

Optimisation of organisational relationships as a method to enhance the ecological and cultural health of Te Ihutai

and

**Inclusion of Te Ihutai in the East Asian-Australasian
Flyway Site Network – what are the obligations of CCC
and the Avon-Heathcote Estuary Ihutai Trust**



(Corliss, 2020)

**A report prepared for the
Avon-Heathcote Estuary Ihutai Trust by**

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This report is presented in two parts. The first concentrates on the optimisation of organisational relationships as a method to enhance the health of Te Ihutai, and the second investigates the obligations of CCC and the Estuary Trust once Te Ihutai became part of the East Asian-Australasian Flyway Network in 2018.

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Part One: Optimisation of organisational relationships as a method to enhance the ecological and cultural health of Te Ihutai

Abstract

Te Ihutai (Avon-Heathcote Estuary) in Christchurch, New Zealand is impacted by many anthropogenic stressors and is in poor ecological and cultural health, though water quality is improving. This report examines in detail the main organisational relationships connected to Te Ihutai and evaluates them against the 'people-place-knowledge-values' loop to assess if the right of Māori to exercise tino rangatiratanga is upheld in the current relationships. Completing this process exposed a set of suboptimal relationships. Knowledge of these sub-optimal relationships provides opportunities for improvement, which are allocated into three categories; aligned, connected, and open.

The author developed an 'Organisational relationships self-reflection tool' to enable non-Māori organisations to self-reflect on their positions within the complex web of relationships and highlight areas for improvement. The tool was applied to the Avon-Heathcote Estuary Ihutai Trust's (Estuary Trust's) organisational relationships. It was found that the Estuary Trust's role, including how they are placed around the Te Tiriti relationships between delegates of the Crown and mana whenua, needs clarifying with Christchurch City Council (CCC) and Environment Canterbury (ECAN).

Introduction

Estuarine environments are where the land meets the ocean and where fresh and saltwater mix (Clark et al., 2022). They are a diverse habitat for varied and unique ecosystems, support many human activities, and provide a place of cultural connection (Thrush et al., 2013). Cumulative effects from anthropogenic stressors are impacting this unique environment (Ellis et al., 2015) and managing effectively is a complex task (Parliamentary Commissioner for the Environment, 2020).

New Zealand is home to over 400 estuarine environments which face land-based threats (sediments, nutrients and land-based chemicals), activities within the estuary (over-harvesting, contamination from industry, anchoring and dredging and invasive species), and climate change influences (sea level rise and heat waves) (Land Air Water Aotearoa, n.d.). Current as well as historical environmental management practices have not adequately protected estuarine health (Jones et al., 2022).

How to manage estuaries in New Zealand has been the subject of many recent research papers and government reports such as the Parliamentary Commissioner for the Environment (PCE) report. The focus of articles ranges from using mātauranga Māori and managing estuaries from a ki uta ki tai perspective (Paul-Burke (Ngāti Awa, Ngāti Whakahemo) et al., 2022; Salmond et al., 2022); balancing conflicting interests (Langhans et al., 2022); appreciating sea-level rise and risks to estuaries (Douglas et al., 2022; Le Heron et al., 2022; Rullens et al., 2022; Ulrich & Hodder-Swain, 2022); to highlighting the poor health of estuaries (Jones et al., 2022) and discussing environmental monitoring (Gall et al., 2022; Stevens et al., 2022). The recommendations of the PCE report 'Managing our Estuaries' concentrate on implementing robust monitoring of estuaries across New Zealand which incorporates mātauranga Māori. It also suggests bringing estuaries under the sphere of the National Policy Statement for Freshwater Management (NPS-FM), understanding that they are impacted by freshwater pressures (Parliamentary Commissioner for the Environment, 2020).

Although there is mention of improving relationships, especially those of Māori with their taonga, and their role in decision-making for their takiwā (Barrett et al., 2022; Paul-Burke (Ngāti Awa, Ngāti Whakahemo) et al., 2022;), little has been written specifically on reviewing the organisational

relationships surrounding an estuarine environment and how optimisation of these in the context of Te Tiriti o Waitangi might support improved ecological and cultural health.

Optimising organisational relationships, and ensuring the correct ones are supported in terms of Te Tiriti, is central to effectively managing an environment. Relationships occur on many levels, within organisations, between organisations, between humans and their environment (de Vries et al., 2003), between Māori, their takiwā and tūpuna (Kawharu, 2010; Waiti & Wheaton, 2022) and between policy and practice (Rummery & Fine, 2012). Some relationships need and are mandated by law to be stronger than others. Out-of-balance relationships can hinder progress, stall it, or cause regression (Cairns, 1991; de Jong et al., 2014; Gittell, 2002). Relationships can be solid and positive, but they can cause hurt and damage to people and the environment (Burchell & Cook, 2007; Margerum & Born, 1995; Mutu, 2018).

Te Tiriti o Waitangi is a document, signed in 1840, where Māori chiefs agreed for the British to reside in New Zealand on the understanding that they would retain their lands, villages and all that they viewed as taonga (Waitangi Tribunal, 2016a; Waitangi Tribunal, 2016b). It preserves the right of Māori to exercise tino rangatiratanga and embedded into law the rights of Māori to plan and manage their resources (Matunga, 2000). It remains the means for Māori to hold the Crown accountable for the promises made, the historical neglect of these promises (Houghton, 2021), and their desire for parity with the Crown in planning (Durie, 1998). The relationship of Māori with the Crown sits above other organisational relationships (Jolly & Ngā Papatipu Rūnanga Working Group, 2013).

Within te ao Māori everything is interconnected, with all plants, people and animals linked through whakapapa to Ranginui and Papatūānuku (Durie, 1998). All tangible and intangible things have a mauri, and Māori have obligations as kaitiaki, to preserve mauri (Harmsworth & Awatere, 2013). Without being able to exercise tino rangatiratanga, absolute sovereignty, autonomy and self-determination, as promised by Te Tiriti o Waitangi, Māori are unable to fulfil their obligations as kaitiaki. With this in mind, it is impossible for this report to separate ecological and cultural health. If looking for ways to enhance the health of Te Ihutai, in the context of Te Tiriti o Waitangi, it must be done from the perspective that ecological health only comes with improvements in cultural health, and this is achieved when Māori are able to exercise tino rangatiratanga and subsequently can practise kaitiakitanga.

This report is guided by the specified aim: to explore opportunities to improve the ecological and cultural health of Te Ihutai through the optimisation of organisational relationships in the context of Te Tiriti o Waitangi. It investigates the main organisational relationships connected to the Christchurch estuary, cognisant that relationships have the potential to improve or degrade the ecological and cultural health of a place. Once key relationships are established, they will be viewed through the lens of Te Tiriti o Waitangi to assess if they enable Māori to exercise tino rangatiratanga, before highlighting opportunities to optimise relationships. The report concludes with recommendations for the Estuary Trust on how they might optimise their relationships for the benefit of Te Ihutai.

Methods

The study area for this report, Te Ihutai (Avon-Heathcote Estuary) is situated in Christchurch, New Zealand. It is a triangle-shaped estuary which receives fresh water from the Ōtākaro (Avon) and Ōpāwaho (Heathcote) rivers. The mouth of the estuary is located between Southshore and Sumner, where it meets the Pacific Ocean (Woodley, 2018).

Research objectives and questions are informed by the aim to explore opportunities to improve the ecological and cultural health of Te Ihutai through the optimisation of organisational relationships in the context of Te Tiriti o Waitangi. The research objectives are to establish the relationships organisations have with Te Ihutai and each other that need to be appreciated and understood. This process will

highlight suboptimal relationships. Once these are known, opportunities will be identified for organisations to support better relationships through self-reflection.

While many groups and organisations interact with Te Ihutai, for the purposes of this report, the focus will be on four of the larger groups or organisations: the Estuary Trust, Te Rūnanga o Ngāi Tahu, the iwi umbrella for mana whenua, CCC and ECAN.

Reasons for the inclusion of these particular groups are: The Estuary Trust commissioned this report, while Te Ihutai sits within the takiwā of Te Rūnanga o Ngāi Tahu, and CCC and ECAN are the district and regional councils with relevant statutory responsibilities.

The research questions to be addressed are:

1. What current main organisational relationships are connected to and involved in the management of Te Ihutai?
2. Which organisational relationships require optimising to enhance the cultural and ecological health of Te Ihutai?
3. What opportunities are present to enable the adjustment of relationships?

All questions are grounded in the Te Tiriti o Waitangi. Actions explored and recommended are aimed towards non-Māori organisations as it is acknowledged that mana whenua have tino rangatiratanga over their organisations and processes. The methods used to answer each of the research questions follow. The headings 'Relationships', 'Relationships requiring optimisation' and 'Opportunities to optimise relationships' each represent one of the research questions.

Relationships

To answer question 1 an online literature review was conducted to build a picture of the organisational relationships connected to Te Ihutai with a focus on CCC, ECAN, the Estuary Trust, and Ngāi Tahu. Searches of the Christchurch City Council, Environment Canterbury, Ngāi Tahu and Avon-Heathcote Estuary Ihutai Trust websites were undertaken alongside Google search and Google Scholar. The search terms used were: Ihutai, Avon Heathcote Estuary, history, cultural narrative, Ngāi Tahu, Ngāi Tūāhuriri, Te Hapū o Ngāti Wheke, Rāpaki, Avon-Heathcote Estuary Ihutai Trust, CCC, Christchurch City Council, ECAN, Environment Canterbury, iwi management plan, State of the Tākiwa report, Kemp's Deed, Public Works Act, Christchurch, New Zealand. They were used individually and in combination. Results were screened for relevance and a snowball method was used to pursue threads of information relevant to the research questions.

Selected material was examined to understand how and why each organisation or group is connected to Te Ihutai, before examining the relationships between each of the organisations. This work comprised building a picture of the level of authority and influence each organisation has and how each organisation is connected to the other groups.

Relationships requiring optimisation

This report and the research questions are grounded by the principles of Te Tiriti o Waitangi and the understanding that Māori rangatira would retain the tino rangatiratanga they had prior to colonisation. This requires that their involvement and influence in planning for an area should sit above that of other stakeholders. Porter et al (2017) explain that this means 'Indigenous people making decisions about their place (whether built or natural environment) using their knowledge (and other knowledges) and principles to define and progress their present and future social, cultural and economic aspirations'.

Research question 2 will be answered by assessing the relationships and connections found by answering research question 1 using a ‘people-place-knowledge-values’ loop (Figure 1). This will uncover if tino rangatiratanga is upheld in the current relationships and expose suboptimal relationships.

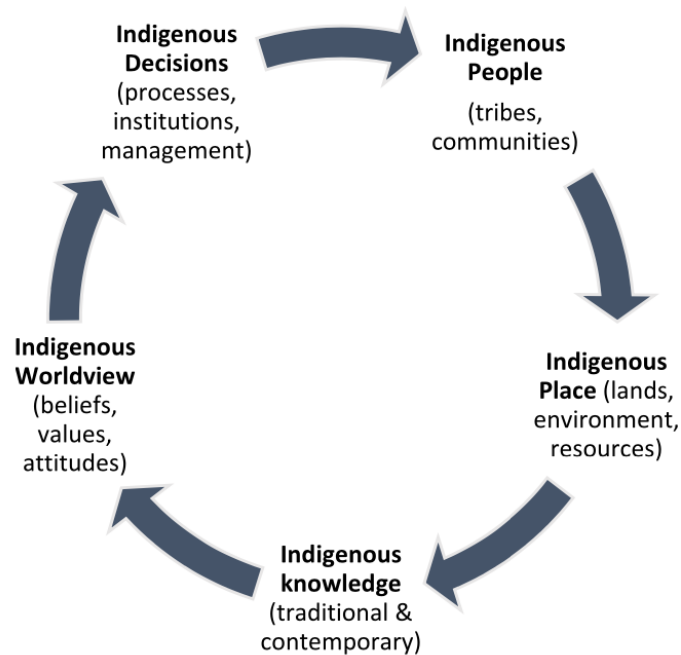


Figure 1: The people-place-knowledge-values loop (Porter et al, 2017)

Opportunities to optimise relationships

Uncovering suboptimal organisational relationships connected to Te Ihutai using the ‘people-place-knowledge-values’ loop highlights opportunities for non-Māori organisations to self-reflect and make positive adjustments to ensure they are adequately supported in their role. Self-reflection also assists them to operate in a way which promotes relationships for Māori in the context of Te Ihutai. This process will address research question 3.

Results

The headings used in the methods section continue to the results element of this report; ‘Relationships’, ‘Relationships requiring optimisation’ and ‘Opportunities to optimise relationships’ each represent one of the research questions.

Relationships

To answer research question 1 an online literature review was conducted to build a picture of how and why particular organisations are connected to Te Ihutai and the relationships between each other. Four organisations are included; the Estuary Trust, Ngāi Tahu, CCC and ECAN

Avon-Heathcote Estuary Ihutai Trust

The Estuary Trust is a non-profit, voluntary organisation formed by members of the public in 2002. Its vision is:

communities working together for clean water, healthy ecosystems, open space and safe recreation that we can all enjoy and respect

(CCC et al., 2016)

The Estuary Trust produced an Ihutai Management Plan in 2004 (AHEIT, 2004) and 2013 (AHEIT, 2013). A renamed and updated Estuary Management Plan, which includes an ecological plan, was produced in 2020 (AHEIT, 2020) to prepare for the next decade. The Estuary Trust receives funding from ECAN, CCC, and a philanthropic funder, the Rātā Foundation (Rātā Foundation, 2023), to support their work.

There is a memorandum of understanding (MOU) between the Estuary Trust, ECAN and CCC, valid until 30 June 2026 (CCC et al., 2016). The intention is detailed as the three parties working together to implement the Ihutai Management Plan. The MOU states that the funding received can be used by the Estuary Trust to take action on items outlined in the 2013 Ihutai Management Plan (it is assumed that this is now superseded by the 2020 Estuary Management Plan) and that all parties acknowledge the role of the Christchurch West-Melton Zone Committee, a joint committee of ECAN, CCC and Selwyn District Council. There is no specific mention of responsibilities to mana whenua or how these are included within the MOU arrangement. The Estuary Trust's constitution, however, states that 'the Trust shall recognise the views and expectations of Mana Whenua, to respect and implement the dual heritage of the partners of Te Tiriti O Waitangi' (AHEIT, 2012).

In 2008 the Estuary Trust received feedback from Mahaanui Kurataiao Ltd (MKT), an entity that facilitates engagement between CCC, the Crown and private organisations with the six Papatipu Rūnanga of Te Tai o Mahaanui (Mahaanui Kurataiao Ltd, n.d.) that they needed to broaden their 'consideration of tangata whenua projects into a wider view of the relationships with and participation of tangata whenua, and to identify the broad priorities of tangata whenua in the contracting of projects of relevance to them' (Lobb, 2009). The outcome of this was for the Estuary Trust, with ECAN, to fund an advisory report outlining the cultural context of Te Ihutai for Ngāi Tahu, how the Estuary Trust should engage with Ngāi Tahu, and tangata whenua priorities for Te Ihutai (Lobb, 2009).

Throughout the Estuary Management Plan 2020-2030 there are references to the history of Te Ihutai, including the historical grievances felt by Ngāi Tahu. There are five goals concluding the Estuary Management Plan. The first is titled 'Communities Working Together for Better Management of the Estuary' with four of the 18 actions highlighting Ngāi Tūāhuriri as partners for this work.

The actions with Ngāi Tūāhuriri as partners are:

- Continue to nurture relationships with Rūnanga and facilitate their input to board decisions.
- Support Rūnanga and their kaitiaki role and meet regularly with representatives.
- Advocate for the recognition of traditional places and place names, support place name changes and archaeological surveys.
- Protect and restore areas and associated resources important to Rūnanga, may include specific native plant restoration and species of traditional significance (AHEIT, 2020, p. 26).

Ngāi Tahu

Ngāi Tahu have a rich and strong history with Te Ihutai, but the effects of colonisation and continued grievances have had an immeasurable impact on this connection. The history detailed below is an overview and does not cover all historical events.¹ Te Ihutai was part of a network of waterways and

¹ The information in the next two paragraphs is predominantly sourced from reports prepared for the Estuary Trust by Ngāi Tūāhuriri and the Ihutai Ahu Whenua Trust. The information was given on the understanding that it would not be shared outside of the Estuary Trust without permission from the authors.

wetlands found in Christchurch, and was a valued mahinga kai site for generations of Ngāi Tahu. In 1848 Kemp's Deed was signed, agreeing to the sale of large swathes of the South Island of New Zealand. In addition to a very small sum of money, Ngāi Tahu were promised they would keep all mahinga kai and kainga nohoanga, along with additional land when their descendants needed it. These guarantees were not honoured in Kemp's Deed, nor by the Crown following signing (Evison, 2006).

In response to the meagre allocation of reserves to Ngāi Tahu and the reduction in mahinga kai abundance, Te Ihutai Reserve was created as a fishing easement in 1868 (Harris, 2021; Lobb, 2009). As Te Maire Tau explains, the urbanisation of Christchurch rapidly reduced the abundance of mahinga kai and in response to the poor conditions faced by Ngāi Tahu due to the injustices of Kemp's Deed, in 1868 Judge Fenton of the Native (Māori) Land Court granted 16 fishing easements in Canterbury. One was Te Ihutai Māori Reserve 900, to recognise and preserve the fishing rights of Kaiapoi Māori (Tau, 2017).

The mid-20th century saw further disruption and disregarding of Ngāi Tahu's connection with Te Ihutai. In 1956 the reserve was confiscated by the Christchurch Drainage Board under the Public Works Act for the construction of oxidation ponds without consensus from the owners. Rapid urbanisation and industrialisation of Christchurch led to the degradation of the tributary rivers of Te Ihutai, and the disposal of sewage into Te Ihutai. This deemed the site unsuitable for mahinga kai and other tikanga (Harris, 2021; Lobb, 2009). An alternate reserve, north of Pegasus, was granted in 2004 in place of the Te Ihutai Reserve following the Ngāi Tahu Claim settlement and ancillary claims. This reserve has since been taken to build the northern motorway.

The Estuary Trust detail key events in the cultural and social history of Te Ihutai in the Estuary Management Plan 2020-2030 (AHEIT, 2020), but when researching how CCC and ECAN portray the cultural history of Te Ihutai, the two councils explain events in a different tone or information is lacking on the historical narrative. As part of the recent CCC consultation on the draft Ihutai-Estuary and Coastal Stormwater Management Plan there is a section titled 'tangata whenua and cultural values'. It mentions that Te Ihutai was a mahinga kai, and that there are burial, horticultural and fishing sites of importance for Ngāi Tahu. It also explains that the Te Ihutai Reserve was confiscated by the Christchurch Drainage Board but does not fully acknowledge the multiple grievances that have occurred at Te Ihutai for Ngāi Tahu (CCC, 2022b). ECAN has even less contextual information readily available. Within part of the Christchurch West Melton water zone information, it explains that ECAN supports the Estuary Trust with a grant, staff liaison and a councillor on the board and includes a link to the Estuary Management Plan on the Estuary Trust's website. There is no mention of Ngāi Tahu's connection, or of the history of Te Ihutai (ECAN, 2023a).

Several publicly accessible documents detail how Ngāi Tahu wish for Te Ihutai to be provided for and provide insight into how they want to be involved in providing for their tākiwa. These include an iwi management plan with a specific section on Te Ihutai (Jolly & Ngā Papatipu Rūnanga Working Group, 2013), State of the Tākiwa environmental reporting in 2007 and 2012 (Lang et al., 2012; Pauling et al., 2007), and a Rūnanga Positons Statement for Opawaho/Heathcote Stormwater Management Plan (Mahaanui Kurataiao Ltd, 2021).

Ngāi Tahu hapū that hold mana whenua have a relationship with CCC and ECAN through Te Tiriti o Waitangi. Territorial and Regional Councils are delegates of the Crown and therefore have the responsibility of upholding the principles of Te Tiriti.

The Estuary Trust have no formally mandated relationship with mana whenua, but one has been built through willingness on both sides. It is unclear where this relationship sits in the hierarchy of local and regional government and if mana whenua, as a treaty partner of CCC and ECAN, sit above the Estuary Trust when it comes to decision-making and resourcing of work connected to Te Ihutai. The 2009

advisory report titled 'Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust' (Lobb, 2009) and the 'Cultural Narrative of the Ihutai MR900 Ahu Whenua Trust' (Harris, 2021) represent examples of efforts by the Estuary Trust and Ngāi Tūāhuriri to understand each other in more detail to facilitate effective collaboration for the benefit of Te Ihutai.

Christchurch City Council

The territorial authority covering Te Ihutai is CCC. They have statutory responsibilities for the provision of local infrastructure, including for water, sewage, stormwater and roads. They are also required to control the effects of land use and the effects of activities on the surface of lakes and rivers (Department of Internal Affairs, 2011).

One relationship that CCC have with mana whenua is through a committee set up as a result of a relationship agreement with the Papatipu Rūnanga in 2016 (CCC, 2022c). Representatives from CCC and the six Rūnanga meet as the Te Hononga Council – Pāpatipu Rūnanga Committee on a quarterly basis. This arrangement aims to enhance the relationship between CCC and Ngāi Tahu. It is unclear if members from the six Rūnanga are resourced for participation on the committee. The committee can make recommendations but does not have the ability to make decisions (CCC, 2022a).

CCC have a relationship with the Estuary Trust through the MOU. This document states that CCC staff will attend Estuary Trust meetings to provide information and support as requested and have an elected member or senior manager as a representative on the Estuary Trust Board. The Estuary Trust are to provide CCC with an annual written report outlining how the Estuary Trust propose to use the funding they receive, and an evaluation of expenditure from funding provided to them by CCC (CCC et al., 2016). Mana whenua are not mentioned in the MOU and there is no indication of how far CCC delegate responsibilities to the Estuary Trust and if that includes obligations under Te Tiriti o Waitangi.

Environment Canterbury

Te Ihutai is within the area covered by the ECAN, Canterbury Regional Council. They are responsible for managing the effects of using fresh water, land, air and coastal waters. They are required to manage rivers and mitigate soil erosion, flood control and marine pollution (Department of Internal Affairs, 2011).

One way that ECAN implement the Canterbury Water Management Strategy is to involve communities through water zone committees. Each water zone committee must have at least one Rūnanga representative (ECAN, 2023b). Te Ihutai is part of the Christchurch West Melton zone and must have representation from Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke Rūnanga and Te Taumutu Rūnanga, all of whom have takiwā in the zone. An honorarium of \$4,000 is paid per annum to appointed members. The water zone committees can make recommendations, but they are not able to make decisions which impact the council's actions (ECAN, 2021). Mana whenua representation on ECAN itself was increased in 2022 when the Canterbury Regional Council (Ngāi Tahu Representation) Act came into force. It brings two Ngāi Tahu representatives to Regional Council with full decision-making rights.

ECAN's relationship with the Estuary Trust appears to be like that of CCC. The conditions of the MOU are identical for ECAN and CCC (CCC et al., 2016). Again, acknowledgement of mana whenua is lacking and outlining of who has responsibility and is accountable under Te Tiriti o Waitangi is absent.

Relationships requiring optimisation

The 'people-place-knowledge-values' loop was used to assess if the relationships uncovered when answering research question 1 were ones which enable 'Indigenous people making decisions about their

place (whether built or natural environment) using their knowledge (and other knowledges) and principles to define and progress their present and future social, cultural and economic aspirations' (Porter et al., 2017). For this report, a key element of question 2 is to gain an appreciation of the extent to which mana whenua are making decisions about Te Ihutai and the influences upon it, using their knowledge and in the context of their worldview. Each evaluation of each element of the 'people-place-knowledge-values' loop will follow.

People

When examining the relationships highlighted above to find out if mana whenua were making decisions about Te Ihutai it was found that this happened largely in an advisory capacity as part of territorial and regional council capacity. Mana whenua can make recommendations to CCC through Te Hononga Council, and to ECAN via the Water Zone Committees, but the terms of reference for these groups do not extend to decision-making. In addition, since 2022 ECAN now has two Ngāi Tahu representatives, with voting rights on the Council.

The Estuary Trust are resourced by CCC and ECAN to carry out work to support Te Ihutai. It is unclear whether mana whenua, who should have the strongest relationship with CCC and ECAN as Tiriti partners, are resourced to complete this work.

Mana whenua have a suboptimal relationship with the management of Te Ihutai which does not enable them to exercise tino rangatiratanga. Their inclusion is predominantly via advisory roles and likely without adequate resourcing.

Place

The relationship that mana whenua has with Te Ihutai is one that has been shaped by colonisation. Due to repeated grievances and mistreatment of the site, Ngāi Tahu are effectively alienated from their land and fisheries, which have significant cultural importance.

The portrayal of historical events impacting Te Ihutai vary with CCC and ECAN offering limited or no historical context, and the Estuary Trust explaining events in much more detail. It is unknown if the lack of information made publicly available by CCC and ECAN is because they are following mana whenua wishes to ensure that they control the narrative, or if this absence of historical knowledge is an oversight. If it is an oversight, this hinders public understanding of the relationship Ngāi Tahu have with Te Ihutai, and stops representatives of the Crown (CCC and ECAN) from acknowledging historical grievances, including the confiscation of Ihutai Reserve MR900 in 1956.

Knowledge

Mana whenua have provided information explaining their connection to, knowledge of, and how they wish to influence provision for Te Ihutai through several avenues. This includes iwi management plans, position statements, State of the Takiwā reporting and reports to the Estuary Trust. How these documents are responded to is largely at the discretion of the receiving organisation.

The 2012 State of the Takiwā report cautioned that the advice given in the 2007 report had likely not been followed up on given the lack of improvement in environmental and cultural health measures. While the Canterbury Earthquake Sequence was a major disruptive influence, the 2012 report implied that although knowledge was shared, it was not valued by those receiving it (Lang et al., 2012).

Worldview

The organisation systems which make decisions impacting Te Ihutai are Pākehā ones. Although mana whenua are included, it is in mainly in an advisory capacity, which may limit the ability for te ao Māori to be introduced and included in actions subsequently taken. Without having tino tangatiratanga over their takiwā, Ngāi Tahu cannot effectively be kaitiaki. This concept entails not just guardianship but an obligation to tūpuna and future generations.

The State of the Takiwā reports also laid out priorities for work at Te Ihutai in line with te ao Māori. The comments in the 2012 report highlighting the lack of improvement since the 2007 report demonstrate how te ao Māori is not enabled to be part of the dominant ways of working. It has also been over ten years since the last State of the Takiwā report. Environment monitoring since was completed by the National Institute of Water and Atmospheric Research (NIWA) in 2020 (NIWA, 2020).

Decisions

Although there are now two Ngāi Tahu representatives to Canterbury Regional Council with full decision-making rights, other roles for mana whenua are within groups which can recommend but do not negate the Crown representatives' (CCC and ECAN) right to make decisions. The ability to influence decisions impacting their takiwā is therefore limited.

The Estuary Trust have a relationship with CCC and ECAN through an MOU and funding. The Estuary Management Plan 2020-2030 is a non-statutory document and there is no legal requirement for CCC or ECAN to implement any of its objectives and actions if they fall outside statutory responsibilities. The Estuary Trust have prioritised relationships with mana whenua in the plan. From the information publicly available, however, it is unclear how strong the Estuary Trust's relationship and influence with ECAN and CCC is, and how mana whenua is connected to decision-making at Te Ihutai. It should be questioned if the Estuary Management Plan holds more weight and influence than mana whenua directions such as iwi management plans. Although councils have a responsibility to take into account plans by iwi under the RMA (Resource Management Act 1991), the optics of a charitable organisation making a plan with CCC and ECAN suggest that this relationship may be more influential.

Other relationships that require optimisation

The information gathered when answering research question 1 highlighted other relationships that may need attention. The Estuary Trust's relationship with CCC and ECAN requires clarifying and defining. There is a lack of clarity on what is the responsibility of the Estuary Trust, a charitable organisation, and what responsibilities lie with CCC and ECAN. This is not only with regard to work on the ground such as EAAFP Flyway Site Network accreditation, but also where the Estuary Trust fits into the Tiriti Partnership between the Crown (CCC and ECAN as representatives) and mana whenua. The Estuary Trust Board have made efforts to build a relationship with mana whenua, and all organisations have responsibilities under Te Tiriti, but the question that needs to be asked is if the Estuary Trust's relationship with mana whenua serves as a substitute for the Crown relationships. If so, it is not appropriate for Crown relationships to be delegated to a charitable organisation.

How the Estuary Trust liaise with mana whenua is a relationship which also requires optimisation. An assumption has developed over the past 20 years that the Estuary Trust liaise directly with mana whenua, but which of the mana whenua groupings the Estuary Trust should consult is unclear. The Estuary Trust constitution (AHEIT, 2012) and the Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust (Lobb, 2009) document state that consultation is to be with Ngāi Tūāhuriri. Since 2020, however, the expectation has been to confer with Te Ihutai Ahuwhenua

Trust, who represent the descendants of the original owners of Ihutai Reserve MR900. The original owners of MR900 were Kaiapoi Māori. Yet Ngāti Wheke of Rāpaki also have connections with Te Ihutai.

Opportunities to optimise relationships

Answering research questions 1 and 2 painted a picture of the organisational relationships present in the management of Te Ihutai, and highlighted ones which are suboptimal in the context of Te Tiriti o Waitangi. This provides opportunities for non-Maori organisations to self-reflect and make improvements to enhance organisational relationships for the benefit of Te Ihutai. These opportunities fall into three categories: alignment, connection and openness.

Aligned

There are opportunities for organisations to realign themselves with Te Tiriti o Waitangi, realign with their own purpose and scope, and ensure that their people, processes and actions support these alignments. This encompasses reflecting if the roles Ngāi Tahu have with CCC and ECAN truly enable tino rangatiratanga and deciding if other organisations have more influence on decisions than the mana whenua connected to an area through whakapapa (Matunga, 2013). There is an opportunity for organisations, especially charitable ones, to ensure that they are working within their capacity and have clearly defined roles.

Connected

Adapting and altering how organisations are connected to Te Ihutai and each other provides opportunities to enhance the ecological and cultural health of Te Ihutai. There are opportunities to ensure that organisations and groups are connected in a way that acknowledges tino rangatiratanga. This includes reviewing if resourcing is provided in a way which enables mana whenua to participate (Matunga, 2013). It also means ensuring that actions are connected. Completing State of the Takiwā reporting, for example, assesses the area from an environmental and cultural perspective, but unless the action points are followed up, results will not be seen; the connection between results and action is missing. Organisations connecting through the correct and appropriate avenues is also key.

Open

The last way for organisations to self-reflect is to assess if they are open. Open to different perspectives, open to change and adaptation, open to relinquishing control that they have held, open to acknowledging historical grievances (Matunga, 2013); and open to criticism.

Self-reflection in these three categories enables organisations to critically analyse their relationships. It supports organisations to make sure they are working within their scope, but also ensures they are operating in a way which promotes honouring of Te Tiriti o Waitangi and upholding tino rangatiratanga for mana whenua.

Discussion and recommendations

This study aimed to: explore opportunities to improve the ecological and cultural health of Te Ihutai through the optimisation of organisational relationships in the context of Te Tiriti o Waitangi. This was achieved by examining the relationships between CCC, ECAN, mana whenua and the Estuary Trust, in the context of Te Tiriti o Waitangi. The 'people-place-knowledge-values' loop was used to assess if the relationships uncovered enabled 'Indigenous people making decisions about their place (whether built or natural environment) using their knowledge (and other knowledges) and principles to define and progress their present and future social, cultural and economic aspirations'. Exposure of suboptimal relationships provides opportunities for non-Māori organisations to reflect on and critically analyse their

relationships to make sure they are supported to work within their scope, but also ensures they are operating in a way which promotes relationships for Māori.

Many reports and research papers have introduced ways to enhance the health of estuaries but there is minimal discussion of how organisations can self-reflect on their own relationships and the influences their relationships may have on others, especially in upholding the principles of Te Tiriti o Waitangi. This study could be enhanced by assessing more organisations connected to Te Ihutai and conducting interviews to better understand the relationships between organisations. Research limited to the literature available online constrained the ability to fully investigate the arrangements between organisations such as the Estuary Trust, mana whenua, CCC and ECAN.

To help organisations to self-reflect on their relationships and take action on their findings an 'Organisational relationships self-reflection tool' has been created as part of this project (see Appendix A). It incorporates the three categories alignment, connection and openness, explains each element, provides a space for organisations to assess their processes and relationships, and allows for action points to be made to optimise the relationships highlighted as needing work.

The 'Organisational relationships self-reflection tool' has been completed, based on the available literature, for the relationships seen for the Estuary Trust (see Appendix B). It is acknowledged that there may be gaps in the information obtained and personal connections between individuals may not have been accounted for. Below is a breakdown of the findings employing the 'Organisational relationships self-reflection tool' and their implications. Recommendations are made on how to improve relationships in each category.

Estuary Trust and aligned relationships

The relationships between mana whenua and the Crown (in this case CCC and ECAN) should sit above the relationships the Estuary Trust has with CCC and ECAN to honour Te Tiriti o Waitangi and the tino rangatiratanga of mana whenua. Ways that mana whenua influence decisions with CCC and ECAN are predominantly in an advisory capacity. The Estuary Trust has an MOU and receives funding from CCC and ECAN. It is unclear if the influence and resourcing of the Estuary Trust's relationship with CCC and ECAN is above that of mana whenua. The MOU does not mention mana whenua.

The Estuary Trust have been proactive about connecting with mana whenua and asking their wishes but the information provided by mana whenua in practice has not been fully taken on board by the Trust.

Recommendations

1. Clarify the Estuary Trust's role at Te Ihutai, with particular regard to the capacity of the organisation and its objectives. Update the MOU with CCC and ECAN to clarify roles and responsibilities.
2. Confirm with CCC and ECAN how the Tiriti relationship between the Crown and mana whenua is to operate at Te Ihutai and how the Estuary Trust fits into this picture. The MOU with CCC and ECAN and the Estuary Trust constitution should then be updated accordingly.
3. Advocate for a strong mana whenua influence and voice at Te Ihutai, as part of the Estuary Trust's work with CCC and ECAN. The Ōtākaro Avon River Corridor Establishment Committee is a co-governance model being implemented in Christchurch and a model which may be worth exploring, if aligned with Ngāi Tūāhuriri wishes.
4. Return to the 2009 document 'Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust' (Lobb, 2009) and the Cultural Narrative of the Ihutai MR900 Ahu Whenua Trust (Harris, 2021) to refresh board members on the priorities set by Ngāi

Tūāhuriri. The Estuary Trust should first clarify with Ngāi Tūāhuriri that these documents are still aligned with their current wishes.

Estuary Trust and connected relationships

The main issues brought to light through the completion of the self-reflection tool from the perspective of the Estuary Trust are the need to confirm preferred communication channels with mana whenua, to work towards connecting mana whenua with resourcing, and to connect environmental monitoring with te ao Māori.

As highlighted in recommendation 2, the ways in which mana whenua are connected with Te Ihutai, and how they are able to exercise tino rangatiratanga, are unclear from the publicly available literature and require clarification and adjustment. The recommendations for 'connected relationships' are focussed on enabling effective communication between the Estuary Trust and mana whenua.

Once the roles and responsibilities of the Estuary Trust are clarified with CCC and ECAN (in line with recommendations 1 and 2), it would be pertinent for the Estuary Trust to engage with Ngāi Tūāhuriri to confirm their preferred communication methods and channels. The Estuary Trust could also play a part in advocating for increased mana whenua resourcing by CCC and ECAN for work at Te Ihutai and promoting the use of State of the Takiwā environmental monitoring and reporting on Te Ihutai. This extends beyond just commissioning a report, to advocating for commitment by CCC and ECAN to take on board and action the recommendations.

Recommendations

5. Ascertain communications and connection channels with Ngāi Tūāhuriri, update MOU and constitution to reflect these, once roles and responsibilities of the Estuary Trust are clarified with CCC and ECAN (as above).
6. Advocate for increased mana whenua resourcing.
7. Advocate for State of the Takiwā environmental and cultural monitoring at Te Ihutai, and commit to follow recommendations.

Estuary Trust and open relationships

The Estuary Trust Board are clearly an organisation with the health of Te Ihutai at its heart. This is evidenced by the evolving nature of the Estuary Management Plans and the continued desire to optimise their relationship with mana whenua.

It may be that in promoting compliance with Te Tiriti o Waitangi, the Estuary Trust may lose some of its current roles and influence. For the enhancement of the ecological and cultural health of Te Ihutai, and to honour Te Tiriti o Waitangi, especially in the context of the Treaty settlements process that is revising relationships across the country, the Estuary Trust needs to be open to relinquishing control and stepping away in some areas. This consideration to stepping back should be seen as part of the process of realignment with Estuary Trust objectives and being present as a group to advocate for Te Ihutai. This is valuable and much-needed work.

Recommendation

8. Be open to stepping back and relinquishing some of the roles the Trust currently has to enable the tino rangatiratanga of mana whenua to be upheld in accordance with Te Tiriti o Waitangi.

Conclusion

This report sought to explore opportunities to improve the ecological and cultural health of Te Ihutai through the optimisation of organisational relationships in the context of Te Tiriti o Waitangi. Exploration of the relationships between the Estuary Trust, Ngāi Tahu, CCC and ECAN, and assessment using the 'people-place-knowledge-values' loop demonstrated that although there are ways mana whenua can influence decisions at Te Ihutai, this is largely in an advisory role and predominantly not in a decision-making capacity. A deeper understanding of how organisations connect with one another and the dynamics between, in the context of Te Tiriti o Waitangi, has uncovered suboptimal relationships. Opportunities to optimise organisations' relationships fell into three categories; aligned, connected and open.

The Estuary Trust's relationships were examined through a self-reflection tool to highlight suboptimal relationships. Eight recommendations are presented. These focus on improved recognition and provision for the tino rangatiratanga of Ngāi Tahu at Te Ihutai and how the Estuary Trust may advocate in support of this objective.

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Appendix A: Organisational relationships self-reflection tool

Aligned relationships			
Criteria	Explanation	Reflection	Action required
Aligned with Te Tiriti o Waitangi	Do the actions of the organisation support the tino rangatiratanga of Ngāi Tahu?		
Aligned support	Do members of the organisation understand and support alignment with Te Tiriti Waitangi?		
Aligned actions	Are actions of the organisation aligned with their objectives and contained within their remit?		

Connected relationships			
Criteria	Explanation	Reflection	Action required
Connected organisations	Are organisations connected in a way which acknowledges tino rangatiratanga and mana whenua?		
Connected resourcing	Is adequate funding going to the right people? Is there a group which requires more funding? Is the organisation considerate of the resourcing constraints other organisations may have?		
Connected environment	Is the environment being considered as part of a whole system?		

Open relationships

Criteria	Explanation	Reflection	Action required
Open to different perspectives	Is the organisation open to understanding and appreciating different views and opinions?		
Open to change and adaptation	Is the organisation open to changing its way of working?		
Open to sincerely acknowledging historical grievances	Is the organisation publicly acknowledging historical events and the impact on other people, particularly Ngāi Tahu?		
Open to criticism	Is the organisation able to take on board criticism and to make positive changes?		
Open to relinquishing control or stepping away	Does the organisation need to pass some responsibilities to another group? Is the organisation encroaching on another group's interests, specifically mana whenua interests?		

**Appendix B: Organisational relationships self-reflection tool
Estuary Trust case study**

Aligned relationships			
Criteria	Explanation	Reflection	Action required
Aligned with Te Tiriti o Waitangi	Do the actions of the organisation support the tino rangatiratanga of Ngāi Tahu?	<p>Inclusion of historical material in the Estuary Management Plan that matches the Te Ihutai cultural narrative and efforts by the Estuary Trust to engage with mana whenua are positive actions.</p> <p>The relationships between mana whenua and the Crown (in this case CCC and ECAN) must sit above the relationships the Estuary Trust has with CCC and ECAN to honour Te Tiriti o Waitangi and tino rangatiratanga. Ways that mana whenua influence decisions with CCC and ECAN are predominantly in an advisory capacity. The Estuary Trust has an MOU and receives funding from CCC and ECAN. It is unclear if the influence and resourcing of the Estuary Trust relationship with CCC and ECAN is above that of mana whenua. The MOU does not mention mana whenua.</p>	<p>Clarify role with CCC and ECAN. Update MOU and Estuary Trust Constitution.</p> <p>Advocate for a stronger mana whenua role at Te Ihutai, if this is aligned with the priorities of Ngāi Tūāhuriri. The work currently in progress at the Ōtākaro Avon River Corridor is an example of collaboration with mana whenua and CCC to move towards co-governance. This might be a model worth exploring.</p>
Aligned support	Do members of the organisations understand and support alignment with Te Tiriti Waitangi?	Information has been sought to increase understanding but it appears that it has not been implemented.	Go back to the Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust and the cultural narrative and take on board information and recommendations. Particularly section 7 and 8 of the 2009 report.
Aligned actions	Are actions of the organisation aligned with their objectives and contained within their remit?	<p>The Estuary Trust has a responsibility to work in a way which honours Te Tiriti o Waitangi but it should not be replacing the Crown – mana whenua relationship.</p> <p>The MOU does not detail which responsibilities lie with the Estuary Trust and which with CCC/ECAN.</p>	Clarify roles and responsibilities with CCC and ECAN. A new MOU may be required.

Connected relationships

Criteria	Explanation	Reflection	Action required
Connected organisations	Are organisations connected in a way which acknowledges tino rangatiratanga and mana whenua?	<p>From an outsider's perspective, it appears that one way Ngāi Tahu connect to the management of Te Ihutai is through the Estuary Trust. This does not acknowledge tino rangatiratanga.</p> <p>The Trust is unclear on the preferred way/correct way to connect with mana whenua. The Trust's constitution and the report on Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust conflict with more recent expectations from mana whenua.</p>	<p>Update MOU to clarify role</p> <p>Once roles and responsibilities with mana whenua are clarified with CCC and ECAN, ascertain communications and connection channels with Ngāi Tūāhuriri and update MOU and constitution</p>
Connected resourcing	<p>Is adequate funding going to the right people?</p> <p>Is the organisation considerate of the resourcing constraints other organisations may have?</p>	<p>The Estuary Trust receive money for their work connected to Te Ihutai.</p> <p>The 'Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust' report explains that Ngāi Tūāhuriri are limited in resourcing both in terms of financial and people capacity and gives details of how the Estuary Trust could support them.</p>	<p>Re-emphasise capacity constraints of Te Rūnanga with members of the Estuary Trust.</p> <p>Advocate for better resourcing for mana whenua and their work at Te Ihutai.</p>
Connected environment	<p>Is the environment being considered as part of a whole system?</p> <p>Is the connection between ecological and cultural health understood?</p>		Advocate for State of the Takiwā reporting.

Open relationships

Criteria	Explanation	Reflection	Action required
Open to different perspectives	Is the organisation open to understanding and appreciating different views and opinions?	The Estuary Trust comes across as an organisation open to listening and taking on board the views and opinions of others.	
Open to change and adaptation	Is the organisation open to changing its way of working?	From the outside, the Estuary Trust is a dynamic organisation that actively seeks ways to improve its way of working and the ecological and cultural health of Te Ihutai.	
Open to sincerely acknowledging historical grievances	Is the organisation publicly acknowledging historical events and the impact on other people, particularly Ngāi Tahu?	The Estuary Trust have included the cultural narrative within the Estuary Management Plan 2020-2030. There needs to be weight given to acknowledging historical grievances and reparations. The events and grievances for Māori connected to Te Ihutai is not detailed well with CCC and ECAN.	If in line with mana whenua wishes, advocate for improved portrayal of cultural narrative and acknowledgement of historical grievances by CCC and ECAN
Open to criticism	Is the organisation able to take on board criticism and to make positive changes?	The Estuary Trust are clearly an organisation who wish to do the best for Te Ihutai.	
Open to relinquishing control or stepping away	Does the organisation need to pass some responsibilities to another group? Is the organisation encroaching on another group's interests, specifically mana whenua interests?.	The Estuary Trust completes important work at Te Ihutai and this clearly comes with good intentions. But part of enhancing cultural health would involve pushing for greater mana whenua involvement at Te Ihutai and true acknowledgement of tino rangatiratanga. This may require the Estuary Trust to step away from some of the work they do to enable mana whenua to have tino rangatiratanga.	Education for Trust Board members on Te Tiriti o Waitangi and what genuine co-governance might look like. Identify work which the Trust undertakes that may be encroaching on the tino rangatiratanga of Ngāi Tūāhuriri. Engage with mana whenua about how they would like the Trust to proceed in these areas.

Glossary

Ahu Whenua Trust	An Ahu Whenua trust is a common land trust. It is designed to promote the use and administration of one or more Māori land blocks or general land owned by Māori on behalf of its owners
hapū	sub-tribe
iwi	tribe
kāinga nohoanga	home, village, settlement
kaitiaki	iwi, hapū or whānau group with the responsibility of kaitiakitanga
kaitiakitanga	environmental stewardship, care
ki uta ki tai	from the mountains to the sea
mahinga kai	food and other resources, and the areas they are sourced from
mana whenua	customary authority, those who have customary authority
Mātauranga Māori	Māori knowledge
mauri	the essential life force of all things, spiritual essence
Ngāi Tūāhuriri	Hapū with the takiwā extending from the Hurunui to the Hakatere river and inland to the main divide. Centred on Tuahiwi
Ōtākaro	Avon River
Pākehā	a person, or pertaining to people of European descent.
Pāpatipu Rūnanga	Marae based councils, administering the affairs of the hapū
Papatūānuku	Mother Earth
Rangatira	chief, leader
Ranginui	Sky Father
Rūnanga	a tribal council
Ōpāwaho	Heathcote River
takiwā	region, tribal or hapū traditional territory
tangata whenua	people of the land; the iwi, the hapū who hold mana whenua over an area
taonga	treasures
Te Hapū o Ngāti Wheke	Hapū situated on the Banks Peninsula and based at Rāpaki
Te Tiriti o Waitangi	The Treaty of Waitangi
Te Rūnanga o Ngāti Tahu	The tribal representative body of Ngāti Tahu Whānui
Te Tai o Mahaanui	Christchurch and Banks Peninsula Coastal Marine Area
Te Taumutu Rūnanga	Hapū with takiwā centred on Taumutu, Te Waihora and adjoining lands
tikanga	correct protocols, practices, policy and regulation
tino rangatiratanga	autonomy, sovereignty, chieftainship
tūpuna	ancestors
whakapapa	genealogies, cultural identity

(Glossary sources - Baker, 2019; Jolly & Ngā Papatipu Rūnanga Working Group, 2013)

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Part Two: Inclusion of Ihutai in the East Asian-Australasian Flyway Site Network – what are the obligations of CCC and the Avon-Heathcote Estuary Ihutai Trust

Abstract

Te Ihutai was included in the East Asian-Australasian Flyway Site Network in 2018. This report aims to determine the commitments required of the Avon-Heathcote Estuary Ihutai Trust (Estuary Trust) and Christchurch City Council once this status was received and make recommendations to enhance the impact and influence of this status. It was found that the East Asian-Australasian Flyway Partnership is an informal and involuntary means to protect migratory birds. No specific commitments were identified associated with Flyway Site Network status; only expectations centred on information sharing within the network, increasing community support, and managing the estuary site in a way which supports migratory waterbirds. Recommendations are focussed on taking opportunities to clarify organisational roles and responsibilities, increase public awareness and exchange information with like-minded charitable organisations with similar goals. It is also recommended that mana whenua support is obtained before applying for statuses such as these which are based on their takiwā.

Clarification of terms

This report is supplementary to the main report of the summer scholarship project 2022-2023 titled 'Optimisation of organisational relationships as a method to enhance the ecological and cultural health of Te Ihutai'.

The assigned brief was to:

Include an outline of commitments the Christchurch City Council and Estuary Trust agreed to with EAAFN when the Estuary received the status of a "Wetland of International Significance".

A few terms first require clarification to reduce the risk of ambiguity and to ensure all parties reading this report are on the same page.

- The name of the organisation being discussed is the 'East Asian-Australasian Flyway Partnership' (EAAFP) and not the East Asian-Australasian Flyway Network' (EAAFN) as written in the project brief.
- The EAAFP has a 'Flyway Site Network' (EAAFP, 2017b) which is where some confusion may have occurred.
- The wording 'Wetland of International Significance' is not used by the EAAFP or Ramsar Convention.
- Ramsar has sites similarly titled 'Wetlands of International **Importance**' (Ramsar, 2014), but the EAAFP do not.
- The EAAFP have criteria for wetlands to be included in the EAAFP Flyway Site Network. They are deemed '**internationally important for migratory birds**' (EAAFP, 2017b).
- This is the status that Te Ihutai (Avon-Heathcote Estuary) received in 2018 and will be the focus of this report.

Introduction

The East Asian-Australasian Flyway Partnership (EAAFP) was created in 2006 as an 'informal and voluntary way to protect migratory waterbirds, their habitats and the livelihoods of people dependent upon them' (EAAFP, 2021b). Partnership members aim to achieve this by promoting information sharing, collaboration between stakeholders, and creating a network of internationally important wetland sites (EAAFP, 2016). These sites are to be 'sustainably managed to support the long-term survival of migratory birds' (EAAFP, 2021a).

For a site to be considered internationally important for migratory waterbirds and to be included within the Flyway Site Network, it must meet one or more of these criteria:

- It regularly supports >20,000 migratory waterbirds; or
- It regularly supports >1% of the individuals in a population of one species or subspecies of migratory waterbird; or
- It supports appreciable numbers of an endangered or vulnerable population of migratory waterbird
- It is a 'staging site' supporting >5,000 waterbirds, or > 0.25% of a population stage at the site

(EAAFP, 2017b)

Te Ihutai (Avon-Heathcote Estuary) received this status in 2018 (EAAFP, 2022) based on its supporting '1.8 per cent of the EAAF population of bar-tailed godwit' (Woodley, 2018).

The Estuary Trust requested an outline of commitments that Christchurch City Council (CCC) and the Estuary Trust are accountable for now that Te Ihutai is part of the East Asian-Australasian Flyway Site Network. The objective of this study is to detail these commitments and make recommendations on how to enhance the influence and impact of this status.

Methods

The research questions follow from this brief:

- What are the commitments of CCC and the Estuary Trust that are associated with Te Ihutai being part of the EAAFP Flyway Network?
- How are CCC and the Estuary Trust currently actioning these commitments?

The first question was answered through a search of the EAAFP website using the following search terms: commitments, pledge, promise, rules, responsibility, and status. As the EAAFP website contains many documents, including news articles and updates, all results were screened and EAAFP documents and policies highlighted for review. These documents were read for relevance.

Email correspondence with Trustees of the Estuary Trust and Christchurch City Council and an exploration of the Te Ihutai Flyway Network application helped to build a picture of how organisations understand the inclusion of Te Ihutai in the Flyway Site Network and how it has influenced action at Te Ihutai. Websites of organisations with a connection to Te Ihutai were also searched for how the inclusion in the Flyway Site Network is portrayed publicly. The organisations highlighted for this purpose are: Avon-Heathcote Estuary Ihutai Trust, Ngāi Tahu (as iwi of the tākiwa where Te Ihutai sits), CCC, ECAN, Department of Conservation (DOC) and Land Air Water Aotearoa (LAWA). The search terms employed were: flyway, network, EAAFP, Ihutai, estuary, and Avon-Heathcote. Gaining an appreciation

for how organisations portray and use this status enables recommendations on how compliance with commitments could be improved.

Results

A search of the EAAFP website did not reveal any specific 'commitments' that organisations such as the CCC and the Estuary Trust have once a wetland is included in the EAAFP Flyway Network. A document titled 'Briefing Paper for Site Managers – Benefits and Expectations of the East Asian-Australasian Flyway Site Network' appears to be the closest available on the website (EAAFP, 2017a). It outlines seven benefits Site Managers should see, and six expectations of Site Managers of sites included in the Flyway Site Network.

The benefits focus on the opportunity to use the prestige of inclusion within the Flyway Site Network as a method to improve and promote awareness and conservation at the site, and access to knowledge and funding. The expectations are centred on information sharing within the network, increasing community support, and managing the site in a way which supports migratory waterbirds. The wording is non-committal and soft in tone using verbs such as expectations, encourage and request for the actions required.

Email and telephone correspondence with Trustees of the Estuary Trust and CCC indicates that there is uncertainty about the nature of the commitments, and who holds the role of 'Site Manager' for the purposes of Te Ihutai's inclusion in the Flyway Site Network. An Estuary Trust Trustee thought that there are no specific commitments and that CCC obligations are 'implicit rather than overt' (B. Simpson, personal communication, January 18, 2023). Another email communication indicates that CCC is officially the 'Site Manager' but the Estuary Trust is unsure of the named person in this role. The Estuary Trust are taking on some of this responsibility and utilising the benefits of inclusion in the Flyway Site Network to obtain funding to promote conservation efforts at Te Ihutai, for example, assistance with printing an educational booklet on estuary birds (T. Jenkins, personal communication, February 2, 2023). Communication with a CCC Park Ranger connected to Te Ihutai indicated he was not sure who was in the role, or what it entailed. He suggested contacting CCC Regional Parks Ranger/Project Manager Andrew Crossland (Personal communication, February 10, 2023). Andrew Crossland, CCC's bird expert, was not aware of who holds this role either (A. Crossland, personal communication February 10, 2023).

When searching the websites of organisations connected to Te Ihutai it was found that ECAN and LAWA make no reference to the EAAFP and the Flyway Site Network in their publicly available information. CCC only detailed the status as part of news articles located on their site (CCC, 2018). Te Ihutai was discussed in detail regarding the Coastal Pathway but there was no mention of it being part of the Flyway Site Network. On the Christchurch Coastal Pathway website, there was no easily accessible information explaining that Te Ihutai was part of the Flyway Site Network. Only when using the search function was an article found (Christchurch Coastal Pathway, 2018). DOC discuss the EAAFP but there is no mention of which sites are included in the Flyway Site Network (DOC, n.d.). The Estuary Trust lists that it received the status in November 2018 but uses incorrect terms for the award and EAAFP (AHEIT, 2018).

A search of the Ngāi Tahu website did not yield any results. It was noted that a document found on the Estuary Trust website titled 'Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust' states that there is to be 'formal consultation with Rūnanga and Te Rūnanga for projects such as Ramsar status' (Lobb, 2009). Although this is different to being part of the Flyway Site Network, the premise is similar. Both impact the management model of Te Ihutai. In the application for Flyway Site Network inclusion it is noted that there is a section titled 'social, economic

and cultural values'. Within this, there is a cultural narrative of Te Ihutai but no mention of whether mana whenua drafted or agreed with the narrative, or the application (Woodley, 2018).

Discussion

Investigating the commitments attached to the inclusion of Te Ihutai as part of the Flyway Site Network has enabled a deeper understanding of what expectations come with this – international – status, how the status is portrayed publicly, and how the status is valued and utilised.

An online literature review yielded useful results. It gave an impression of what being part of the Flyway Network means and how organisations connected to Te Ihutai view this status. There is a possibility that there are documents to give depth to this information and explain some anomalies, but they are not available online. For example, material may have been sent to CCC via email rather than posted on a website.

Although the status of being part of the EAAFP Flyway Site Network was the result of a large piece of work and gives Te Ihutai international standing within the EAAFP, it does not appear to come with any strict, enforceable commitments. The EAAFP is an informal and voluntary partnership. Only a list of benefits and expectations was located. This reduces the opportunity to use this status to push for progress and action.

There appears to be a feeling of frustration from the Estuary Trust that the status is not valued by CCC in the same way and moving forward with work to enhance Te Ihutai has been slower than they would like. The Estuary Trust believe that CCC is the nominated 'Site Manager' but do not know who holds this title. Two employees of CCC who work with Te Ihutai were also unaware of who holds this role. It is unclear from the information seen where responsibilities lie regarding the expectations associated with flyway status. There is a memorandum of understanding (MOU) between the Estuary Trust, CCC and ECAN but there are no specific details of what responsibilities have been delegated to the Estuary Trust by CCC. Again, this points to the need for the MOU of 2016 to be updated.

It was noted in the results that there is little mention of the EAAFP Flyway Site Network on the websites of organisations connected to Te Ihutai. Even those involved with the application have limited information available. This implies that there is a lack of awareness of the Flyway Site Network, which explains the lack of weight attributed to it. Members of the public would likely not know anything about the flyway status as websites they would consult to learn about the area do not highlight it. LAWA has an entire section dedicated to estuaries and describes environmental conditions at Te Ihutai but there is no mention of the Flyway Site Network. When looking for information about the much-publicised Christchurch Coastal Pathway, which follows the southern edge of Te Ihutai, the public will not be made aware of this status unless they specifically search for it or stumble across an old news article.

Notably, it is unclear whether mana whenua were consulted on and agreed with the proposal that Te Ihutai be included in the Flyway Site Network. Advice given to the Estuary Trust suggests that this international status and affiliation may not be in line with Ngāi Tahu values and priorities (Lobb, 2009). Part One of this report titled 'Optimisation of organisational relationships as a method to enhance the ecological and cultural health of Te Ihutai' makes recommendations to improve relationships between organisations at Te Ihutai. This includes relationships which strengthen the tino rangatiratanga of Ngāi Tahu over their takiwā. It is critical that their opinion and wishes on issues such as Flyway Site Network status are sought and followed before such initiatives are undertaken.

Based on the findings and implications of the research several recommendations are made below with the aim of better meeting the expectations set by the EAAFP for sites included in their Flyway Site Network and increasing the positive influence this status may have on public attitudes.

Recommendations

Recommendations are made in line with four of the six expectations outlined by the EAAFP in the document 'Briefing Paper for Site Managers – Benefits and Expectations of the East Asian-Australasian Flyway Site Network', with an additional recommendation connected to collaboration with mana whenua.

Collaboration with mana whenua

- Prior to any such applications, discuss and take on board the opinion and wishes of mana whenua.

Managing the site to maintain its waterbird and ecosystem functions

- Discuss with CCC what expectations relate to the status of being a Flyway Site.
- Find out which responsibilities lie with whom.
- Be realistic about what the Estuary Trust as a charitable organisation has the capacity to do.

Promoting local recognition of the importance of the site for migratory waterbirds

- Advocate for information about Flyway Site status and the presence of migratory waterbirds at Te Ihutai on websites such as LAWA, ECAN, CCC and DOC.
- Suggest the Christchurch Coastal Pathway become an avenue to promote information about Te Ihutai and its Flyway Site status to the public as a means of raising public awareness about endangered waterbirds.

Strengthening community support for the management of the site

- The Estuary Trust already work strongly towards this expectation with multiple events held each year: working bees, restoration events, Farewell to the Godwits, and participation at the Estuary Fest.

Exchanging information and expertise on-site management with other Flyway Network Site Managers

- Reach out nationally to other organisations active in this area to see if they experience similar frustrations, and exchange knowledge and expertise.
- If common themes are identified this may create an opportunity for national or even Flyway-wide action to protect at risk and endangered waterbirds.

Conclusion

This report sought to ascertain the commitments made by CCC and the Estuary Trust when Te Ihutai was included in the international Flyway Site Network in 2018. Research was undertaken into what the commitments entailed, how organisations viewed this status, and what information was available to the public.

The findings revealed that the EAAFP is an informal and voluntary partnership and there are no set 'commitments.' There is a list of expectations directed to the designated site manager. Who is the

designated 'Site Manager' and what the Estuary Trust is specifically responsible for are grey areas, as is whether or not mana whenua are in agreement with Te Ihutai's inclusion in the EAAFP. It was also found that there is little publicly available information promoting this status and the part Te Ihutai plays in supporting internationally important bird species.

The expectations set out by the EAAFP in 'Briefing Paper for Site Managers – Benefits and Expectations of the East Asian-Australasian Flyway Site Network' provide opportunities to clarify organisational roles and responsibilities, increase public awareness and exchange information with likeminded charitable organisations with similar goals. Identifying these opportunities led to recommendations to enhance the influence and impact of Te Ihutai as part of the EAAFP Flyway Site Network.

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Glossary

iwi	tribe
mana whenua	customary authority, those who have customary authority
Rūnanga	a tribal council
takiwā	region, tribal or hapū traditional territory
tino rangatiratanga	autonomy, sovereignty

(Glossary sources - Baker, 2019; Jolly & Ngā Papatipu Rūnanga Working Group, 2013)

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