PART ONE: KAITIAKITANGA AND GUARDIANSHIP

WĀHANGA TUATAHI: KAITIAKITANGA
The kaitiakitanga and guardianship of Tikapa Moana / Te Moananui-ā-Toi – The Hauraki Gulf Marine Park is both the focus of Part One, and the overarching theme of Sea Change – Tai Timu Tai Pari. Kaitiakitanga is commonly translated as guardianship or stewardship. Mana whenua are the kaitiaki of their ancestral lands, a responsibility of the highest order handed down to the current generation by their Tupuna (ancestors) over many centuries. Many other New Zealanders rely on and are passionate about the Hauraki Gulf, and the theme Kaitiaki and Guardianship acknowledges that mana whenua, the wider community, and their agencies, each has a role if the vision of Sea Change is to be realised.

Part One, Kaitiakitanga and Guardianship, is made up of two chapters. Chapter 2, mana whenua Mana Moana introduces the iwi (tribes) and hapū (sub-tribes) of Tikapa Moana / Te Moananui-ā-Toi, describes tikanga (values and practices) and their view of their world, then explains their legal and Treaty of Waitangi rights and interests. Chapter 3, Te Raranga - Weaving the Strands describes a synergistic, interwoven approach to restoring and safeguarding the Hauraki Gulf Marine Park. Mātauranga Māori and western knowledge are seen as complimentary rather than conflicting, and mana whenua and other New Zealanders passion and energy is harnessed, and their ways of doing things brought together.

Five initiatives are presented at the end of Part One. These condense the most significant intended planning responses and actions from the various subject-specific chapters of the Plan. They sift multi-stranded and sometimes complex issues objectives and courses of action into short clear statements of what needs to be done, and how we propose to do it.
2. MANA WHENUA

MANA MOANA

"Te mana Atua kei roto i te tangata ki te tiaki i a ia, he tapu"

Sustain the divine power that sustains wellbeing, sacred essence.

The Plan attempts to interweave Western perspectives, values, interests, and management approaches, with those of mana whenua. Mana whenua describes the relationship of Māori with their ancestral lands, and is the term used to refer to local iwi (Māori tribes) and hapū (sub-tribes) in the Plan. Mana translates as authority or prestige, and local Māori both derive mana from their lands and waters, and have customary authority over them.

Because Māori perspectives, values, interests, and management approaches are foreign to many New Zealanders, and as they are an integral part of the Plan we introduce the mana whenua iwi Māori (tribes) of Tīkapa Moana / Te Moananui-ā-Toi – the Hauraki Gulf Marine Park. We then explain mana whenua values and practices, briefly describe the current Treaty settlements environment in which Sea Change was developed, and consider Māori rights, interests, and practices arising from settlements, in common law or legislation, as these relate to the Hauraki Gulf Marine Park. Corresponding mana whenua issues, objectives, and actions are included throughout the sections of the Plan.

A MĀORI PERSPECTIVE OF TĪKAPA MOANA / TE MOANANUI-Ā-TOI

The Māori view of the world considers Aotearoa (the North Island) to be the fish, pulled up by the ancestral demigod Maui, from his waka Te Waipounamu – the South Island. Te Ika a Maui (the great fish of Maui) is conceptualised with its head to the south and tail to the north, so local Māori talk of travelling up to Wellington, while other New Zealanders talk of travelling down (see Maps 1.1 and 1.2 p. 4). The Coromandel Peninsula is known as Te Tara o Te Ika ā Maui, the barb on the tail of Maui’s stingray, or as Te Paeroa o Toitehuatahi (the long mountain range of Toitehuatahi). Maps in this chapter and for the place studies show this world view.

The name Tīkapa Moana refers to ceremonies held to protect the crews of the Tainui and Te Arawa waka (voyaging canoes) on the small island called Tīkapa or Takapū (which means gannet) off Cape Colville. Moana is the name attributed to the waters of the Hauraki Gulf and the Bay of Plenty, after the early Polynesian explorer Toitehuatahi. The two names are used together in the Plan to reflect different traditions of mana whenua across the Hauraki Gulf Marine Park. The tribes of Hauraki and Tāmaki descend from the crews of these and many other waka.

The Hauraki Gulf includes the earliest places occupied by Māori, some more than a thousand years ago according to tribal history. There are many accounts of journeys from Hawaiki to Rarotonga, the Tahitian Islands, then Rangiahua (the Kermadec Islands), ending in Hauraki and Tāmaki Makaurau. Tribal dynasties evolved from these ancient travellers, expanding through Aotearoa, often intermarrying with earlier peoples, adapting their traditions and practices to their new home. Tīkapa Moana / Te Moananui-ā-Toi has been intensively occupied since these earliest arrivals. The extent of historic occupation can be seen in Map 2.1 (over page), which shows recorded archaeological sites, defensive pā sites, and early Native Title Māori land blocks from the Native Land Court. While the recorded sites are thought to be only 30 percent of actual sites, they are strongly concentrated along the coast. This reflects Māori dependence on the moana, and that they were a seafaring people.

IWĪ OF HAURAKI AND TĀMAKI MAKARAU

Mana whenua of Hauraki, Tāmaki Makaurau, and Mahurangi include Ngāti Whātua, its hapu Ngāti Whātua o Orakei, and Te Uri o Hau, whose combined rohe (ancestral areas of interest) extends from the Kaipara Harbour to Mahurangi and into central Auckland. The combined rohe of Te Kawerau-a-Maki,
Ngāti Te Ata Waiohua, Ngāti Tamaoho, Ngāi Tai ki Tāmaki, Te Ahiwaru, and Te Akitai Waiohua extends from the Waikato River mouth to the western beaches north of Auckland, and across the Auckland Isthmus and inner Gulf Islands and back to the northern Kaiaua coastline. The rohe of Ngāti Wai, and its two hapū Ngāti Manuhiri and Ngāti Rehua extends from around Whangarei in the north, Aotea (Great Barrier Island), Hauturu (Little Barrier Island), and back to Warkworth. The Marutuahu confederation consists of Ngāti Maru, Ngāti Tamaterā, Ngāti Paoa, Ngāti Whanaunga, and the aligned Te Patukirikiri. The Marutuahu rohe is almost the same area as the Hauraki Gulf Marine Park, although it extends south toward Tauranga. Waikato-Tainui has interests in Tāmaki Makaurau. Ngāi Tai also has lands in Hauraki, along with Ngāti Hako, Ngāti Hei, Ngāti Porou ki Hauraki, Ngāti Pōkenga, Ngāti Rāhiri Tumutumu, and Ngāti Tara Tokanui. This list may not be complete, and many of these iwi have multiple hapū (sub tribes) with ancestral areas and interests inside and outside of the Hauraki Gulf Marine Park.

The lands of Tikapa Moana / Te Moananui-ā-Toi are unique in Aotearoa for the nature of tribal rohe. Elsewhere iwi occupy largely contiguous areas. While this occurs here too, these are interspersed with what Hauraki elder Taimoana Turoa called ‘kāinga pockets’, places where multiple iwi and hapū have interests. This is a product of a turbulent history and long competition for this most sought after place, and it’s many resources, and the relationships between iwi that have resulted. This tribal complexity has been a significant driver in the final shape of the Marine Spatial Plan, particularly for its Māori provisions such as the proposed Ahu Moana - mana whenua community co-management areas.

Descriptions of local mana whenua are provided in the place studies across the Plan. Today Māori have lost most of their traditional lands, as shown in Figure Two, but they continue to strive to fulfil ancestral kaitiaki obligations across their rohe. Today there is a resurgence of elements in the landscape that reflect mana whenua, pou (carved boundary markers), and Marae being two of the most visual elements, both often feature ancestors and events from over a thousand years of Māori occupation.

Today Māori hold little of their traditional land. Remaining land and marae within the Hauraki Gulf Marine Park are shown in Map 2.2. Notably, many of the Marae shown in Auckland City are urban, community or pan-tribal Marae, some belonging to iwi not traditionally from this area.

**TIKANGA MĀORI AND KAITIAKITANGA: VALUES, PRACTICES, AND STEWARDSHIP**

Tikanga Māori includes traditional practices and customs, and determines the way Māori interact with the world around them. Some tikanga central to environmental management are briefly introduced.

**Kaitiakitanga**

Kaitiakitanga is the ethic and practice of protection and conservation of the natural environment and the resources within it on which people depend. It is considered an obligation of mana whenua to maintain the lands and waters to which they whakapapa (have a genealogical relationship).

Māori do not see themselves as separate from the natural world, but related through whakapapa, whereby all elements (living or otherwise) descend from Papatūānuku (Mother Earth), Ranginui (the Sky Father) and their children. Accordingly, a Māori world view is distinct from a Western one, in which mankind has dominion over the rest of the world. For Māori the use of natural resources is subject to kinship obligations. For this reason kaitiakitanga is concerned with maintaining a natural and appropriate balance, particularly between the needs of people and those of Papatūānuku, their mother earth, Tangaroa, her son and Atua of the sea, and all the species that descend from them.
Map 2.1  Recorded archaeological sites, defensive pā sites, and early Māori title block boundaries, drawn south-north according to a mana whenua world view.
A number of other tikanga are important to management of the Hauraki Gulf Marine Park and to the Plan. Mana, the authority derived from and in relation to ancestral lands, waters and resources was described above. Tapu and noa (loosely, sacred and profane) are important tikanga that order human relationships and direct our behavior toward the natural environment. For example the mixing of any bodily waste in waters from which kai is taken is extremely offensive to Māori because of its tapu nature. Manaakitanga, obligations to nurture and look after manuhiri (outsiders) mean that local whānau (extended families), hapū (sub-tribes) and iwi (tribes) loose mana (prestige and authority) if unable to provide manuhiri with the kaimoana (seafood) for which the area and its marae are traditionally famous.

Mauri – The spirit and life supporting capacity of Water

For Māori, mauri is the vital essence or spirit found in all elements of the natural world. In relation to water mauri is often equated to life-supporting capacity, as the Waitangi Tribunal’s (1995) Te Whanganui-a-Orotu Report.

“The purity of water is precious and jealously guarded because the mauri, the vital essence, is the same spiritual stuff as vivifies and enlivens human beings and all other living things. To violate the purity of water is therefore to violate your own essential purity.”

Freshwater is revered for its associated tapu and healing qualities. In fact water remains a central feature of many spiritual practices today. Together with mauri, water has its own mana, or power, and is thus deserving of respect and protection as a taonga, or resource of immense material and spiritual value (Waitangi Tribunal, 1998).

The mauri of Tīkapa Moana / Te Moananui-ā-Toi has been substantially weakened by land use effects, and over-harvesting of kaimoana (sea food) for nearly two hundred years. This has left the waters with reduced resilience, or ability to absorb or cope with new and existing pressures. Fortunately, mauri can be restored. Conservation measures include rāhui (closures), which are instituted through handed down rituals and ceremonies. Restoring and sustaining a taonga like the Hauraki Gulf Marine Park to a state of mauri ora (a strong mauri), is central to the duty of kaitiakitanga (obligations as guardians or stewards of ancestral lands and waters) of mana whenua hapū, iwi and whānau.

An objective of the Plan is to restore and enhance the mauri of marine, estuarine and fresh water in the Hauraki Gulf Marine Park.

“An objective of the Plan is to restore, protect and enhance the mauri of marine, estuarine and fresh water in the Hauraki Gulf Marine Park.”

CUSTOMARY KNOWLEDGE, RIGHTS AND PRACTICES IN LAW

Mātauranga (Māori world views and knowledge) relating to water, fisheries, and to the Hauraki Gulf Marine Park is a vast body of knowledge spanning a thousand years. This includes centuries of familiarisation with the environment, detailed understanding of natural systems and cycles, and learning which management approaches work, and which don’t. This cannot be replicated or replaced by western science. The inclusion of indigenous people’s knowledge and practices in environmental management is required in international conventions to which New Zealand is signatory. The mana whenua peoples described above continue to exercise ancestral rights to harvest local kaimoana and to participate in the management of their ancestral places.

Māori rights and practices are provided for in New Zealand legislation. Examples include customary recognitions and rights orders under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), deeds of recognition in the Hauraki Gulf Marine Park Act, RMA instruments including heritage orders and recognition as heritage authorities (section 187), section 33 transfers of powers and functions, and joint management agreements in section 36B, rohe moana and customary management tools within fisheries legislation, including mahinga mātaitai (traditional food gathering areas), taiāpure (local fisheries), and rāhui (temporary closures), and the ability for kaitiaki to allocate permits for harvesting kaimoana for
Map 2.2  Hauraki Gulf Marine Park Marae and remaining land in Māori title. (Marae icons source. Afterglow)
cultural purposes. In some places Māori still own title of coastal lands extending into the coastal marine area. Examples are given in the Sea Change case-studies of ways hapū and iwi of Tikapa Moana / Te Moananui-ā-Toi utilise statutory instruments, and participate in the management of their ancestral lands, waters, and fisheries.

THE TREATY OF WAITANGI AND TREATY SETTLEMENTS

The Treaty of Waitangi was the founding document of New Zealand, signed between Māori and the Crown in 1840. It guaranteed Māori undisturbed possession of their ancestral lands, waters, fisheries and other taonga. In modern times a range of Treaty principles have been established by the courts and Waitangi Tribunal. These include a Crown duty of active protection of Māori rights and interests, and recognition that the relationship between the two parties is one of partnership.

Despite this raft of statutory recognitions and rights some of the most important examples of Māori involvement in the management of their ancestral lands and waters have derived from Treaty settlements. These include statutory acknowledgements and property vesting, but also co-management arrangements, including settlements such as the Waikato River settlement, which established a massive restoration initiative for the Waikato River, with local iwi being partners and participants at all levels.

The Plan was written when regional Treaty claims negotiations were taking place for settlements for at least 19 iwi and hapū. These settlements will significantly change the cultural, economic and political landscape in Hauraki and Tāmaki Makaurau. Greater iwi involvement in environmental management will include iwi-council/Crown management of Hauraki and Coromandel Peninsula waterways, and discussions are planned for the co-governance and management of Hauraki and Auckland harbours. The results of those settlements will be important for the make-up of the governing body of the Hauraki Gulf Marine Park, and for implementing the plan.

In earlier settlements iwi secured Treaty-protected rights to fisheries when the Crown sought to establish the quota management system. The Waitangi Tribunal acknowledged that Māori have commercial, recreational and customary fisheries interests, and these were identified in the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and subsequent Acts. As a result iwi are now major players in aquaculture and commercial fisheries. They are also keen recreational fishers, maintain customary harvesting practices, and many still rely on kaimoana to feed their whānau.

Mana whenua and the Stakeholder Working Group have agreed that this Plan must not dilute or otherwise affect Treaty settlements. Those settlements clearly record that the redress provided to mana whenua was only a very small percentage of their losses suffered as a result of breaches of the Treaty. That fact reinforces the importance of protecting the redress that has been provided through Treaty settlements.

“They are intended to reflect the tikanga of mana whenua alongside the values and views of local communities in all the different circumstances that exist across the Hauraki Gulf.”

Ahu Moana, the mana whenua and community co-management areas initiative, is intended to bring in many of these statutory rights and practices, and to integrate local near shore management across these many statutes in a way that local communities are involved. They are intended as a means of cutting through exhausting and uncertain existing statutory processes and provisions for existing legal customary rights and practices. They are intended to reflect the tikanga of mana whenua alongside the values and views of local communities in all the different circumstances that exist across the Hauraki Gulf.