

Te Ika Whenua - Energy Assets Report 1993

2 The Claimants Evidence

2.1 Traditional Evidence

The urgent hearing limited the opportunity of the claimants to identify themselves as they would have done by whakapapa, whakatauki and waiata had their original claim been heard on their marae.

Hohepa Waiti, kaumatua of Ngati Manawa, however, transmitted to us in confidence, a whakapapa that had been given him and which he described "as a vessel to contain our heritage".(A8 (1)

Billy Rano Messent, kaumatua of Tipapa Marae, established the relationship of the claimants to the Rangitaiki in the following whakatauki:

Ko Tawhiuau te Maunga, Ko Rangitaiki te Awa,

Ko Ngati Manawa te Iwi (A8(10):1)

Tawhiuau is the mountain, Rangitaiki is the river,

Ngati Manawa is the people.

Hana Rora Meihana, fostered as a young girl by a Ngati Manawa uncle, explained that the name Tawhiuau meant swirling mists and the chiefs always introduced themselves by it. Tawhiuau overlooked the great plain of Kuhawaea through which flowed the mighty Rangitaiki and the tranquil Whirinaki Rivers(A8(4):2).

The following waiata, written by Hana, depicted the importance of the mountain and the "immeasurable physical and spiritual value" of the rivers to Ngati Manawa as taonga:

E tere rate awa Rangitaiki, ka tae koe kite putahitanga Ki Whirinaki,

Riporipo atu ra kite Moana-nui-a-kiwa,

Tu tonu mai Tawhiuau i nga tihi tapu,

Kei nga taumata korero a nga tipuna-a.

I reira tiro iho ai kite Mania Kuhawaea,

Te nohanga o nga uri a Ngati Manawa

Ko Ngati Hui, ko Ngati Koro, Moewhare

Ngai Tokowaru e pae nei,

Tiro atu ra ki nga tauranga ika,

Ki nga turanga harakeke,

Ki nga whare tipuna e arohatia nei ee ...

Tiro iho nei kite papa tapu,

Ki a Tangiharuru e tu nei,

Te takahanga o nga totara haemata,

O nga manu tioriori,

Tenei kua mene kite po, -o -o -o...

Waiho ana i a ahau kia tu pani noa,

Kia whakatauki ake te mamae

aue, taukiri e -e -e!(A8(4):2)

[Diagram of the Te Ika Whenua rohe described by H Waiti](#)

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2.2 Nga Rohe

The claimants informed the tribunal that each of the four iwi of Te Ika Whenua had its own rohe and no other iwi would contemplate speaking for another in a rohe matter(2.5).

Hohepa Waiti described nga rohe of Te Ika Whenua.

Waiohau was to the north - the rohe of Ngati Haka and Ngati Patuheuheu, Murupara was to the east - the rohe of Ngati Manawa, Te Whaiti-Minginui was to the south - the rohe of Ngati Whare, Kaingaroa was to the west the rohe of Ngati Huinga Waka.

The rohe lay within the confines of a boundary running from Putauaki Mountain, south -east to Ohui, south along the west of the Te Ikawhenua Ranges to Tamahikorangi, Tawhiuau Maunga, Tarapounamu, and finally Maungataniwha. The boundary then turned north -westward to Ngapuketurua, north to Kakaramea to return to Putauaki (oral evidence, Hohepa Waiti, 9 March 1993; see also [figure 2](#)).

Tom Higgins, a pakeke of Ngati Manawa, described 'the survey pegs' of an 'oral map' of Te Rohe o Ngati Manawa. He named natural features of the landscape and special places of significant historic and genealogical importance and related stories about them (A8(2)). He also presented us with a small scale map locating these places (A8(2)(a);see also [figure 3](#)). Most were on the banks of the Rangitaiki, Whirinaki and Wheao rivers and their tributaries. They included eel streams, fishing places, kainga, battle pa and forts, rock caves, homes of taniwha and burial places (A8(2)(a)).

Such evidence clearly illustrated, amongst other things, the vital importance to Te Ika Whenua of the Rangitaiki and Wheao rivers as arteries running through their rohe.(see [figure 2](#))

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2.3 Nga Awa

Geographical location

The headwaters of the Rangitaiki and Wheao are located in the most southern part of the Bay of Plenty. Kawerau, Edgecumbe and Whakatane lie to the north, Rotorua to the north-west, Taupo to the west, Gisborne to the east and Napier to the south.

The source of the Rangitaiki is in the rohe of Ngati Kahungunu and Ngati Tuwharetoa; the source of the Wheao is in the rohe of Ngati Tahu. They then flow through the rohe of Te Ika Whenua. The Whirinaki has its headwaters in the Urewera beyond Minginui, and flows through Te Whaiti, the home of Ngati Whate (oral evidence, Maanu Paul, 10 March 1993).

As Taima Maria Makarena Rangitauira put it:

Wheao-Whirinaki and all the other little rivers, who joined up with Rangitaiki, they are all one body flowing out to the sea.(A8(3): 1 -2)

The Wheao dam is located north-west of Te Tapiri and north of Rangitahi, the pa of the Ngati Hui, where a waterfall, well-known for its supply of huge eels was situated. As counsel for the claimants explained, after viewing it, it was not a dam so much as a scheme of some complexity rerouting the powerful flowing force of the river through pipes before it rejoined its bed leaving a dead channel behind it.

The effect of the diversion was described by Billy Messent.

Our river has been changed and abused by hydro works. The Rangitaiki no longer runs its full course.(A8(10):3)

We don't know if it is the Rangitaiki River or the Wheao River.(oral evidence, 9 March 1993)

Downstream from the Wheao dam, the rivers converge above Murupara into the Rangitaiki. The Rangitaiki continues through the rohe to the Aniwhenua dam. The place now called Aniwhenua was known to Ngati Manawa as Aniwaniwa, so named for the rainbow created by the waterfall located there.

The Rangitaiki then flows through the Waiohau Gorge where the headwaters of the Matahina dam are located within the rohe of Ngati Awa. From there it flows through Te Teko and Edgecumbe to meet the sea at Thornton.(see figures [1](#) and [2](#))

[Special places described by T Higgins](#)

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2.4 The Rivers as Taonga

Taonga is something of inestimable value, whose worth is beyond the ken of man to calculate, as the claimant's evidence manifests. Hohepa Waiti spoke of rivers as "a part of oneself and life being".(A8(1):4) Taima Maria Makarana Rangitauira could only express the depth of the mauri (life force) within the Rangitaiki in Maori(A8(3):1).

Billy Messent, who was born on the bank of the Rangitaiki opposite Tipapa Marae, said the river was the lifeline of his people(A8(10):3).

Cletus Maanu Paul of Ngati Moewhare sub-tribe of Ngati Manawa, told us that his family and other families living on the banks of the river used it "as a source for survival". To them "the river was a provider of life - he tino taonga (a very precious gift)" that "provided water as well as food - eels ". (A8(13):2)

As a result of the construction of the dams, and other Crown actions, Te Whaiti Waiti stated:

The chain has been broken. The river is no longer available to my mokopuna as it was to me.(A8(5):2)

Eels

Many of the spokespeople for the claimants stressed the importance of the river as a main source of food. Its eels were not "just any old eels, but the beautiful tasting silver belly eel"(A8(4):2), which were in great demand for their succulence(A8(10):2). Visitors to the area were treated to meals of this delicacy, the taste and texture of which were renown. Eels were also highly prized as koha in traditional gift exchange(A8(15):2). They could be fished from Te Rimu, three miles up from Murupara right down to the Aniwaniwa Falls(A8(4):2). There was harakeke (flax) in which eels were wrapped up for cooking in the umu(ibid). There were also trout, koura, kakahi, te hua hua, morihana, duck and watercress (A8(4):1;A8(7):1; A8(17):2).

Water

The river supplied water for drinking, cooking, washing and bathing. During droughts, Maanu Paul's family carted water by koneke (sledge) in 44 gallon drums for at least a kilometre(A8(13):2). Water was used to irrigate the vegetable garden and for

early morning watering of crops when there was an occasional frost; also for the horses(A8(5);A8(10):3).

Respect for the river

People living on the banks of the river "knew every inch of it, criss crossed it in the dead of night without fear ... But with due respect" for at times tragedy struck and people were drowned(A8(10):1;A8(14)).

Children were taught the tikanga of the river by their tipuna - the spiritual rituals before, during and after arriving there, and the karakia to be used before fishing or crossing the river. Thus they learnt to respect the sacredness of the river as taonga and its wahi tapu.

Spiritual qualities

The waters of the river had healing powers for both body and spirit. They were used for health remedies and spiritual rituals, such as baptism in the old days and prayers for the sick. One witness remembered as a young man being taken down to the river to be blessed before leaving for war. This practice continues today as a "recognition of some higher force which translated to a succouring characteristic with attributes of health, wellbeing, cleanliness and purification".(A(8)(13):3) Before research was started on the Te Ika Whenua claim, the researchers were taken to the Rangitaiki River by their pakeke and purified.

Tribal lore and history

The river was steeped in tribal lore and history. It was the home of nga taniwha, among whom was Murupara, said to be a friendly taniwha, who dwelt in a cave below the old Kiorenui River and from whom the place name, Murupara derived (A8(2):6,7).

The following korero purakau (legend) about the taniwha was told to Hohepa Waiti by his mother:

Many years ago, the Rangitaiki and Wheao Rivers were inhabited by five taniwha which came in different types of shapes, forms and colours and were supposedly a cross between an eel, a serpent and a dinosaur. Believed to be from the Lake Taupo region. One of these taniwha occupied the whole length of the Rangitaiki and Wheao Rivers from its headwaters to the base of Putauaki (Mt Edgecumbe). Responsible for the many deaths of the tribes that lived along the banks of these rivers. There occurred a lot of deaths to the people before it was discovered that this particular taniwha was responsible for this phenomena. With its special karakia and rituals this taniwha was destroyed.(A8(1):4-5)

Maanu Paul spoke of "the continuity of consciousness ... a theory of survival based upon the taonga of tangata whenua" brought back from Hawaiki(A8(13):5). The concept encompassed the notion of ongoing coexistence of Ngati Manawa with the

rivers. It also reflected the passing on of knowledge, or taonga, to upcoming generations.

The importance of this concept was illustrated by the following whakatauki:

Te Iwi tiaki iana rawa, tana tina maaro whakamura ka tu tonu

The tribe that preserves and treasures its heritage and prepares for the future, prevails against all odds.(A8(3):1)

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2.5 The Significance of the Traditional Evidence

The traditional evidence illustrates the impact of the two dams upon the rivers and the people. In the area of the Wheao diversion, the Rangitaiki is but a trickle with only a fraction of its former flow. Where the Aniwhenua dam stands, the rushing waters have been replaced by a dam and lake. The effect on the eel population is said to be marked. In the words of Cletus Maanu Paul:

tuna (eels) cannot descend downstream to breed in Te Moana-nui-a-Kiwa (Pacific Ocean) because the dams mince them up in the turbines.(A8(13):4)

Hence, he explained, the intensity of the claimants' concern over one of their precious gifts being forcibly taken from them. No effort, he alleged was made to create a diversion for the eels to migrate down to the ocean to breed. All research had been in trying to enable elvers (baby eels) to migrate up the dams. The dams were "an impregnable wall" preventing this taonga from surviving (ibid, 4 and 5).

Our brief is to report on the narrow issue of the possible effects of energy sector reform on Te Ika Whenua's substantive claim. It is not therefore necessary for us in this report to scrutinise and assess the evidence given by the claimants at the urgent hearing introducing themselves, their rohe and their awa. Quite properly the Crown neither tested this evidence by cross-examination, nor brought any counter-evidence.

The traditional evidence however is important. It does show that the substantive claim is firmly based on customs, usages and systems of control of the iwi and cannot in any way be regarded as vexatious or frivolous.

Waitangi Tribunal, Department of Justice, Wellington.