

Notes from our Hui a Hapū – held at Motuwairaka on Saturday 14 April

This paper contributes to the discussion on unique aspects of Ngāi Tumapuhiarangi hapu in relation to future Treaty of Waitangi claim negotiations and discussions. Its purpose is to stimulate thinking and to seek advice from hapū members.

Kahungunu ki Wairarapa Tamaki nui a rua – the Trust and Moving Forward

With Mandating hui completed the next process is to develop the strategy for the collective:

- Periodically consulting with the neighbours – Rangitāne
- Moving into negotiations with the Crown. OTS will work with the claimant group in this process.
- Will need to identify negotiators and supporting advisors
- Begin a process of developing a Post Settlement Governance Entity (PSGE)

Korero takiwa

The hapū claim details the claimant area for the hapu as presented in its WAI 429 Statement of Claim to the Waitangi Tribunal.

‘Mai i Whareama, whiti atu ki te Taumata o te Hangatu, ahu atu ki te Karaka o Waimatua ki Wainuioru, ahu atu ki te Karaka o Waimatua ki Te Awhea, rere atu ki Hawerewera ki te ngutu awa o Te Awhea, rere atu ma te takutai ki Whareama’¹

Judge Wainwright notes (2003) that this is a hapū claim with generic matters related specifically to the lands and resources of this hapū from the beginning of contact between Māori and the Crown to the present day.

There were no challenges to this claimant area statement either during the hapū/Crown judicial hearings or the hearings at the Okautete School in 2003/4.

About Tumapuhia (Tumapuhiarangi)

In a number of research reports, existing publications including Ngā Mōteatea Vol II/III, and others, Tumapuhia originated from the area known as Waimarama.

The descendants of Tumapuhia can claim descent lines from the Kurahaupo and Takitimu sources. In general and not necessarily at all the time, these lines of descent follow a coastal pattern with settlement and interaction in various places and with various kainga. For example the Wairarapa and Takitimu Minute Books and other research documents indicate that most hapu in general descend from Hinematua as their main line of claim to Wairarapa¹.

Tukoroua was the mokopuna to Hinematua, her descendants occupied the coastal areas of Wairarapa.

¹ See Te Maipi hearing, Takitimu District Minute Book Sept 1888 and evidence of Smith T for and on behalf of Ngāi Tumapuhiarangi, also see Goldsmith P and Rangahaua Whanui District 11A Wairarapa (July 1996).

Her descendant Tumapuhia was raised in Waimarama and as a young man migrated to the Wairarapa with a stay with the Ngati Kiore, Ngāit Kere and Whatuiapiti peoples. He is also represented at Te Hauke.

Tumapuhia and Te Ao produced five children, Te Hinurewa, Rongomaiaia, Te Ikahoroiwi, Hikawera, Hikatoa

There were no challenges to this information during and prior to the hapu/Crown hearings and in fact a number of claimants used the evidence of Smith T, Walzl T, Goldsmith P, review by Kawharu et al and others to progress their own claims

Who settled where, what do we know?

According to our research and information in the Te Maipi/Tikitimu minute books

Te Hinuera had offspring who lived at Te Unuunu, later occupying **Te Rau o Te Huia** and **Te Openga o Taua** at Te Maipi

Rongomaiaia - Hinewaka comes from this tupuna through **Hikamataki** and this line settled at Oroi and Te Kawakawa.

Other offspring occupied

- Waikaraka
- Te Maipi,
- Kaihoata and other sites

Te Ikahoriwi – Pahaoa and closely related to Ngāti Rongomaiaia

Hikawera – Pahaoa, Waikekeno and Motuwairaka

Hikatoa – settled at Heretaunga and known as Ngāti Hikatoa

Other hapu groups are:

Ngāti Kaitahi – associated with Taueru, Te Humini and Whareama (note another claimant group also recognises the area of Whareama and there is a range of notes indicating seasonal settlements in this area)

Ngāti Maru - Te Uruti

Ngāi Te Ao – Rerewhakaitu and Te Ika a te Rore, later at Whareama and later still Motuwairaka.

Ngāi Te Ao is also occupy land at Te Awhea. (See Minute Book Sept 1888 p498, Smith T and reports on behalf and for Ngāi Tumapuhiarangi. Wairaka)

Ngāti Koura – Pahaoa, Waikekeno

Ngāti Kaumoana - according to Smith T this is a branch of the Ngāi Tahu peoples and Tikawenga Te Tau Rongomaiaia Te Waaka, Mohi Te Matahorohanga and Hori Kaiwhiri descend from this tipuna.

Ngāti Hinepare – Whareama and later Motuwairaka and Waikaraka

What do we need to know?

We have established that the descendants of Tumapuhia occupy the area detailed in the WAI 429 Statement of Claim and we can detail that according to research, there are a number of areas where other claimant have expressed either an interest (expressions of interest) or as in claimant statements for Ngā Hapū Karanga descendants of Ngāi Tumapuhiarangi have submitted claims on behalf or for whanau, hapū or specifically for Ngāi Tumapuhiarangi.

We have also established in our evidence and used by others that our traditional area is unique in that we are aware as to where our urupa are, unmarked graves at Mangapiu, use of the waterways and sits along side streams even when we are aware that many of these sites are now in private ownership.

Many of these conversations are coastal conversations – what about the inland sites?

As a result of commonality there is significant overlapping of claims and these encroach into or around inland areas such as Taueru, Wainuioru, Awhea to Te Ununu.

Where do these sit in the hapu claim?

- Ngāti Rangitane has Waitangi Tribunal claim across 90% of the Wairarapa based on occupation, access and seasonal settlements. This is one of a number of cross claims.
- Marae have expressions of interest and for some these interest areas reach into the rohe of Ngāi Tumapuhiarangi.
Note - this *has a potential* to develop into a cross claim
- For Ngāi Tumapuhiarangi, the inland areas Taueru, Wainuioru, Awhea, Te Awaiti, Pukaroro are areas where there will be challenges. These are areas for potential cross claims.

Forestry

The issue here is that the forestry resource in the Wairarapa will have cross claimants to Ngāumu forestry. Establishing ownership has to be done through the expertise within Ngāi Tumapuhia. If we are going to establish ownership we need to know the evidence (should we need to produce that evidence) and or if we have to go to mediation.

At the moment funding for Wairarapa comes from CFRT which recognises the wide range of interests and claimants to the forest.

In our evidence there is no indication as to which parts of Ngāumu is being claimed by Ngāi Tumapuhia – MAF and JNL point out that Ngāumu consists of SOE lands and private forests

The forest as a resource is an area that needs clarification by:

- Customary ownership - what might this be?
- Evidence – to manage out cross claims

Freshwater claims²

The Waitangi Tribunal has granted the New Zealand Māori Council an urgent hearing for two claims relating to the Crown's proposal to sell a minority shareholding in four energy state-owned enterprises (SOEs), and Māori rights to freshwater and geothermal resources under the Treaty of Waitangi.

The Waitangi Tribunal decision is a convergence of two complicated and politically charged issues: the part privatisation of state assets and the ownership of fresh water.

The tribunal has indicated in previous reports, including its Ika Whenua Rivers Report and its Whanganui River Report, that Māori have customary rights in rivers. However, former Waitangi Tribunal chairman Sir Eddie Durie stated in his submission on behalf of the Māori Council that what those reports left undone "was the framework by which sharing might be considered", and that the tribunal "is the only body in New Zealand that can address it from a bicultural perspective".

The Crown will continue its negotiations with the Iwi Leaders Forum and the Iwi Water Group. However, the fact that there is an urgent hearing will give the Crown reason to pause.

What does that mean for Ngāi Tumapuhiarangi?

The hapū should continue to express its authority and ownership - management rights and opportunities to its traditional freshwater sources and freshwater inhabitants across its rohe. The outcome of the Waitangi Tribunal Hearing will have minimal impact on this hapū claim in regards to freshwater management.

At the moment there have been no challenges by other Wairarapa groups to Ngāi Tumapuhiarangi's intention to exercise its authority and ownership/management rights and opportunities to its traditional freshwater sources and the ability to harvest or manage its freshwater inhabitants across its rohe.

This might be done with the help of organisations such as DOC, WRC, Fed Farmers.

² Mai Chen partner in Chen Palmer