

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

Wai 863 # E20
OFFICIAL

WAI 166

IN THE MATTER OF: The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF: The urgent 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 of Rangitāne o Tāmaki-
Nui-a-Rua (Wai 166)

AFFIDAVIT OF MANAHI PAEWAI

McCAW LEWIS CHAPMAN
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I, **MANAHI PAEWAI** of Rangitāne, Teacher, swear:

Ko Ruahine te maunga

Ko Manawatu te awa

Ko Te Rangiwakaewa te tangata

Ko Rangitāne te iwi

Ko Kurahaupo te waka

1. My waka is Kurahaupo.
2. My hapū are Ngāti Te Rangiwakaewa, Ngati Pakapaka, Ngati Mutuahi, Ngati Te Koro, Ngāti Rangiaranaki and Ngāti Hineaute as well as Ngāti Hamua.
3. My iwi is Rangitāne.
4. With many years of local Māori and community involvement, I became involved in the Iwi authority movement following the 1984 Hui Taumata and was the chairman of the Kurahaupo Waka Society Authority (a collective of Ngati Apa, Muaupoko and Rangitane) from 1987 to 1991. I was formerly the chairperson of Te Runanganui o Rangitāne that is a collective of Rangitane constituent rūnanga from Wairau, Te Whanganui-a-Tara, Manawatu, Wairarapa and Tāmaki-Nui-a Rua. I am involved in the political and cultural arm of Te Rūnanga o Tāmaki-Nui-a-Rua Incorporated Society that looks after the interests of Rangitāne in the Tamaki-Nui-a-Rua rohe. I am the named claimant in the Wai 166 Treaty claim on behalf of Rangitāne o Tamaki-Nui-a-Rua and am mandated and with authorisation on behalf of Rangitane o Tamaki-Nui-a-Rua to swear this affidavit.



5. I have read the affidavit of James Rimene filed on behalf of Rangitāne o Wairarapa and support the contents of that affidavit and share many of the comments that have been made about the Rangitāne relationship to its foreshore and seabed.

Our Tribal Background

6. Rangitāne o Tamaki nui ā Rua have its origins from Whatonga of the Kurahaupo canoe, which made final landfall on the Mahia peninsula at Nukutaurua. Whatonga did not remain at Mahia but indeed settled on the coastline landward of Cape Kidnappers and in full visual contact with the Mahia peninsula. Here he built himself a home for his people. The principal house was named 'Heretaunga'. Whatonga married Hotuwaipara and had a son called Tara. Tara was a man of consequence from Heretaunga to Te Whanganui a Tara and his descendants became known as Ngai Tara. From Whatonga's second marriage to Reretua a son Tautoki was born. Tautoki married Waipuna (a Kupe descendant) and had a son named Tane nui a Rangi who became known as Rangitāne. The Ngai Tara and Rangitāne people eventually settled much of the land from Heretaunga to Te Whanganui a Tara inclusive of land west of the Ruahine and Tararua Ranges. The principal tupuna of Rangitāne o Tamaki nui ā Rua is Te Rangiwhakaewa. His mother was Te Ururoa of Ngai Tara and Korakotaiwaho of Rangitāne. His domain was Te Tapere nui a Whatonga, Tamaki nui ā Rua was a part of that domain.

The Rangitāne o Tamaki-Nui-a-Rua Rohe

7. Generally, the Tamaki-Nui-a-Rua coastal rohe extends from Arataura, in the North to Mataikona in the south, and of course, overlaps with the rohe of Rangitāne o Wairarapa. A full description of the Tamaki-Nui-a-Rua rohe is annexed and marked "A". Annexed and marked "B" is a map of the Tāmaki-Nui-a-Rua rohe.

MP-

8. The hapū of Rangitāne o Tamaki-Nui-a-Rua are:

Ngāti Rangiwakaewa

Ngāti Mutuahi

Te Hika O Papauma

Ngāti Parakjore

Te Kapuarangi

Ngāti Pakapaka

Ngāti Hamua

Ngāti Te Koro

The prominent Rangitāne o Tamaki-nui-a-rua hapū with interests and rights on our coast (including the foreshore and seabed) is Ngāti Te Rangiwakaewa, whose major coastal interests are towards the northern end of our rohe, from Arataua to the Owahanga River. Te Hika a Papauma is another hapu with major interests along the coast, from the Owahanga River to Mataikona. Ngāti Hamua, a principal Rangitāne hapū, has interests around the Whareama, Mataikona region.

How the coastal area is viewed by Rangitāne o Tamaki-Nui-a-Rua

9. I support the evidence of James Rimene in his affidavit filed in support of this urgent inquiry about how Rangitāne generally view their relationship with its foreshore and seabed. In particular, I agree that the coastal area including the foreshore and seabed is part of Papatuanuku and given that fact, we as tangata whenua have reciprocal responsibilities. The moana in various ways, provides us with sustenance to survive, in return our tupuna have developed rules and regulations to ensure that the moana is protected and is able to continue to provide for future generations of Rangitāne uri. For example:

- (a) Rangitāne people know that you must return the first catch of kaimoana to the moana. This is an act of conservation to ensure that the moana continues to provide for future generations.

- (b) We know not to visit the moana alone, which is part and parcel of the respect that we have for the moana given that the moana is a dangerous place if one does not properly respect it. Therefore it is essentially a safety issue.
 - (c) Eating kaimoana on or near the coastal area is prohibited. It is considered an act of gross disrespect to eat in the sea or on the foreshore area. Eating kaimoana in front of the other kaimoana may frighten the other kaimoana which would cause the kaimoana to leave that area. It is part of the respect we have for the moana and its importance to our survival.
10. When the Treaty of Waitangi was signed in 1840 it is clear that Māori saw the coastal area and its resources as a taonga given that Article 2 of the Treaty sought to protect fisheries. The foreshore and seabed being part of Papatuanuku is certainly a taonga to Rangitane.

The Exercising of Customary Rights in the Coastal Area

11. A number of customary practices occurred on the coast, for example;
- (a) Gathering kaimoana; Our coastal area is well-known for mussels, pipi, paua, koura and karengo.
 - (b) Collection of water for ceremonial purposes. Sea water or waitai is recognised as a cut above fresh water for assisting in tapu/noa procedures. It has greater mana and quality for dealing with the practice of whakanoa or whakatai. The reason for greater mana is linked back to the concept of the moana being the tuakana in its relationship with the whenua as discussed in more detail by Jim Rimene in his affidavit.

- (c) Collecting specific plants, kai and other objects for pharmaceutical purposes. Just like the whenua the moana is a pharmacy to the Rangitane people. The seawater is used a majority of the time to heal wounds incurred on the whenua. Ground paua shell is used for skin allergies. Karengo is used to assist with those allergies which required iodine.
- (d) Rahui have been used on the coastal area for those Rangitane who have drowned in the moana just as they have been used on incidents that have occurred on land.

12. There are many important sites on the coast, for example:

- (a) Cape Turnagain or Te Aho o Maui (the line of Maui). The connection with Maui is very important and, in my view, the Rangitane connection with sea and the coastal area stems from its relationship with Maui and with Kupe.
- (b) Near Wainui or Herbertville is a place known as Uenuku, which, represents a very important peace agreement between Te Whatiuapiti and Irakumia.
- (c) There are important rocks known as Pakuku which have a sister rock at Porangahau known as Taikura. Pakuku is a breeding ground and these rocks can be found right on the foreshore within our rohe. They are very important to us.
- (d) The coastal area was a major highway in terms of visiting people both by waka and ropu passing through on foot.

13. We know that there are a number of archaeological sites recorded along the coastline within the Tāmaki-Nui-a-Rua rohe, for example:

MP.

- There are nine archaeological sites of Māori origin for the Castlepoint region including urupā, middens and ovens;
- There are 14 archaeological sites of Māori origin in the Whakataki to Mataikona River including three pā, an urupā, terraces, middens, ovens, a karaka grove and a monument.
- Three archaeological sites of Māori origin for the Owahanga area, two pā and two midden.
- One Māori urupā reserve at the Akitio River mouth.

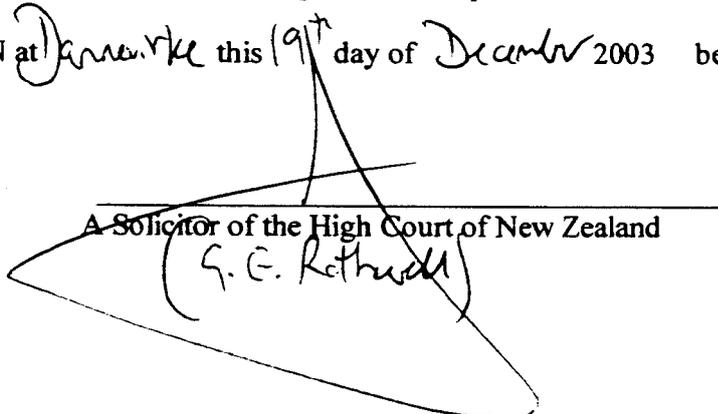
Conclusion

14. Our foreshore and seabed form part of Papatuanuku. Therefore we as tangata whenua have an important relationship with that domain. Our relationship with Papatuanuku will be affected if the Crown legislates in the way they propose.



Signature of Deponent

SWORN at Dannevirke this 19th day of December 2003 before me:


A Solicitor of the High Court of New Zealand

'A'

8 April 1993

AMENDED DESCRIPTION OF LAND CLAIM WAI.:166
 Narrative Description of Takiwa of,
RANGITANE O TAMAKI NUI A RUA

Being all that area bounded by a line commencing at the source of the Manawatu River in the Eastern Ruahine Range North West of Norsewood then proceeding East down the Manawatu River to its junction with the Waikopiro Stream thence South East to its junction with the Manga-A-Purakau Stream thence proceeding South down the Te Whangai Stream to its junction with the Mangapuaka Stream thence proceeding South crossing the source of the Tangaruhe Stream, the Te Tohe Stream to Birch Road East thence proceeding to East proceeding across the source of the Mangaohau Stream and the Tapui Stream thence proceeding to the Coast at Arataura.

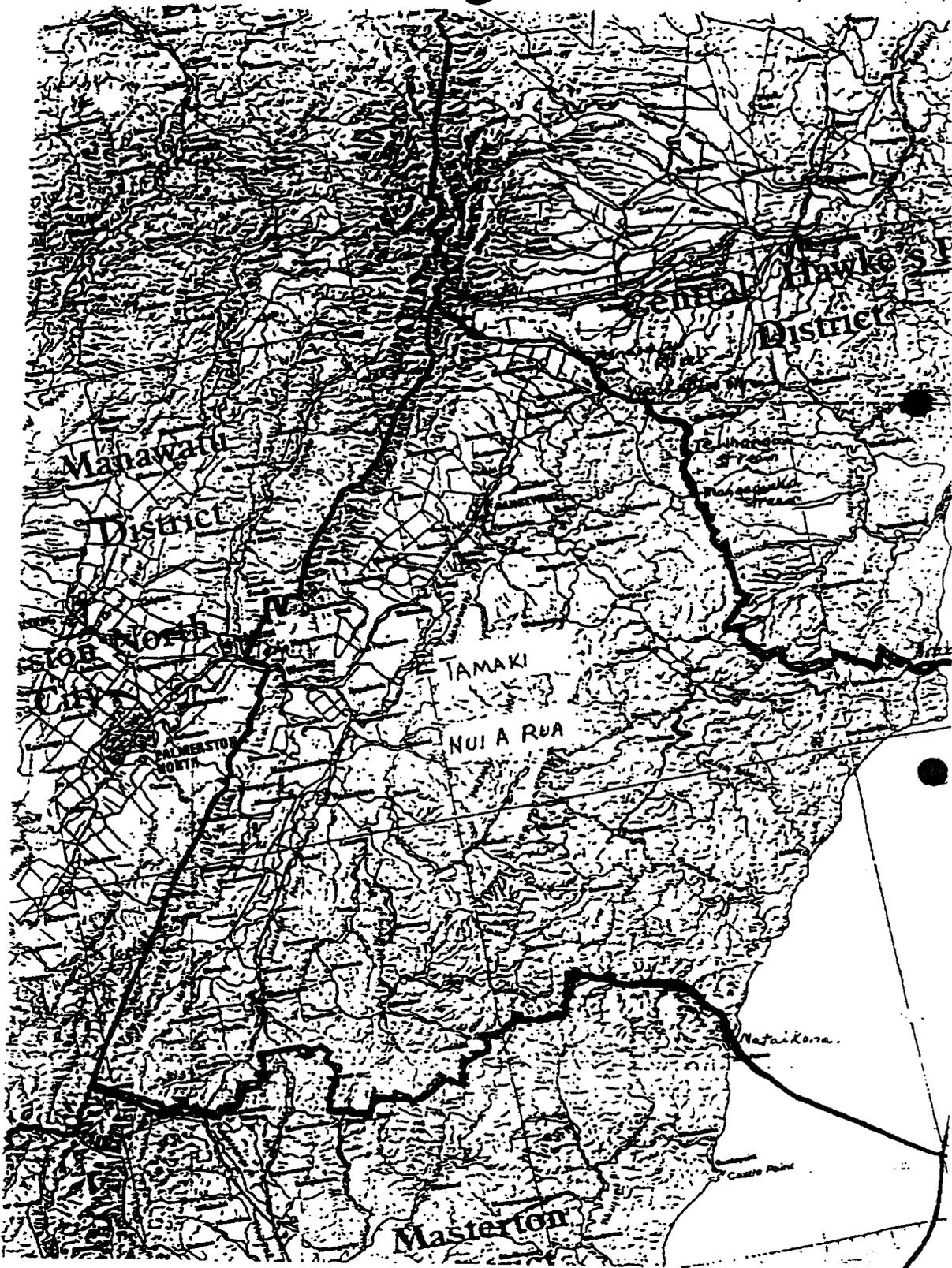
All that Coastline from Arataura to the mouth of the Mataikona River thence proceeding West along the Mataikona River to its junction with the Pakowhai River proceeding West to its junction with the Makoura Stream thence proceeding South across the source of the Waitawhiti Stream to Tiraumea Road thence proceeding West to Ned's Hill, South West to Castle Hill thence proceeding West crossing South of the source of the Ihuraua River thence proceeding North to Mount Baker thence, proceeding West to Mastwell then South to Bruce's Hill thence, proceeding West along the hills to Mount Dundas in the Tararua Range.

From Mount Dundas proceeding North along the summit of the Tararua Range to Arawaru Trig Station thence to Marima Trig Station along the North Eastern Boundary to Tarakanuku thence to the Manawatu River Gorge thence Westerly down the middle of the Manawatu River to a point, Te Apiti in line with the South Eastern Boundary of Section 2, sub-division of the Manchester Block thence proceeding North along the Ruahine Range to Wharite Trig Station thence proceeding along the Western foothills of the Ruahine Range to the point where the Te Ano Whiro Stream drops into the Pohangina river gorge thence proceeding North to the Umutoi Trig on the Western slopes of the Ruahine Range thence proceeding East over the Ruahine Range to the source of the Manawatu River to the point of commencement.

This is the document marked 'A' referred to in the amended affidavit of Manaki Paewhiri sworn at Dunedin this 19th December 2003, before me.

(G E Rothwell)

B



This is the document marked 'B' referred in the annexed affidavit of Manahi Paerangi sworn at Dunedin on the 19th Decr 2003, before me.

(G. E. Rothwell)