together around 250 scientists, social scientists, economists, and experts in mātauranga Māori and policy from across Aotearoa New Zealand. We are one of 11 National Science Challenges, funded by the Ministry of Business, Innovation & Employment.

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## About this document

Ngā hapū o Ngāti Porou face significant challenges in restoring our moana to a state of mauri ora. This challenge is also reflected in marine environments around New Zealand. Ecosystem-based management (EBM) is promoted with urgency to all agencies responsible for and impacting marine management. Integrating mātauranga with EBM has advantages. Mātauranga-a-hapū including hapū values and kaitiaki practices are central for hapū to effectively participate in management and policy processes for our oceans and coasts.

Mātauranga-inspired frameworks and tools like Te Pā o Tangaroa and the Toitū Decision-Making Tool have been developed to support hapū developing their capability. Hapū have a key role to play in growing the capability of all people and agencies responsible for marine and fisheries management to align with mana moana outcomes.

This document reports on a Sustainable Seas National Science Challenge project, *Huataukina o hapū e!* and recommends ways to support mana moana in marine and fisheries management. It is aimed at Takutai Kaitiaki Trusts within Ngā Rohe Moana o Ngā Hapū o Ngāti Porou.

## Recommendations

To assert mana moana in marine and fisheries management, we recommend the following.

1. Te mauri ora o te moana needs to be the primary outcome of marine management.
2. Transitioning towards that outcome will require a holistic, integrated, and balanced approach to marine management. Ecosystem-based management (EBM) promotes this along with placing the sea and those with relationships to the sea at the centre of the management regime. Collective processes and approaches are required to manage the complex and competing interests.
3. Hapū values and expressions of kaitiakitanga are able to inform mātauranga frameworks that can be used in EBM practices. Mātauranga should not be disconnected from the people, their place, and their practices.
4. Agencies responsible for marine management need to develop their capability in understanding hapū values, relationships, practices, and knowledge. Hapū can assist in strengthening agency capability. This is critical to give effect to the commitments made by the Crown in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
5. Managing the marine environment and the associated stakeholder relationships is complex. Hapū need to actively encourage unified relationships as well as their effective advocacy for hapū priorities. Hapū navigators play a crucial role in helping hapū and communities understand planning processes and developing policy.
6. Kaitiaki Trust representatives need to comprehend their governance roles and responsibilities and grow their capability to articulate and give effect to the legal instruments. Mapping out the mechanisms in the Deed of Agreement (2008 and 2017) and enabled by the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 by way of mātauranga (wānanga and whakapapa) approaches is effective.
7. Implementation aided by tools like Te Pā o Tangaroa and the Toitū principles affords hapū significant agency in achieving transformative outcomes. Hapū developing capability in using Systems Change would achieve this transformation faster.

# Law, principles, and values to turn the tide on declining health of the moana

*Ko Hikurangi te maunga*

*Ko Waiapu te awa*

*Ko Ngāti Porou te iwi*

*Ko Tahuna te take*

***Ko Ngā Rohe Moana o Ngā Hapū o Ngāti Porou te ture!***

Our moana is in a state of decline and we are experiencing various challenges to access our beaches, impacts on our kai stocks, and degradation of their habitat. Commercial fishing in our kāpata kai is a significant issue for us. Such impacts affect our local livelihoods and the wellbeing, identity, and practices we have with our moana.

Ngā hapū o Ngāti Porou have had little to no involvement in fisheries and ocean management. Our inability to influence and improve outcomes in our moana and for our kāpata kai is further limited by competing and fragmented interests, land-use impacts, and climate change. These management regimes do not sufficiently enable expressions of kaitiakitanga and hapū values to be used within current ecosystem-based management (EBM) practices.

## Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (the Act)

The Act provides hapū a range of legal mechanisms and instruments to manage their coastal marine area in partnership with various Crown agencies, aligned with hapū values and tikanga.

Ngā rohe moana o Ngāti Porou includes approximately 75% of the seaward area of the tribal boundary of Ngāti Porou from the Mean High Water Springs (MHWS) out to 12 nautical miles (Figure 1).

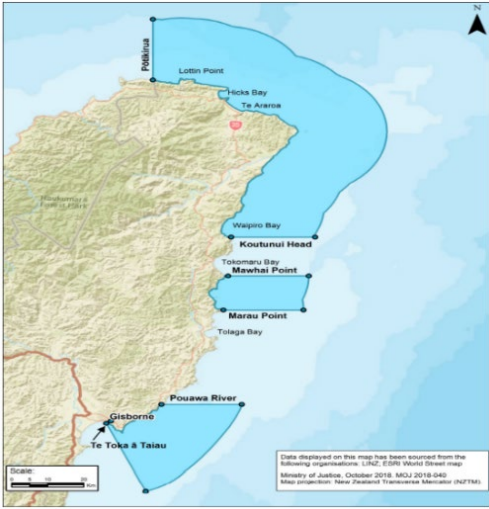
Map of ngā rohe moana	Management arrangements
	<p>There are six established under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:</p> <ol style="list-style-type: none"> <li>1. Potikirua ki Whangaokena Takutai Kaitiaki Trust.</li> <li>2. Whangaokena ki Onepoto Takutai Kaitiaki Trust.</li> <li>3. Te Papatipu o Uepohatu me te Papatipu o te Ngaere Takutai Kaitiaki Trust.</li> <li>4. Te Aitanga a Mate Te Aowera and Te Whānau a Hinekehu Takutai Kaitiaki Trust.</li> <li>5. Ngā Hapū o Waipiro Takutai Kaitiaki Trust; and</li> <li>6. Ngāti Wakarara - Ngāti Hau Takutai Kaitiaki Trust</li> </ol> <p><b>Source: Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Schedule 3.</b></p>

Figure 1: Ngā Rohe Moana o Ngā Hapū o Ngāti Porou and management arrangements

Any person, including the Crown, who is in or impacting ngā rohe moana o Ngāti Porou is required to engage with the relevant management arrangement. Engagement can include the requirement to consult; provide notice to, consider, or take into account the views of; or seek the consent or permission of the hapū.

The Toitū principles (Toitū te mana atua, Toitū te mana whenua me te mana moana, Toitū te mana tangata and Toitū te Tiriti) underlie the legal expression, protection, and recognition of mana of hapū in relation to ngā rohe moana o ngā hapū o Ngāti Porou. The principles contribute to acknowledging the rights of hapū and to facilitate policy being informed by hapū values and practice.

The instruments and mechanisms of the Act are listed in Schedule 2 of the Deed (2008 and 2017) and are:

- Part A - Statutory Overlay
- Part B - Environmental Covenant
- Part C - Conservation Mechanism
- Part D - Relationship Instruments
- Part E - Fisheries Mechanism
- Part F - Wāhi Tapu Protection
- Part G - Protected Customary Activities
- Part H - Pouwhenua Instruments

As part of the Crown's recognition of the mana of hapū in ngā rohe moana o ngā hapū o Ngāti Porou, these legal instruments, secure the rights, obligations and duties of partners to the Deed (2008 and 2017) including agencies like, for example, the Gisborne District Council, Fisheries New Zealand, and the Department of Conservation.

Together, the *Fisheries Mechanism*, the *Fisheries Extended Mechanism*, and *Fisheries Relationship Instrument* enables hapū to create new customary fishing regulations within their rohe and provides hapū with the rights to set rules for customary food gathering including tauranga ika and mahinga mātaītai. In practice, this means that ngā hapū o Ngāti Porou will develop customary fishing regulations in conjunction with Fisheries New Zealand, to implement customary fisheries management plans for their rohe, and manage fisheries in a sustainable manner. The Fisheries Relationship Instrument provides for the Takutai Kaitiaki Trusts to develop an integrated customary fishing regime across all internal waters, territorial waters, and the exclusive economic zone within ngā rohe moana o ngā hapū o Ngāti Porou.

## Systems Change is a useful concept

Systems Change is “about advancing equity by shifting the conditions that hold a problem in place” (Kramer et al 2018)). It requires using the principles and practices of systems thinking. The six conditions of systems change is presented in the inverted triangle framework below (Figure 2).

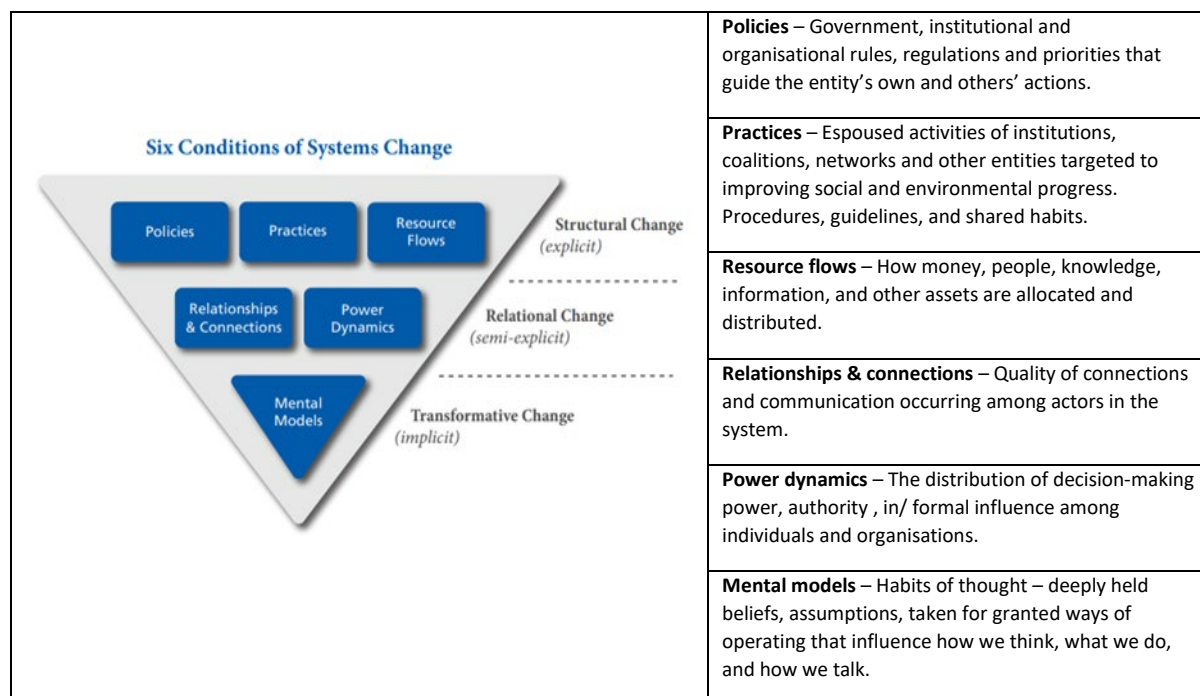


Figure 2: Six Conditions of System Change, (FSG, 2018)

Systems Change is useful as it offers itself as another tool to assist hapū the opportunity to really see the potential and advantage within the Toitū principles, instruments, and mechanisms within the Deed (2008 and 2017), the Nga Rohe Moana o Nga Hapū o Ngāti Porou Act 2019, and the customary fisheries plans developed.

## Implementation challenges exist

Successful implementation of mātauranga-informed management faces several challenges.

It is important to strengthen the capabilities of all involved parties including agency officials such as local authorities and Fisheries New Zealand as the main regulatory authority for fishing. Enhancing the capability across the Takutai Kaitiaki Trusts and hapū members for mana moana governance using the Act is also critical.

While Trust representatives and hapū members may be well-versed in their tikanga obligations, translating that mōhiotanga and advocating for their values and priorities in bureaucratic settings is not a straight-forward exercise. Officials from local and central government lack familiarity with and application of hapū concepts or frameworks in policy and planning.

The scope of capability required involves advocacy, governance, policy development premised on hapū values and priorities, relationship management and enabling collective processes for collective benefits and outcomes.

There is a need to enhance the capability of Takutai Kaitiaki Trust representatives to comprehend their governance roles and responsibilities and actively encourage and promote unified hapū

relationships as well as their effective advocacy for hapū priorities leveraged by the customary fisheries management plans and the other instruments.

## Essential tools to progress mana moana outcomes

Hapū values and mātauranga-based frameworks are essential tools for hapū to progress mana moana outcomes in fisheries management.

1. Te mauri ora o te moana needs to be the explicit primary goal in marine and fisheries management. Mātauranga-a-hapū can inform this. Co-opting Māori perspectives into business-as-usual approaches and standardised templates is not mātauranga-informed management. Agencies and stakeholders in, or impacting Ngā Rohe Moana o Ngā Hapū o Ngāti Porou, should avoid this.
2. Actively recognise and integrate hapū values, principles and practices into fisheries management alongside Eurocentric approaches. Te Pā o Tangaroa is an example of this. This integrated approach provides a framing to address the competing interests and stressors on the coastal marine area. Wānanga is critical for exploring the interplay between the two.
3. It is essential to shift from individual priorities to utilise collective processes to determine priorities for natural resources like the marine environment. A call is made for a fundamental shift in agencies governing natural resource management towards governance focusing on the health of the natural resource and the values and collective benefit/s associated with the natural resource.
4. Hapū play a role in strengthening agency capability to give effect to the commitments made by the Crown in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. Officials' struggles with the Deed of Agreement (2008 and 2017) and the Act underscore the importance of hapū engagement within Fisheries New Zealand and other government agencies' processes to prioritise their concerns and potential resolutions.
5. Managing the marine environment and the associated stakeholder relationships is complex. Hapū navigators play a crucial role in helping hapū and communities understand planning processes and policy development. Also, of importance is to actively encourage unified hapū relationships as well as their effective advocacy for hapū priorities.
6. The capability of Takutai Kaitiaki Trust representatives must be enhanced so they comprehend their governance roles and responsibilities. Mapping out the mechanisms in the Deed of Agreement (2008 and 2017) and enabled by the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 by way of mātauranga (wānanga and whakapapa) approaches is effective.
7. Implementing the customary fisheries management plans framed by Te Pā o Tangaroa and the Toitū principles affords hapū significant agency in achieving transformative outcomes. Hapū developing capability in using Systems Change would achieve this faster.

The approach of using hapū values and mātauranga frameworks builds on substantial work done through previous research of relevance in the region (e.g., Harmsworth et al. 2004; Ruru & Kanz, 2019; Hepburn et al. 2012).

## About the research

*Huataukina o hapū e! Prosperous Moana Prosperous People* research project recognises the value of mātauranga-a-hapū (hapū values, perspectives, priorities, aspirations, knowledge and practices) alongside science as essential for informing planning processes.

The research supported research partners Nga Hapū o Waipiro (Takutai Kaitiaki) Trust and Te Aitanga a Mate, Te Aowera, Te Whānau a Hinekehu Takutai Kaitiaki Trust, the management arrangements in Waipiro and Whareponga. Through a series of wānanga, the research supported the partners to learn about and navigate the key elements of the Deed of Agreement (2008 & 2017) enabled by Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. These focused on the Toitū Principles and the various mechanisms and instruments of the Act.

Customary fisheries plans were a priority. The plans were co-developed using Te Pā o Tangaroa, a hapū-endorsed framework used to guide the development and implementation of customary fisheries management plans by two of the management arrangements partnering in this research.

Using this framework requires hapū to rely on their mātauranga to inform the plan and as kaitiaki, determine how their mātauranga guides each stage of fisheries management, planning and implementation. In this way kaitiaki were asked to share mātauranga-a-hapū and actively work to integrate it in decision-making.

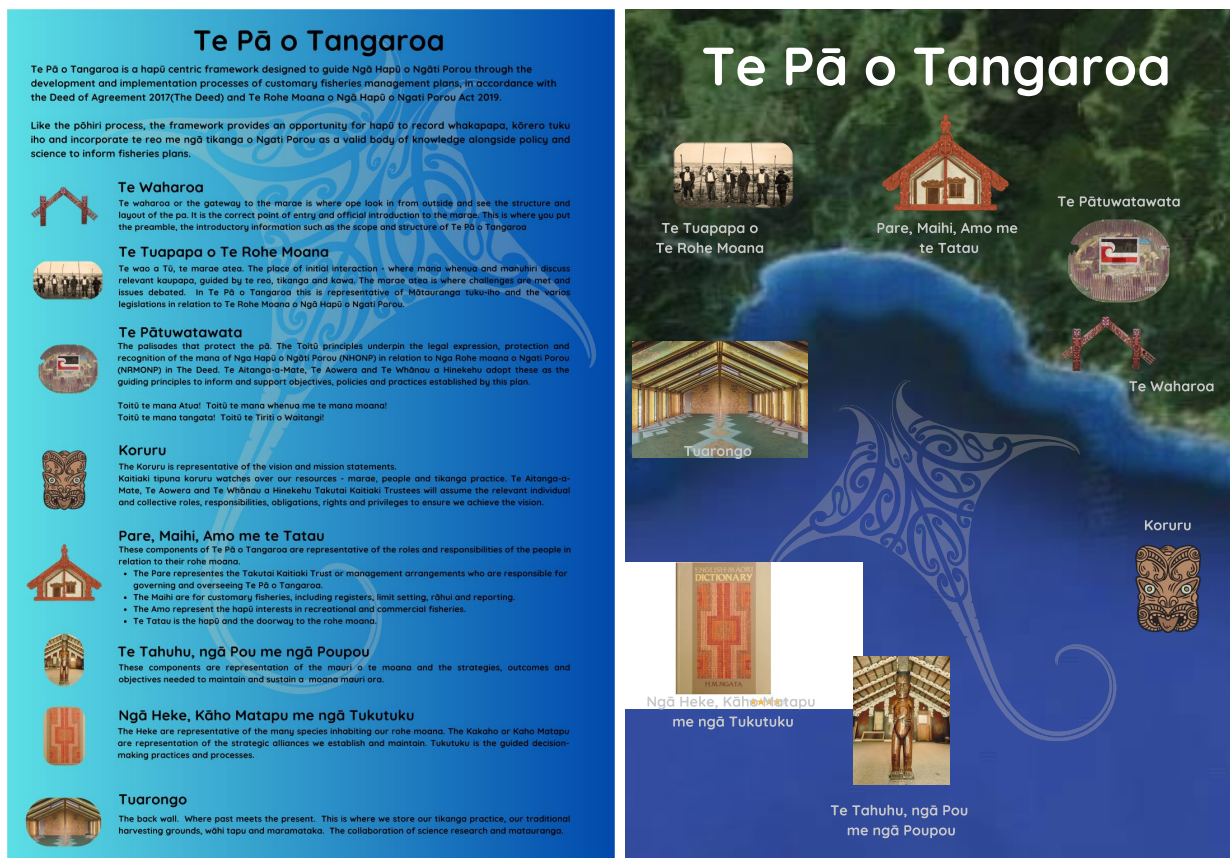


Figure 3: Te Pā o Tangaroa (Infographics have been developed by S. Heeney, 2024).



Te Pā o Tangaroa (Figure 3) provides an opportunity for hapū to record whakapapa, kōrero tuku iho, and incorporate te reo me ngā tikanga o ngā hapū o Ngāti Porou as a valid body of knowledge alongside policy and science to inform fisheries plans. Te Pā o Tangaroa allows whānau and hapū to unpack complex situations, legislation, and policy over time, leading to collectively understood and better-informed decisions. Local practitioners feel more comfortable participating in discussions facilitated by trusted ahikaa in a marae wānanga setting.

Several components of this framework were considered important for the successful implementation of a customary fisheries management plan that’s informed by hapū values. These components have a duality across physical function as well as representation or acknowledgement of cultural and spiritual values associated with or in the pa and whare.

Developing customary fisheries plans using this approach has identified opportunities for transformed practice, relationships, and decision-making in support of and centred on hapū-led kaitiakitanga. Insights from such opportunities have enabled other tools and resources to be developed (Figure 4).

The value of this tool is to support making decisions aligned to the Toitū Principles. The tool is used to comprehensively consider and evaluate a decision and the ability of that decision to give effect to the strategic and management objectives in the customary fisheries plan as well as the requirements of implementing the decision. This guidance tool should be used in conjunction with The Toitū Principles (Te Pā Tuwatawata element of) Te Pā o Tangaroa.

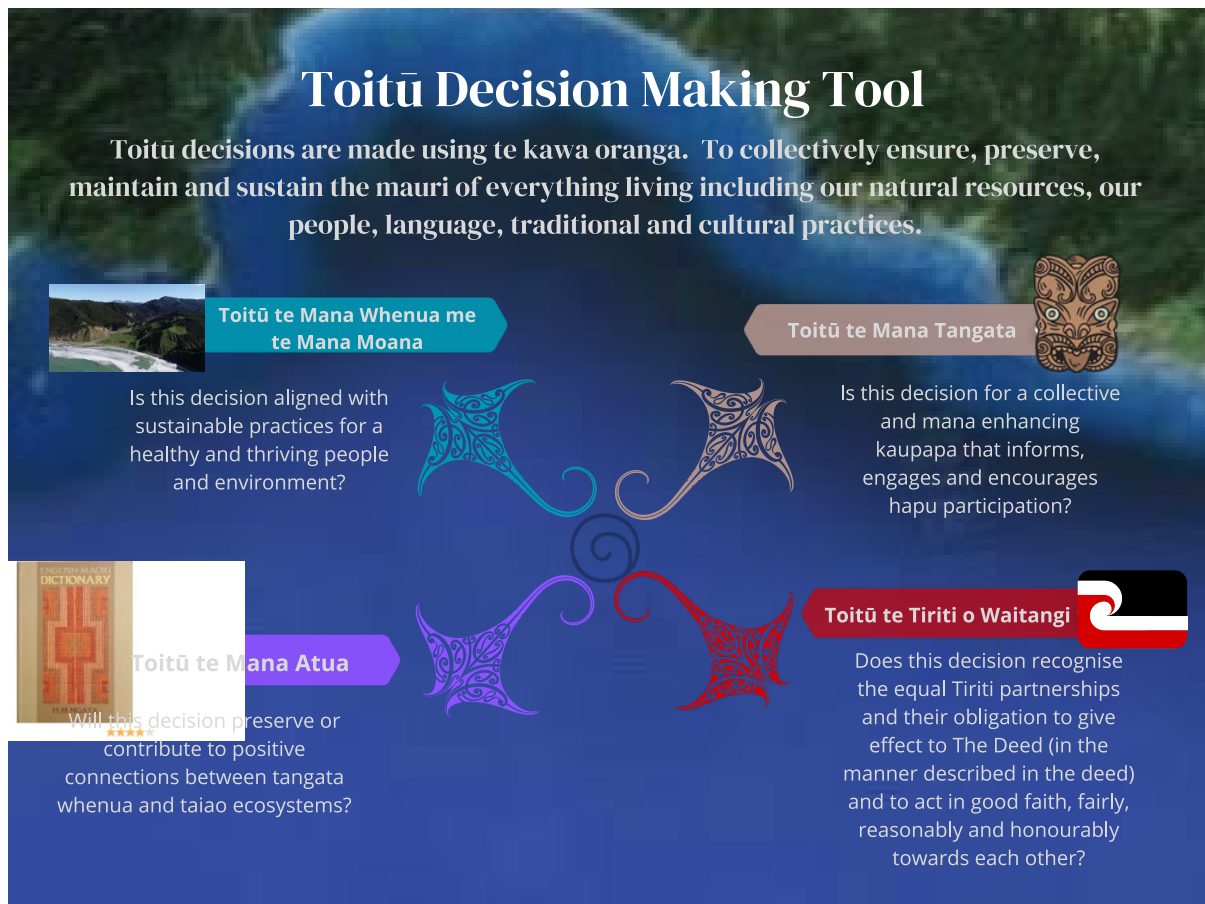


Figure 4: Toitū decision-making tool (infographics have been developed by S. Heeney, 2024).

## Definitions

**Deed of Agreement** (2008 & 2017) – In 2008 Nga Hapū o Ngāti Porou and the Crown reached agreement of our respective rights, interests and obligations to each other in relation to nga rohe moana o Ngāti Porou. This includes approximately 75% of the seaward area of the tribal boundary of Ngāti Porou from the Mean High Water Springs (MHWS) out to 12 nautical miles. This was agreed to through the signing of the Deed of Agreement in October 2008 (and subsequently amended in 2017 to provide for the Marine & Coastal Area Act 2011).

**Mātauranga** – is cultural knowledge attributed to people and their practices at their place. Can include traditional and historical bodies of knowledge, whakapapa (genealogy), te reo me ona tikanga (language, traditions and practices), values and aspirations. Mātauranga is dynamic not static. It also includes contemporary knowledge as each generation through their lived experiences and observations will contribute to the ever evolving and growing knowledge base.

Mātauranga can be passed down intergenerationally. Wānanga are an effective means of learning and understanding mātauranga. A critical premise is that mātauranga Māori should not be disconnected from place and people. Those working in this realm need to be guided by and partnering with the iwi, hapū and whānau in place.

**Mātauranga-a-hapū** – knowledge held and practiced by a hapū (sub-tribe).

**Nga hapū o Ngāti Porou** – refers to the hapū (sub-tribes) of Ngāti Porou

**Ngā Hapū o Ngāti Porou** – refers to the hapū represented by the respective management arrangements (Takutai Kaitikai Trust) and acting collectively in giving effect to the Deed of Agreement (2008 & 2017) and the Act.

**Nga Rohe Moana o Nga Hapū o Ngāti Porou Act 2019** – An Act enabling the Deed of Agreement 2008 & 2017.

**Rohe moana** – foreshore and seabed, coastal marine area pertaining to one of the six Management Arrangement Trusts under the Nga Rohe Moana o Nga Hapū o Ngāti Porou Act 2019.

**Takutai Kaitiaki Trust** – the legal entity or entities established under the Act representing the (respective) management arrangements.

**Te Pa o Tangaroa: The Domain of Tangaroa** – is used in this document as a mātauranga framework to guide the development of customary fisheries plans with two Takutai Kaitiaki Trusts who were research partners in this project.

## Disclosure

This work was funded by the Ministry of Business, Innovation, and Employment (MBIE) in the National Science Challenge for Sustainable Seas under MBIE CONTRACT NUMBER: CO1X1901.

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Customary Fisheries Planning Wānanga Te Whānau a Iritekura & Ngai Taharora, Iritekura Marae, 21 August 2022

Customary Fisheries Planning Wānanga, Nga Hapū o Waipiro, Iritekura Marae, 24 September 2022

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