

Takutai Moana Application Affidavits 2013/2014

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IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai Moana) Act 2011

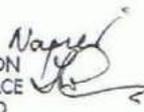
IN THE MATTER OF An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

IN THE MATTER OF An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF JAMES WILLIAM ADSETT
AFFIRMED *25 March 2014* 2014

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
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T. W. LANGLEY *James*
RETIRED, WELLINGTON
JUSTICE OF THE PEACE
FOR NEW ZEALAND



I, **JAMES WILLIAM ADSETT**, self-employed, of Napier, solemnly and sincerely affirm:

1. My name is James William Adsett, I go by Willie. I am 60 years old. I am a member of Ngāti Pāhauwera and live between Napier and Raupunga. My mother Kathleen lives in Raupunga, so does my sister Jill. I support the Takutai Moana negotiations. My experience regarding this application is regarding fishing, so I will talk about that. Everyone that I talk about in my affidavit is Pahauwera.

Mohaka

2. My first experience fishing was with my grandfather, James Ernest Adsett. He loved fishing at the Mohaka beach, and every time he went down he would always pick me up and take me with him. They used to fish with those old cane fishing poles or reti boards, back then, everyone had a reti board. He also had a home-made Kontiki, which he would set out and he would use a piece of barley sugar, it was set up in such a way that the barley sugar would melt and the sail would come down and the anchor would drop. So that's where the Kontiki would stay until they pulled it in. He would sit there and fish, have a talk with whoever was around and when he caught enough, we would go home.
3. Davy Jones, at Mohaka, he owned the local gravel pit, he had a boat. Dad used to go out with him until he got his own boat. Then they would still go together, just in their separate boats. My father's name was Bill Adsett and he had a crew that would go out with him most Saturdays during the summer, if the weather was right. He would launch straight off the beach. You can't do that anymore as the geography has changed. Not always the same people fished with him but there were regulars like Maurice Te Kahu, Albert Te Aho, Toko Riki, George Hawkins and every now and again, Bill Wesley. I think I was about thirteen at the time and my job was to drive the tractor from our house and tow Dad's boat, I had to make sure the boat was facing the right way (with its back end to the sea) and they would go out fishing. I would go out on the boat with my father quite a bit.



4. Fishing was their getaway, they would do it to get food but it was social too. They wouldn't go out too far because the motor on my Dad's boat was only 5hp, it maybe went 7 to 10 miles an hour. We couldn't go out too far because if you got into trouble it would take ages to get back in. They would have a pie or a sandwich but they always had beer on board, warm beer. They would fish out there for a few hours, I remember that they would catch a lot of snapper, kahawai, lemon fish – but they were mainly after the snapper. Off the beach you could catch stingray. If you got into a school of kahawai, well you would be able to catch heaps. They had lifejackets but I don't reckon they would have lasted too long, they were filled up with those polystyrene beads I think. When they came in there would be a bunch of people waiting on the beach, if he had enough fish to give away, everyone would get a fish. After that I would take the boat back and they would stop at the Mohaka pub for a quick beer and then home. It wasn't just the men fishing though, Tweenie and Paea Te Aho were sisters, they were great fisherwomen, you would always see them down at the river mouth or on the beach fishing.

5. Later on he upgraded, so when my father got a new motor, it was a 20hp mercury, he could obviously go out further. He might go 5, 10, 20 miles out – it just depended on how the weather, tides and fishing was. I remember that he would use landmarks to try and retrace their steps for good fishing grounds. He cracked me up, he would sketch landmarks on the inside of his boat, lining up a gully with a tree and then on the other side maybe a hill. He would draw so many of them. I would love to see if they are still in that boat. Later on, Dad and I went shares in a boat when we were living in Napier, it was funny though, because although we would fish in Napier, we would always want to head north, towards Mohaka.

6. When my mum went down she would always pick up a piece of driftwood or something else. She would varnish it and turn it into art or a decoration. My sister wouldn't really fish but she would come down and have a yak to whoever was down there.

A handwritten signature in black ink, appearing to be 'S.L. JTB'.

7. I was taught that you don't gut your fish on the beach, you didn't eat seafood on the beach and always face the beach. I spent about thirty years overseas, mainly living in America. When I came back, I have noticed that the people who were fishing down there are gone, but their kids and their grandchildren are down there, practising that same tikanga. That blows me away. Some of them just go down there for a swim, not necessarily to fish.
8. People don't really fish down there at winter, for a couple of reasons. The sea and weather is rougher and you can easily get stuck on the beach, if the beach is wet, your vehicle is stuck so you can lose your truck with the tides. We as Pahauwera don't mind if people come to the area, but they should respect our beach and fishing. I think that if the beach at Mohaka could be cleaned up that you could get a few campers down there and they would be able to enjoy it like we do. It's becoming more and more popular that beach, everyone knows there's good fishing down there, last year I even saw some surfers (not Pahauwera) surfing there.

Waikare

9. In the mid-sixties and early seventies we would go down to the campground at Waikare for about a week at Christmas and New Year. It was a great place for Pahauwera to get kaimoana. We did that for quite a few years in a row. We would camp there, Mum and Dad had all the fixings, the generator, the fridge, the lights, they had it all, everything you needed. They were comfortable down there all right. We would do a lot of the fishing down there was spearing flounder at night, or sometimes we would set a net. During the day we would head down the beach and fish there.

Aropoanui

10. We used to go to Aropoanui for kaimoana, we would get the usual, paua, kina, crayfish. We would camp there too. We spent quite a bit of time there getting kaimoana, there was plenty of it down there. You had to walk around the hill to get to the best spot, but sometimes you wouldn't have to go too far out, sometimes you didn't even need your snorkel, and if you did, you might only dive 6 or 7 feet. We didn't really



go to Waipatiki – we would rather stay where the seafood was, Aropaoanui. Of course Pahauwera still go there for kaimoana but there is less there these days.

Paikea Fishing Club

11. I went to quite a few fishing competitions when I was a kid because my father and mother were Paikea fishing club members. Davy Jones, his boat was called Paikea. My parents wouldn't enter as 9 times out of 10 they would be working the competition with a few others. Dad would ferry people to fishing locations along the beach to spread them out. Mum, Tweenie and Paea were on the registration and weigh in tent, they were officials. *WLB* I still have the poster at home which advertises first prize at \$30,000 – that was back then, that's amazing. In the past I have participated in the Waikare fishing competition and a few others.

Protection

12. Whenever I am back home, I fish as often as often as the tides and weather allows, how rough the sea is, you've got to pick your days. I have fished all along Hawkes Bay, from Mahia down to Napier. I am submitting this affidavit because I want to see the moana and the fish protected. I think that Pahauwera can do this. I remember seeing trawlers doing that PeerTrawling, you know where they have a net strung between two boats. They absolutely decimated the fish stock, the fish disappeared overnight and I reckon the snapper are only just coming back.

Affirmed at *Napier* this *25th*)
 day of *March* 2014)
 before me: *T.W. Langley J.P.*

T.W. Langley

TREVOR WILLIAM LANGLEY J.P.

A Solicitor of the High Court of New Zealand/Justice of the Peace

**STATEMENT OF NELL ADSETT IN SUPPORT OF NGĀTI PĀHAUWERA
TAKUTAI MOANA NEGOTIATIONS**

I, **NELL ADSETT**, Retired/Kaumatua, of Putere Road, Raupunga, would like to state that:

1. I support Ngāti Pāhauwera Development Trust in their application for this Takutai Moana claim.
2. I am a Ngāti Pāhauwera Kaumatua and belong to the Ngāti Pāhauwera Kaumatua Charitable Trust. I have devoted a lot of my time to the community and attend a lot of the hui they have in Mohaka and Raupunga. I have been heavily involved with the Te Huki Marae rebuild as a trustee and treasurer. I am interested in our local history.
3. I don't have a lot to say about fishing but I do know that Ngāti Pāhauwera pass on our tikanga to the next generation by practicing the Tikanga in front of them. My whanaunga the Culshaws and the Keefes are big on fishing, they go down often, they all know what to do. Sometimes I will get some fish if they have extra.
4. The Development Trust holds information sharing and tikanga wananga. Others in the area have karanga and waiata wananga. So our people are practising it all the time.
5. We do have mana moana and mana whenua in the Ngāti Pāhauwera rohe. No one can take it away from us.



Nell Adsett

Date: 21 / 11 / 2013

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER

The Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF

An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

AND IN THE MATTER OF

An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF GERALD BRENTON ARANUI

AFFIRMED

26 / 11

2013

G. Aranui

NGĀTI PĀHAUWERA DEVELOPMENT TRUST

74 Queen Street, Wairoa

Phone: (06) 838 6869

Fax: (06) 838 6870

Email: npdti@xtra.co.nz

I, **GERALD BRENTON ARANUI**, Trustee and shearer of Mohaka solemnly and sincerely affirm:

1. My Name is Gerald Aranui. I was born on 27 July 1964. I am 49 years old.

Connection to Area

2. I have lived and worked in the Mohaka area most of my life. I got to know the lands, the rivers and the places along the Ngāti Pāhauwera coast as a result of my upbringing and work.
3. My dad was Ariel Aranui and my mother is Maraea Aranui. My father filed the Mohaka River claim. He was part of the Ngāti Pāhauwera Incorporated Society who were responsible for the original research for the Mohaka River claim.
4. My family went to the beach a lot to fish, get hangi stones and wood and get shellfish along the coast past Waikari. Sometimes we camped there and other times we just went down for the day. The people you saw at the beach were mainly Ngāti Pāhauwera people but in the Christmas holidays you got people who came from the towns who I didn't know.

Music on the Beach

5. I remember being at a couple of concerts down at the beach. My dad and his brother were good saxophone and clarinet players and they had concerts there along with the cousins who played instruments as well. Since then I have run three free concerts down the beach using whanau members from the Gilbert whanau to celebrate New Year. Some of the locals have chosen to have their wedding celebrations and birthday celebrations down at the beach. All the holidayers were invited. We did not ask any outside agencies for permission. We did it because this is our beach and this is what our parents did.

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6. On the matter of saxophones, one of the whanau used one of my Dad's old saxophones to make nice shiny fishing spinners which did not go down to well with him. That's a good example of what lengths some people will go to catch fish. Having good spinners for fishing for kahawai was high on the priority list for most people in Pahauwera.

Paikea Fishing Club

7. My dad was an official in the Paikea Fishing club in the mid to late 80s. The club ran fishing competitions and club days and set the rules for fishing on the beach. The club was run by Ngāti Pāhauwera. Some of the prizes went up to \$30,000 for the best snapper. The funds went to support local marae and promote club activities like "Take a Kid Fishing". My father in law Willie Culshaw was an active member of the club for over 30 years. The Ngāti Pāhauwera Hauora run the fishing competitions now. Ngāti Pāhauwera has produced some good fisherman who have won many trophies. Jono Culshaw won the NZ Junior Surfcasting competition.

Kaitiakitanga

8. Ngāti Pāhauwera whanau have strong kaitiakitanga views about caring for the beach and the people who go there. We try and make sure people don't dump rubbish everywhere and we put rubbish bins in the area. We also erected some long drop toilets. Sometimes we have to mow the sides of the roads for safety reasons. My uncle has also taken his digger down there to open up the bar when the river is blocked or the mouth is in a position that puts beach users at risk. The Councils don't maintain the beach access except the odd time when they grade part of the road. Tommy Heta took his digger down there to replace a culvert so locals could get along the beach.

Ngāti Pāhauwera Knowledge of Dangers

9. The locals know the dangers and risks associated with the river. One day my whanau were camped at the beach and some visitors asked if they

could use our dingy as their children had been swept over to the other side of the river mouth and could not get back. I rowed the boat across and brought them back to their parents.

Continuing Tikanga and Knowledge

10. I was the chairman of the Mohaka School and the children were taken down there to the beach and taught all about it. I also went down with the children of the Raupunga School when it was open. The children were made to collect certain shells, insects and driftwood for science projects and art. They were taught how to make and use a reti board. That still happens today. Just recently Colin Culshaw took some of the students from Wairoa College down to the river to show them how to use the reti board and get kaimoana. The sea provides us with crays, kina, paua, mussels, pipi, eels, mullet, kahawai, snapper, kingis, gurnard, shark, and stingrays.

Connection to Coastal Land

11. My main job is shearing. I work for Pāhauwera Shearing Ltd run by Boy Culshaw and a gang run by Roy Parata. We shear most of the sheds in the locality and the wider Pāhauwera rohe. They are the farms along the coast: Ponui station, Waiatea station, Waitaha station, Moeangiangi station and Te Kuta. Most of the shearing work force are Ngāti Pāhauwera people. Even on most of the farms the shepherds and fencers are Ngāti Pāhauwera people. The farmers have sometimes given us tractors and trail bikes to get from the shed to the diving areas. My grandfather was a shepherd on Ponui station. Even after he left that job he left a spear by a tree so when the whanau went there they could catch eels or flounders. Ponui stream runs down to the sea and we would fish it right down to the sea.

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Waikari Area

12. If we are working on farms near the coast we go to the beach after work for a swim or a fish and if we are up past Waikari we will go for a dive. When you go to the beach up past Waikari it is very unusual to see anyone else. If you do it is usually people from Ngāti Pāhauwera. I never see anyone from the Ministry of Fisheries, the Police, HBRC, WDC or DOC down that way. Even during the Tsunami warnings it was Ngāti Pāhauwera who made sure the beach was cleared.
13. I have never seen anyone from Tangoio in that area and I know most of them as they are relatives. There are plenty of diving areas south of Aropaoanui and that is where they go. We have makeshift campsites there: Fishers Campsite named after Ramon King and Hemi Tuhi's Campsite. The locals leave a lot of their diving gear and cray pots there as they know very few people go there.
14. Any time there are whale strandings, our people let us know of a whale stranding. There was one at the beach at Waikari and we contacted The Department of Conservation. Myself and some other Ngāti Pāhauwera locals went there and did a karakia for the whale and waited for the Department of Conservation all day but they did not turn up.
15. Sometime we would go along the beach to Waikari but you have to know what you are doing or you could lose your wagon. If you get stuck in the wrong place the tide will come in and take your vehicle away. We use four wheeler bikes a lot as they are easier to manage in the sand and cross the river mouths, streams and rocky areas. My brother lost his four wheel drive truck in the Waikari and my cousin Whiti did too. If you don't know where the streams meet the sea you can get into trouble if you are on a trail bike as well. The whanau often went along the beach on a tractor or four wheel drive car or truck.
16. My father used horses to get down to Te Whanui and Moeangiangi and Tommy Heta's children still ride down there. When there was a hui on or

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D.P.B.

whanau were collecting kai to take to whanau elsewhere they would take a few horses and when they had put the kaimoana onto the packs they would send the horse back on its own. The horses would head home as they knew where to go. When my parents were staying up Waihua valley my grandfather would take his horse out to Waihua beach and swim it out to a reef and the horse would stand on the reef. When the horse was loaded up he would send the horse back to shore where the whanau was waiting.

Tino Rangatiratanga

17. When there was something on at the Marae the whanau would go down to the beach to get firewood for the kitchen and for the hangi. In those days all the food was cooked on open fires and wood was needed to keep people warm. It is probably only in the last 25 years that we got gas and electric stoves at the Marae. Before that lots of firewood was needed and we went down to the beach with trucks, tractors and trailers. We didn't ask anyone as it was our beach. When we got shingle, sand or hangi stones we didn't ask anyone as it was our beach.

18. Ngāti Pāhauwera have always had tino rangatiratanga over our coastal area. We have learnt we have to look after our taonga because no one else does.

Affirmed at *Pahauwera* this *26th*
day of *November* 2013)
before me: *Dianne Pearl Barrett*

D.P. Barrett, JP
#8163
MOHAKA
Justice of the Peace for New Zealand

D. Barrett *26.11.13*
A Solicitor of the High Court of New
Zealand/Justice of the Peace

g.d.
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D.P.B.

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF MARAEA ARANUI

AFFIRMED

Mr. Aranui

10/12/2013

Denys S. Caves JP

Denys S. Caves
Justice of the Peace No 11095
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NGĀTI PĀHAUWERA DEVELOPMENT TRUST

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I, **MARAEA ARANUI**, Kaiako, of Mohaka solemnly and sincerely affirm:

1. My name is Maraea Aranui. I was born on the 5th of May 1945. I married the late Ariel Aranui. He filed the 119 Waitangi Tribunal claim for the Mohaka River. When he died I became the Claimant. I live at Raupunga and am a kaiako at the Kohanga Reo.
2. My father was the late Tom Spooner. My mother Tere Vakatini came to Aotearoa from Rarotonga.

Mother's Arrival From Rarotonga

3. What I've learnt from Mum, she came to New Zealand when she was only 14. She came to New Zealand with two of our other cousins. She came over on a boat. We used to question her about it and we'd say "weren't you lonely, weren't you missing your parents at a young age of 14?" I said to her that I would never let my children go away at that age. But the reason she left was that the war was on. Her Dad had sent her here was because of the Japanese activity in the Pacific so that she may be safer than perhaps where they are in the Islands. That's what one of my sisters had told me – well I didn't look at it that way – because she was the last in the family and apparently she was her father's pet, however she came to New Zealand.
4. They arrived in Auckland and then they came down here. I forgot how she actually said how they got to Hawkes Bay. When she got here she found out that some people needed a house maid and Mum ended up going to Nuhaka. She ended up working as a house maid on a farm with the Bailey family in Nuhaka – that's where Mum ended up and of course dad was working out on a farm not far from her. That is where they met up. Mum and Dad married at a young age.
5. Mum said that you just felt like a stranger when you arrived, but she said that you saw Māori people and so you felt ok because they looked the same as you, so Mum said they did, they felt alright. I just used to say to her "was there any prejudice?" She said didn't feel any

of that, and she said that they went straight to work, so she never got to mix with a lot of people.

Ngāti Pāhauwera Links to Rarotonga

6. Ngāti Pāhauwera has strong links to Rarotonga. Paikea is a well-known ancestor in Rarotonga who came to Aotearoa and resided at Mohaka. He is the taniwha or guardian spirit at the mouth of the Mohaka River.
7. The Takitimu waka that left from Rarotonga and brought many of our ancestors to Aotearoa landed at Mohaka. In Rarotonga itself the place called Takitimu waka is actually on my mother's family land.
8. They all know the waka came down here and how we are all related in whakapapa and culture. They just say that's where the Takitimu landed.
9. I said to Mum, yes you all came down here – Mum and her sisters Aunty Tangi and Aunty Tammy came down all the three of them – there must be some connection to that Takitimu. Apart from my Mum the others who came to Pāhauwera from Rarotonga are:
 - 9.1 My mother's family – Vakatini (Mum and them say it like a "wh"):
 - 9.1.1 Aunty Tangi who married Uncle Wainohu; and
 - 9.1.2 Aunty Tammy who married a Hawkins; and
 - 9.2 Winnie King's daughter, Katherine Boynton married a man who is from Manaia [(Samoa)?], but he knew my Mum's family.

10. Those were the three that came with Mum. There are some Pāhauwera whanau who married into Samoans as well like Angela Kaisa.
11. The Vakatini family is part of the Ariki lines of Rarotonga. When we went there and they found out who my mother was we were treated well. My cousin Joe is the Ariki for the whanau in Rarotonga.
12. Wherever he goes there he is privileged, he doesn't have to pull his wallet out that's loaded with money. He doesn't have to spend his money, everyone spends their money on him.
13. I remember when they had the opening of the Takitimu memorial, well we wanted Mum to go back to the opening – but she said she felt that because she hadn't been there enough times, she had only been there twice – she knew that that was where she was born but she felt that New Zealand was her home. When she had gone over there for the first time she saw how her family were living and that they had a hard time. She had just one sister living there – just living in her bach, on her own and no light. This sister had also come visited Mum in New Zealand for about 3 or 4 weeks so Mum knew very well that life in Rarotonga was hard.
14. After my Mum passed away my Dad went to live in Rarotonga for a while then came home.
15. Lucky Pere, who was a Ngāti Pāhauwera woman, well her dad left her mother and took himself a wife in Rarotonga. He had two names Netane Te Huki and Nehemia i Tera. He was of Ngati Kapekape but I heard the whanau here took the name Nehemia. The whanau in the Islands are called Te Uki.
16. About 30 years ago we went to a big hui at Tokomaru Bay of all the Rarotongan families who had come to the East Coast and Hawkes Bay. There were lots of Rarotongan people who married into Māori from here.

17. They are a lot like us. I know for Mum, she could understand Māori very well, and when I listened to my mother talking, and I listen to others even talking in Māori, You can see there's a close resemblance of the language. Mum she found Māori very easy to understand, so there is that closeness as far as that – their languages. And some say even with Samoan, it's just how they say it, and perhaps some of them talk too fast that it's hard to follow.
18. Sometimes I feel like when you're over there, they're not different, they just live on a different island.
19. Yes, I must say this, they are very hospitable people those people from Rarotonga, very easy going and good people, they're not aggressive people, you can actually have a good conversation with them, always willing to help you or offer anything.
20. They go fishing a lot. One of my cousins owns a fishing boat and that's all he does, he thinks that's the better way to make money. He gave up the shop and bought a fishing boat – now he's making good money.

Mohaka Beach

21. Ngāti Pāhauwera whanau held concerts down at the beach. The Blue Moon Band in their time used to play at the beach around Christmas in the 60s and 70s. Hundreds of Ngāti Pāhauwera people would turn up. We had our own concerts down there in 2006, 2007, 2008. Some of the Gilbert Whanau came back from Australia with their band three times in a row.
22. Every year there's campers down there – yes our people that are using it – every year the locals around here take their kids (when we say "locals", this means Ngāti Pāhauwera). All through January they were down there, for 2 or 3 weeks they would be down there and so

you've got to look for running fresh water – they find it if you want to stay there, and they just enjoyed it.

23. Even the Pāhauwera living around Napier bring their camping gear. They're just loving it down at the beach because it's a change from living in the city. You get to just lay back and relax and that's the whole idea about living on the beach, the kids enjoy it.
24. Yes, I've always thought they're going to have to do something about this beach. The council should put proper culverts that they can cross over and go right through. There's a big grass area that people would like to camp there, nice and clean and grassy and just put running water. As far as we are concerned we own it. The Wairoa district council does nothing to maintain the road down there. It can be tidied up. I know a lot of people that talk about the beach, they'd love to stay down there.
25. It would be good to put in a toilet block and maybe a shower block next to the toilet there. That's what we asked the Wairoa Council to do. The council said that oh that's something that is going to cost a bit of money, so nothing happened.
26. I really think that the Council needs to do these things, like fix up the road, get some taps and water sorted and put in some signage and rubbish bins down at the beach like they do in Wairoa and Napier. They spent years and years taking the shingle from the beach and river to benefit everyone else in Hawkes Bay, everyone but the people they took it from. The road needs the potholes to be filled in, it needs to be graded and maintained often. It's the least that they could do.

Hangi Stones

27. I just say, if people are going to take hangi stones, then you only need to take enough for a hangi - not to sell them. Just for hangi and nothing else. They only belong to this area. The local people know

where they're found. I don't know if they've been found anywhere else.

Firewood

28. Same with firewood it's not to be sold. If you want the firewood for your house to keep your kids fed, to keep your fire going. The wood off the beach, then it's a good thing because I think the wood needs to be cleaned off there and the people are just taking it for their own general use. There's a lot of native timber there for people to use but it's too heavy, they can't bring it back home.
29. I know myself, I like collecting driftwood from time to time, we use it in our Kohanga, we use a lot of resources along the beach: pumice, shells, the drift wood. The kids will paint the pumice and make a collage and bits of arts and crafts, but they love collecting it. You get them all a little shopping bag each, you'd be surprised how long it would take them to fill their bag up. The children at the Kohanga are all Ngāti Pāhauwera, so of course we teach them Ngāti Pāhauwera Tikanga. That is the songs they sing, the karakia we say, everything.

Fishing Competitions

30. The Ngāti Pāhauwera Hauora holds a fishing competition at Mohaka every year, and it's good, and it also includes the kids – they're part of the programme too. If there's no heavy fish caught, they put all the names of the people who paid for their rods, only \$5 a rod, and they put all the names in the barrel and they just draw out all the prizes. It's a nice day, and they have a big BBQ for all the kids and the parents. It's a great family day out.
31. The Paikea Fishing Club used to hold fishing competitions. The members were local Ngāti Pāhauwera whanau but the Hauora does it now. The Hauora one is good because it draws the parents and their children.

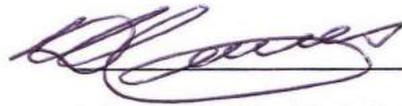
- 32. In Waihua Marae they run one every year. The Te Aho whanau have been running it. It is a good thing. Waikari is the same. Ngāti Pāhauwera and the locals run it.

- 33. Those fishing clubs they're always sought after – you can get people from everywhere coming to them.

Affirmed at *Wairoa* this *10th*

day of *Dec* 2013)

before me:) *DENYS SERWIN CAVES JP.*



Denys S. Caves
Justice of the Peace No 11095
48 Kopu Rd
Wairoa 4108

A Solicitor of the High Court of New
Zealand /Justice of the Peace

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER

The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF

An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF

An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF TIWANA ARANUI

AFFIRMED 10th January 2013 2014

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

By A [Signature]

I, **TIWANA ARANUI**, Kaiako of Napier, **solemnly and sincerely affirm:**

1. I am a member of Ngāti Pāhauwera and I support these negotiations.
2. The Aranui whanau come from Moeangiangi. I grew up in Raupunga and my father was Hector Aranui. He was a shearing contractor and when there was no work, he used to go fishing and gathering kaimoana all of the time. My cousin Derek Huata and I were lucky. Our fathers taught us the Ngāti Pāhauwera tikanga, they taught us how to make reti boards and spinners made out of paua shells. Reti boards are a special thing. Sometimes we would make the spinners out of old Ford car bumpers, the shiny bumpers, or the foil from a cigarette paper. Our parents showed us how to adapt. I have read Derek Huata's affidavit and I remember everything that he talked about. I remember when my uncle Wi Huata died and I want to acknowledge him and those others – whanau and whanaunga - that drowned in our rohe moana and awa.
3. I don't believe in the map lines of the application area, they are a government construct. The Ngāti Pāhauwera Takutai Moana application area and the area outside it from Cape Kidnappers to Mahia is well known to me. When I was younger we fished at Wairoa, Mohaka, Waihua, Waikare, Aropaoanui, Tiwhanui, Waipatiki, Punaruku, Te Kuha, Tangoio and all the way to Napier. There is a Ngāti Pāhauwera proverb:

Manahou ki Uta
Pahauwera ki Tai

That was the Ngāti Pāhauwera rohe moana. When I moved to Napier for work we fished more at Awatoto, Haumoana and all the way back up to Wairoa. I do not ask permission, only from Tangaroa. It is my whakapapa right, our boundaries extend from Wairoa past Cape Kidnappers to a place called Te Rena Ika.

4. Rena Ika is on the other side of Cape Kidnappers, this side of Ocean Beach. That's a great place for Paua and Kina. It's also where they used to catch whales. At Cape Kidnappers is where we get Crayfish. Most of my life I have been diving, fishing, whatever. I know the pathway of the Kahawai that is our boundary, Te Ara Manawa o Te Kahawai.

5. Haumoana is the birthplace of the Kahawai. That is their 'kohanga' and then start moving from there, they go against the current up to Mahia. I remember our people used to go out to a Hapuku fishing ground about 22km out from Mohaka. That wasn't a big deal to them, they knew where the grounds were, it was a natural thing to go out that far. I am fine with those distances, personally don't think anything of diving 70ft and have done that all over the Bay. I use scuba bottles sometimes and sometimes I don't. It's like another world under there. I dive for Tangi when I can.
6. Pania is a reef full of mussels and on this side is where the ships from the Port come through now. It used to have a lot of Kina. Part of our history as Pāhauwera is Pania. As I mentioned before, our whanaunga have drowned on the reefs in our area. When our people pass away, where they drown is 'Turangawaewae', their body is taken by the currents to Awatoto. I know where they end up. We know where to find them.
7. The erosion and the Port of Napier have affected the fish and kaimoana. Also, I still see two trawlers, trawling around the bay, every day I am there I have seen that they are there. They have got nets which is illegal but they don't care. For me Waihua, Waikare and Mohaka river mouths, the kaimoana has been depleted and it is because of all of this.
8. Te Kuha is a taniwha out at Tangoio. It's a place that we get crayfish. At Pania is Moremore, I have heard about him but I haven't seen him and I don't want to. At Te Awanga it is being eroded. That is another reef that we used to dive at – Black reef - and there we would get crayfish.
9. When I go to Mohaka, I never meet any strangers. It really hasn't changed that much. I don't go there as much now because I have a boat now and live in Napier, I go out most weekends and still dive all of these places I have talked about.
10. One of the rules we learned when we were young and at Mohaka was 'Don't gut your fish on the beach'. You would dig a big hole to store them in to keep them cool, and take them back home. If I am fishing off the beach, I would still do that today – wherever I am.

11. When my children were young, I taught them to fish. These days I still do a whakamoemiti to Tangaroa and ask for guidance and support. My children know to do this and all of our Ngāti Pāhauwera tikanga. You know some days I think it would be cheaper for me to go to Pak n Save to get some fish, but that is not the point. The point is to follow in the footsteps of our tipuna.
12. My wife and I have written over thirty songs, she is the singer. One of those songs is annexed and marked 'A'. When I composed it I was looking at Ruawharo and his adventures, it is intended to teach kids about our history. This song is sung today. Ruawharo he was a Tohunga on the Takitimu waka and he was like Tamatea 'an eater of land'. Among other things, his mauri attracted kaimoana and whales to the East Coast and is famous to our people. This song links our moana, maunga and waka all together.

Affirmed at *Napier* this *10th*) *of Cranui*
 day of *January* *2014*
2013
 before me: *G. M. McPhee*)

G. M. MCPHEE
 54 ANDERSON ROAD
 TARADALE
 JUSTICE OF THE PEACE
 FOR NEW ZEALAND

A Solicitor of the High Court of New
 Zealand / Justice of the Peace

"A"

KO MAUNGA HARURU

KO RUAWHARO TE TOHUNGA
O TE WAKA TAKITIMU E
KA WHIUA TE TOKOTOKO
KI TE RANGI E

REREWHAKARUNGA TE KERERU
E KIMI WAHI PAI
PUKEPUKE TE WHENUA
HE MAUNGA TEITEI

HARURU ANA TE MOTU
I NGA PARIRAU
KO MAUNGA HARURU
HE MAUNGA RURUHAU

(Johnny Angel)

NA TIWANA RAUA KO YVONNE ARANUI

This is the Exhibit marked "A" referred to
in the affidavit of Tiwana Aranui affirmed at

Napier this 10th day of
January 2013 before me

Signature: *G. M. McPhee*

of Aranui

~~A Solicitor of the High Court of New Zealand/~~

Justice of the Peace

G. M. MCPHEE
54 ANDERSON ROAD
TARADALE
JUSTICE OF THE PEACE
FOR NEW ZEALAND

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

IN THE MATTER OF An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF DAVID GORDON TIHAU BISHOP

AFFIRMED

a David Gordon 5th November 2014

NGĀTI PĀHAUWERA DEVELOPMENT TRUST

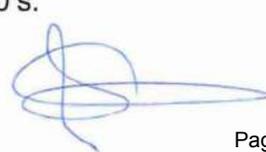
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

I, **DAVID GORDON TIHAU BISHOP**, Self-employed, of Haumoana solemnly and sincerely affirm:

1. I am 59 years old and I support the Ngāti Pāhauwera Takutai Moana negotiations. I recently attended a Ngāti Pāhauwera Hui-A-Iwi in Napier where I relayed to the Trustees some of my research detailing a visit by dignitaries from Rarotonga to the East Coast in the 1930's, including a visit to the Mohaka Marae. This visit illustrates the connection which remains between Pacific Island people, particularly those from Rarotonga, and their Māori whanaunga from Aotearoa, and explains why we share such similar beliefs and values.
2. A further reason why I want to provide this evidence is my desire to support those who are trying to be better kaitiaki and generally to support the fostering of a greater responsibility towards our water resource, as it is such a gift, a taonga, yet it is something which we take for granted in Aotearoa.

My Family

3. My father was Gordon Bishop. He came from England, from a beautiful river town called Bath in Somerset. His gift to my siblings and I was a desire to learn. I became a professional engineer, following in my father's footsteps as he was a motor mechanic.
4. My mother was Turi Heremanati Bishop. She left her remote atoll of Rakahanga in the far north of the Cook Islands to travel to Rarotonga for better opportunities. She learned some skills and some rudimentary English and then she eventually got to New Zealand.
5. I was raised isolated from where many other Auckland based Cook Islanders lived, on the North Shore of Auckland. Thankfully, we had a beach almost at our garden. We were really Pacific kids living in a New Zealand environment. We were lucky to have a boat. We were lucky to go fishing, we were lucky to muck around in the ocean between tides. We were lucky to be brought up in Beach Haven, such a beautiful place in the 1950's and 1960's.



6. I trained in engineering so I look at things through 'engineering lenses', but I also look at things through 'brown lenses', which is my mother's eyes. Since my mother died, I have spent more time thinking about being a more active Cook Islander and have attended a number of functions where I have seen some frustrations within our people. Those frustrations I can define as being from displaced people who are no longer connected, actively, to their whenua. I try not to be within those frustration zones and I try to be with people who are building things consistent with their philosophies for their whenua and their awa and their moana. This is why I have an interest in what Ngāti Pāhauwera are trying to achieve with their Takutai Moana application.

My experience

7. Since I was about 17 I have been involved in Civil Engineering. I have been a civil engineering technician, surveyor, land surveyor and then I progressed to being a senior structural engineer and civil engineer at the moment.
8. I am hopeful that the models and initiatives I have worked on over the years can be used elsewhere, by other iwi, including Ngāti Pāhauwera. I want to share a few of my experiences here because I have seen that in other places in Hawke's Bay, tangata whenua are actively seeking to exercise their kaitiakitanga. I have observed that like Ngāti Pāhauwera, they continue to work to protect their waters, no matter what.
9. I spent time with Ngāti Kahungunu Iwi Incorporated ("NKII") trying to defend the rights of Māori to have access to the best information in relation to what has become the Ruataniwha Water Storage Scheme. I wrote a paper on their behalf around the paucity of information or technical details relating to that dam. Thankfully, others wrote better summaries of what was not very good science. I am quite sure that if another dam was to ever be thought of, that people would have to spend some decades collecting science so that we can all be sure that the net result of a dam being built, large or small, will be beneficial to the people, to the waterways and ultimately, to the ocean.



10. I see myself as an activist. I am actively involved and thinking about what we can do to protect our rivers and oceans. I have set up a number of initiatives with the good people at Kohupatiki Marae in Hastings. I have made new maps for their Ngarororo (Clive) river, and defined lengths of the river that might be developed into something that is good for Patiki (flounder). Perhaps with some funding from the Department of Conservation they can finish their writings for Operation Patiki for the last several years and then look at the bathymetry, or shape of the river, as it is today, affected by sedimentation. With Council we can then put together a plan that will allow it to flush better so that the water runs on a gravel base and the gravel is available for the movement of Patiki.
11. As well as the river, the intention is to use side scan sonar at sea and to put together maps to understand how the river mouth is working. The river mouth is a bit of a mess because it was retrained to run as a straight line from Pakowhai Bridge which was a mistake. I can only guess that the level of consultation with the people of Kohupatiki was minimal. Some years later we still do not have a viable population of Patiki and so we want to help with the planning with the idea that the plan will be accepted by Council or alternative funders.
12. The data that we collect is suitable for tangata whenua to see the changes in the river mouths with the help of scientists such as hydrologists interpreting our data, help to understand the viability of these ecosystems upstream and out to sea. There is constant change and the movement of sediments down the coast or up the coast can be measured. This data will aid in understanding a future for these water bodies we are looking at.
13. In contrast to the long term data collection that I and these tangata whenua are interested in, the scientists come in and do these really fast reports for the Hawke's Bay Regional Council. They have no feeling for the Māori of the place and seldom talk with the local people.



14. My goal is to support Māori who are trying to utilise science to be better kaitiaki. Personally, I am quite happy to use the knowledge gained from Kohupatiki's work. My hope is that this model can be implemented elsewhere so other rivers do not suffer the same fate as that of Kohupatiki. I support the Ngāti Pāhauwera application and know that they will do whatever they can to protect their awa and moana.

Pacific Island Connection

15. I am from Rakahanga and Mangaia in Rarotonga and I feel a strong affinity with the Māori people of Aotearoa. I am not alone in this. We are connected across water and there is a synergy in our shared need to protect that water.
16. 'The Ocean Declaration of Maupiti' is an example of the connections and synergies that I am talking about in this affidavit. A copy of the Declaration is annexed at 'A'. The Declaration is the result of the representatives of Pacific Countries and Territories, including Aotearoa-New Zealand, Australia, Cook Islands, Samoa, Solomon Islands and Tonga meeting in Maupiti, of Society Islands, French Polynesia, during the UNESCO World Heritage Workshop of the Pacific Islands in November 2009.
17. The Declaration uses very simple words of 'self-determination' and talks about being as one with our ocean. I believe that is where we need to be. It is the same ocean that kisses our shores here, that pulses in and out of our lagoons, in the Cook Islands, Tahiti, Samoa. Our stories tell us that there was backwards and forwards between the islands and Aotearoa. That continues today.

Te Rangi Hiroa

18. Another example of the connection can be seen in the work of Sir Peter Buck, or Te Rangi Hiroa. Peter Buck was a prominent figure in Māori history at the turn of the last century and died in 1951.
19. He put together a plethora of papers which I have read and summarised. He writes that on one occasion he went to the far north



Cook Islands to a place called Rakahanga. There he stayed in my great aunt's house and people came from all over Rakahanga and Manihiki a neighbouring island and gave him their stories which he preserved in a book. According to Sir Peter Buck the language of Rakahanga and Manihiki are the closest he ever found to Māori language of the 1930s. I have attached at "B" a discussion paper about his legacy.

20. I have a passion for Sir Peter Buck's research. Those who read about our past have an obligation to go beyond just one writer but his research is a wonderful baseline for further discovery. Sir Peter Buck's legacy is still alive in the world. I'd like to see that legacy live in more than just words on paper and before many of these atoll homes are erased through environmental change see these people visited again and their language and stories recorded again.
21. Along these lines, another project I am working on is to put together a whare wananga on Aitutaki called "Te Whare Wananga o Te Rangihiroa o Aitutaki". The land has been put aside and the Ariki is waiting. It requires more people who wish to go from New Zealand to study "atoll life" and "lagoon life". It is intended to utilise GPS and other scientific tools to work out what is happening to lagoon life, because it is not as healthy as it used to be. As in Aoteroa, this work is about being better kaitiaki o te wai, o te moana, and o te rakau – the coconuts which are vital to life there. Data and science is a tool for understanding everything there is to know about the environment you choose to live in.

Te Hono ki Rarotonga, Tokomaru Bay.

22. I give as an historical example, an event Peter Buck was instrumental in organising. It was a celebration of the connection between the Pacific Islands and Aotearoa. I have attached at "C" a paper on the 75th anniversary of Te Hono ki Rarotonga at Pakirikiri Marae in Tokomaru Bay. It came about through collaborative discussions between Apirana Ngata and Sir Peter Buck. They sought Pacific participation in a celebration with Lord Bledisloe at Waitangi in 1934. I understand that in the late 1920's Apirana Ngata travelled to




Rarotonga twice to meet with the Ariki, and in 1933, 30 travellers including traditional dancers came from the Cook Islands by ship to Wellington to eventually be a part of a celebration at Waitangi.

23. The group travelled from Wellington to Waitangi via Waitara and then via central Hawkes Bay and Heretaunga to the East Coast. The trip saw the group stopping strategically in a number of places, including Mohaka and Nuhaka and then overnight in Kaiti. They arrived at Tokomaru Bay for a few days, during which time they celebrated the opening of the wharenuī, Te Hono ki Rarotonga at Pakirikiri Marae. They continued their travels, eventually making it to Waitangi to help celebrate the return of the Treaty Grounds to Mana Whenua.
24. The jewel in the crown for that trip was really our Cook Island dancers. There is a certain freedom in our dance and a representation of us as Pacific people that was a crowd pleaser. It certainly pleased Apirana Ngata and his correspondence with Sir Peter Buck after that time supported continuing to nurture our connection with the Pacific peoples. That connection is alive today. When the 75th anniversary came around, I sent the story I wrote back to the Cook Islands and with little encouragement we ended up with a very good turnout including one person who actually came in 1934!

Conclusion

25. We live in two worlds, we live in the world of the Pakeha and we live in the world of the Māori and sometimes those worlds collide. When they join, it is beautiful. My father was English and my mother was Cook Island. As an engineer I see that Māori were engineers, but the amount of damage we can do with today's materials as engineers is well in excess of anything that could have happened with traditional Māori values in place and (importantly) honoured. The Tongariro Power Scheme of the 1970's is a sad example of this.
26. We need to celebrate those traditional values, build up a Māori account on every asset that we have that is valuable to us and for that to be available for others to understand. Armed with that, we may be able to counter some of the crazy things that have arrived on our



doorstep, like fracking and Water Storage Schemes. We have to lift our game and I believe we do have the capacity we just have to grow it with greater urgency and focus. The Ngāti Pāhauwera application is an example of this and I will support this application as a step towards invigorating our rangitahi to want to care about the things they can deal with in their Rohe. Further I recognise and support that their action will be protecting the waters which are a living link between here and my Pacific home, my Rohe.

27. I believe that Ngāti Pāhauwera are trying to protect what is theirs. This I hope helps explain why I am providing evidence in support of Ngāti Pāhauwera.

Affirmed at *Hastings* this *5th* *November*
day of 2014)
before me:)



Brian P J Rabbitte JP
17 Lucknow Road
Havelock North 4130
Phone 06 877 4909
Justice of the Peace for New Zealand

A Solicitor of the High Court of New Zealand/Justice of the Peace

**TE RANGI HIROA,
(Sir Peter H Buck, KCMG, DSO).
1877 to 1951.**

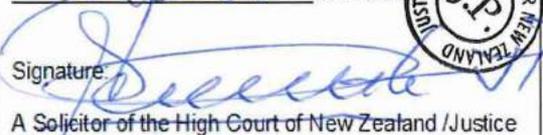
**A Major Contributor to the Bernice P. Bishop
Museum
(1926 – 1951).**

Is His Legacy to be Forgotten?

**A Discussion Paper by David GT Bishop
Kirikiriroa V4 Mid April 2011**

*I Kune mai i Hawaiki,
Ki te kune kai,
Ki te kune Tangata.*

(It sprang forth here from Hawaiki,
the seed of food and
the seed of people).

This is the exhibit marked "B" referred to in the affidavit of David Tihau Bishop affirmed at
Hobsons this 5th day of
November 2014 before

Signature
A Solicitor of the High Court of New Zealand / Justice of the Peace


1. Introduction; A Polynesian Perspective.

Kia Orana, my Name is David Gordon Tihau Bishop.

I am a native Polynesian with a Whakapapa (Lineage) that 'criss crosses' the incomparable Pacific Ocean and nestles in the historic English City of Bath and adjacent Cheddar caves and the burial caves of Ruapehu in the central mountains of the north island of Aotearoa (New Zealand).

My father; Lionel Gordon Bishop was a relatively recent migrant from Bath, England who after serving his country in the Western Desert in the English Eight Army (and later two years in Palestine) travelled to Aotearoa en route to Hong Kong. After working in Karamea on the west coast of the south island he met my mother in Auckland and settled on the North Shore with Turi and started the Bishop Family.

My mother; Turi Teinaki Heremanaate was born on Rakahanga Atoll; located approximately ten degrees south of the equator and north east of Samoa. Rakahanga is part of 'Pa Enea Tokerau / Tai Tokerau'...the northern group islands of the Cook's Islands.

Turi's mother was Taana Heremanaate and through this Rakahanga bloodline I am a direct descendent of Hiro; navigator of the Tawhiti Waka that is reputed to have landed on the south Taranaki coast.

Hiro's children in Aotearoa travelled across the central volcanic plateau via the Whanganui River 'highway' and visited the east coast via the catchments of the Mohaka River and the Waikato Rohe via the Waikato River.

Hiro's children on the 4.1km² Rakahanga Atoll and adjacent Manihiki Atoll (5.4km²) have a whakapapa of almost thirty generations.

Turi's father; Poaru Mauauri was born on Mangaia Island to Eiaa and Poaru and had eight siblings. One of the siblings is the internationally prolific Brothers family with deep roots in the Society / Tahitian Islands.

Mangaia is a 'high' / makatea island of almost 52km² in area. It is well known for its lush interior, robust taro plantations and delicious pineapple.

I was brought up as a 'New Zealand Polynesian' and until I was forty years of age I was content to have a career and be involved as a professional civil / structural engineer in a largely pakeha / papaa world.

So the reader may ask...."how does any of the above relate to Sir Peter Buck?"

The answer is complex yet quite simple...the ethnological studies and observations that Te Rangi Hiroa recorded whilst in / on Cook's Islands were about my families and contain much of my Cook Islands' heritage.

My mother Turi reminded me many times as a child growing to be a New Zealander that *"if I wished to know more about my Cook Island heritage I should read Peter Buck's books"*.

Eventually I adhered to mum's advice and located Ethnological studies / stories written by Te Rangi Hiroa specifically about the Cook Islands (as summarised below):

Bishop Museum Bulletins:

92	Ethnology of Tongareva	(1932).
99	Ethnology of Manahiki and Rakahanga	(1932).
122	Mangaian Society	(1934).
179	Arts and Crafts of the Cook Islands	(1944).

Other publications by Te Rangi Hiroa about the 'Polynesian Journey' include:

Maaori Plaited Basketry and Plaitwork I&II; 1923 & 1924,
The Coming of the Maaori; 1925,
The Evolution of Maaori Clothing; 1926,
Samoa Material Culture; 1930,
Polynesian voyages.; 1933,
Material representations of Tongan and Samoan gods; 1935,
Regional Diversity in the Elaboration of Sorcery in Polynesia; 1936,
The physical characters of the Cook Islanders; 1936,
The Ethnology of Mangareva; 1938,
Vikings of The Sunrise; 1938,
Native races need not die; 1940,
The origin of the Polynesians: work done and to be done & the disappearance of canoes in Polynesia; 1942.
An Introduction to Polynesian Anthropology; 1945.
Polynesian sea chants; 1949.
Kapingamarangi: A living legend; 1951,

Explorers of the Pacific, European and American Discoveries in Polynesia; 1953.

Arts and Crafts of Hawaii; 1957.

This discussion paper has been written in the wake of a peaceful Waitangi Day 2010 'Celebration of Waka' to hopefully provide a reinvigorated **"2011 paper trail"** to ensure that readers in this technologically adroit new decade and smart century are able to quickly access information on Sir Peter Buck's clever and very detailed observations depicted in the above Bulletins and publications.

This discussion paper has also been written so that we as 'his children', will become re acquainted with his passionate works and become more united as Polynesian Maaori.

And through fresh and motivated study ensure that the ethnological records Te Rangi Hiroa secured through publication almost a century ago will be fully understood and enhanced for our children and our grandchildren.

This enhancement within the context of today's physical and spiritual challenges will better ensure that the observed and predicted effects of global climate change on our fragile whenua enhances our role as effective kaitiaki of the whenua and the moana.

In one of Te Rangi Hiroa's letters to his wife Margaret in 1934 he wrote:

"As you know the Manihiki dialect of those in the Cook Island Group, more closely resemble Maaori than any other I have so far encountered. You will also remember Queen Makea (Takau, of Rarotonga) saying to us that the Manihikians were the relatives of the Maaori because of the resemblance of speech".

If the combined concerns of Cook Islands Maori and the Maori peoples of Aotearoa and the wider Pacific are sufficient then perhaps REAL and EFFECTIVE change can be implemented for less robust Pacific Communities.

To assist a revival of his prolific works the formation of a:

“Te Rangi Hiroa / Sir Peter Buck PACIFIC Knowledge Trust” and a

“Te Rangi Hiroa Tertiary Pacific Knowledge Student’s Scholarship” specialising in Pacific studies will better allow structured and effective observation based ethnological studies to proliferate at ALL levels of the Pacific Community.

Perhaps a target date for the formation of the proposed ***“Te Rangi Hiroa / Sir Peter Buck PACIFIC Knowledge Trust”*** can coincide with the Sixtieth anniversary of his death: **1st December 2011.**

Attached as **Appendix B** is a *DRAFT* implementation plan for a “Te Rangi Hiroa Pacific Knowledge Trust”, showing timelines and activities that will benefit this very progressive Kaupapa.

2. A Legacy of Recorded Ethnology works during Te Rangi Hiroa’s Time; a Brief History.

Te Rangi Hiroa was not trained as a professional ethnologist.

Te Rangi Hiroa was however trained in the ‘art’ of humility by his Maori grandmother Kapuakore and as the son of William Henry Buck and whangai’ed to Ngarongo-ki-tua he was encouraged to be schooled as a new New Zealander in the North Taranaki town of Urenui - located on the sweeping Taranaki coast north of the township of Waitara.

His college time was spent at Te Aute College near the opposite coast of the north island and neighbouring the Hawkes Bay town of Waipawa.

His Te Aute College studies and the careful guidance of Bishop Samuel Williams (and his ilk) prepared Peter well for the journey that lay ahead.

I have been fortunate to reference Te Rangi Hiroa's very detailed biography, compiled by his New Zealand wartime and academic colleague Professor J B Condliffe.

In 1971 Professor Condliffe published ***Te Rangi Hiroa. The Life of Sir Peter Buck.*** (Professor Condliffe passed away in 1981)

Further I have referenced the very detailed diary entries between Sir Apirana Ngata and Te Rangi Hiroa: ***Na Ta Hoa Aroha.***

I am humbled by both the energy and the fore sight that these two great Maaori leaders made manifest during the first half of the twentieth century. This was a period in world history when very large external forces were working to destabilise nations and when the journey of the individual became the collective stuff of nationhood.

Colonial 'Blood Letting' was poorly negotiated and the legend of the ANZACs was given an unsteady birth during the Great War (1914 -1918).

Te Rangi Hiroa served in the Great War with the Maaori Contingent as their medical officer. He survived this ***War of wars*** having served at Gallipoli, in France and in Belgium.

Whilst at Gallipoli he was mentioned in dispatches several times and for his efforts in saving allied lives Peter received a DSO.

At the close of World War One he was demobilised with the rank of Lieutenant – Colonel.

In post war New Zealand Peter became Director of Maaori Hygiene and was able to become an accomplished ethnographer through detailed study of Aotearoa Maaori life and through publishing in the Journal of the Polynesian Society.

In the later half of 1926 he visited Cook Island Maaori and enjoyed his first visit to Aitutaki Island in the 'southern group' and wrote of his acceptance within that community;

“as an honoured kinsman, descended from common ancestors”.

And:

“The Polynesians are an intelligent race. They like to know why they are asked innumerable questions, and why a person should wander into their cook-house prying into every corner and overhauling their domestic utensils”.

Te Rangi Hiroa left Aitutaki to return to Aotearoa and thence to Honolulu for five years at the Bernice P Bishop Museum where he worked as a researcher under Professor Gregory.

His first journey of study took him to American Samoa and thence Western Samoa. Whilst in Western Samoa he learned of the ethnic leadership group ‘the Mau’ and the effect of their traditional influences within the non-pakeha community.

The then current Samoan attitude of the traditional leaders is best represented in a response made by a Samoan talking chief after Te Rangi Hiroa voiced a prognoses that perhaps Polynesians originated from mainland Asia and travelled to the remote isles of the pacific.

The **chief’s** reply was:

“We thank you for your address, the rest of Polynesians may have come from Asia, but the Samoans – No. The Samoans originated in Samoa”.

After returning to Hawaii and writing extensively of his Samoan observations and further referencing Samoan artefacts in the Museum Te Rangi Hiroa returned to the Cook Islands in April 1929 and using Apirana Ngata’s guidance as minister responsible for the Cook Islands became acting Resident Agent for Mangaia Island (population 1200) from late December until the end of February 1930.

Bulletin 122; Manganian Society, published in 1934 was the resulting publication.

From Mangaia Te Rangi Hiroa travelled back to Rarotonga thence with Judge Hugh Ayson, the Resident Commissioner for the Cook Islands, left to visit

Manihiki and Rakahanga for a three week stay and arrived on the neighbouring Tongareva Atoll (Penrhyn) on 28th June 1930.

My Rakahangan whanau know well the home that hosted Te Rangi Hiroa during his short residence on Rakahanga.

Bulletin 92; Ethnology of Tongareva (1932) and

Bulletin 99; Ethnology of Manahiki and Rakahanga (1932) were his resulting works.

Both publications contain invaluable records of whakapapa and crafts for these remote atoll communities and remain the major / only reference works available to these peoples.

3. Projecting a 'post Te Rangi Hiroa' Polynesian Future.

In the intervening years little has changed on the northern atolls of Pa Enea Tokerau (Northern Group of the Cook Islands); the easterly trade winds continue to blow from the east and the population continues to diminish as people migrate elsewhere.

From the CI Government Statistician the census data for a selected number of 'Outer Islands' is represented below:

	Aitutaki	Mangaia	Manihiki	Penrhyn	Rakahanga
1936	1,719	1,459	487	467	290
1951	2,396	1,830	816	527	261
1966	2,579	2,002	584	545	323
1986	2,390	1,229	508	497	282
2006	2194	654	351	251	141
Max.(Year)	2,855('71)	2,081('71)	1,006('61)	628('61)	400(1902)

As can be seen above there has been an accelerating trend to leave the homeland and stay elsewhere; generally Auckland, Aotearoa.

Issues of the perception of 'good work' in Aotearoa and the very expensive flights and infrequent ships make a return very, very difficult to Pa Enea Tokerau (the northern group').

3.01 Cook Islanders Visit Aotearoa

In late 1933 a very special short-term migration from Rarotonga to Aotearoa occurred by invitation of the then New Zealand Minister for the Cook Island Territory, Sir Apirana Ngata.

Under his urging and two visits to Rarotonga (1928 and 1930), a travelling group (***Tere Party***) of 30 Cook Islanders sourced from Rarotonga, attended several important functions on the North Island of Aotearoa during late 1933 and early 1934.

The thirty strong Cook Island ***Tere*** arrived in Wellington and after a Maaori and Civic welcome travelled to strategic locations across the Motu / Island.

Firstly to the north - west to Waitara Marae to acknowledge Maui Pomare's time in Rarotonga, thence to Putiki at Whanganui, Kohupatiki at Hastings, Whakaki at Wairoa with short stops at Mohaka and Nuuhaka, two days at Kaiti Maarae near Gisborne, a lunch at Tolaga Bay before arriving at Tokomaru Bay and Pakirikiri Maarae on the afternoon of Wednesday 23rd January 1934.

At Pakirikiri Maarae they stayed for several days and successfully helped to open the Meeting house (Te Hono Ki Rarotonga) on 25th January 1934.

They then travelled to the north via Apirana's Marae at Waiomatatini and en route to the north they stayed overnight at Te Kaha Marae, visited Omarumutu, Ruatoki Marae (overnight), Te Teko, Rotorua and thence to the Waitangi Treaty Hall at Te Tii Marae.

The Waitangi Day celebrations of 1934 were well documented and many images exist of this very special day in New Zealand History.

On their southward journey they visited Opononi Marae AND Waipoua (Forest) thence Orakei and Ngaruawahia.

The travelling **Tere Party** stayed in Auckland before returned to the Cook Islands on the steam ship; Maunganui on the 20th February 1934.

Even by today's standards '**Tere 1934**' must have been a very exhausting trip.

In 1934 the conditions of all roads was very poor and dangerous and one has to be in awe of the Tere's tenacity of body and spirit.

From diary entries from Sir Apirana Ngata the main focus of the 1934 visit from The Cook Islands was to support and awahi Maori in their celebration of Waitangi Day on February 6th 1934.

It was the first time Kingitanga had attended at Waitangi and during October 1933 Kingi Koroki had ascended following the passing of his father Kingi Te Rata.

Also prior to this historical day the then Governor General of New Zealand; Lord Bledisloe had personally purchased the site of the Treaty House at Waitangi and after discussions and agreement from Sir Apirana Ngata he chose Waitangi Day 1934 as the day to gift the property back to the traditional tribal owners.

This was and is still a very special day for Polynesia.

Unfortunately the significance of the **Tere's** extended stay in Aotearoa and travels to Tokomaru Bay has been largely lost with the passage of time, however, the 50th Anniversary of the opening of Te Hono Kī Rarotonga at Pakirikiri Marae in 1984 addressed part of the story and was attended by Cook Island dignitaries including Sir Tom Davis.

And in January 2009 the 75th Anniversary of the Tere Party's visit was celebrated following the arrival on 24th January 2009 of five dignitary laden coaches from Auckland. And their 'bringing onto the Marae', heralded three days of celebrations in Tokomaru Bay.

An extensive photographic, sound and television record was made of this special time. Also an early video record of the 50th Anniversary was located prior to the festivities and was made available, to the delight of all present.

An 80th, 90th and 100th Anniversary celebration is currently being planned.

3.02 Self Governance of Island Territories.

The very close association between Cook Islands people and New Zealand Maaori; Tuakana / Teina confirmed by Te Rangi Hiroa and upheld by New Zealand legislation has allowed the Cook Islands people to maintain a special status as holders of New Zealand Citizenship and Passports.

The awarding of self-governance for the Cook Islands was initiated in 1964 and the first Cook Island Maaori Premier, Papa Albert Henry 'reigned' for 12 years as head of the Cook Islands Party (CIP) prior to his displacement by Democratic Party (DP) Leader Tom Davis; the then CI Prime Minister.

Since those early days of self-determination the DP / CIP 'seesaw of power and influence' has witnessed the 'vaka', that is Cook Islands politics, seldom steering a steady course and often in very turbulent seas.

By comparison the governance model for Samoa has been carefully crafted to suit native needs and West Samoan peoples enjoy self-governance that has as its foundation the aspirations of 'the Mau'.

Tahitian Maaori continue under the control of a colonial system based in Paris, France. And although ex president Oscar Manu Temaru (who is part Atiuan), is the 'Polynesian voice' for native Tahitians, issues of true independence for Tahitian Maaori will be delayed for the foreseeable (Paris led) future.

Here in Aotearoa the very belated organising of the **Treaty of Waitangi Tribunal**; initially under the 'helm' of Maaori Judge (Now Sir) Eddie (Taihakurei) Durie, helped initiate landmark Whenua settlements / reparations for Tangata Whenua.

The settlement outcomes of the late twentieth century and the first decade of the twenty first century would have gladdened the hearts of both Apirana Ngata and Te Rangi Hiroa.

Additionally the successful emergence of Kura Kaupapa and Maori led health initiatives in Aotearoa can now provide positive leadership and leadership models to a wider Polynesian Community.

4. A Positive Polynesian Future in the Twenty First Century.

The generic Polynesian saying;

“Without a greater understanding of the directions of the PAST, how can the FUTURE be successfully navigated”....

continues to have a timeless message.

The future for Peoples of the Pacific is more precarious this century than any time during our collective recorded histories.

Issues of public health, climate change adaptation and the loss of traditional arts will negatively impact on our collective future.

4.01 Public Health.

A reduction in trading initiatives and a dependence on commodities and manufactured / processed food on both high and low remote islands has developed health deficiencies not known during Te Rangi Hiroa's times.

Well-documented research has recorded the demise of our natural good health with a marked rise in heart disease and diabetes.

Doctor Ian Prior and his compassionate and dedicated research team completed benchmark studies in the 1960's and 70's on the Tokelau Islands people in their home environment and also in their adopted home; Aotearoa.

Ian and the team's published works will remain as a major reference for good and bad public health outcomes in Polynesia, but are today's practitioners aware of his work?.

In this new millennium the depletion of our 'home island based' communities through ill health and disease and the lure of the 'bright lights' of Aotearoa and Australia will be further challenged by loss of Whenua due to the largely irreversible phenomena called Global Climate Change.

4.02 Global Climate Change.

For the many Polynesians who live on very small and moderately large land masses there is no longer a need to debate the presence of global climate change.

Global Climate Change EXISTS and WILL DIRECTLY AFFECT Low Lying Landscapes through out the Pacific.

The Global Climate is now highly monitored and it is well known that climate change associated with an increase level of atmospheric carbon dioxide will disproportionably influence the future of ALL Polynesian peoples and ALL First Nations people who live a largely agrarian and coastal life.

The future of the GLOBE is now defined and divined by empowered and passionate scientists and academics. They continue a relentless search for explanations and solutions to the world's escalating climate woes.

The International Panel for Climate Change (IPCC) have defined Options of High, Intermediate and Low Global CO₂ and temperature increases.

These Climate change 'Scenarios' ARE available for study and review and are now able to be applied to almost every square metre of the earth's surface.

So what is the long-term prognosis for Polynesian based and remote communities??..

In a pre 2009 Copenhagen Summit Meeting report to the Alliance of Small Island States (AoSIS) Hamilton based Climsystems scientists predicted that for a 1.5 and 2.0 degree Celsius increase in **average world temperatures** that the loss of lagoon coral by bleaching (from an increased acid content of salt water) will dramatically reduce the fish available in lagoons.

Further coral bleaching and food loss will be followed by whenua inundation due to a rising ocean.

Adaptation scenarios include the importation of all food and mass evacuation to higher landforms.

So who can help vulnerable communities with adaptation planning and research??..

'Names without Whakapapa / History' have emerged as the advocates and the toolmakers for all communities to hopefully use effectively.

They include:

- ❖ GoogleEarth; mapping derived from satellite imagery,
- ❖ Indigenous Mapping Initiative; Low Cost Aerial Mapping using non Commercial Aircraft.
- ❖ LiDAR mapping; Accurate mapping derived from low altitude terrain scanning. New Zealand Aerial Mapping is a current NZ champion in this field of work.
- ❖ Climsystems; a Aotearoa (Hamilton) based group of Climate Scientists who have an active digital climate change data base for over 4.68 Billion peoples.
- ❖ International Panel for Climate Change (IPCC); a United Nations panel who coordinates all Climate Change research and issues revised data every seven years
- ❖ GEF (Global Environment Facility); a United Nations Facility formed to distribute funding to communities in need. to mention only a few..

What is the Alliance of Small Island States (AoSIS) doing to inform and assist in community adaptation?.

AoSIS is engaged in dialogue at the United Nations to allow better forecasting for the 42 states it represents.

The formation of new information gathering organisations to augment those government and non-government organisations (NGO's) WILL help the future of vulnerable communities.

5. Can a “Te Rangi Hiroa / Sir Peter Buck Pacific Knowledge TRUST” Help Pacific Peoples?

Yes... A Te Rangi Hiroa Pacific Knowledge Trust has within its name and developed Kaupapa a commitment to be very effective in studying and researching us ...Polynesian Peoples.

The opportunity and timing is right for new and innovative training of Pacific Peoples for Pacific Issues and will focus on Community Studies for vulnerable atolls (initially).

These studies will be largely ethnological and will 'build' on models and observations made by Te Rangi Hiroa.

The intent is to support and fund self directed studies using locally sourced and trained people.

To achieve the community sourcing and training I believe a Whare Wananga should be established on Aitutaki Island.

The choice of Aitutaki as the first research head quarters and Whare Wananga stems from Te Rangi Hiroa's 1920's work and also detailed atoll research completed on Aitutaki in 1970.

Following approval of Government and James John McCauley, the Resident Agent for Aitutaki, the site work was completed and the 1970 Atoll Research Bulletin was issued by the National Museum of Natural History, Smithsonian Institute, Washington DC. This publication was written to coincide with the 200th anniversary of Captain James Cook's arrival on Aitutaki and is an

excellent baseline study of the fifteen 'near atolls' that encircle the beautiful Aitutaki Lagoon.

Unfortunately the Cook Islands government does not have similar detailed studies for other islands in the southern and northern groups.

Fortunately, however the National Museum of Natural History study **exists** and can be used to help project better futures for many similar high and low islands in the Pacific.

Additionally new mapping techniques and models using aerial / LiDAR scanning systems and very detailed lagoon surveys will ensure that a greater knowledge is **grown and shared** with attendees of an Aitutaki based Whare Wananga.

The Wananga programme will employ experts from within the Pacific Region and will specialise in 'hands on' learning in a Wananga / Endowed College Environment.

It is the intent that ALL data collected will comply with existing Cook Islands Government Research Guidelines and be shared with government agencies and this and other sponsored training programs / capacity building will be promoted at all levels of Cook Islands and overseas community.

Information for an Aitutaki Island based Whare Wananga for the "Te Rangi Hiroa Pacific Knowledge Trust" is attached as **Appendix A**.

6. Conclusion

Like all Discussion Papers the object of this arguably short story is to stimulate interest and with minimal guidance provoke debate about the need to do anything at all.

I have been fortunate to date to work in many nations in this finite globe; from Auckland's motorways in the 1970's to M25 Bridges near Heathrow Airport London to High Rise Building work in Melbourne and Sydney, Embassies in Beijing and Tokyo to a large geothermal power station in rural Indonesia.

Unfortunately for today's vulnerable communities many of the above projects have caused green house gas emission to multiply quickly and for our Pacific peoples I must apologise.

From all the international projects I have been intimately involved with I was most humbled by the people of Pukapuka in 2005 in the aftermath of Tropical Cyclone Percy.

My week spent there as an engineering assessor and designer allowed me to see at 'first hand' the degradation of the whenua but *not* the human spirit.

I hope that the above words and the attached appendices will enable positive energies to be rallied and for positive change to be manifested in the name of **'Maaoridom's' most celebrated Doctor, Warrior, Academic and Humanitarian; Sir Peter Buck / Te Rangi Hiroa.**

Thank you for reading this.

Kia Kaha,
Atawai Wolo,
Meitaki Maata,
David G T Bishop.

glidinghigh@gmail.com

david@climsystems.com

Convener: **P.A.S.T.** – Aotearoa; Charitable Trust.

Attachments:

Appendix A: Te Whare Wananga O Te Rangi Hiroa O Aitutaki.

Appendix B: Draft Te Rangi Hiroa Pacific Knowledge
Trust Implementation Plan.

**75th ANNIVERSARY OF THE OPENING
OF
TE HONO KI RAROTONGA.
PAKIRIKIRI MARAE,
TOKOMARU BAY.
23rd – 26th JANUARY 2009**

A Significant Cultural Event in 2009.

Update: 19th November 08

1. INTRODUCTION and BACKGROUND.

On the 23rd January 1934 a group of distinguished Cook Islanders visited Tokomaru Bay to help celebrate the opening of the new Whare Nui at Pakirikiri Marae near the north end of Tokomaru Bay.

This visitation **did not** happen by accident.

The visit was the culmination of dreams and aspiration of two major Rangatira of New Zealand Maori culture: Apirana Ngata and Te Rangi Hiroa.

From the Diary entries of (Sir) Apirana Ngata to Te Rangi Hiroa ((Sir) Peter Buck) it can be gleaned that the visit was planned, delayed and finally executed amidst controversy within the political 'circus' / 'arena' that was the New Zealand government during the late 1920's and 1930's.

The trip, however, was a great success for both Polynesian 'nations' with the Cook Island tere or traveling party providing sounds and rhythms that gladdened the hearts of Tangata Whenua on the East Coast and also at Waitangi in February during the 1934 Waitangi Day celebrations.

An important aspect of the proposed 75th Anniversary Celebration in 2009 is to acknowledge the significance of the 1934 hikoi and to perhaps retrace it with descendents of the original tere party.

Cook Island and Aotearoa based Cook Islanders and friends and supporters of descendents are invited to participate on this modern hikoi from Wellington to Te Hono Ki Rarotonga at Pakirikiri Marae thence if willing to travel to Waitangi Marae to support Waitangi Day celebrations.

This is the exhibit marked "C" referred to in the affidavit of David Tihau Bishop affirmed at
JA this November day of
_____ 2014 before me
Signature: [Signature]
A Solicitor of the High Court of New Zealand / Justice of the Peace

[Signature]
1

Currently the Marae Committee has secured funding for a tere party from the Cook Islands to visit the celebrations directly from Rarotonga. Cassey Egelton at CI 22424 and 22414 can be contacted for the Cook Island Tere's progress to Te Hono Ki Rarotonga in January 2009.

Background:

The original party of 30 cook islanders included the following:

Tinirau and Wife.

Karika Tere

Karika George Pa.

Vakatini

Vakatini's Wife.

Tinomana

Tinomana's Wife.

Kainuku

Kainuku's daughter Pa.

Browne Willie

Browne Willies Wife.

Cowan C

Cowan C Wife.

15 Dancers^(#):

Notes: (#)The organizers need help with the names and origins of these dancers...please...

Descendents needed from the original Mangaian, Atiuan, Manihikian and Rarotongan performers!!

2. THE 2009 HIKOI from WELLINGTON to TOKOMARU BAY.

This commemorative hikoi will attempt to visit all Marae that were visited in 1934 and will culminate with celebrations at Waitangi Marae on Waitangi Day.

Background:

Following their arrival in Wellington Tere '34' visited Waitara to acknowledge Maui Pomare's Ashes, thence to Putiki, Kohupatiki at Hastings, Whakaki at Wairoa with short stops at Mohaka and Nuhaka, two days at Kaiti, a lunch at Tolaga Bay, arriving at Tokomaru the afternoon of Wednesday 23rd January 1934.

If possible the **Hikoi 2009** will include short visits to all of the above destinations with both the New Zealand and Cook Island based whanau.

An additional destination could be the tomb of Te Rangi Hiroa near Waitara on the Mokau Road from New Plymouth.

An exact timetable is yet to be decided, however as the "Christmas Crush" is fast approaching a firm programme would need to be developed soon.

This **Hikoi 2009** programme will culminate in the arrival of participants at Tokomaru Bay on 23rd January 2009.

Failing participation for the **Hikoi 2009** initiative the organizers will complete a photo essay of all meeting places and a presentation will be made as part of the historic displays for the 75th anniversary celebrations.

3. OPENING CEREMONIES for TE HONO KI RAROTONGA; TOKOMARU BAY; Past & Present.

1934

"The guests of the official opening arrived on the Wednesday afternoon and included a party of six Rarotongan arikis, accompanied by wives. Makea Nui Tinirau, who was handed the key to the meeting house, led them. A brief ceremony then followed, to lift the atmosphere of the workmen from the building. The lifting of the tapu from the building was performed the following morning in private, and the building dedicated to the service of the Maori people.

The official opening ceremony took place at 10:30 on Thursday 25th January 1934 and was followed by the unveiling of the figurehead by Makea Tinirau of the Rarotongan party in compliment to the visitors from overseas" ...J. M. Mepham; 1969.

The accommodation of the '34 Tere party' at Tokomaru Bay was rudimentary with few comforts of home.

A small brochure produced after the event by John M Mepham in 1969 describes the accommodation as follows:

"To accommodate the 3000 visitors to the Marae, twelve large marquees were erected, adjacent to the meeting house and there was dining accommodation also under canvas..."

Tokomaru Whanau provided food and drinks for all who attended.

Makea Tinirau performed the unveiling ceremony.

The current marae committee is trying to determine the 1934 Master of Ceremonies and is compiling a list of all attendees.

ALL and ANY HELP IS WELCOMED....

2009

For the '09 Tere' Te Hono ki Rarotonga will be available for accommodating the tere from Rarotonga with ample 'in town' accommodation, billeting and allocated camping sites for all Cook Island Whanau and friends who may also wish to attend.

To better assist the Pakirikiri Marae Committee advice is sought for the number of family and manuhiri that will need to be accommodated for the event.....

Please advise Kui Williams at 06 864 5764

OR

Aunty Lois McCarthy Robinson at 06 864 5876 and 021 0731590
of all attendees.

AND

Karen Pewhairangi will assist with accommodation arrangements.

Also Aunty Lois has requested ANY archival information relating to the 1934 opening and the 1984 50th Anniversary would, with the owner's permission, be displayed as part of the jubilee celebrations.

A copy of an edited video of the 50th Celebrations will be available as a DVD during the festivities.

Additionally Terri Crawford and Moana Nepia; both lecturers and international performers in Maori Contemporary Performing arts, will be home in Tokomaru Bay to Workshop a new performance: *Ngaa Kohu Tapui* for the opening day anniversary.

Both directors will direct a team of performers and documenters and will be at Tokomaru Bay for approximately ten days prior to the anniversary in order to guide the creative process for their new work.

Terri can be contacted at: korouproductions@gmail.com

021 525 131

Notes:

* Dates to be confirmed.

**Date to be confirmed with Kingitanga.

Failing active participation for the Hikoi north of Tokomaru Bay a photo / video essay of all meeting places will be completed by the organizers and a presentation made as part of a video record of the 75th anniversary celebrations.

5. AN INVITATION TO GET INVOLVED?

The **success** of any re enactment / *historical* hikoi and Anniversary celebration depends on early planning and a genuine desire by participants to be involved.

“The strength of any endeavor is enhanced by the desire of all those involved to be empowered to actively solve problems”.

All issues relating to the future direction of this initiative **ARE** negotiable.

If keen and interested in this Hikoi please contact any of the following people:

KUI WILLIAMS MARAE COMMITTEE CHAIR 06 8645764

LOIS McCARTHY ROBINSON
MARAE COMMITTEE 06 864 5876
0210731590
lois_john@xtra.co.nz

TERRI CRAWFORD *Ngaa Koha Tapu* CREATIVE CO DIRECTOR
021525131
korouproductions@gmail.com

TIHAU BISHOP *Ngaa Koha Tapu* WORKSHOP ASSISTANT
glidinghigh@gmail.com

With thanks,
Meitaki Maata,
Atawai wolo,

Tihau / David Bishop,
Historian / Archivist



75TH ANNIVERSARY CELEBRATIONS

TE HONO KI RAROTONGA,

PAKIRIKIRI MARAE,

TOKOMARU BAY.

23RD TO 26TH JANUARY 2009.

**TERE '34....ATTENDEES (EX THE RAROTONGAN DELEGATION TO THE
TREATY OF WAITANGI CELEBRATION, 1934.**

BACK ROW:	Tia Tekeu Tere Taivanganga WP Browne	lotua Tikitau Kakaua H Love.	HRH Balneavis Tupu Mataiao	Faaruru Tupu Mataiao
SECOND ROW:	Vakatini Ariki Mrs CT Cowan CT Cowan Ana Pomare Mrs WP Browne	Nui Taivananga Tiori Vakatini George Karika Mrs T Love	SJ Smith Poke Kelly Tere Tinirau Mrs H Love	
THIRD ROW:	Vakatini Vaine Lady Pomare Makea Vaine V Kainuku Ariki	Tinomana Vaine Karika Ariki Makea Nui Ariki	Tinomana Ariki Sir Apirana Ngata Lady Ngata	
FOURTH ROW:	Willie Marama Tuaine Tamarua	Teke Marama Sam Henry.	Tuaine Teaea	
INSET:	Pa Ariki		Paitai Tekeu	



THE OCEAN DECLARATION OF MAUPITI

The representatives of Pacific Countries and Territories, **Aotearoa-New Zealand, Australia, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Hawaii, Kiribati, Niue, New Caledonia, Palau, Papua New Guinea, Rapa Nui, Samoa, Solomon Islands and Tonga**, who met in Maupiti, of Society Islands, French Polynesia, during the UNESCO World Heritage Workshop of the Pacific Islands held from 1st to 7th November 2009:

THANK the local community of PUATIRIOURAIVAIAHU-RAIPUAEA, the people and the municipality of Maupiti for their generosity and friendship,

WE:

REAFFIRM that, for many Pacific communities:

- There are sacred and intrinsic links with land, sky and ocean. This constitutes for many a fundamental and spiritual basis of existence.
- The Ocean is a holistic reality of the life cycles of the earth.
- The ocean is their identity, way of living, values, knowledge and practices that have sustained them for millennia.

ACKNOWLEDGE that the Ocean represents for many island communities the beginning and the end of their heritage, respected, shaped and passed through successive generations by their ancestors.

OBSERVE that the Ocean is a sacred, essential entity for many island communities, which is subject to a climate crisis of human origin.

OBSERVE that the loss of values associated with the ocean and its resources threatens the collective, physical, moral, spiritual well being, integrity and survival of many islands communities.

RECOGNIZE the need to safeguard knowledge, spirituality, traditional practices and their inter-relationships with land, sky and ocean.

- **URGENTLY CALL** to action all nations and the peoples of the World to join and protect, manage, maintain and sustain the cultural and natural integrity of the ocean for our ancestors and future generations.

5th November 2009

Ia Ora Na

This is the exhibit marked "A" referred to in the affidavit of David Tihau Bishop affirmed at
Hawkes Bay this 5th day of
November 2014 before me

Signature: [Signature]

A Solicitor of the High Court of New Zealand / Justice of the Peace

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UNDER	The Marine and Coastal Area (Takutai Moana) Act 2011
IN THE MATTER OF	An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights
AND IN THE MATTER OF	An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF DARREN BOTICA

AFFIRMED

DB

2013

NGĀTI PĀHAUWERA DEVELOPMENT TRUST

74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

DB

I, DARREN BOTICA, Cultural Advisor of Wairoa, solemnly and sincerely affirm:

- My name is Darren Botica. I am a member of Ngāti Pāhauwera. I am a cultural and environmental adviser and have worked in that capacity in Australia and New Zealand. Ngāti Pāhauwera engaged me to provide advice and information in the first river restoration report.
- My hapu of Ngati Pahuwera is Ngati Hinetunge. Hine Tunge was a daughter of Te Kapuamatotoru, the elder brother of Te Kahu o Te Rangi. Te Kahu o Te Rangi is the tipuna after whom the whare tipuna at Mohaka is named. My people lived on the Owio, Pihanui, Tutaekuri and Turiroa blocks in the inland areas between Waihua and Wairoa. My people had customary rights to access kaimoana on the coast. I still live in the area on the Turiroa Block inland from the Poututu Block
- I am familiar with the coastal area as I once resided at Poututu which includes Mangapukatea the northern most coastal area of the Ngāti Pāhauwera rohe. I often walked along the beach from Poututu to Waihua. It is an area bounded by cliffs with some small inlets where streams flow into the sea. These streams were and still are important byways for eels to access the inland swamps and in particular the Ohinepaaka stream is a popular eeling stream for the locality.
- The Poututu coastal area was a place I often saw the Karearea or Native falcon. Sometimes I saw sealions and seals along the beach and the occasional stranded whale. I also saw whales and dolphins offshore. The area is known for its snapper, kahawai and sharks.
- This is not an area where you see people other than the occasional farm worker or Ngāti Pāhauwera fisherman from Waihua. It is a dangerous stretch of beach as at high tide the waves crash against the cliff and an unsuspecting visitor would be in trouble if they are caught in some places by an incoming tide. People have drowned here in the past
- I fully support the Ngāti Pāhauwera Takutai Moana negotiations and the application for Customary Marine Title, Wahi Tapu Protection and Protected Customary Rights.

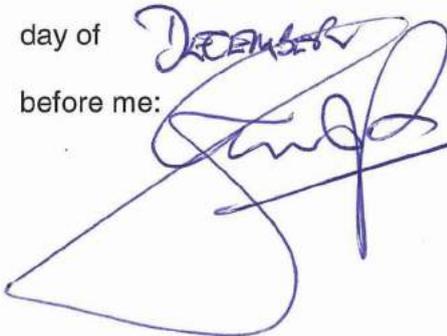
1 OF 3

Recognition will enable Ngāti Pāhauwera Kaitiaki to better protect the environment and the customary values of the Ngāti Pāhauwera people. In particular, I understand the Takutai Moana legislation allows for the Ngāti Pāhauwera Development Trust and the Crown to reach an agreement on prohibitions and restrictions on access to wahi tapu. There are a number of wahi tapu along the coast that need to be managed in a culturally sensitive manner.

- The coastal marine area off the coast of Hawkes Bay that includes the application area is often polluted and health warnings are issued at different times of the year in regards to the water in rivers and river mouths. This toxic water enters the fish nursery areas of the Wairoa hard and poses a threat to our shellfish resources. Fish are very sensitive to pollution and will avoid toxic areas. There has been a noticeable decline in the kahawai numbers in the Mohaka area that was once known as a place where kahawai numbers turned the sea black. This is no longer a sight seen
- A NIWA scientific report funded by Meridian a few years ago identified there was no longer any whitebait recruitment in the Mohaka River. In the past people could catch whitebait by the bucketful. 2013 however was one of the worst years for catching whitebait in Mohaka ever known. The gravel extraction in the coastal marine area may need to be reviewed just as land management practices that impact adversely on the coastal marine area need to change.
- I am also concerned about the future threat of mining and oil exploration in the Marine coastal area. Marine customary title will ensure Ngāti Pāhauwera will have meaningful input into the activities that threaten the coastal ecosystems.

2 of 3



Abel
Affirmed at *Wairoa* this *23rd*)
day of *December* 2013)
before me: 

JOHN O. GEMMELL, J.P.
17 KABUL STREET
WAIROA
COMPANY DIRECTOR 12552

A Solicitor of the High Court of New Zealand
/Justice of the Peace

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

IN THE MATTER OF An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF COLIN CULSHAW
AFFIRMED *at Mohaka 21st May 2014*

D.P. Barrett, JP
#8163
MOHAKA
Justice of the Peace for New Zealand
D. Barrett
21/05/14

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
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I, **COLIN CULSHAW**, retired, of Raupunga, solemnly and sincerely affirm:

1. My name is Colin Culshaw and I am 74 years old. I am a member of Ngāti Pāhauwera and have lived in Raupunga since 1992. I support the Takutai Moana claim and the Ngāti Pāhauwera Development Trust's aim to protect our moana. I gave evidence in support of the Ngāti Pāhauwera Customary Rights Order application under the Foreshore and Seabed Act 2004. I filed a brief of evidence annexed and marked "A" ("my brief") and I appeared at the hearing at Mohaka in February 2008 to present my brief. I want this issue resolved so that we can move on and get on with protecting our moana.
2. I want to confirm again that the evidence I set out in my brief is true and correct. I also want to record again that from Poututu to Waikari from the land far out to sea is part of the Ngāti Pāhauwera rohe. In fact, the Ngāti Pāhauwera rohe goes from Ahuriri to the second bridge after Waihua, just before Wairoa. Back when I gave my brief I talked about the foreshore mainly and not fishing because the Foreshore and Seabed Act was so restrictive. I would like to talk about some more things now that the Act has changed. If I am talking about someone who is not Ngāti Pāhauwera, I will state it, otherwise if I just say their name they are a member of Ngāti Pāhauwera.
3. My parents had 20 children, 15 were theirs and five were whangai (adopted). Nine of us are over the age of 70 years old are still alive, two are under 70 years old and there are three whangai still alive. Our parents taught us how to fish, where to go, the best way to prepare different types of fish. We learned that from our parents, because we had to help with chores to keep the family going. My brother Willie and my sister Hazel have given evidence for this application – we all live in Raupunga and we all fish as often as we can. I want to explain how important the moana is to us – for example my sister Hazel, if she spoke about her fishing experiences, she will be passionate, otherwise she won't talk about it. My brother Willie has never left the Ngāti Pāhauwera rohe, him and Tommy Heta, they are the ultimate Ahi Kaa.

Fishing at Mohaka

4. I live in Raupunga and whenever I don't hear that sea roaring, that's when I go fishing. I will take my quad bike down, set my reti board and then tie the board to my bike. We usually get kahawai because it comes up the mouth. I usually fish at 'the bar' (at Mohaka). My grandson Jono Culshaw won a fishing competition when he was 14 years old. He was the best in the country. I have annexed a few photographs at "B". The first photograph shows Jono with the fish that he caught. Isobel Thompson, Nick Petkovic, Jono and myself have all fished extensively all over the North Island as members of the Paikea fishing club and as keen fishermen and fisherwomen. Myself, Wayne Taylor and Isobel Thompson are looking at bringing the Fishing Club back very soon because we have a lot of young people who are coming through.

5. I have ten grandchildren, and nine great-grandchildren. They mainly live in the application area. I take my moko with me whenever I can, the little ones have me bait the hooks but they will do the rest. An example of the type of family we are, for Christmas they get fishing rods, not those cheap plastic toys. We might all go down on a Sunday, take the barbeque with us and make a day of it. The small ones, they have their little rods and they are going for herrings, sometimes they swim more than they are fishing. The older ones go for Kahawai, Snapper and Lemon fish. They know you always have to take home what you catch, or if it is too small then put it back. Another thing I taught them is to thank Tangaroa – I learnt that off my mother-in-law. My wife is Tuhoe, so they learn some of that tikanga too. I also taught them if you catch a fish and grab it by the tail, it will fight like hell. You have to put it in your arms and turn it upside down into an unnatural position. That will make it calm.

6. We have a big party on the beach at Mohaka every Christmas/New Year. It's good to see thirty or forty families camped down there. Some of them put up shelters, some of them use driftwood to make it. It's good to have it down there because it doesn't annoy the neighbours. All of my grandchildren go down. They take those wool

D. Bowler

bales and put some drinks in there to share with the rest of the party. The day after the party, we have a big clean up and everything is taken away.

7. The most recent time that lots of us camped down there together was for the Fishing Competition held at Mohaka beach in mid-January this year. We all went down to support the church. We had our caravan, tents and we put up a big marquee. There were some nannies from our whanau there and they looked after the babies while we were fishing, there were 25 moko down there. That's what I mean, everyone is involved and we make sure that the kids are being watched.

Reti Board

8. I have reti boards from the 1870s right through to today in my shed. If there is a reti board in the water, then you have to give way to it. That is our tradition. Once when I was fishing at 'the bar', a woman (who came from out of the area) stood right next to me and prepared to start fishing. I couldn't understand it. There was no one else on the beach and she chose to stand right next to me. I said to her that she should move away from me as our lines would get tangled up but she did not listen to me, so when she threw her line out, I cut it. I am not the first person to do it, and I would do it again.
9. I have annexed at "C" a video and at "D" a transcript of the video. The video is an interview with myself and Eruiti Te Kahika which took place in 2011 for the Kōpapa Reti Project. In that video we talk about how we were brought up, the reti boards and hooks that we use and how often we fish. A point that I would like to make is that I have been saying the same thing for years. It is all connected, there was a reason that we fished. You cannot split things up which is why I have submitted the whole interview of myself and Eruiti Te Kahika. We talk about our childhood but it is because you should get a sense of what life was like when we were young, why the young people contributed

so much to daily life, and how fishing is a part of our lives and always has been.

10. I also annex at "E" a video and at "F" a summary of a segment from the 'Tangaroa with Pio' television programme which filmed myself and Charlie Lambert (who has also given evidence for this application). The show aired on Maori Television in 2008. In that interview it shows Charlie Lambert talking about hangi stones and myself fishing with a Reti Board, showing Pio how it is done. I have only provided a summary of this video rather than a full transcript as it covers the same information as the Kōpapa Reti video. Being featured on that television programme I think shows that the Reti board is of interest to Maori and the fishing world. The reti board is a Ngāti Pāhauwera invention, plus everyone knows the Kahawai taste better at Mohaka. I have provided photographs of some fishing hooks, at photographs 2-5 of exhibit "B". One of them is from the 1920's so I don't use it anymore. Others were made for me by Ngāti Pāhauwera craftsmen. The hooks and reti boards are an important part of Ngāti Pāhauwera history.

11. Others will have talked about Tweenie and Paea Te Aho who were sisters who fished until they passed away in their 80s. Well those darlings, they used to come down to go fishing on my quad bike. When they put their reti board in the water, you gave way to them man, or else you would hear about it.

Kaitiakitanga

12. Gravel extraction in the Mohaka River and overfishing in the ocean have affected the fish for sure. In his evidence, my brother Willie talks about how he did a survey of the ocean and I remember when he did that. The gravel used to go below the water line, now it is above it, and that affects the kahawai. We have monitored the change in fish over the years. Those trawlers have come through even though the Wairoa Hard is in place. We support the Wairoa Hard because it help to protect our fish. We will call up the person down at Napier who works for the Ministry of Primary Industries to tell them where the trawlers

are and any details that we can give. This is one way we use what is available to protect our moana, and I see this as us exercising kaitiakitanga. The Ministry can't see what is happening here, because they are not here, we are. I have personally called them.

13. Another example of us exercising Kaitiakitanga is in response to a fire that happened recently. Just before the Fishing Competition on Mohaka Beach in January 2014 there was a fire lit by non-Pāhauwera. We went down to try and put it out, to scoop sand to make a fire break but it was a losing battle. Of course we would go down there to try and stop the fire - what these people don't realise is that our Marae rely on that wood.
14. My boys hate to see waste and dead fish on the beach. We get people come from out of the area who are not Ngāti Pāhauwera and use those mobile kontikis. One time my boys saw a pile of dead fish right where those people were fishing. That made them irate. The fish are alive when they pull in those long lines, so they should throw them back if they don't want them. I have told people off many times for going against our tikanga, Maori, Pakeha and other cultures. There was a group coming from Taupo who would bring five or six chilly bins to fill, we stopped that as they were not respecting the area and taking too much.
15. Papa George Hawkins, he has had a couple of goes at putting signs up to tell people about the rules on the beach, to encourage them to take their rubbish and not leave dead fish on the beach. Those signs were taken down. I would like to see some proper signs at the beach, backed by the Council, not just us. We might have 15 to 20 non-Pāhauwera campers down there at a time, in the summer. That number of people in one spot – well, they have to go to the toilet somewhere. I would love a toilet block down there – but it needs to be maintained by the council, because it would be for the benefit of the public. There are three or four beautiful streams down there, it never goes dry, people drink from those streams. I would like to see them protected too.

16. My son in law is from Samoa. He is accepted by Ngāti Pāhauwera. He follows our tikanga and has himself told people off for not following our rules. Nick Petkovich, is from Croatia – he is very passionate about fishing, he is also accepted as Ngāti Pāhauwera. He has taught me a few things about fishing and storing fish – he is very skilled at all things fishing related like filleting fish and making hooks. We take outsiders in as part of Ngāti Pāhauwera and we teach them the correct way to do things, and they respect that.
17. We fish for the people of the area, especially the kaumatua. My boys, my grandchildren will catch extra fish, and they will say to me ‘Pap – we have to drop off a fish to so and so’. We will usually get a little bit more than we require and give it to those that don’t fish. The things that we don’t eat like the bones or fish heads that we are done with, that will be brought back with us and it goes in the garden – my passionfruit thrive on fish heads and will droop if they don’t get any. That knowledge was passed on to me and I don’t want to die with it, that’s why I pass it on.

Community Involvement

18. For many years I have been involved in wananga and sometimes we have a noho (stay over). I have worked with the Ngāti Pāhauwera Hauora, School Holiday programmes and Mohaka School to teach the children in the area about fishing. The principal of Mohaka School is good as she wants to encourage the children to learn to respect the awa and the moana. I do about three wānanga a year. I have taught many children over the years about tying hooks and our reti boards. I have worked with Nick Petkovich many times. We will cut the boards and the kids will finish them by sanding them and putting the lines on. We take them to the river to fish, they will catch one and bring it up to Nick and he would fillet it right there, and they can decide if they want to eat it or take it home
19. In my brief I gave some examples of resource usage such as sand, pumice and driftwood. Photographs 6 and 7 of exhibit “B” show a driftwood rocking chair that I made for my sister Hazel. She makes a lot of crafts and has driftwood planters, pumice decorations and many

other things in her garden and house that she and I have gathered from Mohaka Beach over the years. Examples of these are at photographs 8-12 of exhibit "B".

- 20. It is well known in our area that the Culshaws are fishermen, it has always been that way and looking at my grandchildren, it always will be. The moana and awa are very important to us, and it is our duty to protect them and the traditional ways, and pass them on. That is why I am giving evidence again in this matter.

Affirmed at *Mohaka* this *21st*)
 day of *May* 2014)
 before me: *D. Barrett*

D.P. Barrett, JP
#8163
MOHAKA
 Justice of the Peace for New Zealand

D. Barrett 21/05/14

A Solicitor of the High Court of New Zealand/Justice of the Peace

D. Barrett

APPLICATION FOR CUSTOMARY RIGHTS ORDER
FORESHORE AND SEABED ACT 2004
SECTION 48(1)

IN THE MAORI LAND COURT
OF NEW ZEALAND
TAKITIMU DISTRICT

A20050006643

IN THE MATTER of an application by Wayne Taylor,
Rukumoana Wainohu and Kuki Green
pursuant to section 48 of the Foreshore and
Seabed Act 2004 for a Customary Rights
Order over the area of foreshore and seabed
from Poututu Stream to the Waikare River

BRIEF OF EVIDENCE OF COLIN CULSHAW
DATED 31 AUGUST 2007

This is the exhibit marked "A" referred to in the affidavit of
Colin Culshaw affirmed at

Mohaka this *21st* day of

May 2014 before me

Signature: *D. Barrett*

A Solicitor of the High Court of New Zealand /Justice of the
Peace

D.P. Barrett, JP
#8163
MOHAKA
Justice of the Peace for New Zealand

D. Barrett
21/05/14

POWELL WEBBER and ASSOCIATES
PO Box 37 661, Parnell
DX CP27025
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Telephone: (09) 377 7774
Facsimile: (09) 307 4301
Solicitor: LG Powell/RN Smail

D. Barrett

I, **COLIN CULSHAW**, fencer, of Raupunga, say as follows:

1. I was born in Wairoa and grew up in Mohaka and Snake Gully. My mother is Mihi te Rina who married Len Culshaw. I moved away from Mohaka in 1959 to take up an apprenticeship with Metz and Sons. During the time that I was living away from Mohaka, I always came home every second weekend to visit Mum and Dad. I have been living back in Mohaka for the past 18 years.
2. I can go back as far back as 1870 as that is when Te Piuta Te Kahu o te Rangi was here and he married Marara Te Wenerei Aho. They had Awhi who then married Hine Karaka Gemmell.
3. Ngati Pahauwera have many different ways to use the resources that we find on the foreshore and seabed, and many of the traditional uses are still practised today. As we exercise manawhenua and mana moana over the foreshore and seabed, we use these resources as we need them, and have always done so. The tikanga has been passed down orally through the generations, and in this way I learned about the use of the resources from my elders.
4. For Ngati Pahauwera, the resources of the Mohaka river and the foreshore and seabed are one and the same. Ngati Pahauwera waiata are centred around the importance of the river, the beach and foreshore and the resources used by Ngati Pahauwera. It is artificial to only be able to include some of the resources in this application, because everything is connected. However I have prepared this brief because it is still important for our connection to the resources in the foreshore and seabed to be recognised.

Sand / Gravel

5. Ngati Pahauwera have always used sand from the foreshore and seabed for a variety of infrastructural items. For example, in the old days, sand was mixed with clay or papa to make fire places. Bill

Broughton told me that they used sand from the beach and the blue or dark green papa for building the foundation of the road at Waihua.

6. In modern times sand has been used by Ngati Pahauwera for general concreting around our homes and to create a flat base for laying blocks for paving. I was aware that tests were done on the sand and it was found that our sand is the strongest for making concrete blocks. We always knew that the best raw materials for making concrete came from the Mohaka foreshore area.

Hangi Stones

7. Ngati Pahauwera use hangi stones for gifts to give to other tribes and they are also given as a taonga. They are a very important gift from the ancestors to the present and future generations. Hangi stones are a taonga and are given as gifts by Ngati Pahauwera in the same way other iwi give greenstone. There are a number of different types of hangi stones:
 - 7.1 Taupunga - a greyish stone which is used for sinkers;
 - 7.2 Opunga - a whitish trachyte rock also used for sinkers and weapons;
 - 7.3 Poutama - a pinkish stone obtained mainly from the top of the Mohaka River;
 - 7.4 Kowhaturi/Kowhatuma kauri - a black/blue type of stone; and
 - 7.5 Haruru.
8. The hangi stones are part and parcel of our history, they are part of who we are and what makes us unique. The importance of hangi stones to Ngati Pahauwera is shown by hangi stones in the logo of our kura. The logo combines four hangi stones to show unity, and to remind us that our uniqueness gives us strength as Ngati Pahauwera.

9. There is also pumice and hangi stones marking the entrance to Mohaka school, so the children are always aware of our connection to the foreshore and seabed, they are reminded every time that they go to school.
10. Each different type of Ngati Pahauwera hangi stone has its own properties. The grey stones do not hold much heat, and I was told this was because they came from outside of the volcano. The red, pinkish or blue stones are more popular to cook with as they hold more heat, and these are what we usually use.
11. When I was growing up and we went fishing at the beach, we would light a fire on the beach and put a flat hangi stone into the fire to heat. We would then lay a fish that we had just caught on the hangi stone to cook it. This meant we were able to eat the fish at the beach as soon as we had caught it. When we were finished with the hangi stone, we would put it back in the fire, so that the next time we were at the beach, we could find the stone in the ashes and use it again.

Stones

12. The small coloured stones from the Ngati Pahauwera foreshore and seabed are the most beautiful in New Zealand. They are used to make jewellery such as brooches and pendants. These stones have long been prized by Ngati Pahauwera and used in this way. In modern times, these stones are polished using modern methods. Collected stones are put into a special tumbler machine which smooths them, and then they are polished and made into jewellery. Ngati Pahauwera made jewellery in this form from the 1940s up until the 1980s, when it began to die out, but this art is being revived particularly as a result of jewellery making wananga at our marae since 1995-96 through the Wairoa combined kohanga reo network. The children are reviving the art. Groups from the schools and kohanga reo are taught to make jewellery and that the resources are

there for them to use. Now more than ever, we need to protect these resources.

13. The stones and gravel are also important to Ngati Pahauwera because they make our kahawai taste better. We have the best kahawai in New Zealand. The water is very clear and there is no pollution. It is important that the stones and gravel remain in place to protect the quality of our fish.

Wai tapu

14. Ngati Pahauwera use wai tapu as a traditional rongoa to this day to cure sores and eczema by bathing in it. We have just always known that wai tapu can heal the skin. We have been doing this for five generations and we did it before that.
15. The seawater also is very effective for preserving fish that we have caught. We fillet fish and freeze it in a sealed container or plastic bag of seawater. Fish kept like this will last in excellent condition for a year. Kina sieved and kept in the same way will last just as long. We also fill the centre of a kina with salt water and barbeque it or cook it on a hangi stone and it tastes beautiful.

Tauranga Waka

16. The area from Poututu to Waikare is tauranga waka for Ngati Pahauwera. There is no specific site. We know where to launch our boats and where to land them because the waka that goes out must come back otherwise there will be no kai for the family. Our knowledge of the tauranga waka comes from our exercise of manawhenua, manamoana and manatipuna over the foreshore and seabed and the fact that we have been here for so long. This is the way it always is and has always been.

Pumice

17. Pumice was used when I was a child for washing. We would get dirty at the beach, so we would scrape our clothes with pumice to remove the dirt, and then hang our clothes to dry on the rocks. Pumice was also good for carving. We would carve toy boats and calabashes out pumice.
18. Pumice was traditionally used to clean pots which would turn black because of being used over an open fire. We still use pumice today to clean pots that have turned black.
19. I was told that in the old days, pumice from the beach could be and was used to make swan and duck decoys, and my father used to do this as well. The pumice would be blackened in the fire, and then made to look like a swan or duck. It would be ballasted with stones in a kete hung off the bottom and have a wood or wire neck. To make the decoy look more realistic, some of the blackened parts were scraped off to lighten the colour where needed. Three or four of these decoys would be put together in a pond or lake and they would attract other birds. It was then easy to get the birds to eat.
20. I was also told that our ancestors used pumice for fishing. A hole would be made in the middle of a piece of pumice, flax lines threaded through the hole, and hooks attached to the flax lines. Sometimes instead of threading the flax through a hole in the pumice, a flax basket would be filled with a number of pieces of pumice and flax lines with hooks attached to the basket. The pumice would float out to sea like a kontiki, taking the fishing lines with it to catch fish.
21. Pumice was also used as packing for concrete walls, particularly for concrete walls around our garden. This was useful because we were able to carry more pumice than sand up from the beach because it is lighter.

-
22. Pumice is a rongoa and we still rub it on our feet to soften them. Pumice is also used to make ornaments for in our gardens and inside our homes.

Driftwood

23. Driftwood from the Ngati Pahauwera foreshore and seabed is the best in New Zealand for creating art. In the past we used totara driftwood, but as this become scarce over time, birch driftwood was used instead. They would make taiaha, mere and other weapons from driftwood taken from the beach with the appropriate karakia. We still use driftwood for this, and mostly birch driftwood.
24. When I was growing up each family would stack their driftwood like an Indian tepee along the beach to dry out and no one else would touch the firewood because they knew that stack belonged to that family. We would use a sledge and horses to bring the driftwood home.
25. Driftwood is still important to Ngati Pahauwera today. We use it to heat our homes, to cook our food on, and to make outside furniture. We use driftwood to make rocking chairs and little seats for our children, and they use it for play guns, swords and for bows and arrows.
26. We even use driftwood as soon as we find it when we are fishing at the beach, for fishing rods, or to knock the fish on the head when we have reeled it in. The driftwood is right there, so we use it.
27. People from outside Ngati Pahauwera are starting to recognise the value of our resources for artistic purposes. Ngati Pahauwera artists like Sandy Adsett used driftwood and other resources from our foreshore to decorate Te Huki Raupunga Marae, and there have been various exhibitions where the Mohaka driftwood and hangi stones have won prizes in exhibitions.

Conclusion

28. The River and the foreshore and seabed are important to Ngati Pahauwera, and this is demonstrated in the words of our waiata, *Te Awa o Mohaka* written by Ramon Joe:

*I timata mai ia i tawhiti pamamao
 Ki te mau mai i tona kupu
 Ko ona wehenga
 Ko te Taharua i Poronui
 Ko te Ripia ki Ahimanawa
 Ko te Makahu i Kaweka ko te Waipunga i Kaingaroa
 Ko Te Matakuhia i Tarawera
 Ko haere mai ma waenganui o Turanga-Kumu-Rau
 Ko Te Titi-o-Kura
 Ka huri ki te Tairawhiti i te taha o Maungaharuru*

*Ka puta mai ko Te Hoe i Huiarau
 He aha ra te mea nei?
 He aha ra te mea nei?
 He Taniwha?
 He Tipua?
 He Tangata? Hei!
 Kahore ko te awa o Mohaka
 E huri ana ra
 E koki ana mai
 E piko ake nei, E rere atu ra
 Ki te marae o Pahauwera i te ngutu awa o Te Ika A Maui
 Kia Tangaroa, Kia Paikea,*

Te kaitiaki o Pahauwera e.....

*It begins in the far distance
 To bring its message.
 Its offshoots (tributaries) are
 Taharua at Poronui
 Ripia at Ahimanawa
 Makahu at Kaweka, Waipunga at Kaingaroa
 And Te Matakuhia at Tarawera
 It then flows down between Turanga-Kumu-Rau
 And Te Titi-o-Kura
 Turning eastwards along the side of Maungaharuru (our
 sacred mountain)*

*Emerging at Te Hoe in Huiarau
 What is this thing?
 What is this thing?
 A Taniwha?
 A Giant?
 A Man? No!
 It is the Mohaka river
 It turns and*

*It twists
And flows on to
The marae of Ngati Pahauwera at the mouth of Te Ika-A-Maui
To Tangaroa (God of the sea) and to Paikea (the taniwha)*

The guardian of Ngati Pahauwera.....

(Poetic translation as dictated by the late Ramon Joe)

29. We work to pass on our knowledge to the next generation. We have quarterly wananga through the Wairoa kohanga reo. We are always working with our children to see what they can use the resources from the foreshore and seabed for. They learn to use stones for sinkers, for example, and over time become self sufficient and can look after themselves according to our traditions and using our resources.
30. Ngati Pahauwera, as tangata whenua of this area, have always taken a role as kaitiaki of the resources, including those on the foreshore and seabed. We have always had a kaitiaki ethic, and taken only what is needed even when the area was rich with resources.
31. For example, we have a barter system to exchange resources with other iwi and hapu. We were offered totara by Tuhoe to rebuild a house, and we exchanged this for hangi stones.
32. As kaitiaki, we now have to take a more active role than we used to. We are continually having to challenge other peoples' use of our resources, particularly as less native timber, driftwood and gravel comes down the river to the foreshore. We know how important this role is when we see that the driftwood and pumice are becoming scarce, when they used to be plentiful. When the tide is low, the kete is not as full as it was, the seafood is gone. We have also lost the pingao and kiekie.
33. Ngati Pahauwera are aware that we are losing a lot of our resources, which is in turn impacting on the loss of habitats for our fauna. This is why it is so important for Ngati Pahauwera to be recognised as the holders of these resources because management of the resources is important for the whole environment.

“B”



Colin Culshaw photo 1: Jono Culshaw with winning snapper



Colin Culshaw photo 2: Different fishing hooks



Colin Culshaw photo 3: Paua hook for Reti Board



Colin Culshaw photo 4: Cow bone hook for Reti Board

This is the exhibit marked "B" referred to in the affidavit of Colin Culshaw affirmed at

Mohaka this 21st day of
May 2014 before me

D.P. Barrett, JP
#8163
MOHAKA
Justice of the Peace for New Zealand

D. Barrett
26/05/14

Signature: *D. Barrett*

A Solicitor of the High Court of New Zealand /Justice of the Peace

D. Barrett



Colin Culshaw photo 5: Cow horn and lead hooks for Reti Board



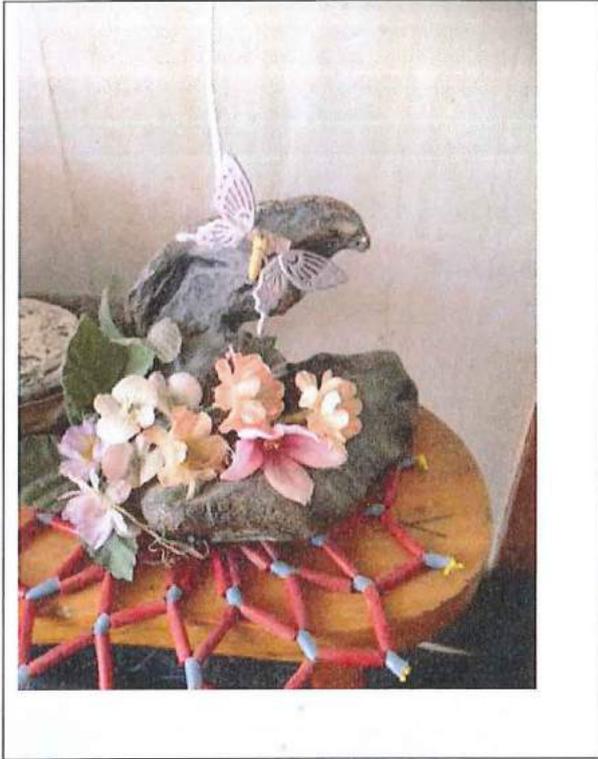
Colin Culshaw photo 6: Driftwood rocking chair side view



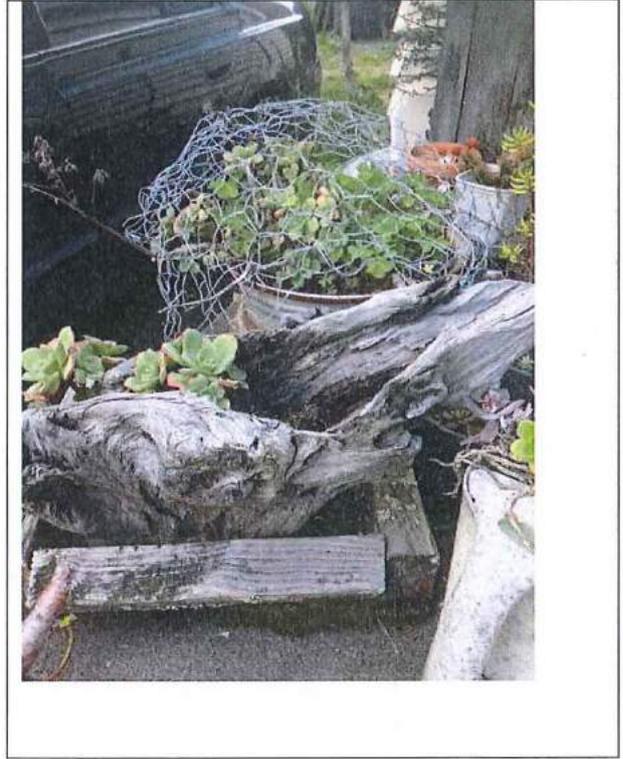
Colin Culshaw photo 7: Driftwood rocking chair front view



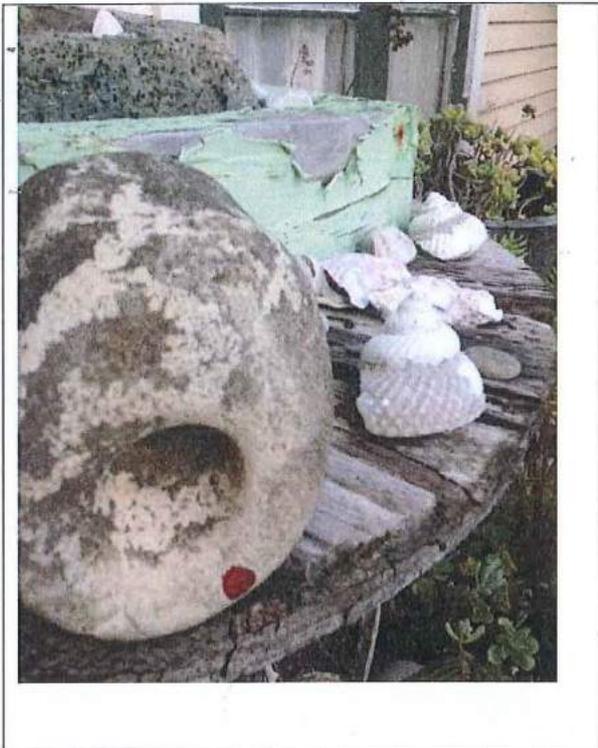
Colin Culshaw photo 8: Pauashell inlaid into driftwood, pumice in foreground



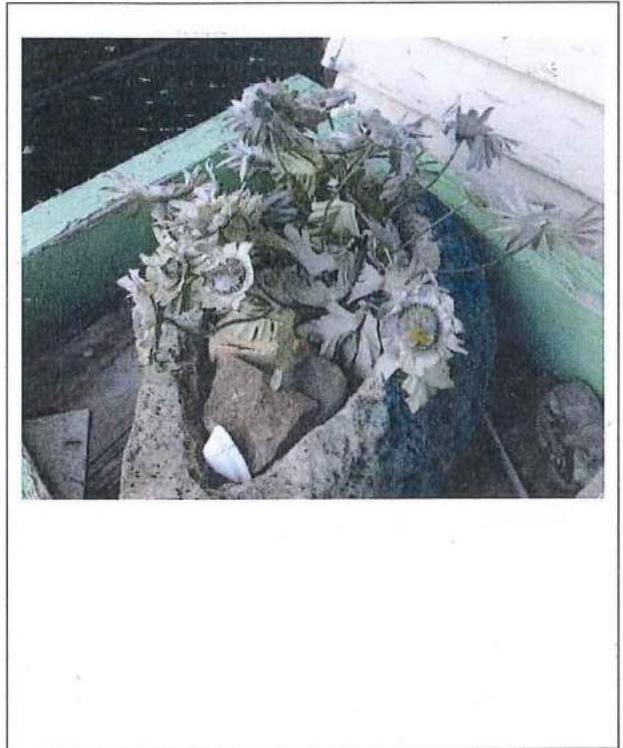
Colin Culshaw photo 9: Driftwood craft



Colin Culshaw photo 10: Driftwood planter



Colin Culshaw photo 11: Rocks and shells in garden



Colin Culshaw photo 12: Large rock planter

D. Barrett

“C”

Video Annexed to Affidavit of Colin Culshaw

This is the exhibit marked "C" referred to in the affidavit of Colin Culshaw affirmed at
Mohaka this 21st day of
May 2014 before me

Signature: *D. Barrett*

A Solicitor of the High Court of New Zealand /Justice of the Peace

D.P. Barrett, JP
 #8163
 MOHAKA
 Justice of the Peace for New Zealand
D. Barrett
 21/05/14

“D”

Transcript of Video Annexed to Affidavit of Colin Culshaw

This is the exhibit marked "D" referred to in the affidavit of Colin Culshaw affirmed at
Mohaka this 21st day of
May 2014 before me

Signature: D. Barrett

A Solicitor of the High Court of New Zealand /Justice of the Peace

D.P. Barrett, JP
 #8163
 MOHAKA
 Justice of the Peace for New Zealand
 D. Barrett
 21/05/14

Video has been edited by producers, transcript of entire video follows

[Children singing first verse of 'Waiata Mo Te Reti' by Ramon Joe]

[Text on Screen "Te Kōpapa Reti, The Reti Board, November 2011, Ko ngā kaikorero Ko Colin Culshaw rāua ko Erueti Te Kahika, Ko Todd Sheridan te kaiuiui" [The Reti Board, November 2011, Interview with Colin Culshaw and Erueti Te Kahika, Todd Sheridan interviewer]]

Colin: *[Introduces himself via his pepeha and whakapapa]*

Ko Mohaka te awa

Ko Ngāti Pahauroa taku iwi um, Ko Pahauwera um

Ko um Apitikahu o te Rangi taku koroua

Ka moe a, ah Hinekaraka Kemo

Ka puta um, a Mihi Te Rina Te Kahu

Ka moe a Len Culshaw, taku māma, taku papa

Um we were born in Mohaka uh, we named a little place Snake Gully, one of fifteen, and my mum whangai'd *[adopted]* another five. Ah, because of how we lived, like um, we were in a poor area and the government gave us average 120, 150 acres of land, and gave us 20-30 cows to milk. And we had to um, we could not use the milk or the cream ourselves, it had to go to the factories, and coz a lot of our people had to go and work for the war, you know 1940, 41 ay? *[turns to Erueti for a response. Mms in agreement]* and

D. Barrett

ah a lot of our parents, like the men went away to the war and the women had to run our little farmlets.

Erueti: Mm.

Colin: So us, as children, had to do a lot of the chores at home, aye? *[Turns to Erueti]*

Erueti: Mm.

Colin: You know, like, my job was to go fishing, ah utilising our reti board and I had to ah smoke, salt, dry all our fish, ah pawhara *[cut and dry]*, everything and ah bring it home, and not having any freezers or anything, we had to fish quite regularly and my – another chore I had to do was go and cart water from the river. We had a little sledge and the horse and uh, me and my older sister, Eva, we used to go to the river about a, a mile away, and while I'm filling the 44 gallon drum, she's washing our clothes and *[Erueti – mm]* with the soap and that.

And as well as having a horoi *[wash]* before we come home. That was our job. The older three had to milk the cows and do things like that. And ah, a lot of our families, we had gardens, we had to have gardens. And ah, on a Sunday if you were going to plant, the whole area came together. You'd bring a bread, and another would bring something else. And we will plant, and we will have a big kai *[meal]*, and then the next weekend we'll go to the next whanau *[family]*. And like Mum, you know, we used to grow a lot of ah kumara, pumpkin, marrow, and then the next whanau *[family]* will plant something else, you know, like corn and things like that. And uh when the time of harvesting – we gave you potatoes, you gave us – and there was a lot of sharing.

Erueti: Mm'hm.

Colin: And a lot of the families, if they struggled – like my mum and dad, having fifteen – they whangai'd *[adopted]* five because those other ones were struggling a little bit more than us. Yeah, and that's how we were brought up.

Um, you go to somebody's place, you couldn't leave without having a kai *[meal]* - - -

Erueti: That's right

Colin: - - - or taking a bottle of fruit preserving, aye.

Erueti: That's right, yeah.

Colin: You know, you couldn't – there was always that. And if I went to play with his sisters, we had to take something, you know, whether it's a bag of potatoes - - -

Erueti: Āe

Colin: Something. We always went with something. Another thing we did a lot of probably was the koura *[crayfish]* in the creeks, aye, you know, we had to - - -

Erueti: Mm.

Colin: - - - went eeling, and we were relied a lot on the, on the wild cherries that used to grow on the cliff front.

Our old people made the hinaki [*eel basket*] out of supplejack yeah, you know. And we used to um, catch the worms and um you would make a little flax basket, but not a very tight one, you'd have little gaps so that the smaller of noke [*earthworm*] or the worms – and ah we used to get the long glow worms, put it inside the hinaki [*eel basket*] and put that in the creek. And then all the koura [*crayfish*] - well I used to use a little fork stick, like go along and [*makes motion to poke down*] don't actually spear, but just over the top of it and go along - - -

Erueti: Mm.

Colin: - - - you'd put them your bag. And that's um how we use to catch the koura [*crayfish*]. Take it home, and of course we all had um the old open fireplace, and the bread was being cooked in our oven, camp ovens, where you'd – the ash will be on the bottom of the oven and on the lid, cooking the bread. So you'd throw your koura [*crayfish*] on top and - - -

We came to Raupunga which was in miles, 5 mile away, and our parents were very strict that we had to go to school, and because we had chores and we milked the cows and that, if we missed the bus we had to get to Raupunga School before 9 o'clock. Aye.

Erueti: Mm.

Colin: Because parents were very, very strict, on education was big thing, for us. Yeah, and um if you missed school you got a hiding from the teacher - -

Erueti: Yep.

Colin: Mum and dad give you a - -

Erueti: Yep, another one when you got home.

Colin: Yeah, but education was a big part of our life.

Erueti: Mm.

Colin: You know, even - - -

Erueti: Yep.

Colin: - - -like getting kai [*food*] and that; that was a big education thing, aye – and now Ed and I are – well all of us are passing that on to our children, to our moko [*grandchildren*], so that things like the reti board and that don't die.

Erueti: Mm.

Colin: And um they know how to eel, they know how to, you know, do all those things.

Erueti: That's right.

Erueti Te Kahika: *[Introduces himself via his pepeha and whakapapa. He also states that his father Erueti Te Kahika is deceased and that his mother is still alive, in Te Reo Maori then continues in English]*

Ko Erueti Te Kahika taku ingoa

Ko taku maunga, ah, Tapirihanga te maunga

Ko Mohaka te awa

Ko Tangitu te moana

Um Te Kahu o te Rangi te whare ah, kei Mohaka

Ah ko taku iwi ko Ngati Pahauwera

Takitimu te waka

Ah kua mate inaianei taku papa, ah Erueti Noke Te Kahika

Ko taku mama kei te kāinga tonu. Kei te ora tonu taku mama.

She's 92 now, early next year, February. Um she's got a heap of ah *kōrero* [*stories*] and - well she can go back – way back in the early days. Yeah, and she um raised ah 15 of us in our family, um and I'm the eldest of the boys, and um I was one of the lucky ones that um ah after being educated at Raupunga with Colin and ah I'd say we had some good ah teachers in those days and um I must say in my last year at Raupunga School um my teacher was ah Cathy Adsett. Well she was my last teacher. And then, ah well she is still, still living today and ah down ah – unfortunately her husband passed away, Bill Adsett. Um yeah, so ah I was lucky to get away to Te Aute and um and been educated there, and um with other boys from, from our area. Ah Sandy Adsett ah joined us later. And um I heard later when I came home that he didn't want to come to Te Aute – I don't know why, but ah we sort of left and went our own ways. I went on to Wellington in the trade training, and to become ah, a carpenter, thing carpenter, and worked there for a number of years, and raised my family down there, and ah they're still there, and I came home to manage our family farm.

And ah now at a relaxed um what's you call it – well it's supposed to be relaxed ay Colin, [*Colin laughs*] but we ah joined our whanau [*family*] at the um, at our marae in Mohaka, you know, on the paepae [*orator's bench*]. And um going on to um, I'm on the Wairoa Waikaremoana Māori Trust Board, representing the Mohaka area. I'm on the Taiwhenua. And I'm also our, our um residential ah Justice of the Peace, I go around, or people ring me for having their papers certified and stamped. So um that keeps me ah occupied – and um and do the odd jobs around the area.

Mm, but no, as you're saying that ah, we're fishing, hunting and ah telling some good stories whenever we can. And we know – is he telling the truth or *[laughs]* he kōrero anō ērā *[something else]*.

Colin: Mm.

Erueti: So no, it's been very good – and these are our taongas *[treasures]* that we keep them uh keep them going for us, because they're great great taongas *[treasures]* for all of us. And ah like Colin said earlier; teaching our young people how to use them and respect them, and don't just think they're toys and throw them around. They're, they're your watchful livelihood because they'll, they'll catch you a feed for your family when you grow up and be an old hat like us. Yeah.

But we, we at times you see a lot of the younger ones down – families that live with their tamariki *[children]* and they bring in those big fish, and you know it's great to see them, and ah it's just unfortunate that we don't have cameras, that we've got a rod in our hand and ah to have photos taken like what we've got here. *[Points to photographs on the table]*

Erueti: Yeah.

Colin: It's a funny thing Ed, aye? Ah like we're at the age now where we can enjoy our fish, aye.

Erueti: Yeah.

Colin: And every time we come back to fish – they get bigger as we get closer to home, aye.

Erueti: Yeah.

Erueti: He's just another– what yer call - Colin talking about each one having a garden and that we used to grow the um corn that we use for kaanga kopiro *[rotten corn]* and we had that for porridge, you know and you had to do it properly you know– and ah well you'd just open the doors because of the smell and that aye, “Oh we know what you're having for tea, and we know what you're having for breakfast.” And Archie used to say, “Oh the Maori's having that Maori porridge again.” Yeah.

But there was a lot of lot of um – we had native bush around here, and that's where we used to get our wild pig and deer and that from. But um when I came back from Wellington it was all in pine, and they only left a bit of reserve up there, which is still there today. And later where hunting's going on, you know most of the people come up this way, um to do hunting for the competitions around the area and that, but there's still a lot of wild game up there.

Todd: Time to talk about this taonga *[treasure]*, about the kōpapa *[hook]*, about the reti board and your earliest recollection and who, who taught you and everything that goes with it?

Colin: It's a funny a thing like, with us it was there ay *[turns to Ed]*

Erueti: Mm.

Colin: It was there and um, you know the old people, dad sort out our pikau bag, chuck it on the back of the horse and the reti board and everything, and you were chucked in there, and you went to the beach. So it was something that was around all the time, and because every house, every place you went to - -

Erueti: Mm.

Colin: - - - there was a board, and no one looked at where it came from or what, it just seemed to be there. But as I got older, like when you get to 29, ah you start wondering, like I did. So one of the cousin's went back to Ireland, and there was a board there. And when you look at, at Mohaka, where the Irish and the Welsh come from, we believe they took our idea, and they say they, we pinched their idea. But where do you get the word reti?

But um Dad came here in 1920, and his father being my grandfather was born here, and he said the reti board was here before him. So you might be looking at 1870, 1880. When my grandfather was born and the board was here then. And there is no written thing that we've come across yet of going back, you know to where the reti board - - -

Erueti: Mm.

Colin: - - - but my first introduction was, going down to the beach with our koroua [*grandfather*] and um they always seemed to have a bit of salt in their, in their pocket, and when you get down there you had to light the fire and heat these flat hangi stones while the old koroua's [*older men*] fished with the reti board. And because there was no freezers or anything, they would have three or four hooks on their board, and they'd only go fishing on the Friday night after they'd come back from work, and they'll fish till Sunday night, then they'll come home.

So while they were catching the, the fish, we had to fillet, we had smoke, we had to salt, we had to do everything down there. And, and they taught us that. And at night they'll sit there and they would talk about, about, you know, their reti board, or ah what are you catching all the fish on, and you know, they'll come out with um what they call a paua shell, paua aye and because it's made out of um the paua and the hook is um, actually made out of a bit of fencing wire, um and um they would trade the, the harakeke [*flax*] with the whalers and that -um the Welsh, you know, and they would swap them for hooks, for lead and everything.

And ah, his grandfather [*Points to Ed*] might say, "Oh, what are you using?" and he'd say, "Oh, I'm using a paua." Aye, and or "Which one you got?" "Oh, I got a red one," or "I might have a green one."

And ah today, now whether we use brass or silver, it's still referred to as 'paua'. They don't say well what's your lure, it's a paua, you know, like that's a cow horn. [*Shows hook*] And they more so of look at the colour of what it is. Because when the sea is a bit murky you use a brass - because when you look at our fish in the water it looks a bit

black, but when it's nice and bright you use a silver *[points to silver hook]* or – and they would sit down there with a file and make, make their shells and yeah.

And uh, but not one of them spoke about it, where it came from. So we believe it came from here.

Ed: Yeah.

Colin: This weight, Todd, the old boys used to have it sliding up and down their line, and uh they have about 2.4 metres of line behind their board, or they never had metres, then was feet. So they have about 8 feet from the back of the board to their lure and this weight – if the fish are swimming low they slide the weight to the end so it lowers the lure down. But if the fish are swimming high they just slide it up and it brings it up. And one of our jobs as a kid was, when dad had made a board and they set it all up, we had to go to the river *[video cuts to show someone fishing with the reti board for next few minutes with audio of interview carrying on over top]* and tell him where the lure's actually working, and then when we get back he says "oh, might have to go down a little bit more, or a bit higher". And because we have two and they had four or five lures, they'll they'll adjust the weights *[cuts back to Colin, showing up and down motion, then cuts to river, then back to Colin showing hooks]* so that they've got them ah, swimming at different heights if you like, on the line that jerks - - -

Erueti: Yeah.

Colin: - - - and when you look at the board, the board is – when you get one on the board it's – with the fish trying to pull away. And that's the reason for that bend, so that when it gets hooked up so the fish can't go forward and ah get off, because we haven't got a barb like the modern hooks, and that's the idea of that bend. And ah when you hook it in the mouth it can't get off. So very seldom will you lose a fish with the homemade ah hook.

Todd: How are the paua used with the reti?

Erueti: Well the paua is, is normally ah used – like what we've got here *[shows reti board]*. We'll put it onto this one, and ah, everything now, we've got the modern clips and that, so we're quick to ah chop and change around when you watch for, and you see you've got a bigger lead weight in it. And then you've got the paua *[video cuts to reti board being used at the beach – audio continues]*. It's sent out – it's worked in the current – mainly at the mouth of the river and that. And ah, as you see this one, well we're working on the left hand side of the river, *[video cuts briefly again to show Ed fishing]* on the right hand side when you have to change the rod on the other side and then you're pulling back the other way.

And it just really depends on which side um, ah of the river mouth that you're catching the fish. Once you catch them, well you must be doing it right.

[NB: Video cuts to Colin's shed where he has reti boards on display in age order, the oldest being on the left and the more modern on the right and then back to participants]

Colin: The shape of that board is like a sailing ship, or you know how the sail is bigger - at the bottom is smaller and when the volume of air hits the bottom, *[video cuts briefly to reti being used – audio continues]* if it was a big square the boat will tip over, so as the air goes up it gets less and less and that creates that forward motion – or when you look at the board its wide in the front, so the volume of water hits that and as it goes back it gets less and less so there's more power in the front that makes the board go out. And when you've got it out, if you lift the stick up that alters your pitch, and it's more water, *[indicates flow]* so that makes the board go out.

And when you're fishing the river you take your board across the river and that's how you do it. *[video cuts briefly to reti being used – audio continues]* And when you want your board to come back you put the line down as low as you can and it alters the pitch again and there's less force of the water.

Ed and I are in the building trade, I struggle to make a board.

If you look at that one, he's altered the holes because it's not in the right place and the board's not going properly. Cause um, there is a method but we'll keep that secret from you.

Ed: Yeah

Todd: *[Laughs]*

Colin: But we find, you know, like because the old people have three or four lures on here, and um we only, we only have two, because in the old days they never had freezers, and they fished to live. And today well, you know, like we'd go down and get three or four and smoke it – four fish that's enough.

Todd: Mm'hm.

Colin: But the old people – because they only went down on a Friday night and stayed there till Sunday, they would try and fish to get enough for the whole week.

Erueti: Although we get different um types of native timber, they just grab any piece of native timber that's around and ah wind it up at the, at the top here. So they can get a good shape, like the fish, like the kahawai. Yeah, and um, of all the ones I've seen are made out of native, native timber.

Colin: Mm.

Erueti: Of course the pine tends to warp a bit more.

Colin: One thing I remember Todd, was there was always an axe.

A lot of times they see a good board, they'll take that shape, aye you know and um you see them with the axe and would do it over the weekend, they could make another two boards or something. As a kid I can remember seeing 20 or 30 reti boards in the water,

and when you see a reti board working no one got tangled up. *[video cuts to people fishing with reti boards at the beach for a few minutes – audio continues]* You get somebody that's – you know cut across your board and everything, those old fellas will tangle you up, and somehow or rather you would find out there's no board at the end of your line, someone would cut it.

Colin: Cut it, and it and that was the penalty for you for not ah sticking to the rules, shall we say. Because if you see a reti board working closer, closer to the sea is where you've got a better chance of catching a fish, so when you catch your fish you pull your board out, and you've got to walk to the end of the line. And you know, you sort of wait your turn, but a lot of young fellas are cheeky - - -

Erueti: They'll be cheeky

Colin: - - - and they'll push it. This is the only place in New Zealand that I've come across where you have to give way to the reti board.

Erueti: The reti board, mm.

Colin: If there's 10 rods fishing there and you come along with your reti board, they have to pull out.

Erueti: Yeah.

Colin: Because it's our customary way of fishing here.

Erueti: Mm.

Colin: Yeah, they give way. And you can see, you get some from somewhere else with a rod – I am not giving way. That's it, cut the tie, loses that \$7 hook at the end, yeah.

Erueti: They'll soon learn.

Colin: Yeah.

Erueti: You know, they'll soon learn.

Colin: One of the things that you know, we respect though, we respect the board.

We've had scientists come up here from Christchurch, and ah, five years ago was the last two that came up, and they reckon that's the worst in 10 years ever ventured out. And they reckon, like them being scientists, they only improve on what went before them, but they said – how did these old people build such a, a fabulous machine that works 100 percent.

Erueti: Yeah.

Colin: And they couldn't get over it. One of them took photos and measured and everything. And took it away, and came back a few months later and I went with him to the mouth,

put mine in and it's beautiful. His kept on going down, and he said "what's wrong?" and I said "oh", my humour, I said ah "you got a good board, boy, it's going underneath the water to have a look where the fish is". Because the hole was in the wrong place.

Erueti: Mm'hm.

Colin: But um, it's one of the secrets – I thought oh, well you go and find out. He's supposed to be ah a big scientist. Yeah, so and we get very jealous – well I did, I make a lot of boards. We had a wananga [*educational session*] at our marae, we had four schools, there was 80 children, and it takes me about 8 hours to make a board. I made 80 for those kiddies, and they are all waiting now. We've gotta pick it right to take all those children down. We tried their boards in the river, and I was proud of every one was out there doing as if nothing was a, you know, nothing failed. So now we're waiting for the time to come right and the mouth is safe to take 80 children there, ah to use their boards, to have a try.

Colin: And I know, like Ed and I know, and all those 80 kids, it's not going to die.

I made one and my niece has got it in Ashburton, and ah, she went fishing for salmon, and um a lot of the guys have been there 30, 40 years, they've never caught a salmon, and they saw her, and uh you've gotta have two lures, one in front of the other, and the salmon will have a go – miss the first one and they get caught by the second. And ah, she was catching all the salmon, and this guy said to her, "you can't use that thing". She said "show me in your rule book?" So this guy rang the Ranger, and the ranger came "what is it?" She said "I dunno, you're the expert. Show me in your book". And there's nothing in the rule books, you know, about this board.

Todd: Mm.

Erueti: It's a great taonga [*treasure*] that we treasure right throughout you know the rest of our life really.

Colin: ---Don't. Ay, don't. Like you know we had – the fellas that are on TV, all their fishing programmes and that, you know, they've come here, want to copy it and asked if they could um make money on it, and they were giving us, good buy out of the district.

Ed: Mm.

Colin: Yeah, that's all we worry about is trying to keep it safe.

Credits

End of recording

"F"

Summary of video

Tangaroa with Pio Video 2008

Colin Culshaw, Charlie Lambert and Pio Terei (Interviewer)

Time on video	Summary of discussion
0:00 – 0:25	Introduction
0:25 – 2:00	Colin Culshaw and Pio Terei: Technical aspects of Reti Board (on land)
2:00 – 3:05	Technical aspects of Reti Board (in water), teaching Pio how to control
3:05 - 4:00	Rules of fishing with Reti Board, regarding rods and when a fish is caught
4:00 – 5:05	Pio pulling in a fish (kahawai)
5:05 – 6:00	Colin on family and fishing, safety
6:00 – 6:40	Colin and thoughts on sustainability
6:40 – 8:20	Charlie Lambert and Pio Terei: Hangi Stones – where they come from
8:20 – 9:27	Charlie and Pio on finding stones and Mohaka proverb

This is a summary of contents of the the exhibit marked "F" referred to in the affidavit of Colin Culshaw affirmed at

Mohaka this 21st day of
May 2014 before me

Signature: D. Barrett

A Solicitor of the High Court of New Zealand /Justice of the Peace

D.P. Barrett, JP
#8163
MOHAKA

Justice of the Peace for New Zealand

D. Barrett
21/05/14

D. Barrett

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF WILLIAM HENRY CULSHAW

AFFIRMED *26-11-* 2013



NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

I, **WILLIAM HENRY CULSHAW**, retired, of Raupunga, solemnly and sincerely affirm:

1. My Name is William Culshaw. I live at Raupunga but I was born 5 September 1939 at Wairoa and was brought up in Mohaka and have lived and worked in the Mohaka district most of my life. I am Ngāti Pāhauwera.
2. I gave a brief in support of the Foreshore and Seabed Act Customary Rights Order application ("my brief"). A copy is annexed and marked "A".
3. The evidence in my brief is all true. I said "*I have always known that we exercise manawhenua, manamoana and manatipuna over the foreshore and seabed*". I gave a few examples in my brief to help explain this. I want to say that Ngāti Pāhauwera exercise manawhenua, manamoana and manatipuna at least from Poututu to Waikari and from the land far out to sea. I think this was obvious in my brief but I have heard that the Crown has trouble understanding the obvious so I am saying it here.
4. In my brief I talked about our sand, hangi stones, pumice, wahi tapu, tauranga waka and driftwood. I did not talk about everything because there was not that much that we could get a Customary Rights Order for. I understand that I can now talk about much more which is why I have done this affidavit.
5. I did not talk much about fishing in my brief because Ngāti Pāhauwera could not get a Customary Rights Order for fish but I will now. When I was younger we lived off the beach and we went to different places between Waihua and Arapaoanui to fish and get kaimoana. We got our next meal at the beach. People say to me "Were you that starving?" I said no when we want fish we went and got fish and at different times of the year we went to different places where the fish were. That's what we did, right back when we first learnt to fish or walk we were going to the beach.

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D.P.B.
Mark

6. The old people taught us everything, they laid the rule down not to do this not to do that like not to gut your fish at the river mouth, that's one of them. The old people taught us that. Everybody listened and everybody else that came to the area if they didn't listen the old people would tell them to get the hell out. You weren't even allowed to catch fish and throw it back, like if they were too little. The old people say "If you don't wanna eat it, don't catch it". So you have to eat everything you caught.
7. When we first started there were no such things as rods, just the reti boards that have been there for years. We used everything off the beach. You put a hook on a bit of flax and you put the stick out in the water and let it float. That's going back donkey's years. I can go to the beach and use what is there to catch a fish. The old people would say you can go down and fish with what is down there. We would look for a paua shell and find a bit of wire, bend it around and make a hook, put a shell on it, make a line out of flax, tie it onto a bit of pumice and just let it float in the river and you can catch a fish.
8. The old people taught us about the reti boards. You can only fish with them certain times like two hours before high tide and then they would go and throw the rod out and then a couple of hours after when the current comes back they'd start using the board again.
9. Some reti boards today use modern material like fiberglass rods but they never work the same as a wooden stick. The stick has got to be dead tight so that when you want that board to shoot it will do what you want it to do. If it flips up or down it will need to stand up again.
10. I spent 3 years working as a commercial fisherman for Alan Sparks and I would have liked to have been a Commercial Fisherman working from Mohaka but you have no place to moor a big boat and if the river is open the bar is always shifting. The same as the river mouth, one minute it will be up towards Waihua end of the beach next month it would be way down the other end. So you couldn't rely on getting in or out, there was no permanent place the river went out. All the rivers from Napier to Wairoa

are the same that's why they have not been any good as a place to have a jetty. The way the winds and tides work can block the river mouths. You had to go wherever the mouth went.

11. Our old people knew the sea. You have to know how to work the currents when you swim, fish or ensure you are safe in your boat. If there are rocks and the sea is coming straight in there are places to fish and places to avoid. The current will go around the rock and on the other side is where the fish will feed. If the wave breaks in one place, well something made that wave come up and roll, either a reef or rocks. When I go fishing I'll go and watch the waves at low tide and if you see the swell rise a couple of hundred yards out and the waves break then you know that's a reef out there. Next to where the waves rise the sea will come all the way in and break on the shore. Then you know it's a safer channel and those are the sort of things you use when you had a boat. You have to remember those places and launch the boat there you can avoid all these big waves. You also need to know when to move, just time it. You get about six or seven waves - same as the weather Monday, Tuesday, seven days a week. Well the waves are like that, they go in rolls seven at a time. You'll get seven big ones and then you'll get a flat, or three or four little wee ones. When you were launching a boat or right off the river you can get it out the river no problem, come right in no problem, as long as you were an hour either side of the high tide.

12. What you catch depends on where you throw your line or how far you can cast. At the end of the kahawai there will always be kingfish and beyond that is the snapper so when others are catching those and hauling in the kahawai we go on our boat and we go out where they can't throw and then we're fishing and we got kingfish and we went a bit more and we got snapper. Fish are not dumb aye they send out scouts and that's why the people are catching all the little ones, but if you can cast it out far enough you can get the big ones, and we got the big ones, and you still get them now, because when you can throw two hundred metres well that's a long cast aye. That's a pretty good cast off the beach.

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MAD

13. The tides work on the moons and the full moon is the best time to fish in - from two days before the full moon to two days later. And what happens with the fish, if you get the sea and it's rough the fish will go out in the deep. So if they go out in that deep how are they going to return from out in that deep back into the shallower water. Fish have got these air bags inside them they can blow up, they rise up nearer the surface of the sea. They come inshore to get all the grit from the low tide and that's where it feeds on the edge of the beach so they come in full tide to eat that. So that's when you throw your rod in you catch a snapper. But then when it starts going out if a southerly is coming it will shoot down the beach. They say "it's a southerly tomorrow" I say right we'll go out and catch a fish and it's a full moon. And I say the snapper will tell us if that southerly is coming. And if you go down there and you catch a snapper, you open it up and you have a look in an airbag you will see shells. And when they eat the shells it makes them get some weight. Otherwise the southerly comes and they are washed up on the beach. So that's nature.
14. When I was younger we launched small boats off the beach and sometimes we went out sometimes til you can't see the land. At that time you couldn't measure the distance. Mostly everything was marked off the land - your depths and everything. You have to study the landmarks. When I look at a cliff or if I see a knob or a point I know it's going to be a fishing hole out there. And if the land is flat the waves are different.
15. That's exactly how we see it when we are on a boat. But being out on the horizon means you are eleven or twelve miles out before the beach disappears. . You can't see the land, you know the land's over there, well it's supposed to be there somewhere, but when you're out in that open sea you can't see anyway. You work by where the moon is, where the sun is where certain stars are.
16. Most of the times you fish in sight of land using landmarks. There were some places known to everyone but everybody also had their own landmarks and names you kept to yourself. You would never name it because fishing was a challenge and you kept your good fishing places to

yourself. Nor do you know where the others went fishing. They'd say "Had a good day today" and you'd think they didn't catch a fish but they didn't tell you how far out they had been out or where. All anybody knew was they said it was a good fishing day.

Waihua

17. I mentioned Waihua a few times in my brief. I want to add that we fished off Waihua and when we got older we started diving at Waihua. My brother in-law and I, we went from Waikare right to Waihua. We had some deep sea diving gear with a hundred feet of hose on it. We did it on weekends, every weekend that mate of mine, he walked from Napier. He would leave there on a Friday night, with his fishing rod. Then he marked it all down, when he caught a fish, the time and whereabouts exactly he caught the fish. Next Saturday, he'll come again. I wouldn't walk to Napier again because I wasn't interested in that area but I was interested from Arapaoanui back this way 'cause we dived there for years, until the big slip come. We knew all the spots, we had all different names for all different places. You don't write down all the names of the places and the reason for that is people come along and thrash it. And Mahia fullas do that too with their fishing they catch it, they put it in their diary right but only they can understand it.
18. We went out about a hundred feet and measured it and went through the whole beach diving and checking out the seabed, then we went out two hundred metres looking for reefs. And there were no reefs there, but there was a lot of boulders, big boulders, some about the size of a house.
19. That's where we found this mussel bed and the old lady used to growl me "Don't go there boy" she said it's dangerous. People had got in trouble there in the past. But we worked it out because of the rip. You know there was all these bloody rocks and boulders and the wave would come in and then go out and then when it comes in behind those boulders it swept and you get into one of those rips and you try and swim against it you can't.

age 6/10
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2006

You have to know what to do. I said to my mum “no it’s not dangerous we know what to do”, but we still drifted out a few times.

20. It was senseless to launch a boat there. You’d only get flipped out unless you know what you are doing. But then we had to study it again and go again until we could do it all the time. We dived those mussel beds for years. Me and Moera Hawkins and then me and Kahu Stirling and we fed everyone when there was a hui or do at Mohaka. We just gave them the mussels. You never ever sold any. In those days you just weren’t allowed that’s a definite no-no. Get what you need, get a feed. Being able to sell things is changing a bit, at paragraph 21 of my brief I mentioned how some Australians paid a lot of money for some of our driftwood art.

Mara Kai and Kaitiakitanga

21. The sea is like a garden and we did things to help the Kaimoana grow. Just like carrots you have to thin them out. We did that with kina in different places on our coast including Mahia. At the moment now there are some good mussel beds out at Waihua. If they don’t get harvested you end up with a lot of small ones. We had to go through them and just open them up because they were only small. After a couple of years they grew to about three inches. We tried to introduce some pipi from the South Island near Mohaka but the mouth kept changing and they didn’t last.
22. We did a personal survey of our seabed and Kaimoana to understand some of the things our old people talked about and get a better idea of what was out there. For example every year from September to March the roe grows and then from March to September the shell grows and that’s why it’s pretty hard to get a fat kina over the winter but if you can go through a lot of kinas and you open them up which we did, smash them and leave them there hopefully you can break a male and a female then you start the cycle going, then they’ll get fat. There is heaps of crayfish out there, but it’s too open. You are allowed crayfish pots but you are not allowed nets.

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DPB

23. From the Waihua river to the Moeangiangi stream is the breeding ground for the snapper and we respected that. But we did see commercial boats with nets in the area. When these boats were coming here I told one fisherman "you're not allowed to bloody fish in this area, how many snapper did you get" he said "eleven ton last night". I don't know how much a ton is but he got eleven ton. But we took them to court. We got his number, we took him to court but he got off it because he said "it's an imaginary line" and he said his boat does not know where that line is and he got off, but he can't get off that now because they got all this modern gear and they know exactly where you are now.
24. Ngati Pahuwera people take our responsibility for looking after our beach and kaimoana seriously. If people break the rules we have to put them in line. I have had to do it myself. I'll tell you what, it still goes on now. I had someone complaining to me about being threatened by some of our young people at the beach. I said "well you must have been doing something wrong". He had one of these new contikis with the motors. The young people showed me eleven lemon fish he had caught and dumped on the beach. Well there was no need for him to do that and waste fish.
25. George Hawkins was there the other day, two weeks ago and these fullas come along. And he was watching them, 'cause he gets very wild eye he is one of the old timers. He wrote a sign up there saying don't skin and gut or dump your fish on our beach. He made the sign himself and put it down in there. Well fair enough we said "you're the kaumatua, you make the rules." And if you don't abide by it you've got young men around that will make sure you listen, if the kaumatua are not there the young ones will give you a hard time for not abiding by the rules and they will make you abide or leave.
26. When I was commercial diving Mahia people used to line us up with guns from the shore. Mahia people had guns on us but we knew we had to stay out two hundred metres. I have heard people have done that here too off Mohaka when trawlers fish too close to shore.

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South of Waikari

27. And so you know in the old days the area past Waikare was more important to the local people than the Mohaka river. That is where our people went to get most of their Kaimoana. My Great Grandfather managed one of the farms down there and is buried there. Our old people had kainga at Arapaoanui in the old days but in more recent times you can go there and back in one day by road or as far as Tiwhanui by trailbike. Ngāti Pāhauwera had rules for kaimoana at Arapaoanui as well. There were three caves where you had to leave your shells. See at that time you weren't allowed to put the shells and that back in the sea, but now they've found that if you open the shell and put it in the sea, that's feeding and building it up again. But in those days "no, no, no". And that's why those holes were there, and if you were around in those sort of times you will see all the shells all in those three caves. One was kinas one was mussels one was for crays.
28. If it was too rough out here to fish the old people would go down to Arapaoanui, and fish off the rocks. The fish would go in the shelter of rocks and they feed there.

Firewood

29. From paragraph 17 of my brief I talked about how we use our driftwood. I just add that when I was younger everybody would go to the beach to collect their fire wood and there were rules for that too. If you saw wood stacked up like that on the beach leave it alone. Somebody has got a claim on it. And if you did take it and they caught you those old fullas, they'd half kill you.

Rahui

30. It was an interesting one this Rahui business, but if anything happens out of respect we'll stop fishing. The appropriate person from Ngāti Pāhauwera will ban it for a couple of weeks. Same with the wahi tapu areas they never ever like it as it can put stress on feeding the family. In the old days that was the form of discipline, how to discipline people.

Conclusion

31. I support the Ngāti Pāhauwera Takutai Moana negotiations which is why I am submitting a statement again. I will repeat myself to make it clear. Ngāti Pāhauwera exercise manawhenua, manamoana and manatipuna over the application area. We actually still exercise our rights further north, further south and further out to sea.

Affirmed at *Pahauwera* this *26th*
day of *November* 2013)
before me: *Dianne Pearl Barrett*

D.P. Barrett, JP
#8163
MOHAKA
Justice of the Peace for New Zealand

26-11-2013

D. Barrett

A Solicitor of the High Court of New Zealand /Justice of the Peace

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D.P.B.
msb

"A"

APPLICATION FOR CUSTOMARY RIGHTS ORDER
FORESHORE AND SEABED ACT 2004
SECTION 48(1)

IN THE MAORI LAND COURT
OF NEW ZEALAND
TAKITIMU DISTRICT

A20050006643

IN THE MATTER of an application by Wayne Taylor,
Rukumoana Wainohu and Kuki Green
pursuant to section 48 of the Foreshore and
Seabed Act 2004 for a Customary Rights
Order over the area of foreshore and seabed
from Poututu Stream to the Waikare River

BRIEF OF EVIDENCE OF WILLIAM HENRY CULSHAW
DATED 31 AUGUST 2007

This is the exhibit marked "A" referred to in the
affidavit of William Henry Culshaw affirmed at

Pahauwera this 26th day of
Haurora
November 2013 before me

Signature: D. Barrett
A Solicitor of the High Court of New Zealand /Justice
of the Peace

D.P. Barrett, JP
#8163

MOHAKA
Justice of the Peace for New Zealand

D. Barrett 26.11.13

POWELL WEBBER and ASSOCIATES

PO Box 37 661, Parnell

DX CP27025

AUCKLAND

Telephone: (09) 377 7774

Facsimile: (09) 307 4301

Solicitor: LG Powell/RN Smail

I, **WILLIAM HENRY CULSHAW**, retired, of Raupunga, say as follows:

1. I am Ngati Pahauwera. I was born in Wairoa. I grew up and have always lived in the Mohaka area.
2. I learned about Ngati Pahauwera's connection to our foreshore and seabed and our use of the resources there from a lot of different kaumatua and kuia. I have always known that we exercise manawhenua, manamoana and manatipuna over the foreshore and seabed.
3. It has been handed down to me from my grandfather to walk along the shore and look at channels, to look for fishing beds, reefs, rocks and to go surfcasting. He taught me to be familiar with our foreshore and seabed, and I am connected to it.

Sand

4. The sand from the Ngati Pahauwera foreshore and seabed is good for sandblasting and plastering because it is very fine. The sand is also good mixed with concrete. Ngati Pahauwera use this sand. In this way we are exercising our manawhenua.

Stones

5. The hangi stones from the Ngati Pahauwera foreshore and seabed for which I know the Maori names are taupunga, opunga and poutama. We have always used the hangi stones and there were even chiefs named after the hangi stones.
6. When we walked along the beach and saw a hangi stone with a hole in it we would pick it up to use as an anchor. We still use this method today. When we have only a hook and line, we go around the beach looking for a stone to act as a sinker. We attach the line to the stone and throw it into the sea. This what our tipuna did and we show the younger ones the same thing because we are kaitiaki.

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D.P.B.
11/11/16

7. In the old days hangi stones were made into adzes and once sharp were deadly weapons. My wife Rose found a hangi stone adze on the beach and we had it at our house for a while.
8. Hangi stones can now be carved but you need special tools to do it. I have done some such carvings.

Pumice

9. In the days before soap, pumice was the only way to clean feet, and this was important because the old people did not wear shoes. The old Maori from here also used to use pumice to fool people and keep their crayfish pots hidden. People would see pumice floating or bobbing in the water and thought it was just pumice. They did not know the pumice had a crayfish pot attached to it.
10. I have made ornaments out of pumice and have pieces outside my house which are inlaid with paua and shells.

Wai tapu

11. Wai tapu is used for healing and is a good medicine. It is good for healing sores, asthma and eczema. Ngati Pahauwera have used the wai tapu as a medicine and for healing for as long as we have been here.
12. Even the sheep who live along the coast from Poututu to Waikare are kept healthy by the wai tapu. Many of the sheep inland are fly-blown but these sheep never get fly-blown because they go and dip in the sea water.
13. Seawater is also good for cooking. We thaw fish that has been in the freezer for a year in a bowl of salt water. Fish thawed this way tastes like it just came out of the sea. Sometimes if I buy a punnet of kina it has a funny taste. Adding sea water makes it tastes like new. I go

down the beach once a week to get sea water. I always use it for kina and mussels to make them taste better, and I teach my mokopuna to do the same by sending them down to get the sea water as well.

14. We have always known that our seawater is special, and this was confirmed scientifically when we were investigating the possibility of a mussel farm off Mohaka. The water quality was tested to see if it would be suitable for mussels, and the results were that Mohaka Beach had the best quality of water for mussels on the whole of the East Coast.

Tauranga waka

15. The mouth of the Mohaka river changes frequently. Sometimes it is halfway to Waihua. Our waka are dictated by the river for where we can launch and land. The whole area is tauranga waka because our people change as the course of our river changes. Nobody can say where it is going to be next, but because the foreshore and seabed is Ngati Pahauwera, we know where to launch and land. For example, we know that the only time you can come in up the mouth of the Mohaka on a waka is within two hours either side of high tide.
16. For as long as the wind and sea and Mohaka has been here, we have always been here and so we use tauranga waka. We have always done this like the sun rises in the dawn, goes across the sky during the day and sets at night.

Driftwood

17. Driftwood is used for firewood. The beach is about the only place we can get native wood for fire or carving now because the Department of Conservation and the Crown say we cannot cut down native trees.
18. I was taught to carve driftwood into the shape of a fish and use this for fishing. A bone hook was attached to the driftwood with string. There was a special way of tying it. The driftwood fish would be bobbed up

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MPL

and down in water to catch fish. This method is still used today but now it is mainly shell that are used. We also make reti boards out of driftwood for fishing.

19. There are other ways to use driftwood for fishing too. For example, the Waihua river mouth is usually blocked and during the whitebait season, and the whitebait are always trying to get back up the river. If we are hungry for whitebait we can catch them by just using driftwood. We take a piece of driftwood and dig a narrow channel from the sea to the river. The waves will go over the channel and the whitebait will try and go in the channel. We block the river end off with driftwood. When the wave has gone over the channel we block off the seaward side with another piece of driftwood. We are then able to pick up the whitebait that is caught in the channel.
20. Ngati Pahauwera driftwood is special and is used for carving. I have a table made from big matai driftwood logs, which has the North and South Islands carved on it. From the same driftwood matai log I have another table top but I have yet to add legs to it.
21. My daughter in law Ngaire made some photo frames and other items out of driftwood which we took to one of our whanau who has an art gallery in Australia. He set aside a special room in his gallery for the pieces. We thought the frames were nothing special, but the Australians thought they were beautiful and paid \$400 for each of them, and we had orders for 10 to 12 more. We were surprised by this reaction so we asked if we could be taken to a place where they have driftwood. It wasn't the same as the driftwood from Mohaka because they had no native wood. Some frames were made out of the Australian driftwood but it was not the same as ours.
22. Because matai driftwood is very hard, it is good for making weapons. I have a mere which I made from driftwood from the Ngati Pahauwera foreshore and seabed.

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D.P.B.
[Signature]

23. Using these resources is in itself tikanga. This is because we live, eat and breathe tikanga, what we do is our tikanga.
24. There is no difference between all the resources on the beach and what is being claimed, we use everything on the beach. How can you say that mussels, pipis and fish are separate from sand, stones, pumice, driftwood, kokowai, wai tapu and tauranga waka? They are all the same, they are all part of the foreshore and seabed area.
25. Our next meal comes from the beach or shore. Without the foreshore and seabed where are we going to be able to fish from and where is our next meal going to come from?
26. Ngati Pahauwera have always used the resources from our foreshore and seabed whenever we have needed to. It is like a man and a woman procreating. We have always and will always do it. That is how mankind survives and that is how Ngati Pahauwera survive.

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF RAYMOND RUSSELL EDWARDS

AFFIRMED *25 November* 2013

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

I, **RAYMOND RUSSELL EDWARDS**, Teacher, of Hastings, solemnly and sincerely affirm:

1. My name is Ray Edwards. I was born as Ray Lambert and was adopted and bought up by a relative Polly Hodges and Blue Edwards.
2. From an early age I was bought up on the Tait farm on the northern side of the Waikari River not far from the river mouth. My stepfather was managing that farm. We lived in this area between 1966 and 1986.

Fishing and Eeling at Waikari

3. We spent a lot of time fishing near the river mouth and went south to the rocks for kaimoana. There was lots of flounder, herrings and mullet and kahawai near the river mouth of the Waikari. We did not do much fishing off the beach as you didn't need to. We had a small boat and would go up and down the river. There were a lot of eels and we would spear and gaff them as well as catch them by hinaki.

Collecting kaimoana

4. There was a big pipi bed on the southern side of the river mouth as there was a lot of papa on the northern side. We collected pipi sometimes but there were more cockles. There were freshwater mussels on the first bend too. The kaimoana was used for survival, hui and manaakitanga.

People at Waikari

5. In all my time it was all Ngāti Pāhauwera that came to Waikari. There was no presence of any Maori people from Wairoa, Mahia or Tangoio. The only outside people I saw were our relations from Bridge Pa.
6. Our people came from Mohaka to get pipi. People from Ngāti Pāhauwera whanau also went south of the Waikari River to get kaimoana. They were the only people you saw and we knew them all as they were whanau.

You never saw many people and when you did you cherished them and remembered who they were. It was quite a hike to the areas where we got kina, paua, crays and mussels. There was a mussel bed at the southern end of Waikare beach. We usually went on horses.

7. Some Ngāti Pāhauwera whanau came through the farm as Bob Tait had a good relationship and family connections with Ngāti Pāhauwera. They came through our way, through the camping ground on the south side or along the beach from Mohaka. They came with pack horses to carry the food back to Mohaka or Waihua.
8. Europeans came to the camping ground on the Southern side of the river upstream from the mouth around Christmas. Some Ngāti Pāhauwera whanau camped there too. I never saw any people from Tangoio in my time and there were no fishing competitions at Waikari in my time.
9. I knew a lot of the Pakeha people who lived nearby. They had a close relationship with Ngāti Pāhauwera as most of the farms were reliant on Ngāti Pāhauwera people for the farm operations. A few of the farm managers were Ngāti Pāhauwera people like Lu McDonnell's Dad. The fencers, the shearing gangs and the shepherds were Ngāti Pāhauwera people. Even the sports club was made up of mainly Pāhauwera people.
10. On reflection of those times most of the people in the Waikari community were Pāhauwera.

Nature of the coast

11. You had to know what you were doing along the coast. For example if you wanted to go to Ridgemount you had to plan it or you would get taken by the tide. The waves crashed against the rocks and cliffs in places along the beach when the tide came in.
12. Our people did not go south for kaimoana at just any time even if it was low tide, especially if the weather was rough. If the weather was rough it



didn't matter what the tide was, the waves would crash in at some places along the coast. We knew when it was safe but a stranger would not be able to go that way at all.

13. In the past you would still have to know where to go up away from the beach through a track. The early missionaries or strangers would have had Ngāti Pāhauwera people with them to show them where to go and when to go along the beach. Even if you went to Mohaka from Waikari the track went up off the beach and you had to take care.

Urupa

14. My mother said there was an urupa on the southern side of the river not far from the camp just opposite from where we lived but I was too young to worry about those things.

Enforcement of tikanga

15. We never had to pull up anyone on our side of the river for abusing the resources. They were all Ngāti Pāhauwera and knew the tikanga. Nor did we ask anyone about when or what we could take. It was our way of life. It was normal. If you wanted a feed you went and got it.

Use of the resources on the coast

16. We collected firewood, logs, driftwood and other things that were washed down the river that spread along the beach. My mum used to collect a lot of small shell like a small ice cream cone. They were shiny about 2cm and used for jewellery and art.



Whale strandings

17. I remember there were sometimes whales that washed on the shore when I was young. I used to go and sit on them but they sometimes smelt bad. I was too young to know if anything was done with them. We never saw the Department of Conservation or fisheries officers in my time.

Whitebaiting

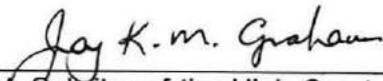
18. Even when we did white baiting, which is very popular in other areas, we never saw anyone. We would whitebait from the mouth right up the river.

Today

19. I do go back to Waikari often and feel that I know it better than Mohaka. I feel a strong connection to the Waikari area and the people. I went to the school there, I helped to fundraise for the sports complex so I have a lot of memories there. I teach my three kids about the area and the people there. Even though we don't own land there, I would like to. We will camp there this summer.

Affirmed at Hastings this 25th)
day of November 2013)
before me:)




A Solicitor of the High Court of New Zealand
Justice of the Peace
J.K.M. Graham, JP
#11057
HASTINGS
Justice of the Peace for New Zealand

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF BELLA CAROL GADSBY

AFFIRMED

2013

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

I, **BELLA CAROL GADSBY**, Retired/Kaumatua, of Mohaka Township Road, Mohaka, solemnly and sincerely affirm:

1. I support Ngāti Pāhauwera Development Trust in their application regarding the Takutai Moana negotiations.
2. I am a Ngāti Pāhauwera Kaumatua and am a Trustee on the Ngāti Pāhauwera Kaumatua Charitable Trust. My husband is Ngāti Pāhauwera through his marriage to me and the fact that we live here. He was a keen fisherman. He is not able to fish like he used to because of health issues but if he can go down he will. If he does go down, he will go for about an hour these days. He teaches some of the locals how to surf cast – whoever wants to learn. He teaches them the Ngati Pahauwera way to do things.
3. My husband was a great fisherman in his younger days, he was out there fishing more than he was at home. We had a fishing club down at the beach for a few years, club days were every month and he was the chairperson. We wound it up though because the members were getting older and couldn't get out there.
4. I have heard that the Ngāti Pāhauwera locals might be starting up a 'next generation' fishing club. If they do, they will follow the Tikanga. They won't gut their fish on the beach, all of that. If people who are not from here don't follow the Tikanga, they get sworn at, they get yelled at. Doesn't matter if they are Maori or Pakeha, if they are not from here they need to learn the rules.
5. We need to get that road fixed at Mohaka. There are campers that go down there all the time. They bring their own port a loos. Our own Ngāti Pāhauwera people camp down there. They bring their whole house over Christmas and camp for a couple of weeks.

6. Our moana needs to protected and I support the Ngāti Pāhauwera Development Trust in this application.

X Bella Carol Gadsby

Affirmed at NAPIER this 21)
day of NOVEMBER 2013)
before me: John Purcell)



~~A Solicitor of the High Court of New Zealand / Justice of the Peace~~

John Purcell
Bay View, Napier
Justice of the Peace

UNDER The Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF ARTHUR THORPE GEMMELL

AFFIRMED

AGemmell 26/11/2013

NGĀTI PĀHAUWERA DEVELOPMENT TRUST

74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

T. W. LANGLEY
RETIRED, WELLINGTON
JUSTICE OF THE PEACE
FOR NEW ZEALAND

I, **Arthur Gemmell**, retired of Napier, solemnly and sincerely affirm:

1. I am a member of Ngāti Pāhauwera. My mother was Betty Gemmell (nee Smith) of Nuhaka and my father was Tom 'Tame' Gemmell of Mohaka. I have many childhood memories in this area and have been told stories by my parents. My father lost his parents in the 1918-1919 flu epidemic when he was four years old. He was brought up by his uncle Paora - his mother's brother, who was the oldest sibling.

2. My ancestors lived on the Waipapa A15 family block of land which is adjacent to the Mohaka Coast Road and the north side of the Mohaka River. It is just next to the Mohaka Coast Road Bridge. We used to plant winter potatoes on the property because of its close vicinity to the Mohaka River - this meant the land was relatively frost free so winter potatoes grew well. The family homestead was dismantled by my father sometime in 1970.

3. I understand that my ancestors especially Wepiha (1836 – 1929), my great grandfather, and Marama (Wepiha's mother) used to travel backwards and forwards along the beach from Mohaka to Waikare. I know this because this is what I have been told by my father and what my research has revealed, for example George Thomson in his documentary evidence before the Waitangi Tribunal said at 2.3.1 Movement between the valleys: "There is some evidence that in the 19th century people still moved between the Mohaka and Waikari valleys on a regular basis. Wepiha Wainohu described how that after his mother married, she moved to Mohaka to stay, "then returned to where the others were living. This is how they and those I have mentioned above lived.... They did come here (Mohaka) often then went back there again. It was not as though the fire was burning permanently at the one place... there was no permanent occupation in the one place. It was during the time of Christianity and the Pakeha people did settle permanently in numbers on this Te Kuta block." He described his ancestor's movements between the valleys, "Hinekaraka will then return

T. W. LANGLEY 
 RETIRED, WELLINGTON
 JUSTICE OF THE PEACE
 FOR NEW ZEALAND



here, and then go back there, this is how she lived permanently (neither) here nor there, (Te Kuta book 3, p96)."¹

4. When I was young we would visit Hori Joe's home at Mohaka and go fishing. He was also Ngāti Pāhauwera, a very good fisherman and his property provided excellent access to the beach. I can remember very distinctly going there on a regular basis, maybe once a week especially during the fishing season. My father was a close friend of Hori Joe. My mother didn't go down to the beach, but my father, my older brother and I did. We used to go there when we were kids. We would catch the draft horse - connect up the sledge and take at least two wool packs and the Reti boards. We would go down to the mouth of the Mohaka river on the Maori side (the North side of the mouth). The access way to the beach used to be rough and very steep and when the kahawai are running, there would be heaps of people at the mouth fishing. Often there were heaps of kids down there and they would be supervised. They wouldn't be there otherwise.

Tikanga of Reti Boards (circa 1948)

5. When I was young we would catch heaps of Kahawai using the Reti board. There were no rods at that time - only Reti boards. Each Reti board had two spinners and often we would catch two fish at a time. Pāhauwera people were very staunch in their Tikanga. One example of this was if you were fortunate to be the first to catch a fish - all of those in front of you would make way. When you caught a fish you would shout and move towards the mouth of the river. Those in front of you would know to pull their boards out of your way and when you had bagged your fish and gone to the back of the queue – they would return to their position. That was the tikanga at the time – at least 65 years ago (circa 1948). If you didn't adhere to the tikanga and moved to the back of the queue you would get verbally abused or at the worst, your line would be cut and the board would float away.

¹ George Thomson *The documentary evidence of the extent of Ngati Pahauwera interests outside the Waihua and Lower Mohaka Valleys* (10 July 1996) Wai 201 #J20, Wai 119 #A3 at paragraph 2.3.1

6. Reti boards are rarely used now as a consequence of the ease and simplicity of fishing with a rod and reel but tikanga at the beach is still relevant today. If the older ones are fishing then they will ensure that the younger ones follow the tikanga.

Kaimoana at Mohaka

7. At Mohaka most of the time the fish that everyone caught was Kahawai. At the river mouth, the sea would be black with Kahawai and it is very rare to see that these days. At that time I was not aware of people catching other species of fish off the beach. I know that they used to catch the odd kingfish on the Reti board. I can remember the horse struggling pulling the sledge up the hill. In those days (circa 1948) fish was the main source of protein for our people - they would catch as much fish as they could and then salt the fish. We kids used to salt the fish and hang them on the fence and the clothes line for quite a few days until very dry and then stored in 4 gallon tins. The fish would be tightly packed and covered over with fat. Sometimes you didn't need to cook it - the sun cooked it for you, it was just like eating a dry biscuit. I often fish at Mohaka and sometimes use the Reti board but more often than not, because of ease and convenience, I will use the 'rod and reel'.

Waihua Beach

8. We also used to go to the Waihua beach but rarely fished at the Waihua river mouth because it was often blocked. We only went there mainly for mussels. My older brother and I were tied to the family farm, situated about 15km inland from Waihua at the end of the Rohepotae road and too busy to go diving, but my younger brothers had time and often would go out. The mussels were quite a good size and I don't know if the mussel beds are still there today.
9. My father spent most of his time farming rather than fishing. However, my great grandfather Wepiha was an experienced fisherman and he knew all of the signs and fishing spots. In those days they would never

T. W. LANGLEY
 RETIRED, WELLINGTON
 JUSTICE OF THE PEACE
 FOR NEW ZEALAND

give that information to anyone unless that person showed keenness. A story I have been told is that Wepiha would often go across the mouth of the Mohaka river on his boat and come back with firewood. One time he got caught out when he lost the oars to his boat while returning across the mouth. His boat drifted out to sea and after a few hours of using his pants as an oar he somehow made it back to shore. At the time there were lots of people down there showing concern for his safety and praying that he would return. A lot of people know that story.

Aropaoanui

10. Ngati Pahauwera hold the whole application area but our connection to the moana extends well beyond. I am the Chairman of Aropaoanui 3E Trust which administers a piece of land on the Napier side and adjacent to the mouth and estuary of the Aropaoanui river. The Aropaoanui 3E property is a 66ha piece of Maori freehold property that we treasure and has a boundary with the sea of about 300m. A map of the block is annexed and marked "A".
11. There were five original owners, with my great grandfather Wepiha Wainohu being one of the original owners. He had a younger brother Pitiera who ended up selling his shares to the Crown. Wepiha was different to his brother and kept his shares which we inherited through my grandmother who was his only daughter and the only one that had children. One third of the block belongs to the Gemmell family and the other two thirds belong to the Spooner or Puna family – who are all Pāhauwera.
12. There is a strong Pāhauwera connection to Aropaoanui 3E, for example as well as our shareholding, the late Boycie Spooner who was not a shareholder of the block but spent many years there, he grew up down there. Likewise the late Ki Bush who spent most of his life on the property. He is one of the bigger individual shareholders of the property and a Whanau trust has been recently established by the family. Both Boycie and Ki are Pāhauwera. The Gemmell family comprising of about two hundred members are Pāhauwera. Aropaoanui 3E block is a

coastal property with private access. Many of the surrounding blocks also have a strong Ngati Pahauwera presence in their ownership.

- 13. Looking from Aropaoanui towards the east to the very top of the hill, on the other side of the river, are visible remains of many terraces. There is also evidence of wahi tapu sites on Aropaoanui 3E and the neighbouring Aropaoanui 3C and as far as I am aware most of these sites have been registered as historic places. Our property also has an often used urupa.
- 14. In the days before the Aropaoanui 3E Trust was established, we used to go down often to the property with my dad to collect seafood. I remember collecting seafood such as kina, mussels and paua. The lessee of the property was a very difficult person to reason with as he didn't want people on the property let alone to collect seafood. He used to get on his horse and disappear to avoid criticism and confrontation with my Dad because my Dad would not stand for that as it was our right to collect seafood there.
- 15. The alluvial flats (approximately 1/3 of the property) over the last few years have been cropped under a long-term lease agreement with a reputable cropping contractor. The remaining area (approximately 2/3 of the property) has been recently established as "Nga Whenua Rahui" co-managed by the Trust and the Conservation Department. However Ngāti Pāhauwera still go through Aropaoanui 3E to collect seafood with Aropaoanui 3E Trust trustee approval.

Affirmed at ^{Napier} ~~the~~ this ^{Napier} T. W. LANGLEY
 26th day of ^{the} November 2013) RETIRED, WELLINGTON
 before me: JUSTICE OF THE PEACE
 for NEW ZEALAND

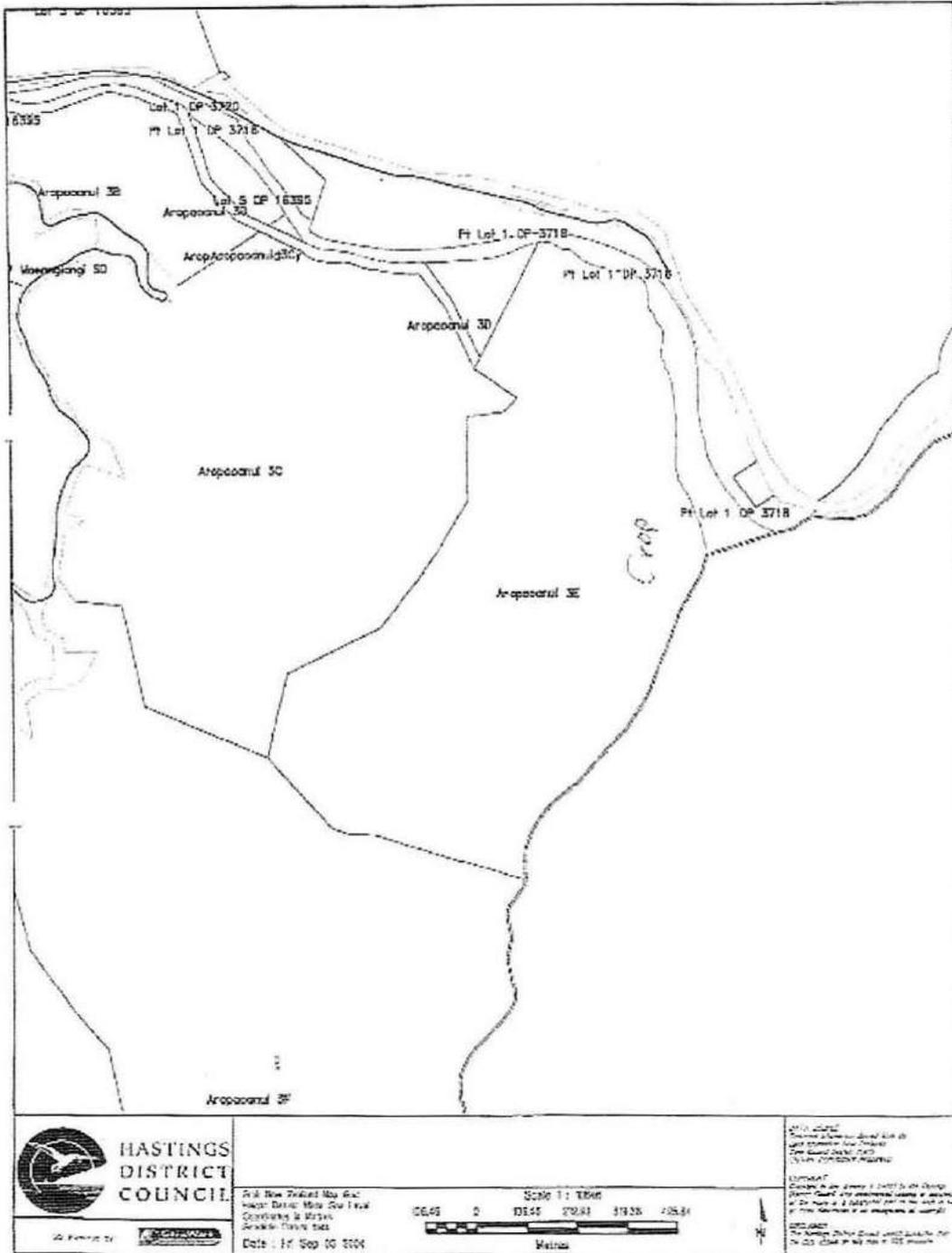
Trevor W. Langley JP.

CERTIFIED ORIGINAL SIGHTED -
 AND THAT THIS IS A PHOTO-
 COPY OF THAT ORIGINAL.
 Signed *T. W. Langley JP.*
 Date 26/11/2013

A Solicitor of the High Court of New
 Zealand/Justice of the Peace

T. W. LANGLEY ^{Napier}
 RETIRED, WELLINGTON
 JUSTICE OF THE PEACE
 FOR NEW ZEALAND

"A"



This is the exhibit marked "A" referred to in the affidavit of Arthur Thorpe Gemmell affirmed at Napier this 26th day of November 2013 before me

Signature: T. W. Langley JP.

T. W. LANGLEY
RETIRED, WELLINGTON
JUSTICE OF THE PEACE
FOR NEW ZEALAND

A Solicitor of the High Court of New Zealand / Justice of the Peace

**STATEMENT OF KUKI GREEN IN SUPPORT OF NGĀTI PĀHAUWERA
TAKUTAI MOANA APPLICATION**

~..tena koe te rangatira e mihi aroha ki a ratou ma kua wehe kua kapakapa mai i roto i nga tara o tama te ra e tu mai ra i tona kauuhanga a kia tatau hoki e ketea tonu nei te kanohi ki te kanohi nga mihi nui o te wa kia koe me tou whanau katoa tena koutou tena koutou tena koutou hoi ano nga manaakitanga a te runga rawa kia koutou katoa ~ huiee taaiki e ~ ka huri ~

I am a member of Ngāti Pāhauwera. My tupuna Tuhemata was from Ngāti Pāhauwera but I was bought up as a whangai around Wairoa and Turanganui. I did not live in the Ngāti Pāhauwera rohe until I had grown up and went to work as a shepherd at Whaitirinui, Kakariki, Moeangiangi and Paroa Station. Living in the area provided me with an opportunity to whakaora or revive my links with my whanaunga and marae and get involved with the Ngāti Pāhauwera community. This has included roles of responsibility at Waihua Marae, the Waihua School Committee, Ngāti Pāhauwera Incorporated Society, Ngāti Pāhauwera Section 30 and The Ngāti Pāhauwera Development Trust where I am Kaitiaki of the Ngāti Pāhauwera Tiaki Trust. I have also been involved with various events on the ground. For example I regularly attend hui and wananga and support our local events, one year acting as an official at the Paikea Fishing Club's competition. My role was to help monitor behaviour on the beach, ensuring that the competitors were following our tikanga and that the fish were treated humanely. The role of the Tiaki Trust which I am currently involved with is to protect the integrity of taonga tuku iho on behalf of the beneficial owners and hold the lands of Ngāti Pāhauwera that were returned to us from the Treaty claim that have a high cultural value and cannot be sold. My other role is to provide guidance and advice regarding tikanga, wahi tapu and taha wairua in regards to our land and river management.

I would like to now add my voice to say that Ngāti Pāhauwera have mana moana of the entire application area and beyond. To others, this is a Protected Customary Right or a Customary Marine title. To me it is a lifelong duty as Kaitiaki and advisor to protect Tangaroa and the Whenua. It is part of my everyday life and something that I take

extremely seriously. I encourage all of Ngāti Pāhauwera to take their responsibilities as Kaitiaki of the environment seriously. To do nothing is to consent to practices of environmental degradation. This impacts adversely on the mauri ora of the taonga that sustains the wellbeing of all living things on land and sea. As customary land owners Ngāti Pāhauwera still continue to follow their customary practice and customary values handed down since time immemorial.

Karakia is an integral part of who we are. There are karakia for each occasion. With regards to the Moana: we karakia when we go to the beach; before we go out on the boat; to the fish; when we have arrived back onshore safely - "GOD, for all that we are grateful we thank the Awa, we thank the Moana, we thank Papatuanuku." We have love and empathy for the lands and waterways and the seas and all other resources seen and unseen which are the origins of our customary rights. There are people who have traditional customary knowledge of the appropriate karakia used for different occasions. The karakia are part of a system of tapu, which you can not deviate from. It is a system which controls our behaviour formal and informal.

Wahi tapu is a sensitive subject and not spoken of a lot. Wahi tapu is a form of protection. The coastal area has seen much change over the centuries and much of the physical evidence of wahi tapu is all but lost. This does not mean the mauri or spiritual energy is any less today though. There may be no headstones but we respect and treat the coastal area as wahi tapu, consistent with our customary rights and the area below and above the high water mark is spiritually significant in many ways. Both areas include the remains of tipuna of the past as it was the practice to bury our dead in sea caves and sand dunes along the beach. The sand dunes have since been eroded by the sea as have the sea caves. This is why we continue to maintain the application area is wahi tapu and always will be. We also say this because the mauri is a spiritual energy that has no boundaries.

The beaches and river mouths were often the places of battle and the blood spilled in these areas was not only Maori but Pakeha too, which we continue to acknowledge and respect in karakia. This is one of the

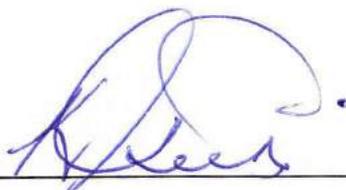
reasons Ngāti Pāhauwera do not sanction people gutting fish or dumping rubbish on the beach. Tikanga also extends to ceremonies associated with whale strandings. In the event of a stranded whale, a special ritual and karakia is performed on site, consistent with tikanga Maori and the remains are buried below the high water mark.

There are several types of rahui which can be applied but the most common is when a person drowns in our rohe. A rahui is put in place by the rangatira covering the coastal area, as is customary to give time and respect to the affected area and the whanau. Rahui can also be applied for the preservation of the food source that might be depleting.

In days past, and now, earthquakes, storms and mankind are desecrating Papatuanuku. She in turn is reacting to human behaviour. Natural disasters have a direct correlation to what is happening in the human world of the destruction of our Mother Earth of which we are the inherent kaitiaki.

Genealogy recites for us our divine inheritance through the union of Earth Mother and Sky Father who gave birth to our resources and entrusted their care into our hands: the Lands and Sea, the Forest and Birds, the Animals, Plants, Ants and other crawlies. These treasures were bestowed upon us to nurture to sustain people.

My statement is not intended to cast aspersions but to relate what I have felt, seen or heard. We work to ensure the spirit and attitude of our tipuna will never be lost since ancient times to this day. My observations are that the spirit energy and the Mauri present in this important coastal area is of old and of the now; and there is no reason to doubt this.



Date: 17/07/2014

Kuki Green

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER

The Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF

An application by NGĀTI PĀHAUWERA DEVELOPMENT TRUST for Customary Marine Title and Protected Customary Rights

IN THE MATTER OF

An application by NGĀTI PĀHAUWERA (as originally filed by WAYNE TAYLOR, KUKI GREEN AND RUKUMOANA WAINOHU) for Protected Customary Rights

AFFIDAVIT OF STUART LORRIS HALLIDAY

AFFIRMED 10 2

2014

SLH.
SL

NGĀTI PĀHAUWERA DEVELOPMENT TRUST

74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

SLH.

I, **STUART LORRIS HALLIDAY**, Director, of Palmerston North, solemnly and sincerely affirm:

1. I am the Director of Geospatial Solutions Limited from August 2003 to present (10 years 6 months) providing GIS and geospatial services to a range of clients. Much of this work is centred on providing mapping support to both Crown and applicant groups involved in Treaty of Waitangi and Marine and Coastal Area Act settlements.
2. I was the GIS Team Leader, Bay of Plenty Regional Council from November 1992 to July 2003. While there I established and maintained the Council's GIS system through the development of a council-wide programme in the use and understanding of GIS and related technologies.
3. I have annexed a copy of my Curriculum Vitae at "A".

Work for Ngāti Pāhauwera

4. The work I have undertaken for this project is as a contractor and I am independent from Ngāti Pāhauwera.
5. The following maps have been produced for this project:
 - 5.1. A series of 9 maps plus index sheet showing the change in position of MHWS along the Ngāti Pāhauwera Application area. Two sets of maps were produced, one with 1942 aerials as the background image and the second with 2011 aerials. I understand that this has been annexed to the affidavit of Toro Waaka on behalf of the Trustees of the Ngāti Pāhauwera Development and Tiaki Trusts as exhibit "MM";
 - 5.2. A map of Māori Land under Te Ture Whenua Māori Act 1993 and land returned to the Trustees through Treaty Settlement in Ngāti Pāhauwera Core Area of Interest. I understand that this has been annexed to the affidavit of Toro Waaka on behalf of the Trustees of the Ngāti Pāhauwera Development and Tiaki Trusts as exhibit "Y";
 - 5.3. A map showing the locations referred to in Affidavits relating to the Ngāti Pāhauwera Application area. I understand that this has been annexed to

the affidavit of Toro Waaka on behalf of the Trustees of the Ngāti Pāhauwera Development and Tiaki Trusts as exhibit "KK"; and

5.4. A map of the coastal land next to the application area, showing Maori, General and Crown Land and identifying whether Ngāti Pāhauwera have identified that the land is owned by Ngāti Pāhauwera. I understand that this has been annexed to the affidavit of Toro Waaka on behalf of the Trustees of the Ngāti Pāhauwera Development and Tiaki Trusts as exhibit "Z".

Affirmed at *Palmerston* this *10*)
day of *North* *February* 2014)
before me:)



Sty *Cooper-Marsch*
DEPUTY REGISTRAR
HIGH/DISTRICT COURT
PALMERSTON NORTH

~~A Solicitor of the High Court of New Zealand/Justice of the Peace~~

This is the exhibit marked 'A'
referred to in the affidavit of
Stuart Halliday affirmed at
~~Palmerston North~~ this ¹⁰ day of
~~February~~ 2014

before me

Signature: *John*

A Solicitor of the High Court

of New Zealand/Justice of the Peace

DEPUTY REGISTRAR
HIGH/DISTRICT COURT
PALMERSTON NORTH

Curriculum Vitae

Stuart L. Halliday

46 Bryant Street
Palmerston North
Phone +64-6-358-9558
E-mail stuarth@xtra.co.nz

CAREER INTERESTS: Application of GIS and related technologies in providing maximum gain from the collection, analysis and presentation of geospatial data

WORK

EXPERIENCE: August 2003 to present: Director, Geospatial Solutions Ltd, Whakatane

Duties and Responsibilities:

- * Providing professional GIS and geospatial services to a range of clients with an emphasis in supporting local and central government organisations
- * Specialised in providing all facets of GIS including:
 - GIS and associated geospatial software evaluation
 - GIS and associated geospatial software implementation
 - Geospatial data capture
 - Geospatial data conversion
 - Geospatial data query and analysis
 - Report and Map production
 - Terrain modelling
 - Remote sensing

Selected major projects undertaken over recent years:

- * Ministry of Justice Marine and Coastal Area project – providing all GIS support requirements from 2004 to present.
- * Evaluation of geospatial data use within the Ministry of Justice
- * Crown Forestry Rental Trust – provision of GIS services to claimant groups entering into Treaty negotiations with the Crown
- * Iwi GIS – development and implementation of GIS for a number of iwi including Ngati Awa, Tuhoe, and Ngati Hikairo

November 1992 to July 2003: GIS Team leader, Bay of Plenty Regional Council, Whakatane

Duties and Responsibilities:

- * Establishment and implementation of GIS at Environment Bay of Plenty
- * Development of a council-wide programme in the use and understanding of GIS and related technologies.
- * Writing of strategic plans for the implementation and development of GIS
- * Supervision of three staff within the GIS section
- * Integration of external and internal spatial and textual databases into the GIS
- * Extensive GIS knowledge of a number of commercial GIS software products including ArcGIS, Intergraph products and MapInfo.

Achievements:

- * Successful implementation of GIS at Environment Bay of Plenty. This was recognised in 1999 as one of the ten most important advances at the Council in its first 10 years of existence
- * Successful completion of GIS-related projects, on time and within budget, for various sections within the Council
- * Consistent increase in the demand for GIS-related technologies by Council staff

- * Development of a highly skilled and motivated staff, who provided a high quality product and service to clients
- * GIS staff achieved 2nd and 3rd placings in the mapping section of Intergraph International Users Group meetings

September 1989 to October 1992: Research Associate, Department of Agricultural Engineering, Texas A&M University, Texas, USA

Duties and Responsibilities:

- * Establishment of a new GIS lab within the department, providing assistance to graduate students in their use of GIS
- * Investigation of groundwater contamination from agricultural chemicals, using GIS
- * Development of a methodology to determine the efficiency of ground-coupled heat pumps, using GIS
- * Knowledge of GRASS, and additional experience using ARC/INFO

February 1992 to May 1992: Contract with the Texas Water Resources Institute

Duties and Responsibilities:

- * Analysis of state-wide, pesticide-use data using GIS, to determine areas in Texas most susceptible to groundwater pollution
- * Writing part of the report associated with this investigation

October 1988 to June 1989: Research Assistant, Department of Forest Science, Texas A&M University

- * Development of a GIS database for the 26 Texas Agricultural Experimental Stations

January 1987 to December 1988: Graduate Assistant, Geography Department, Massey University, New Zealand

- * Responsible for teaching first-year Physical Geography laboratory classes (80 students)

EDUCATION: GIS courses taken between August 2002 and present include: Introduction to ArcGIS for ArcView and ArcInfo I and II, Introduction to ArcSDE using ArcInfo, Creating, Editing, and Managing Geodatabases for ArcGIS and Learning ArcGIS 3D Analyst.

Post-graduate classes taken between 1989 and 1991 in GIS, Remote Sensing, and Nonpoint Source Pollution at Texas A&M University, College Station, Texas, USA.

M.Sc. Geography, June 1988, Massey University, Palmerston North, New Zealand, Dissertation: Karst Geomorphology of the Puketoi Range, Northern Wairarapa, New Zealand

Courses in Masters programme: Geomorphology, Karst Geomorphology, Hydrology, History of Geographic Thought

B.Sc. double major in Geography and Botany, May 1985, Massey University, Palmerston North

REFERENCES: Available upon request

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF An application by NGĀTI PĀHAUWERA
DEVELOPMENT TRUST for Customary
Marine Title and Protected Customary
Rights

AND IN THE MATTER OF An application by NGĀTI PĀHAUWERA
(as originally filed by WAYNE TAYLOR,
KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF HIRO HAMILTON

SWORN

5th December.

2013

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa

Phone: (06) 838 6869

Fax: (06) 838 6870

I, **Hiro Hamilton**, retired of 72 Clyde Road, Wairoa, solemnly and sincerely affirm:

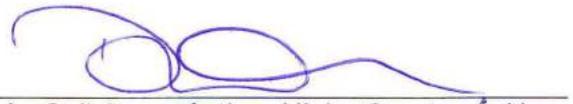
1. I was born on the 24th April 1940. I am uri of the Ngāti Pāhauwera Iwi because of my whakapapa heritage and I support Takutai Moana negotiations.
2. I am a trustee member of the Ngāti Pāhauwera Kaumatua Charitable Trust and have a responsibility to maintain the mana, the tikanga, the history, the Ngāti Pāhauwera Reo Maori and other matters of a holistic nature that will bring matauranga Maori, self esteem and pride to all members of the many hapu, marae and whanau of this iwi wherever they are domiciled. The Trust was established in 2007 and annexed and marked “A” is a copy of our Trust Deed which confirms this responsibility.
3. My family members have a long history of involvement in the maintenance and ethos of these matters that uniquely identifies our Pāhauweratanga, I am the “Mohaka” river and the “Mohaka” river is me, I am “Maungaharuru” and “Maungaharuru” is me. I am the “Moana” (Te whanga o “Maui” Tikitiki a Taranga) and the Moana is me. I am the “Ngahere” and the ngahere is me. The Whenua (“Land”) is my ancestral mother from whence my umbilical cord ties me to “Ranginui” the sky father my ancestral father as written in the Ngati Kahungunu Iwi manuscripts “Te Kauwae Runga” and Te Kauwae raro (Lore of the Whare-Wananga) These matters are my foundational beginnings identified in the depth of these writings and my sacred Waka Takitimu “that is who I am” he taonga tuku iho i ruia mai i Rangiatea.
4. Recently on the 25th August 2013 a tikanga wananga was held at Mohaka Marae initiated by our Ngāti Pāhauwera Leaders and attended by (60 members) those with a passion for their Ngāti Pāhauweratanga. I was able to record parts of this wananga as a tool of discussion and feedback annexed and marked “B”, with the intention that these matters will be recorded for future generations

that personal examples of yesteryear, and the present, learning such as whakatauki, purakau, fishing, hunting, waiata and stories are preserved in our Ngāti Pāhauwera Iwi library for access by those with a hunger in pursuit of knowledge. We intend to support ongoing wananga.

5. Alongside these learning outcomes will be the spiritual elements that are equally important to all Ngāti Pāhauwera members, either Te taha Wairua Maori or Te taha Wairua Christianity. Te taha wairua is an essential learning tool and must be understood fully to progress individual and iwi development, employment and learning.
6. I support the Takutai Moana negotiations because of these matters outlined above, mana moana and mana whenua go hand in hand they are essential building blocks of who we are Ngāti Pāhauwera tuturu.

Sworn
Affirmed at *Wairoa* this *5th*)
day of *December*, 2013)
before me:)

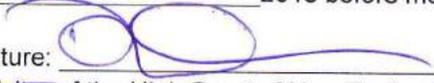
A Hamilton


A ~~Solicitor~~ *Deputy Registrar* of the High Court of New Zealand / Justice of the Peace.

D. Walker
Deputy Registrar
District Court
Gisborne/Wairoa/Ruatoria

"A"

D. Walker
Deputy Registrar
District Court
Gisborne/Wairoa/Ruatoria

This is the exhibit marked "A" referred to in the affidavit of Hiro Hamilton affirmed at <u>Wairoa</u> this <u>5th</u> day of <u>December</u> 2013 before me
Signature: 
A Solicitor of the High Court of New Zealand / Justice of the Peace <u>Deputy Registrar</u>

This is the document marked "A" referred to in the annexed declaration of

William Winiana made at Wairoa on(Date)

This Deed is made the 15th day of March 2007

BETWEEN

Sophie Keefe ("SETTLOR")

of Raupunga, Superannuant

AND

**William Winiana
Janet Huata
Glenys Joe
Nellie Adsett
Charlie King
Kath Adsett
Betty Gemmell**

**of Mohaka Painter
of Raupunga, Superannuant
of Mohaka, Beneficiary
of Raupunga, Superannuant
of Mohaka, Superannuant
of Raupunga, Superannuant
of Raupunga, Superannuant**

Being the Trustees of Ngati Pahauwera Kaumatua Trust (hereinafter referred to as "The Board").

Recitals

- A. The parties to this Deed wish to establish a Charitable Trust for the Kaupapa described in Clause 3 of this Deed ("The Trust")**
- B. The parties to this Deed have consented to become the first Trustees hereof upon the Trusts and with subject to the powers and provisions within this Deed.**

Operative Part

Declaration of Trust

1. The Board of Trustees acknowledges that it holds the assets of the Trust on trust and with the powers expressed or implied within this Deed and that the Trust shall be known as the Ngati Pahauwera Kaumatua Trust.
2. **Office**
The office of the Trust shall be: Ngati Pahauwera Kaumatua Trust
Ngati Pahauwera Inc Society Buildings 30 Putere Road
RAUPUNGA R.D 4 (Or such place as the Board may determine).
3. **Kaupapa**
 - The Trust is primarily a Maori Hapu based service and is formed to provide support services to the Kaumatua (Elderly) in the Ngati Pahauwera Rohe (District) from the Waihua river in the north to the Waikare river in the south to Putere in the west (including both Mohaka and Raupunga townships) and is bordered by the sea on the east.
 - The retention of Pahauwera-tanga is deemed the major kaupapa of the Trust and is defined as, the retention of – te reo (language), waiata (song), tikanga (protocols) and hiitori (history) of the Ngati Pahauwera hapu/lwi.
 - The Trust recognises its kinship ties with a number of hapu which form the conglomerate now widely recognised as Ngati Pahauwera Hapu and its lwi affiliation to Ngati Kahungunu.
 - The Trust is committed to the philosophy of empowerment for its people and shall endeavour in all its actions, thoughts and deeds to reflect this principle.
4. **Purpose** (The Objectives of the Trust are as follow)
 - 4.1 To provide support services for all Kaumatua and other elderly persons living in the Ngati Pahauwera Rohe.
 - 4.2 The establishment of advisory committees or representatives that support the retention of Pahauwera Hapu - reo, tikanga, waiata and hiitori for Marae, Kura Kaupapa, Schools, Hauora, Kohanga Reo, the Ngati Pahauwera Inc Society and the Ngati Pahauwera Section 30.
 - 4.3 To conserve, promote, advise and assist whanau and hapu to contribute to the retention of te reo me ona tikanga. The language being viewed as the basis for the culture and identity of Ngati Pahauwera.

"B"

Report from Hiro Hamilton to the Ngati Pahauwera Kaumatua Charitable Trust Hui 8th November 2013 at Waihua Marae:

1. Sunday 25th August 2013, at 10 am at Mohaka Marae
Ngāti Pāhauwera Iwi "Tikanga Wananga"

Facilitators:

Mr Tama Huata	Hastings
Mr Toro Waaka	Napier
Mr Charlie Lambert	Mohaka
Mrs Olga Rameka	Taupo

In attendance about 60 plus. Wananga duration about two hours plus.

For discussion and feedback:

Opening overview: Toro Waaka

1. This process is about identifying Ngāti Pāhauwera Iwi tikanga, such as our Awa, our Beach and what happens on our Marae.
2. First discussion: Where should the "wananga" have been facilitated or discussed.
In the Tipuna Whare or in the Rongomaiwahine Whare.
Views from those that attended?
Angela Hawkins, Kathy Adsett, others.....

3. Tikanga issues:

This is the exhibit marked "B" referred to in the affidavit of Hiro Hamilton affirmed at Wairoa this 5th day of December 2013 before me

Signature:


A Solicitor of the High Court of New Zealand / ~~Justice of the Peace~~

D. Walker
Deputy Registrar
District Court
Gisborne/Wairoa/Ruatoria

- Know how each domain works and be familiar with this infrastructure or process.
- Karanga / Whaikorero / Mihi / Po whakamutunga / Whaka noa
- What do you know about the tikanga of the “Whare” Whaikorero
- 1st speaker “tahuhu” Te Pepeha o Te Marae o Te Hapu. Maunga, awa, nga purakauWhakamutunga...ona waiata he moteatea.
- 2nd speaker all about “whakapapa”
- 3rd speaker all about the “kowhaiwhai” – local hapu korero
- Last speaker completes the house. **Note: If there is only one speaker he can summarise this process, but to do this his “homework” needs to be spot on.**
- **Tarawhaiti o te whare** (where the kaikaranga stands to karanga) At the Mohaka Marae it’s beside the Paepae tapu. Inside the tipuna whare the small side tangata whenua, larger side manuhiri
- “**Whaikorero**” when using a tokotoko use both hands. Some iwi change hands?
- “**Koha**” If you are speaking put your own koha down don’t give to someone else, why give your mana away. No koha don’t speak
- “**Tupapaku**” enter the Marae feet first as if walking on to the Marae
- The Kuaha o Te Whare ma te hunga ora (The door used by the living)

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV 2011-485-821

UNDER The Marine and Coastal Area (Takutai
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IN THE MATTER OF An application by NGĀTI PĀHAUWERA
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KUKI GREEN AND RUKUMOANA
WAINOHU) for Protected Customary
Rights

AFFIDAVIT OF VILMA MARIE HAPE

AFFIRMED *7 February* 2014

NGĀTI PĀHAUWERA DEVELOPMENT TRUST
74 Queen Street, Wairoa
Phone: (06) 838 6869
Fax: (06) 838 6870
Email: npdtt@xtra.co.nz

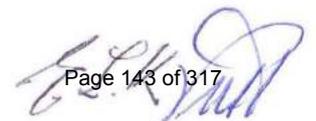


I, **Vilma Marie Hape**, Community Support Worker (Hauora), of Mohaka solemnly and sincerely affirm:

1. I am of Ngāti Kahu ki Whangaroa / Ngapuhi descent. I support the Ngāti Pāhauwera Takutai Moana negotiations. I have lived here in Mohaka with my partner Charles Lambert and our children of Ngāti Pāhauwera descent since 1996.
2. I understand that there are many affidavits giving evidence on this claim on a range of subjects. I only want to talk about continuing tikanga practices of local hapu and iwi of Ngāti Pāhauwera as I have observed them. I was the administrator for the Raupunga Te Huki Marae Website and wrote several articles while in that position. The Raupunga Te Huki Marae is a Ngāti Pāhauwera Marae in Raupunga. It was burnt down in 2007. The Raupunga Te Huki Marae website journals its history, and also the journey of the rebuild. I do not speak for the marae, but can speak on the articles that I wrote.
3. A panui from Raupunga Te Huki Marae website gives a great example of the continuing practice of Ngāti Pāhauwera Tikanga with which I was involved. It outlines how a group of Ngāti Pāhauwera went to karakia for a whale and what other activities we did while at the beach. This is one example of a multitude of the karakia and rituals that I have been involved in. The relevant part of the panui is as follows:

"Monday 16th March 2008... Karakia for a beached whale at Mohaka Beach...

Koro Charlie, Te Otinga George Nicholson, Kuki Green, Charlie Lambert, Tuki King and daughter Aries, Vilma Hape, Auntie Doris Nicholson and Connie Wainohu of Pahauwera joined Malcolm Smith from DOC Wairoa and trekked down the beach to send our whanaunga on to nga tipuna... Uncle George performed the karakia. The whale was a Cuvee Beaked Whale - 20' long and he probably died approx 6 weeks ago... Malcolm advised us that this type of whale is a very rare visitor to the Mohaka stretch of coastline and that the bones are not sought after because they are waxy (not good for carving) in fact it actually looked more like a giant porpoise. After measurements and skin samples were taken of the beaked whale we left him to be reclaimed by Tangaroa, (the tide had turned with alarming speed - so we 'high tailed it out of there!) This was a new experience for some and also the first time some had been that far South on the Mohaka Beach. Connie took the opportunity to gather some awesome pieces of driftwood and pumice (and a fence post or two!) Vilma picked up 2 hangi stones ... Charlie picked up a cold for the next two days! Tuki King (longtime fisherman, hunter, gatherer),



provided alot of korero about certain places along the way, landmarks etc ... Koro Charlie gave korero on the tikanga for these particular incidents (whale strandings) and also a bit of history about the whenua (now farmland) over the back from this stretch of the coastline."

4. Annexed and marked "A" is the panui from the Te Huki Marae website which I have quoted above.
5. Annexed and marked "B" is a page of photographs from the Te Huki Marae website entitled *Karakia for Minke Whale April 2008*.¹
6. Continuing practice of our tikanga in relation to the moana can be seen in our wananga and waiata practices. These are held at the Ngāti Pāhauwera, and extended Wairoa Marae, where Ngāti Pāhauwera participate. For example annexed and marked "C" is a page of 13 photographs of a Tangaroa wananga held at Mohaka Marae with Ngāti Pāhauwera participants from the Iwitea Marae website (located to the North of us near Wairoa).² These wananga are part of a Certificate in Te Pouhono from Te Whare Wananga o Awanuiarangi and held on rotation by local Marae Committees who get together and workshop/learn off each other. Iwitea itself is not a Ngāti Pāhauwera Marae, although we have a strong affiliation with them, many of those in the photographs are Ngāti Pāhauwera. I attended this particular wananga. The descriptions of each of the photos help explain what was done at this wananga:

- Image 1. "Harry Tuapawa stringing up a reti board"
- Image 2. "Whanau stringing up their reti boards"
- Image 3. "Whanau stringing up their reti boards"
- Image 4. "Colin Culshaw talking about the reti board"
- Image 5. "Whanau preparing to set their reti boards afloat"
- Image 6. "Whanau preparing to set their reti boards afloat"
- Image 7. "Reti boards afloat"
- Image 8. "Whanau all excited with their reti board"
- Image 9. "Two reti boards afloat in the Mohaka River"
- Image 10. "Whanau looking on with excitement"

¹ The photographs do not print out at their full size, but can be viewed full size at <http://www.naumaiplace.com/site/raupunga-te-huki/home/gallery/album/view/297/>

² The photographs do not print out at their full size, but can be viewed full size at <http://naumaiplace.com/site/iwitea-marae/home/gallery/album/view/312/>

- Image 11. "Paora, Lil, Nell & the hand?"
- Image 12. "The pink reti board belongs to Te Ariki Mei"
- Image 13. "Either Doris or George Nicholson's reti board afloat"

7. We as Maori and Ngāti Pāhauwera know the importance of tikanga and that our environment, including our moana are our taonga. A brief comment on this is on the Te Huki Marae website, the relevant page of which I have annexed and marked "D", as follows:

"Every act or deed performed by our tipuna was done so in accordance with tikanga Māori, the key components to being Māori are te reo Māori me ōna tikanga, whakapapa and te whenua. Our tāonga are embodied in Papatūānuku/land, Tāne/flora and fauna, Tangaroa/sea, Ranginui/air space, Tāwhirimātea/air, weather - we have an inherent obligation to protect and nurture the mauri of all things animate and inanimate of our physical, natural and spiritual world."

8. Ngāti Pāhauwera tipuna and whanau who have departed us overlook the moana and the awa. This is extremely important and meaningful to us. We have to look after our moana, our ancestors are watching us, they have provided us with the tools (tikanga) to protect it for those that come after us. We put our urupa in prime positions where tipuna can oversee our actions. For example Te Huki urupa (cemetery) overlooks the river and the current urupa at Waihua overlooks the ocean.

9. Through my work and my time living here I have many photographs of Ngāti Pāhauwera events. As well as those I have previously mentioned that are available on the Te Huki website, annexed and marked "E" are some photographs showing things I feel are relevant to this application, for example, driftwood carvings done by my husband, Charles Lambert, children swimming in the Mohaka River and a Raupunga School (closed in 2004) Mohaka beach visit in 1999.

Affirmed at *Raupunga* this *7th*)
 day of *February* 2014)
 before me:)

**E Te Kahika JP
 Builder
 712 Wairoa**

Edward Te Kahika
 A Solicitor of the High Court of New Zealand/Justice of the Peace



"A"

N Raupunga Te Huki

The kaupapa... Mar 08

by [Viima Hape](#) on 21 Mar 2008

**E Te Kahika JP
Builder
712 Wairoa**

A jam packed week for Pahauwera...

Fri 14th - Sun 16th ... Pou Hono Wananga started with a good turnout of Marae whanau from Raupunga, Mohaka, Huraumu, Putahi, Te Mira, Te Rauhina, Ruataniwha, Te Reinga hosted by Iwitea Marae... The kaupapa of course - Tangaroa, it is true to say that there is still so much of our Maori world we have yet to learn or relearn and we take this opportunity to thank Te Wananga o Awanuiarangi for guiding us in our research of our Hapu history on a wide range of subjects, a good time to start thinking about what we know, what we need to know, how to find out about it and what to do with the knowledge we gain.

It has been a bonus to be able to share our knowledge with our whanaunga Marae of Ngati Kahungunu ki Te Wairoa, ... what a rich history we share not to mention the beautiful taonga we have... In our korero, our whenua, our awa, our maunga our papakainga, our mahinga kai ... and the list goes on and its all within our grasp.

We look forward with anticipation to the day when we (and our mokopuna) can recall with ease the knowledge of our tipuna and utilise this knowledge to rejuvenate and reinvigorate our whanau, hapu and iwi.

Kia kaha whanau - nau mai, haere mai, wananga mai... its never too late to join in!

Sat 15th a fundraising market day at Iwitea whilst the wananga group did their thing also onsite at Iwitea was ta moko specialist Broughton Johnson ... by Saturday evening 2 of our tane had braved the promise of pain and had the first part of their ta moko done from the nose down... (Charlie Lambert & Hanham Lambert). On Sunday morning before the start of wananga Koroua Te Anki Mei stood to mihi to Charlie in respect of his decision to undergo the process, something that can never be reversed, and whanau, although initially surprised, also supported his decision with waiata and hongi ... an emotional time for some of us...

Monday 16th... Karakia for a beached whale at Mohaka Beach...

Koro Charlie, Te Otinga George Nicholson, Kuki Green, Charlie Lambert, Tuki King and daughter Aries, Viima Hape, Aunty Doris Nicholson and Connie Wainohu of Pahauwera joined Malcolm Smith from DOC Wairoa and trekked down the beach to send our whanaunga on to nga tipuna... Uncle George performed the karakia. The whale was a Cuvee Beaked Whale - 20' long and he probably died approx 6weeks ago... Malcolm advised us that this type of whale is a very rare visitor to the Mohaka stretch of coastline and that the bones are not sought after because they are waxy (not good for carving) in fact it actually looked more like a giant porpoise. After measurements and skin samples were taken of the beaked whale we left him to be reclaimed by Tangaroa, (the tide had turned with alarming speed - so we high tailed it out of there!) This was a new experience for some and also the first time some had been that far South on the Mohaka Beach. Connie took the opportunity to gather some awesome pieces of driftwood and pumice (and a fence post or two!) Viima picked up 2 hangi stones... Charlie picked up a cold for the next two days! Tuki King (longtime fisherman, hunter, gatherer), provided alot of korero about certain places along the way, landmarks etc... Koro Charlie gave korero on the tikanga for these particular incidents (whale strandings) and also a bit of history about the whenua (new farmland) over the back from this stretch of the coastline.

Tue 18th a handful of whanau o Pahauwera went out to te marae o Whakaki to support their tamaki from Te Kura Kaupapa Maori o Ngati Kahungunu o Te Wairoa, at their noho Marae... A wonderful 4 days was had by all, the richness of the people, their land, taonga, purakau just flowed throughout our stay and once again we were given the opportunity to share this knowledge and share it through the language of our tipuna...

Nga mihi nunui ki te haukainga o te marae o Te Whakaki nui a rua... he mihi maioha hoki ki nga kaiiaki ko Papa Wi Wharehinga (Kaikorero/Heamana), Nanny Bella (Kaikaranga), Nanny Dawn, Nanny Reta, Matua Morehu Munro (tohunga mahinga tuna), Matua Johnny Crash... (te kuki nama tahi) Matua Rongonui, ratou ko Whaea Venus Solomon nga tohunga mahinga momo rakau.....ka mau te wehi!

Wed 19th... Viima and Charlie drove Koro Charlie and Nan Winnie to Maunga Haruru to represent Pahauwera at the opening of the Lake Opouahi 'Kiwi Creche' ... the guests of honour included the Governor Generals wife, Her Excellency Susan Satyanand, Pan Pac Manager (main sponsors), Rex McIntyre longtime member of ECOED NZ - Chairperson of the Hawkes Bay Regional Council, Project Coordinator and CEO of ECOED NZ - Mr Alistair Bramley (the main man) and Ed Te Kahika Jnr (yes he is one of our own); Hawkes Bay Area Manager for DOC, Koro Charlie spoke on behalf of Pahauwera and congratulated everyone for the good work being carried out towards restoring flora and fauna to our maunga. We couldn't have asked for a nicer day. The highlight was when we all had the opportunity to meet three new kiwi chicks prior to their release within the enclosure... it was noticeable that Ngati Pahauwera do not have an active role in DOC initiatives like this, and we were also disappointed that our kura was not involved as well. The plus is that our whanaunga Ed Te Kahika Jnr is there in amongst it all and only too willing to have us participate in DOC initiatives concerning our taonga... to that end, MARANGA MAI PAHAUWERA, let your voices be heard, come up with some proposals, initiatives and support to regain our taonga...

This is the exhibit marked "A" referred to in the affidavit of
Viima Marie Hape affirmed at Raupunga
this 27th day of February 2014 before me
Signature: Edward Te Kahika
A Solicitor of the High Court of New Zealand / Justice of the
Peace



ack to news

2.5.11.11

"B"



Karakia for a beached Minke whale April 2008



[Back to gallery](#)

This is the exhibit marked "B" referred to in the affidavit of
 Vilma Marie Hape affirmed at Raupunga
 this 7th day of February 2014 before me
 Signature: Edward Te Kahika
 A Solicitor of the High Court of New Zealand /Justice of the
 Peace

E Te Kahika JP
Builder
712 Wairoa



Top

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 Website design by [Black Sheep Creative](#)

ia



"C"



Tangaroa Wananga, Waipapa a Iwi Marae, Mohaka



[Back to gallery](#)



[Content Manager Login](#)

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[Jack Sheep Creative](#)

This is the exhibit marked "C" referred to in the affidavit of
 Vilma Marie Hape affirmed at Raupunga
 this 7th day of February 2014 before me

Signature: Edward Te Kahika
 A Solicitor of the High Court of New Zealand /Justice of the
 Peace

**E Te Kahika JP
Builder
712 Wairoa**



"D"

T Raupunga Te Huki Rewae

Te Kahu O Te Rangī marked his boundaries and as Rangatira controlled the use, protection, preservation and strategic purpose of ngā taonga tuku iho...the environment and resources of the rohe, for whānau, marae, hapū of Ngāti Pahauwera...

Ka Pā Tangitū, ka puare Maunga Haruru

Ka Pā Maunga Haruru, ka puare Tangitū

This whakatauki alludes to the sustainable management of our hapū resources...

When Tangitū is closed, Maunga Haruru is open When Maunga Haruru is closed Tangitū is open...

Tangitū is the tauranga ika (fishing ground), a seasonal rāhui (closure) when placed on this resource, meant that when it was time to, the Hapū would move inland to the mahinga kai (hunting, fishing and growing areas) of Maunga Haruru to live...

Hapū resource management - simple yet effective... WHAT CAN WE DO TO MAKE SURE THAT THE LESSONS OF THE PAST ABOUT RESOURCE MANAGEMENT HAVE BEEN LEARNT...? WHAT DO WE NEED TO DO.

HOW CAN WE MAKE SURE THAT OUR TIAKITANGA PRACTICES ARE JUST AS EFFECTIVE IN THESE MODERN TIMES AS THEY WERE IN THE TIME OF TE KAHU O TE RANGI...?

WHO WILL MAKE SURE THAT THE REMNANTS OF OUR TĀONGA TUKI IHO WILL BE RETAINED AND NURTURED FOR OUR FUTURE GENERATIONS...?

At a time when we as a Hapū are close to settling our Waitangi Treaty Claim 119 - Surely the latter and more pressing questions about our mana whenua must be uppermost in the minds of the new Governance entity nominees. If not, then I trust that those of you reading these pages will keep yourselves up to date and bring your whakaaro forward for discussion.

Come on Pahauwera! Wake up now and get involved for your mokopuna sakes, make a difference in your whānau, your marae, your hapū, your iwi, your community - your tūrangawaewae!

Every act or deed performed by our tipuna was done so in accordance with tikanga Māori, the key components to being Māori are te reo Māori me ōna tikanga, whakapapa and te whenua. Our tāonga are embodied in Papatūānuku/land, Tāne/flora and fauna, Tangaroa/sea, Ranginui/air space, Tāwhirimātea/air, weather - we have an inherent obligation to protect and nurture the mauri of all things animate and inanimate of our physical, natural and spiritual world. Kia kaha whanau.

Akohia te reo Māori - kia kore ai e ngaro - Learn the Maori language, the mita of Pahauwera, live the language so it will never be lost. Without the language we cannot truly appreciate our tikanga and how to apply it to our environment.

Mahia te mahi a te marae, te hapū me te iwi - i ngā huihui, i ngā wānanga. Learn how you can help at the marae, at hapū and iwi gatherings and wānanga, learn the lessons and pass them on

Learn your whakapapa and teach your children/grandchildren - Akohia tou ake whakapapa, whakaakongia au tamarii/mokopuna. He Māori koe - Ko koe anō hoki hei tangata tiaki mo ngā tāonga tuku iho

Learn about the environment and resources in your area. Your whakapapa to the whenua/land underpins your obligation to protect and preserve the environment and resources for our future generations. Ko koe ano hoki hei tangata tiaki mo nga taonga tuku iho - whakahoungia hoki te mauri o nga mea katoa...

WHO ELSE HAS A RESPONSIBILITY TOWARDS, AND IS ALSO OBLIGATED TO ACT - TO LOOK AFTER OUR ENVIRONMENT AND RESOURCES...?

Me ki THE CROWN ... LOCAL COUNCILS, REGIONAL COUNCILS, THE WHOLE COMMUNITY... TE KŌTI WHENUA MĀORI, MĀORI TRUSTEES OFFICE ETC...

The Resource Management Act 1991, (also known as the RMA). This is an Act to restate and reform the law relating to the use of land, air and water. It came into force on 1 Oct 1991. Part 1 deals with 'interpretation and application'

Part 2 deals with 'Purposes and principles' - This part of the Act is important for whānau, marae, hapū/iwi Māori more so section 5 - Purpose, s6 - Matters of national importance; s7 other matters (katiakitanga), s8 - Treaty of Waitangi. There is more to it (678 pages of reading) -

in any case whānau you need to get hold of a copy of the RMA and have a read up on this legislation, take note of the parts likely to effect your papa whenua.

Think about what you can do with the knowledge you will gain from researching yourselves and those

This is the exhibit marked "D" referred to in the affidavit of
Vilma Marie Hape affirmed at Raupunga
this 7th day of February 2014 before me
Signature: Edward Te Kahika
A Solicitor of the High Court of New Zealand /Justice of the
Peace

**E Te Kahika JP
Builder
712 Wairoa**

that impact on you and your life. Tei! your whānau, marae, hapū/iwi - take action!

Page last updated 12 Sep 2010



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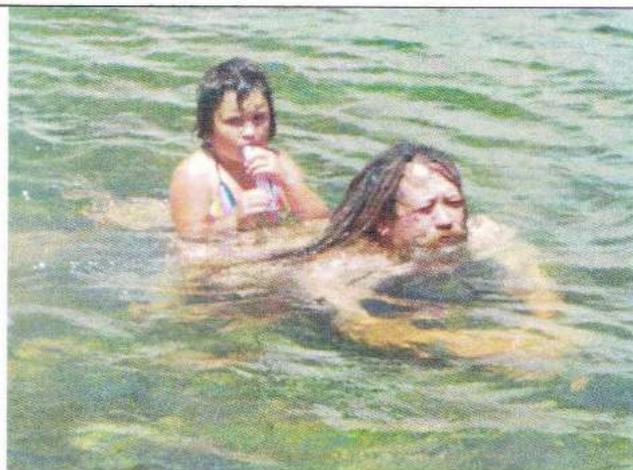
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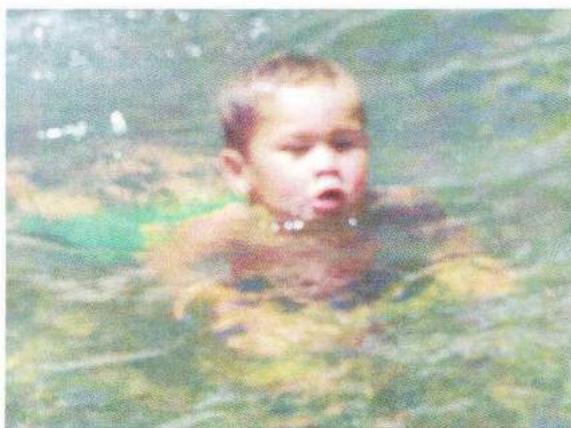
“E”



Vilma Hape photo 1: Mohaka River children swimming 2005
(original photos provided courtesy of Janet Huata Jnr)



Vilma Hape photo 2: Mohaka River Tuki King and children swimming 2005
(original photos provided courtesy of Janet Huata Jnr)



Vilma Hape 3 photo 3: Mohaka River children swimming 2005
(original photo provided courtesy of Janet Huata Jnr)



Vilma Hape photo 4: On the side of the Mohaka River, keeping cool
(original photo provided courtesy of Janet Huata Jnr)

This is the exhibit marked “E” referred to in the affidavit of Vilma Hape affirmed at

Raupunga this 7th day of
February 2014 before me

Signature: Edward Te Kahika

A Solicitor of the High Court of New Zealand /Justice of the Peace

**E Te Kahika JP
Builder
712 Wairoa**



Vilma Hape photo 5: Carved driftwood by Charlie Lambert on display Foreshore and Seabed hearing 2008



Vilma Hape photo 6: Carved hangi stones by Charlie Lambert on display Foreshore and Seabed hearing 2008



Vilma Hape photo 7: Taonga carved from items collected from foreshore. Display for Foreshore and Seabed hearing 2008



Vilma Hape photo 8: Hangi stones and Taonga carved from items collected from foreshore. Display for Foreshore and Seabed hearing 2008



Vilma Hape photo 9: Crown and Ngati Pahauwera at 2008 Foreshore and Seabed hearing at Waipapa A Iwi Marae, Mohaka.



Vilma Hape photo 10: Mohaka School singing waiata at 2008 Foreshore and Seabed hearing at Waipapa A Iwi Marae, Mohaka.



Vilma Hape photo 11: Tangata whenua waiting at Foreshore and Seabed hearing 2008 at Waipapa A Iwi Marae



Vilma Hape photo 12: Whanau at Mohaka beach 2013



Vilma Hape photo 13: Whanau fishing at Mohaka beach 2013



Vilma Hape photo 14: Raupunga School Beach trip to Mohaka 1999 – children swimming in lagoon while parents and teachers watch



Vilma Hape photo 15: Raupunga School Beach trip to Mohaka 1999 – some children shelter under driftwood bivouac. Umbrellas in the background.



Vilma Hape photo 16: Raupunga School Beach trip to Mohaka 1999 – parent, children and bivouac shelter, looking North



MOHAKA BEACH TRIP 1999

Vilma Hape photo 17: Raupunga School Beach trip to Mohaka 1999 – some children shelter under driftwood bivouac



Vilma Hape photo 18: Raupunga School Beach trip to Mohaka 1999 – boys shelter under sturdy driftwood structure



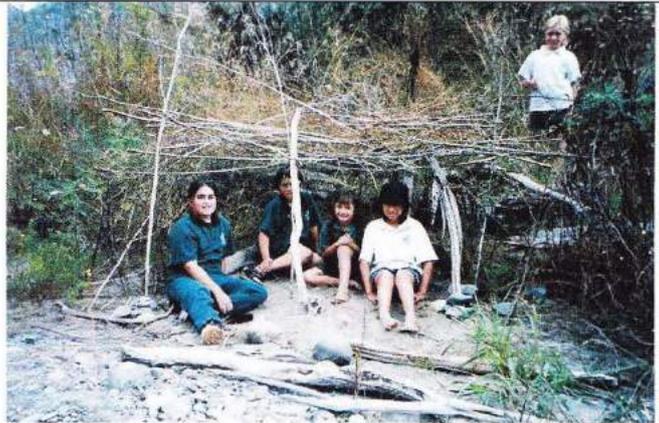
Vilma Hape photo 19: Raupunga School Beach trip to Mohaka 1999 – some children shelter under driftwood bivouac, looking South



Vilma Hape photo 20: Raupunga School Beach trip to Mohaka 1999 – children and bivouac shelter



Vilma Hape photo 21: Raupunga School Beach trip to Mohaka 1999 – older children at Mohaka River Mouth



Vilma Hape photo 22: Raupunga School Beach trip to Mohaka 1999 – older children at Mohaka River Mouth