

A black canoe with red seats and a wooden paddle is positioned on a river. The water is dark and rippling. The background shows a forested bank. The text is overlaid on the right side of the image.

TE HEKE NGAHURU

KI TE AWA TUPUA

**He Awa Tupua, He Awa Ora
Mouri Awa, Mouri Tangata, Mouri Ora**

A river of sustenance in perpetuity

**Takina te kawa o te ariki, karanga ki te tipua, karanga ki te tawhito
Karanga ki ngā wai ki te ao mārama
Ki ngā wai e rua
E kui mā, e koro mā i te wai, maranga!**

The following strategy has been co-created by a diverse group of leaders from across our community and addresses a statutory legacy which places profit over the wellbeing of the people and the environment. In doing so Te Heke Ngahuru places emphasis on a community-led approach guided by indigenous values. This approach is being closely observed by indigenous and non indigenous communities worldwide as it paves the way towards a more sustainable future.

We, Te Kōpuka invite you to approach this strategy with an open mind, an open heart, and a willingness to embrace the innate values of Tupua te Kawa. We acknowledge that this may require courage, learning new approaches, and building trust in the vision we present, which is rooted in indigenous perspectives, for the benefit of all.

If you approach this document with an understanding of the principles of Tupua te Kawa and an understanding that the Awa is a source of physical and spiritual sustenance, indivisible, is inexplicably connected to hapū and iwi and comprised of many elements and communities, we have a genuine opportunity to revitalise Te Awa Tupua and restore our community and environment to a thriving state.

We believe that this vision will benefit all members of our community, and we welcome your input and collaboration as we work towards a more just and sustainable future for our Awa and it's people.

TE KŌPUKA



Matiu Mareikura

Whanganui and Ngāti Rangī pāhake and tohunga ahurewa, Matiu Mareikura, was one of a number of pāhake and kaumātua to give evidence for the WAI 167 Whanganui River Claim before the Waitangi Tribunal in 1994.

"And so we go back to the river, and the river is the beginning, the beginning of our people from the mountain to the sea. It ties us together like the umbilical cord of the unborn child. Without that it dies. Without that strand of life it has no meaning. The river is ultimately our mana. Our tapu, our ihi, our wehi, all these things make up what the river means to us. It is our life cord, not just because its water but because it's sacred water to us.

Our people go to the river to cleanse themselves, they go to the river to pray, and they go to the river to wash. They go to the river for everything leads back to the river, and the river in return suffices all our needs. Without the river we really would be nothing because of all the resources that it gives back to us, the history that has gone on in the past with our people who have lived on the banks and used it as a motorway, used it as the only thoroughfare. We have been taught to treasure the river for what it is, and what it has been given to us for. For we are its caretakers, we have been given the job of taking care of the river."

This statement was provided by Whanganui kaumātua and tohunga Matiu Mareikura, before the WAI 167 Waitangi Tribunal hearings in 1994. His statement captures the innate responsibility and obligation at the heart of hapū and iwi mana for the Whanganui River. Te Pā Auroa (the Te Awa Tupua arrangements) accords the River a status that accords with the hapū and iwi relationship with the River. Under this status, and with hapū and iwi leadership, the latent potential of the River's community as a whole to uphold their own responsibility to appropriately care and protect the River is possible.



What is our obligation as a community?

Imagine a future where the community has embraced the intrinsic relationship with the river, and the Kawa (intrinsic values) are upheld with reverence for future generations.

Sustainable farming practices have transformed the surrounding land, with regenerative agriculture practices taking root. Farming is no longer seen as separate from the river and its ecosystem, but contribute to its restoration and protection.

Children are taught from a young age the importance of protecting and preserving the river's health. Families come together for cultural and community events on its banks, celebrating the river as a source of life and inspiration.

The Whanganui River and its people are deeply interconnected, with a shared appreciation for the importance of reciprocity, and respect for all living things. This is a future of health, vitality, and cultural richness, serving as a model for the world on the power of community-led action.

How do we uphold this vision?

Te Awa Tupua places the inherent rights of the river, Te Mana o Te Awa, as our primary focus. It marks a shift from fragmented governance and prioritises the river's needs over our own. This means our relationship with the river is not one of mere utilisation; instead, Te Awa Tupua fosters a deeper understanding of our responsibility to contribute to its wellbeing.

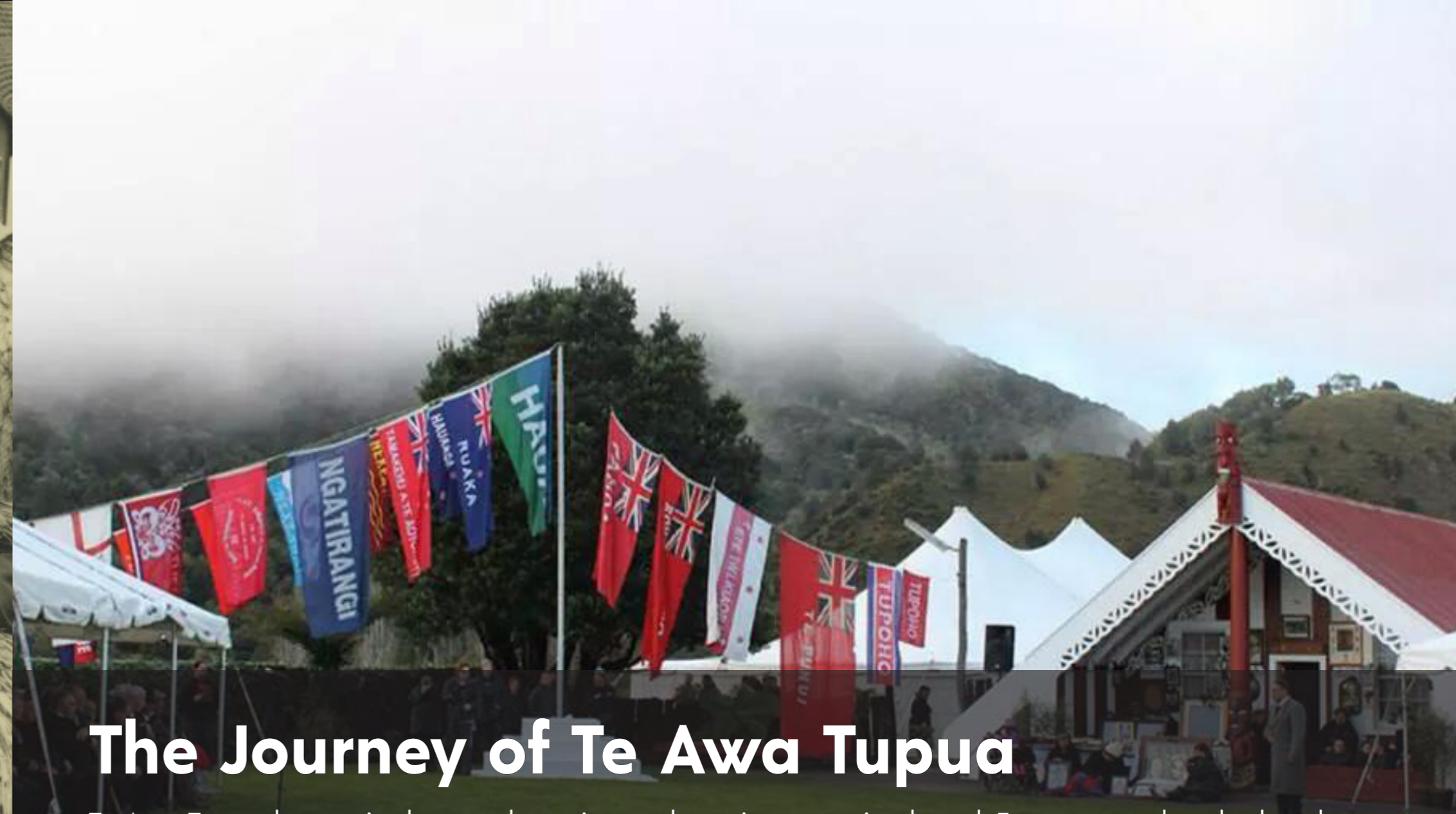
At its core, Te Awa Tupua is guided by Kawa, a shared value system upheld by iwi, hapū, and the wider community. Kawa encompasses the entire river, from source to sea, and recognises the central role of the relationship of iwi and hapū with the awa. It invites active participation from the community and governance structures to uphold its values.

Te Awa Tupua represents a transformative journey, where we realign our priorities and actions with the wellbeing of the awa. It calls for collective responsibility, nurturing a thriving relationship with the river for the benefit of current and future generations.



The Original Claimants of Te Awa Tupua

Back row, from left to right: Kaiwhare Kiriona, Tanginoa Tapa, Tekiira Peina, Tonga Tume, Hohepa Hekenui, Henare Keremeneta. Middle row: Te Rama Whanarere, Hekenui Whakarake, D G B Morison, Titi Tihu, Tonga Awhikau. Front row: Taka-te-iwa Anderson, Kahukiwi Whakareke.



The Journey of Te Awa Tupua

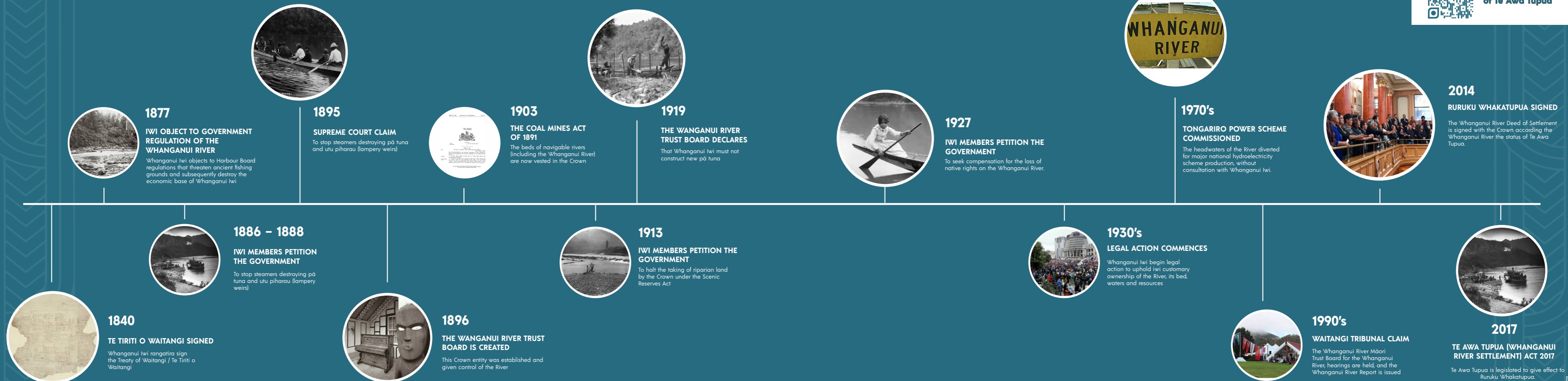
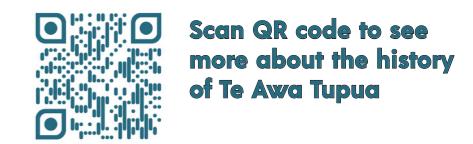
Te Awa Tupua has waited a very long time to have its true voice heard. For over one hundred and fifty years the physical and spiritual manifestations of the River's true voice have been muted by legislation and Crown actions. The arrangements provided by Te Pā Auroa in Ruruku Whakatupua - the Whanganui Deed of Settlement, confirms that voice as the definitive voice of the River and its Iwi and communities in all matters relating to the River.

The History of Te Awa Tupua

For decades, the Crown's laws and regulations have fragmented the Whanganui River, treating its bed, banks, subsoil, waters, flora, fauna, and fisheries as separate components. Various statutory regimes, including the Resource Management Act, the Local Government Act, the Fisheries Act, the Conservation Act, the Maritime Transport Act, and the Marine and Coastal Area (Takutai Moana) Act, governed the River in a disparate and unintegrated manner. Additionally, jurisdiction over the River lay with a regional council, three local authorities, and several Crown agencies. The River's bed and tributaries were complex, with some parts privately owned and others held by the Crown or in public ownership due to navigability, sale, and compulsory acquisition.

Te Pā Auroa nā Te Awa Tupua, the Te Awa Tupua framework takes a holistic approach, transcending boundaries and embracing the interconnectedness of all the waterways that converge to form the Whanganui River. This catchment specific perspective acknowledges not only the environmental significance but also the cultural importance of viewing and managing the river as a unified and interdependent ecosystem.

Together, as a community, we strive to honor and protect the entire Whanganui River and its interconnected waterways for the benefit of present and future generations.



What is Kawa?

"Kawa is not wanting the answer, it is being the answer."

Kawa defines the hapū and iwi relationship with the awa, lands and natural resources and is expressed through tikanga (practice). Reciprocity is a core tenet of Kawa, giving to the awa before taking as a the dominant mindset for care, access and use of the awa, catchment lands and resources.

Kawa is grounded in self-evident truth that people are part of a universal, natural order where respect and reciprocation will ensure sustenance for people and all life in perpetuity – He Awa Tupua, He Awa Ora.

Kawa is not simply a set of rules or guidelines to be followed, but rather a way of being in the world that embodies a deep sense of responsibility and connection to all things.

Kawa is not wanting the answer, it is being the answer. It is not simply about knowing the right thing to do or having all the answers. Rather, it is about embodying the values and principles that underpin Kawa in all aspects of one's life. This means being fully present, engaged, and committed to the wellbeing of oneself, the community, and the environment.

Why is Kawa Important?

Kawa invokes the need to think and act collectively rather than individually. A collective mindset acknowledges the awa as an indivisible physical and metaphysical being. Such acknowledgement allows us to more effectively address its wellbeing.

For governance and management of people in our awa context, this means a paradigm shift from the dominant values used in planning and decision-making currently, to those derived within Kawa, long practiced by hapū and iwi.



Tupua te Kawa

Nō te kawa ora a 'Tupua te Kawa' hei taura here nā Te Awa Tupua me ōna tāngata ki te kawa nō tawhito rangi.

Tupua te Kawa is the natural law and value system of Te Awa Tupua, which binds the people to the River and the River to the people.

The Te Awa Tupua Act recognises, at law, a set of intrinsic values called Tupua te Kawa. Tupua te Kawa stems from a hapū and iwi value system and the principles in which Te Kōpuka and the communities of Te Awa Tupua will uphold and operate within.

These values will logically guide all interactions in relation to the health and wellbeing of the Whanganui River and its tributaries for the future.

TE KAWA TUATAHI - THE FIRST KAWA

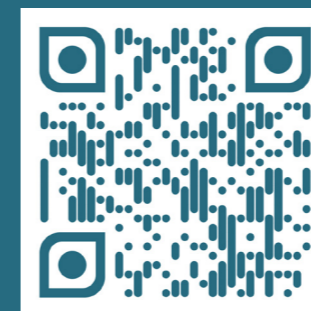
Ko te Awa te Mātāpuna o te Ora

The river is the source of spiritual and physical sustenance

Te Awa Tupua is a spiritual and physical entity that supports and sustains both the life and natural resources within the Whanganui River and the health and wellbeing of the iwi, hapū, and other communities of the River.

All communities of the River share an emotional attachment with the River as much as a physical one. This connection drives our duty of care toward the River. The law now upholds that this spiritual and emotional relationship is as central to decision-making over the River as any physical consideration.

SCAN THIS QR CODE TO HEAR HOW TO PRONOUNCE THIS KAWA



Te Pā Auroa is committed to ensuring that the community have an opportunity to learn about each kawa, take ownership of each kawa and be able to apply each kawa to their way of life for the benefit of our awa and our community. We have created customised QR codes that will take you to a recording of how to pronounce each of these kawa correctly so that you can feel confident to speak to the kawa.

E rere kau mai i te Awa nui mai i te Kāhui Maunga ki Tangaroa

The great river flows from the mountains to the sea

Te Awa Tupua is an indivisible and living whole from the mountains to the sea, incorporating the Whanganui River and all of its physical and metaphysical elements. We must address the needs of the River by addressing the River as a whole. No longer can the River be addressed through the governance and management compartments created by statute previously. It must be viewed as an integrated metaphysical and physical whole.

SCAN THIS QR CODE TO HEAR HOW TO PRONOUNCE THIS KAWA



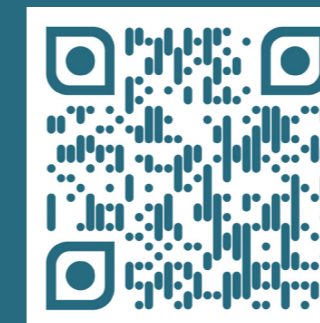
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Ko au te Awa, ko te Awa ko au

I am the river and the river is me

The iwi and hapū of the Whanganui River have an inalienable connection with, and responsibility to, Te Awa Tupua and its health and wellbeing. This speaks of a responsibility to care for the River out of whakapapa (kinship) with the River itself; a responsibility that can neither be conferred on hapū and iwi, nor removed.

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Ngā manga iti, ngā manga nui e honohono kau ana ka tupu, hei Awa Tupua

The small and large streams that flow into one another and form one River.

Te Awa Tupua is a singular entity comprised of many elements and communities. All communities have an interest in ensuring the health and wellbeing of the River alongside hapū and iwi.

SCAN THIS QR CODE TO HEAR HOW TO PRONOUNCE THIS KAWA



Te Pā Auroa is committed to ensuring that the community have an opportunity to learn about each kawa, take ownership of each kawa and be able to apply each kawa to their way of life for the benefit of our awa and our community. We have created customised QR codes that will take you to a recording of how to pronounce each of these kawa correctly so that you can feel confident to speak to the kawa.

TE KAWA TUATAHI | THE FIRST KAWA

Ko te Awa te Mātāpuna o te ora

The river is the source of spiritual and physical sustenance

TE KAWA TUARUA | THE SECOND KAWA

E rere kau mai i te Awa nui mai i te Kāhui Maunga ki Tangaroa

The great river flows from the mountains to the sea

TE KAWA TUATORU | THE THIRD KAWA

Ko au te Awa, ko te Awa ko au

I am the river and the river is me

TE KAWA TUAWHĀ | THE FOURTH KAWA

Ngā manga iti, ngā manga nui e honohono kau ana ka tupu, hei Awa Tupua

The small and large streams that flow into one another and form one River.



"The story of the Whanganui Iwi and Te Awa Tupua is one of so many narratives of intertwined struggle for decolonisation of both peoples and nature."

"These principles clearly demonstrate the relationship between the Whanganui River and its people, but also the interconnectedness of their sovereignty."

Hsiao 2012

Te Pā Auroa nā Te Awa Tupua

The Legal Framework of Te Awa Tupua



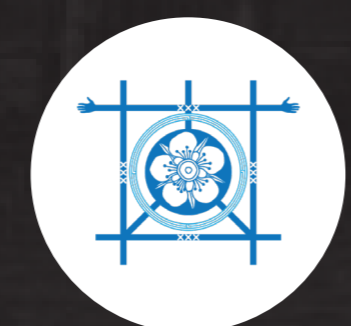
Kia Matara Rawa
River Bed Vesting



Te Heke Ngahuru
Te Awa Tupua Strategy



Te Pou Tupua
The Human Voice



Te Kōpuka
The Strategy Group

Te Pā Auroa is the broad eel weir built to withstand the autumn, winter and spring floods. The name of the Te Awa Tupua framework symbolises an extensive, well-constructed framework for Te Awa Tupua that is fit for purpose, enduring and the responsibility of all.

Te Pā Auroa, represents a comprehensive and resilient structure. It symbolises our collective responsibility and commitment to this endeavour.



Tupua te Kawa
The Innate Values



**Te Awa Tupua
and its legal status**
Living and indivisible whole



Te Korotete
Te Awa Tupua Fund



Te Heke Ngahuru

KI TE AWA TUPUA

Te Heke Ngahuru is a long-term strategy developed collaboratively by the hapū and iwi of the Whanganui river in conjunction with community leaders appointed to Te Kōpuka nā Te Awa Tupua, the Te Awa Tupua strategy group and legislation outlines must happen every 10 years, but Te Kōpuka was deliberate in using a 5 year timeframe for this iteration.

The legal recognition of Te Awa Tupua and Tupua te Kawa will positively change the way people interact with the river, and specific legal obligations will require those with decision-making responsibilities for natural resources to pay particular regard to Te Heke Ngahuru when making relevant decisions.

Key Messages

Te Heke Ngahuru: An Agile Strategy for Sustainable Change

- Te Heke Ngahuru is a dynamic and adaptive strategy designed to address the challenges and opportunities facing Te Awa Tupua.
- The first 5 years of Te Heke Ngahuru will focus on growing leadership within hapū and iwi while also developing and providing resources and tools tailored to each community within the larger Whanganui River community. These resources and tools will help foster a better understanding of Tupua te Kawa and demonstrate how collaboration rooted in these values can drive positive change. By the end of this period, the community will be better equipped to find and implement solutions for the subsequent phases of Te Heke Ngahuru, promoting collective progress across the entire community.

Shifting the Paradigm: Empowering the Community

- Te Heke Ngahuru aims to shift the paradigm by fostering a collective understanding of roles and responsibilities.
- It unites the communities of Te Awa Tupua as one, working together for the health and wellbeing of the river.
- Recognising the impact on the Awa, all communities understand their role and responsibility.
- The skills, knowledge, and expertise of community are valued, utilised, and integrated into decision-making processes.

Creating a Vision for Change: Building Trust and Power Sharing

- Te Heke Ngahuru provides a compelling vision of the desired change.
- Through practical implementation, it aims to alleviate fears and build trust among the community.
- Power sharing is a fundamental principle, empowering communities to actively participate in decision-making processes.

Demystifying Language and Collaborative Learning Journey

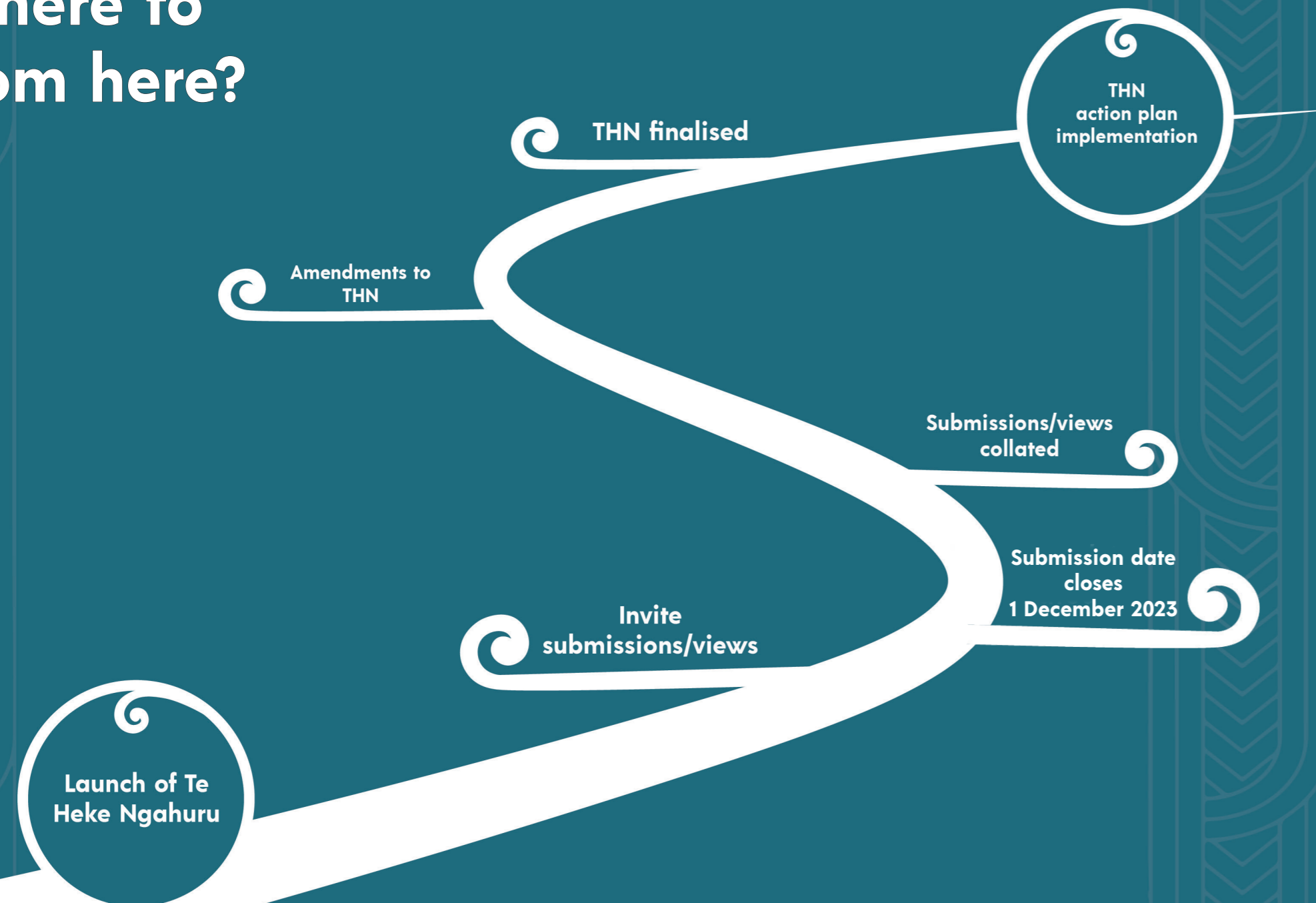
- Te Heke Ngahuru aims to demystify the language and concepts surrounding the strategy, ensuring accessibility for all communities within Whanganui.
- It recognises that the answers and solutions may not be immediately apparent, and encourages a collective journey of learning and discovery.
- The strategy emphasises collaborative design solutions, drawing upon the expertise of diverse communities from various fields and backgrounds.
- Implementing Te Heke Ngahuru requires patience and a willingness to embrace new ways of operating, fostering a culture of continuous learning and adaptation among community leaders.



What is the Strategy Required to Achieve in the First Five Years?

- The Te Awa Tupua framework solidifies its position as the legally binding framework for the Whanganui catchment, ensuring its enduring influence and impact.
- Fostering effective collaboration and coordination among community members and government entities will be our primary focus during the initial five years. By enhancing our organisation and interaction, we can better address what the river needs.
- Emphasising equity, we follow the leadership of hapū and iwi in driving the implementation of Te Awa Tupua, amplifying their voices and perspectives.
- Both central and local government are obliged to reform (change to improve the way we work) their operational approaches within the Whanganui catchment, fulfilling their responsibilities to align with the values of Te Awa Tupua.
- Recognising the significance of this reform, central government is expected to allocate appropriate financial resources that reflect the level of investment dedicated to other statutory reforms, enabling the smooth transition to the reformed way of working.
- Action plans will be developed by central and local government to ensure effective implementation of the required reforms, outlining clear steps and strategies to achieve the desired outcomes.
- Ongoing engagement and input from the community will be actively sought and encouraged as we collectively express the Te Awa Tupua framework.

Where to from here?



What does this all mean?

The legal recognition and status of Te Awa Tupua and Tupua te Kawa will create a significant change in the way in which people interact with and make decisions affecting the River. It will change the lens, both legally and philosophically, through which people must view and relate to the River.

Te Heke Ngahuru is a long-term strategy designed to ensure a future focus on the Whanganui River as a whole, across a range of areas and wellbeing. The strategy has been developed collaboratively through a relational process, with key involvement from Whanganui River hapū and iwi through membership of Te Kōpuka nā Te Awa Tupua (Te Awa Tupua Strategy Group). Te Heke Ngahuru is a statutory document to which particular regard must be had when making decisions under all primary legislation affecting the Whanganui River and its management, and its review will be consistent with current planning cycles.

The success of the Te Heke Ngahuru strategy depends on its agility and the active involvement of the community, as well as the identification of new leaders and the cultivation of their knowledge and understanding of Tupua te Kawa. Over the five year focus period of the strategy's implementation, the community will have clear direction and ideas for how the next phases of Te Heke Ngahuru should play out, to achieve the goal of system change for the betterment of the environmental and community ecosystems within the catchment. Ultimately, the Te Heke Ngahuru strategy aims to restore and maintain the health of the Whanganui River for generations to come.



Opportunities

The Te Pā Auroa framework was designed over a decade of negotiations between Whanganui iwi and the Crown. In 2014, Ruruku Whakatupua, The Whanganui River Deed of Settlement was signed, In 2017 the Te Awa Tupua (Whanganui River Claims Settlement) Act was passed giving effect to the Deed of Settlement.

The framework was designed with the explicit involvement and support of local government in the catchment. Through Te Kōpuka and the production of Te Heke Ngahuru the Te Awa Tupua framework continues to manifest within a democratic framework with the community driving the expression of the framework over the coming years.

What opportunities are provided through Te Pā Auroa?

Return of governance and management focus to our catchment by our catchment community after 30 plus years of regional focus.

Maintenance of a constant and consistent governance and management picture providing our community with certainty and empowerment.

Acknowledges the efforts being made now and provides a framework to better coordinate and build on those efforts, while securing necessary central government funding.

Te Awa Tupua framework works to make democracy a more effective and efficient exercise for the care, use and protection of our awa through recognition of the indivisibility of the awa and its communities.

Glossary of Terms

Te Awa Tupua

Te Awa Tupua is a legal person that recognises the Whanganui River as an indivisible, living entity with its own inherent rights and values. It is the result of a long-standing and deeply held cultural belief among the River people that the river is an ancestor and a source of spiritual and physical sustenance. Te Awa Tupua is not only a means of protecting the river, but also a vehicle for having the values of the hapū and iwi, recognised in today's terms. By recognising the river as Te Awa Tupua, Te Awa Tupua shifts the focus away from a purely economic or utilitarian view of the river to one that recognises its intrinsic value and importance to our culture and identity.

Te Pā Auroa

Te Pā Auroa is the broad eel weir built to withstand the autumn, winter and spring floods. The name of the Te Awa Tupua framework symbolises an extensive, well-constructed framework for Te Awa Tupua that is fit for purpose, enduring and the responsibility of all.

Te Pā Auroa, represents a comprehensive and resilient structure. It symbolises our collective responsibility and commitment to this endeavor.

With Te Awa Tupua at its core, Te Pā Auroa nā Te Awa Tupua established a new framework for the Whanganui River, encompassing various elements. These elements include the legal recognition of Te Awa Tupua, the implementation and impact of Tupua te Kawa, the development and execution of Te Heke Ngahuru ki Te Awa Tupua, and the protection and promotion of the river's health and wellbeing.

At its essence, Te Pā Auroa nā Te Awa Tupua serves the overarching purpose of:

Legally recognising the unique status and inherent rights of Te Awa Tupua.
Validating and implementing the principles and guidelines outlined in Tupua te Kawa.
Progressively advancing and integrating Te Heke Ngahuru ki Te Awa Tupua.
Safeguarding and enhancing the thriving health and wellbeing of Te Awa Tupua.
Te Pā Auroa stands as a testament to our unwavering dedication to holistic welfare.

Kawa

In the context of indigenous communities, Kawa refers to the protocols and practices that guide social interactions, decision-making, and relationships with the environment. At its core, Kawa is not simply a set of rules or guidelines to be followed, but rather a way of being in the world that embodies a deep sense of responsibility and connection to all things.

The saying "Kawa is not wanting the answer, it is being the answer" speaks to the idea that Kawa is not simply about knowing the right thing to do or having all the answers. Rather, it is about embodying the values and principles that underpin Kawa in all aspects of one's life. This means being fully present, engaged, and committed to the wellbeing of oneself, the community, and the environment.

In other words, Kawa is not just a set of external practices or rituals, but a way of being in the world that is grounded in a deep sense of responsibility, respect, and reciprocity. By embodying these values and principles, individuals are able to cultivate a deep sense of connection and harmony with the world around them, and become a positive force for change in their communities and beyond.

Kawa is grounded in self-evident truth that people are part of a universal, natural, order where respect and reciprocation will ensure sustenance for people and all life in perpetuity – He Awa Tupua, He Awa Ora.



TE HEKE NGAHURU KI TE AWA TUPUA – SCHEDULES

Te Kōpuka - The White Manuka Putā Tane, Tangaroa kia piri, kia ita!

The close connection between the siblings Tane Mahuta and Tangaroa. White manuka is the raw material used to build the pā auroa. This symbolises the connection, co-operation and strength within Te Awa Tupua.

Te Kōpuka nā Te Awa Tupua is a strategy group that will develop Te Heke Ngahuru ki Te Awa Tupua, the Te Awa Tupua strategy.

Te Heke Ngahuru - The First Autumn Migration of Eels
Ko ngā heke o te ngahuru he tohu o te hua nui o te tau - ko Puanga kai rau e heke mai ana

The first autumn migration of eels signifies well-stocked storehouses for the winter (the onset of winter being heralded by the rise of the star Puanga)

Te Heke Ngahuru ki Te Awa Tupua is the Te Awa Tupua strategy. The name symbolises the potential of Te Awa Tupua to provide for all if cared for and protected as a living spiritual and physical resource.

SCHEDULES

Background, Intent and Effect of Te Pā Auroa nā Te Awa Tupua Acknowledged by Te Kōpuka

Te Pā Auroa nā Te Awa Tupua (Te Pā Auroa) stemmed from negotiations Whanganui Iwi held with the Crown over the period 2009 to 2014. Interactions and agreements as to the form as well as intent of Te Pā Auroa included the wider iwi of the Whanganui River Catchment, and relevant local and territorial authorities in addition to the Crown.

Negotiations stemmed from a desire by Whanganui Iwi to settle the longstanding claims of the Iwi for the Whanganui River through a lens and approach that recognised the inalienable relationship of hapū and iwi with the Whanganui River through kawa (indigenous law) legally binding the Crown, local government and all communities to a common lens and approach based on the kawa long upheld by hapū and iwi.

Consequently, the Whanganui River Deed of Settlement - Ruruku Whakatupua Te Mana o Te Awa and Ruruku Whakatupua Te Mana o Te Iwi o Whanganui (the Deed) – was signed between Whanganui Iwi and the Crown on 5 August 2014, committing all parties to Te Pā Auroa.

Between 2014 and 2017, bill drafting, parliamentary select committee hearings and bill readings resulted in the Te Awa Tupua (Whanganui River Claims Settlement) Act (the Act) coming into effect in the first half of 2017.

The Deed, and then the Act, gave the Whanganui River the status of Te Awa Tupua, a living and indivisible whole, with an innate value set, Tupua te Kawa, to be applied in natural resource planning and decision making affecting the Whanganui River.

Te Kōpuka is firmly of the view that the legal framework for Te Awa Tupua cannot be undermined by future law changes to one or more of the relevant legal regimes affecting the Whanganui River (see Legal effect section).

Tupua te Kawa, and the Te Awa Tupua status itself, are based in the kawa (indigenous law) of the hapū and iwi of the Whanganui River and constitute the salient value set that all communities of Te Awa Tupua must uphold.

The Te Awa Tupua status and Tupua te Kawa are intended to change both the lens and values by which planning for, and decisions over, the Whanganui River Catchment are made. Stemming from iwi claims and negotiations to settle those claims, Te Pā Auroa intends for hapū and iwi to lead understanding, adoption and application of Tupua te Kawa as the shared value set for the catchment.

The Act is to be read in conjunction with all relevant natural resource statutes. The effect of such reading is to reform the way in which resource management is practiced in the Whanganui River catchment to improve outcomes for the catchment and its communities. All statutory natural resource reforms after March 2017 are therefore required to be read in in conjunction with the Act in the Whanganui catchment.

Te Kōpuka nā Te Awa Tupua is the collective body of hapū and iwi, local government, Crown and sectorial interests that will set the vision through Te Heke Ngahuru ki Te Awa Tupua, and drive the necessary reform alongside the Whanganui River Catchment community in the coming decade and beyond.



SCAN THIS QR CODE TO READ THE
WHANGANUI IWI (WHANGANUI RIVER)
DEED OF SETTLEMENT SUMMARY



SCAN THIS QR CODE TO READ
TE AWA TUPUA (WHANGANUI
RIVER CLAIMS SETTLEMENT)
ACT 2017

Make-up of Te Kōpuka nā Te Awa Tupua

Te Kōpuka is comprised of representatives of persons and organisations with interests in the Whanganui River, including local and central government leaders, environmental advocates, primary industry and tourism representatives, recreational users, and iwi from across the Whanganui River catchment. They are rich and diverse in lived experience, technical knowledge and all uphold a passionate commitment to Te Awa Tupua.

Iwi with interests in Te Awa Tupua have formed an informal committee called Te Ripo. Te Ripo assists in the appointment of iwi members to Te Kōpuka. Te Ripo meets regularly and before every Te Kōpuka meeting and enables the iwi with interests in the Whanganui River to collaborate and contribute to the work of Te Kōpuka. Te Ripo facilitates iwi presence required for six of the memberships on Te Kōpuka. Te Ripo is open to all hapū and iwi of Te Awa Tupua, to participate in. Te Ripo embodies the inclusive principles that Te Awa Tupua promotes.

The inaugural meeting of Te Kōpuka was held on 30 May 2019 at Te Ihingarangi Marae, Waimiha. There was unanimous agreement that the group should be led by iwi members of Te Kōpuka; namely Gerrard Albert of Whanganui (Chair) and Hera Smith of Te Atihaunui ā Pāpārangi and Ngāti Maniapoto (Deputy Chair).

TE KŌPUKA MEMBERSHIP

- Te Ripo: Gerrard Albert (Chair of Te Kōpuka)
- Te Ripo: Hera Smith (Deputy Chair of Te Kōpuka)
- Four further appointments from Te Ripo
- Mayor of Whanganui District Council: Andrew Tripe
- Mayor of Ruapehu District Council: Weston Kirton
- Mayor of Stratford District Council: Neil Volzke
- Horizons Regional Council Chair: Rachel Keedwell
- Fish and Game New Zealand: Allen Stancliff
- Department of Conservation: Damian Coutts



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- Genesis Energy Ltd: Rebecca Larking
- Tourism interests: Rory Smith
- Environmental interests: Keith Beautrais
- Recreation interests: Nicole Dryden
- Primary Industry interests: Colleen Sheldon

Te Kōpuka is also supported by the Ministry for the Environment via the Secretary for the Environment and Senior Managers.

TE RIPO - IWI AND HAPŪ REPRESENTATION ON TE KŌPUKA

- Te Ihingarangi: Rangianiwaniwa Pehikino
- Ngāti Maniapoto: Hera Smith
- Ngāti Maru: Anaru Marshall
- Ngā Rauru Kītahi: Raukura Waitai
- Ngāti Rereahu: Gabriel Moana and Eric Crown
- Ngāti Tuwharetoa: Wiari Rauhina and Tyrone (Bubs) Smith
- Tamahaki: Pāora Haitana
- Ngāti Uenuku: Aiden Gilbert
- Ngā Wairiki Ngāti Apa: Pahia Turia
- Whanganui iwi: Gerrard Albert

Te Kōpuka has been on a journey since its first meeting in 2019. Progress has been made in crafting Te Heke Ngahuru from building upon existing foundations. This included the drafting of an internal document Te Heke Ngahuru ki Te Awa Tupua – a draft discussion document. The draft discussion document is a collection of prior efforts and served as a crucial cornerstone in informing the development of Te Heke Ngahuru.

Although Te Heke Ngahuru supersedes the draft discussion document, it does not render it obsolete; instead, it provides valuable context and guidance upon the ongoing journey of growth and evolution of Te Kōpuka in developing Te Heke Ngahuru.

Legal effect

Both the status of Te Awa Tupua and Tupua te Kawa (the Te Awa Tupua values) has been given effect to through legislation. The primary legislation that affects the Whanganui River includes the Resource Management Act, the Conservation Act and the Local Government Act. Decision-makers must recognise and provide for Tupua te Kawa and the legal status of Te Awa Tupua when their decisions under those Acts will affect the Whanganui River. The legal recognition and status of Te Awa Tupua and Tupua te Kawa therefore creates a significant change in the way in which people interact with Te Awa Tupua and make decisions affecting Te Awa Tupua. In essence, it changes the lens, both legal and philosophically, through which people - and particularly decision-makers - must view and relate to the River.

The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (the Act) created important legal obligations on those exercising functions under certain laws that affect the Whanganui River. These include:

- Te Pā Auroa nā Te Awa Tupua being a relevant consideration when those exercising their legal functions, powers, and duties (under all legislation) in relation to the Whanganui River, or, to activities in its catchment that affect the Whanganui River; and
- a legal obligation on decision-makers to 'recognise and provide for' or 'have particular regard to' the Te Awa Tupua status (including the statutory recognition of the river as Te Awa Tupua and the legal personality) and Tupua te Kawa when carrying out functions that are relevant to Te Awa Tupua.

Te Heke Ngahuru will be a legal document to which 'particular regard' must be had when making decisions, including policies and plans, under all the primary legislation affecting the Whanganui River and its management. This means decision-makers are obligated to give genuine attention and thought to Te Heke Ngahuru, where relevant.

Relevant decision-makers will also have the power to adopt or implement, in whole or in part, Te Heke Ngahuru including, for example, as part of a regional policy statement, regional plan or district plan.

Te Pā Auroa established a legal framework for Te Awa Tupua that applies to all legal regimes relating to the Whanganui River or activities in its catchment affecting the Whanganui River (including the statutes listed in Schedule 2 of the Act). This reflects the Crown's express commitment to Te Awa Tupua and Tupua te Kawa (as acknowledged in both Ruruku Whakatupua and the Act) and the expectation that Te Pā Auroa will be upheld in all current and future statutory frameworks that affect the Whanganui River and its catchment.

Te Pou Tupua

In 2014, Ruruku Whakatupua (the Deed of Settlement for the Whanganui River) was signed between Whanganui Iwi and the Crown, and in 2017 the Te Awa Tupua (Whanganui River Claims Settlement) Act was passed to give effect to the arrangements.

The Act gave legal recognition to Te Awa Tupua as:

- (a) an indivisible and living whole, comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements; and
- (b) a legal person.

The station of Te Pou Tupua was then created to provide a face and voice for the legal status of Te Awa Tupua.

The position of Te Pou Tupua is held by two people who jointly perform the role of Te Pou Tupua. Every three years the iwi of Te Awa Tupua and the Crown (through the Minister for the Environment in consultation with Māori Development and Conservation Ministers) jointly appoint Te Pou Tupua.

The person appointed to the station of Te Pou Tupua do not represent either the iwi or the Crown; rather Te Pou Tupua holds a singular duty to act in the interests of Te Awa Tupua and consistently with Tupua te Kawa.

The principal purpose and functions of Te Pou Tupua are directed to:

- (a) acting and speaking on behalf of Te Awa Tupua;
- (b) upholding the legal status of Te Awa Tupua and Tupua te Kawa;
- (c) exercising the landowner functions in relation to any land vested in Te Awa Tupua; and
- (d) administering Te Korotete o Te Awa Tupua (the Te Awa Tupua fund).

It is natural and understandable that councils, Crown agencies, commercial entities, and the community look to Te Pou Tupua for understanding, information and direction on Te Awa Tupua, and Tupua te Kawa.

However, the statutory role of Te Pou Tupua must properly be viewed within the broader context of Te Pā Auroa. In upholding the legal status of Te Awa Tupua and Tupua te Kawa, the role of Te Pou Tupua is a statutory one. As Tupua te Kawa recognises, the iwi and hapū of the Whanganui River are at the very heart of, and inextricably interconnected with, Te Awa Tupua. In upholding the legal status of Te Awa Tupua and Tupua te Kawa, Te Pou Tupua must therefore respect that the primary voice of the Awa comes from the iwi and hapū, and uplift that kōrero in the exercise of its functions. As such, the first point of reference for understanding Te Awa Tupua and Tupua te Kawa, and the application of Te Pā Auroa in practice, lies with hapū and iwi who should lead such understanding within the communities of Te Awa Tupua, the Crown and local government.

The role of Te Pou Tupua therefore exists to support and advocate for:

- (a) the health and wellbeing of Te Awa Tupua; and
- (b) recognition of, and adherence to, the status of Te Awa Tupua and Tupua te Kawa by the Crown, local government, and all communities of the Awa.

In doing so, Te Pou Tupua must engage and develop relationships with iwi and hapū, local and central government and the other communities of the Awa.

Recognising the imperative of Tupua te Kawa which requires the communities of Te Awa Tupua to work collaboratively for the common purpose of the health and wellbeing of Te Awa Tupua, the relationship between Te Pou Tupua and Te Kōpuka is an important one. Accordingly, Te Heke Ngahuru will provide valuable guidance for Te Pou Tupua as they continue to work with the iwi, hapū and other communities of Te Awa Tupua to advance the health and wellbeing of Te Awa Tupua.



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Co-designing action plans

All of those with functions and responsibilities within our river catchment (as outlined in relevant statutes set out in Schedule 2 of the Act), will create action plans alongside the community. There will be opportunities for our community to actively engage in shaping how we as a community achieve these reforms. As an example, a local government action plan (for the next 5 years) might comprise of designing an interim regulatory approach, meeting Te Heke Ngahuru objectives through current planning processes, designing a training course for staff, drafting a recruitment strategy for staff, drafting a political strategy toward Crown investment, and drafting a connected communications strategy.

Cementing Te Awa Tupua as the salient planning and decision making value set for Te Awa Tupua

Te Heke Ngahuru is a 5-year strategy that will support a paradigm shift toward Tupua te Kawa being the salient planning and decision making value set for Te Awa Tupua.

Extant natural resource management plans, policies and strategies will continue to expiry or review. Where those plans, policies and strategies intersect with Te Awa Tupua, those exercising functions and responsibilities will be expected to recognise and provide for Te Heke Ngahuru in exercising those functions and responsibilities. New plans, policies and strategies are expected to embed Te Pā Auroa as the ascendant framework in the Whanganui River catchment. Interim approaches will be developed that take a practical and pragmatic approach to utilising Te Pā Auroa and Tupua te Kawa in decision-making until all strategies, policies and plans for the Whanganui River Catchment are compliant with Te Pā Auroa.

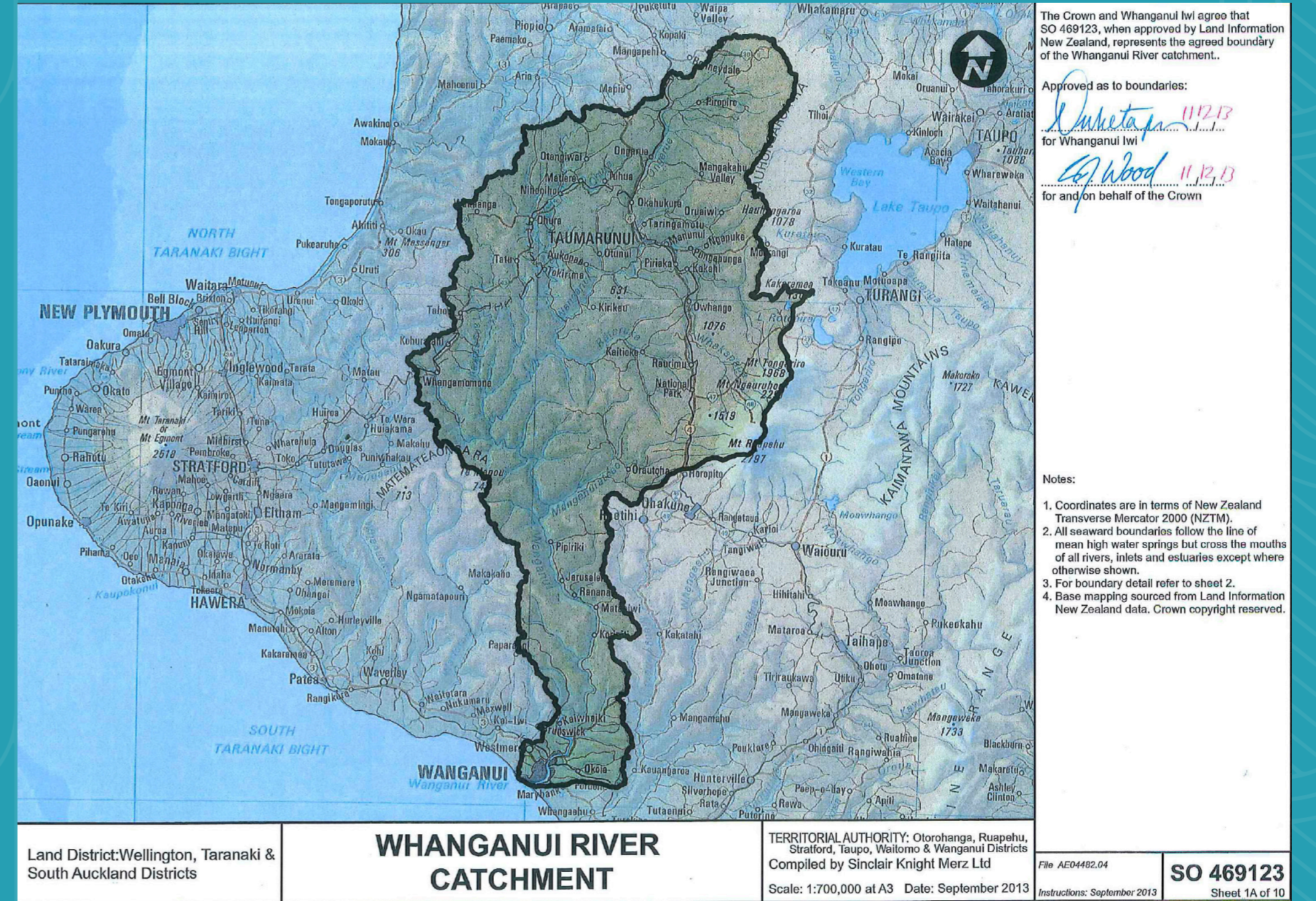
6.3 Much work remains to engrain Te Pā Auroa in all spaces and contexts over the coming five years and Te Heke Ngahuru provides action and investment of time and equitable resources to that end.


The shift has begun, and examples such as Te Pūwaha (the Whanganui Port Revitalisation Project) are leading the way.



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Map of the Whanganui River Catchment



A close-up photograph of a person's hand holding a small, vibrant green seedling with several leaves and a small amount of dark soil. The background is a soft, out-of-focus green, suggesting a natural outdoor setting. The lighting is warm and natural, highlighting the textures of the soil and the freshness of the plant. The overall mood is one of care, growth, and environmental stewardship.

**He Awa Tupua, He Awa Ora,
Mouri Awa, Mouri Tangata, Mouri Ora**

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