

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

Wai 863 # F12

OFFICIAL

IN THE MATTER OF: The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF: The Foreshore and Seabed Inquiry –
Wai 1071

AND

IN THE MATTER OF: The Wairarapa ki Tararua Inquiry –
Wai 863

AND

IN THE MATTER OF: The claims by **JAMES RIMENE**
and **PIRINIHI TE TAU** for and
on behalf of Rangitāne Iwi of
Wairarapa and the constituent hapu.

AFFIDAVIT OF JAMES RIMENE

McCAW LEWIS CHAPMAN
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I, JAMES RIMENE, retired, of Rangitāne o Wairarapa swear:

Ko Rangitumau Te Maunga

Ko Ruamahanga Te Awa

Ko Kurahaupo Te Waka

Ko Rangitāne Te Iwi.

1. My waka is Kurahaupo.
2. My hapu are Ngāti Hamua, Ngāti Hineteorangi, Ngāti Raetia and Ngāti Whatui.
3. My iwi is Rangitāne.
4. I am a kaumātua for the Rangitāne o Wairarapa Incorporated Society and I was previously the chairperson of this authority. I am currently the chairperson of Te Runanganui o Rangitāne, which is charged with the responsibility of preserving, protecting and enhancing the identity, integrity and wellbeing of Rangitāne people of ngā hau e whā. This entity is made up of delegates from all Rangitāne rohe namely Wairau, Te Whanganui-a-Tara, Manawatu, Tāmaki Nui a Rua and my own rohe, Wairarapa.
5. I am authorised to swear this affidavit on behalf of Rangitāne of the Wairarapa. In saying that, I tautoko other Rangitāne kaumātua who have filed evidence in support of this urgent inquiry.

Our Tribal Background

6. Before dealing specifically with the Rangitāne o Wairarapa interests in the foreshore and seabed, it is important in my view to traverse, briefly, the Rangitāne tribal history and how Rangitāne have become tangata whenua in the Wairarapa region.

James Rimene
JR

7. The Rangitāne story commences with the arrival of the Kurahaupo waka at Nukutaurua on the Mahia Peninsula. The waka carried three principal rangatira, Popoto, Ruatea and Whatonga. The important ancestor in terms of Rangitāne history is Whatonga. Following his arrival at Nukutaurua, Whatonga settled there for a period before moving south towards Heretaunga. While there he married Hotuwaipara and had a son, Taraika, who was to become the principle tupuna of the Ngāi Tara iwi.

8. Whatonga finally left Heretaunga and travelled south towards Tamaka-Nui-a-Rua. From there he continued to journey south, eventually settling in the Manawatu and Wairarapa. On his arrival in the Manawatu he is reported to have taken his second wife, Reretua. This marriage produced Whatonga's second son, Tautoki, and Tautoki's marriage to Te Waipuna gave birth to the eponymous ancestor of our iwi, Rangitāne. It is interesting to note that Tautoki's wife was the mokopuna of Kupe, who is the person responsible for discovering Aotearoa. Kupe and his whānau have an important place in our Wairarapa history.

9. Rangitāne and in particular his descendants have remained in occupation in the Wairarapa rohe for generations and thus we are tangata whenua. Ahi kaa roa has never been extinguished for Rangitane in the Wairarapa rohe. We hold the ahi kaa roa.

The Rangitane o Wairarapa Rohe

10. The Rangitāne o Wairarapa tribal rohe commences at the mouth of the Hutt River, crossing over to Totara Park and hence north in a straight line to the Tararua Ranges, along those ranges Mangahou River and then to Hamua to Tane crossing the Tiraumea River to Rakanui travelling onwards to Owahanga River and to the mouth of Akitio down to the coast line to Mangatainoka and the Whakataki River mouth to Rangiwhakaoma continuing to Whareama, Motuwaineke along to Flat Point (Waikekeno) to Palliser Bay (Te Kawakawa) to Orongorongo Bearing Head and back to the

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start of the Hutt River. Annexed and marked "A" is a map depicting the Rangitane o Wairarapa rohe.

11. In terms of the boundary markers for the coastal area, the Rangitane o Wairarapa people claim interests from the Owahanga River in the north, to Turakirae Point in the south.
12. The Rangitane o Wairarapa tribal rohe overlaps with the rohe of Rangitane-o-Tamaki-Nui-a-Rua and Rangitane o Manawatu.
13. Our tribal rohe, where our Rangitane tupuna exercised customary rights, has always included the foreshore and seabed.
14. The hapu of Rangitane o Wairarapa are:
 - Ngāti Hamua
 - Ngāti Whatui
 - Ngāi Tumapuhiaarangi
 - Ngāti Te Raetea
 - Ngāti Moehau
 - Hineteaorangi
 - Te Hika o Papauma
 - Ngāti Tangatakau
 - Ngāti Tamahau
 - Ngāi Tohinga
 - Ngāi Te Noti
 - Ngāti Taimahu
15. The most prominent Rangitane hapu who have interests along the Wairarapa coast is Ngāti Hamua. Hamua is a direct descendant of Rangitane. There were of course other hapu who had customary interests along the Wairarapa coast. Many of these hapu in fact descend from Hamua but also have

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relationships with other iwi, in particular Ngāti Kahungunu. There are many examples of the extent of Hamua's interests in the coastal area.

- 16 When I spoke to my mother some years ago I said to her, "Mum, tell me a bit about Hamua". She said:

"Hamua was a recognised hapu right throughout Wairarapa mai rano puta no and they always used to have a hui with Te Hika o Papauma and Ngāi Tumapuhiarangi. When those two hapu came together they used to bring the kaimoana. The local people had the kangakopiro ready, the kumara ready, pawharatuna and all that ready. The coast people used to bring kaimoana in. They would hui quite often".

17. I came across a letter written many years ago. It was written by Tamawhakakitea. He was a reporter writing Māori history. In this letter he spoke about Potangaroa, Tumapuhia, Rakairangi, Rakaiwhakairi, Hinewaka and Hamua when they protected the coastline. Potangaroa asked Tumapuhia the following question:

"Who do you stand for, who do you work with or who do you recognise as the rangatira down that area?" (In reference to the moana).

Tumapuhia said:

"Ko toku tupuna nei Hamua".

18. The other main hapu from the coast is Te Hika o Papauma. Our tie to Papauma is through Te Waipuna, the mokopuna of Kupe. As indicated earlier in this affidavit, Te Waipuna married Tautoki, and they are of course the parents of Rangitāne. The interests of Te Hika a Papauma are at the northern end of the Wairarapa rohe, near Mataikona.

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How Rangitāne views the Foreshore and Seabed

19. The Rangitāne o Wairarapa people have always maintained a relationship with the foreshore and seabed in their rohe. That relationship is maintained through continued occupation, care and respect for Papatuanuku.
20. I do not view the whenua (dry land) and the moana as separate. I view the moana as part of Papatuanuku. Therefore, the same principles, practices and respect that our people have given to the whenua equally apply to the moana including the foreshore and seabed. The reason I believe that the moana is part of Papatuanuku is in fact that her tamariki and mokopuna have been charged with obligations to take care of that part of Papatuanuku, for example Tangaroa and Kiwa. This is similar to the role of, for example, Tane Mahuta who is charged with the responsibility of cloaking his mother and caring for the whenua.
21. Many years ago Rangitāne kaumātua of the Wairarapa area used to ask the question as to who had separated the whenua from the moana. They were referring to the use of the terms "mana whenua" and "mana moana". In their view, and certainly in my view, the whenua and the moana are one, connected by whakapapa, based on a relationship akin to tuakana and teina. Just as tangata are linked by whakapapa so too is the whenua and moana. In this kaumātua's view the tuakana was the moana and the teina was the whenua, all part of Papatuanuku. As a young man I asked the question: which one was the tuakana and which one was the teina? The answer I received was that the moana was the tuakana, the reason being it was the sea that brought us here. It is important, however, to remember that they are all part of Papatuanuku, just as we gather rongoa and kai from the ngahere, we gather rongoa and kai from the sea, they are all part of Papatuanuku.
22. The rationale for describing the relationship between the whenua and the moana on a tuakana/teina basis is, in my view, based on the following:

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- (a) The degree of respect that our tupuna and Māori people had for the moana. The moana is an inherently dangerous place and must be respected or else bad things may occur. Just as one would respect his or her tuakana, Māori respected the moana in the same way.
 - (b) Our tupuna were seafaring people and had a natural relationship and therefore respect for the moana because of this fact.
 - (c) Many of our tupuna who originally arrived in Aotearoa, and in particular the Wairarapa area, lived in the main along the coastlines for the simple reason that the moana provided sustenance and resources for our people and for that fact natural respect would have been given.
 - (d) Many of the customary practices exercised by our tupuna on the whenua were also exercised in relation to the coastal area and in particular the foreshore and seabed. For example, the practice of rahui was not only exercised in respect of events that occurred on land, but also have been exercised in the coastal area including the foreshore and seabed.
23. If a particular Māori group had obtained land for example by way of take raupatu, (ie by conquest), they would not only claim rights and interests to the land but also claim rights and interests to the moana that abutted that particular area. Similarly with respect to rights and interests gained by continued occupation it included the coastal area including the foreshore and seabed.
24. I have earlier outlined that the moana was the tuakana and the whenua was the teina all part of Papatuanuku. In my view, if you had the ahi kaa roa over land then that also extended into the sea, and what is in the sea belonged to those who had the ahi kaa roa on the land. It is not a matter of separating the whenua, the moana and the seabed and the foreshore in

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between. They are all part of the one continuum, that being Papatuanuku. Whakapapa connects you to both and ahi kaa roa holds you there.

25. There are many rivers which flow into or towards the moana within our rohe, for example Whareama, Pahaoa, Awhea, Kaiwhata, Rerewhakaaitu and the Ruamahanga. The flowing of the river from the whenua to the moana cemented that integral whakapapa relationship between tuakana and teina, namely the whenua and the moana. We as Rangitāne never viewed the river the moana and the whenua as separate entities but as one, intrinsically linked through Papatuanuku.

The Exercise of Customary Rights in the Coastal Area

26. Given that we viewed the moana as part of Papatuanuku, it was Rangitāne's responsibility as tangata whenua to care for that part of Papatuanuku. Obviously with the watchful eye of Tangaroa, the people of Rangitāne o Wairarapa have developed strategies, values and practices to ensure that the moana was shown the respect it deserved. For example:
- (a) During my lifetime prior to collecting kaimoana we would always have karakia. Not any person was allowed to collect kaimoana for a particular hui. The kaumātua of the day would select those who they believed could do it in a proper manner. As a young man I recall certain persons I knew who were chosen to perform those karakia and rites. One of those persons was my cousin and another person was my brother in law. They were chosen as young people to perform those rites. They were taught the tikanga and appropriate karakia by their fathers and uncles;
- (b) We were taught upon collecting the kaimoana not to eat the kaimoana on the beach but to take it away from the beach to show respect for the moana and to ensure a plentiful supply for the future;

*Bob
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(c) When I was a young man the kaumātua and kuia who were gathering mussels, paua and other kaimoana knew exactly how much to collect. They would collect that kaimoana not only for themselves but also for persons who couldn't make it to the coast, their cousins, their neighbours. Upon returning home to the marae at Te Oreore I would recall them leaving kaimoana as a koha. Kaimoana would be exchanged for foods like kanga pirau, koura (freshwater crayfish), and pawhara tuna (dried eels), kakahi (freshwater pipis). This system did not permit abuse of the kaimoana beds. If we as children abused that then we would be disciplined. In this way, we learnt to conserve the resources of the sea and also respect.

(d) The moana was like a pharmacy to the Rangitāne people providing medicine, waitai, and other resources to enhance the wellbeing both physically and spiritually of the Rangitāne people. Protocols surrounding those things have been developed over generations and are still practised by Rangitāne today.

Conclusion

27. The Rangitāne people have a special relationship with the foreshore and seabed. We view it as part of Papatuanuku. We have a responsibility to care for Papatuanuku and to continue to respect that part of her which continues to provide sustenance both physically and spiritually to the people of Rangitāne.

[Handwritten Signature]
Signature of Deponent

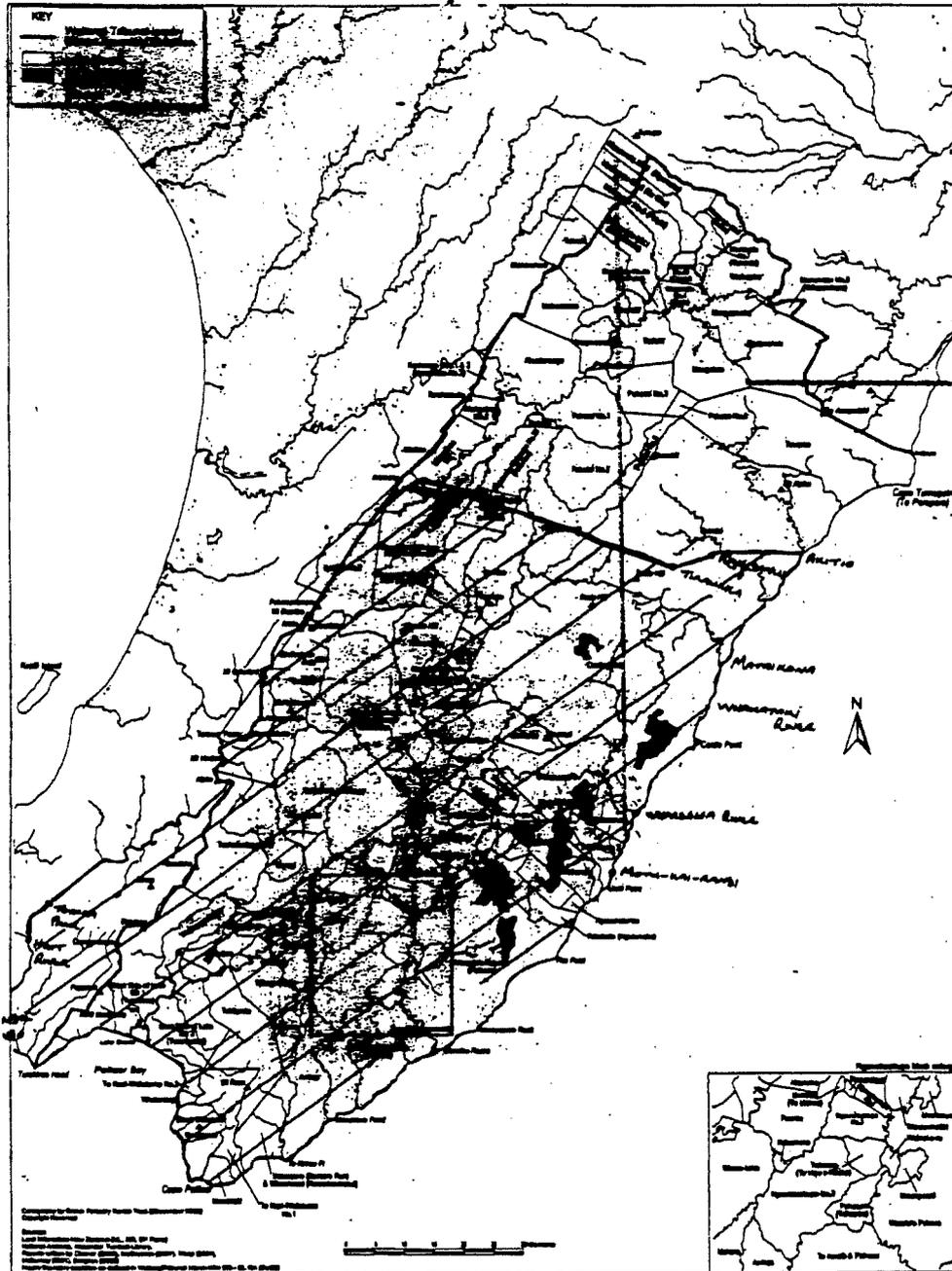
SWORN at this 19 day of September 2003 before me:

[Handwritten Signature]
A Solicitor of the High Court of New Zealand



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Land Blocks of the Weirape ki Tararua Inquiry District

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This is the exhibit marked with the letter "A" mentioned
 and referred to as annexed in the Affidavit of *James Rinere*
 sworn at *Masterton* this *19* day of *December*
 before me:

[Handwritten signature]
 Solicitor of the High Court of New Zealand



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