

UNDER the Resource Management Act 1991
(the RMA)

IN THE MATTER OF an application for a Water Conservation
Order on the Hurunui River and Lake
Sumner (Hokakura) by the New Zealand
and North Canterbury Fish and Game
Councils and the new Zealand
Recreational Canoeing Association

AND

IN THE MATTER OF a submission by Te Rūnanga o Ngāi
Tahu, Te Rūnanga o Kaikōura, Te Ngāi
Tūāhuriri Rūnanga

STATEMENT OF EVIDENCE OF BEN TE AIKA

Introduction

1. My name is Ben Te Aika. I hail from a number of whakapapa streams, primarily, given the context of the Water Conservation Order are, Kāti Wairaki, Kai Tūāhuriri, Kāti Kurī and Kāti Waewae. However, I stand here and am speaking from my connections to Kai Tūāhuriri and Kāti Wairaki.
2. I hold a Bachelors of Māori Studies degree majoring in Māori studies in environmental management. I have acted as a consultant for six years for various stake holders in the RMA world including, Solid Energy New Zealand, TrustPower and Meridian. I have worked with many Rūnaka in the area of resource management including the drafting of the Ngāti Waewae Iwi Management Plan.
3. My role today is to discuss the key concepts surrounding Tikanga Māori and articulate the characteristics of outstanding significance of the Hurunui River, the Hoka Kura (Lake Sumner) and the catchment from the perspective of Kāi Tahu. This

will be articulated through my observations and knowledge of Tikanga Māori and whakapapa.

The Relationship of Tangata Whenua with the Natural World

4. The Hurunui River is of ancient significance to Tangata Whenua. Our relationship with this place and its surrounds stems from origin stories preserved in written histories handed down from the oral histories of our ancestors. These set the foundation for our relationship with the natural world, inclusive of our place in it. The origin of Tangata Whenua unfolds from these stories and so our story is part of and is woven into the narrative of the environment itself.
5. As Tangata Whenua we preserve our ancient associations through the narrative of genealogical relationships, leading to religious associations and underlying these associations are the practical fundamentals, such as resource use, management and the exercise of authority.
6. Fundamental to this is for decision makers to understand that Tangata Whenua are related through whakapapa to the world around us. These connections are not only to those ancestors that may have accessed the Hurunui River and utilized its resources, but also to the resources themselves. Hence Tangata Whenua do not see ourselves divorced or separate from a resource but seeing ourselves connected to it.
7. This is a fundamental aspect of Tangata Whenua relationships to the natural world. It is a matter in which decision makers must grasp in order to make an informed decision on how an application effects or impacts on the relationship of Tangata Whenua with the natural world.

Tikaka Māori

8. I would like to describe what is meant by the concept of Tikaka Māori. Tikaka Māori is a phrase stemming from two root words, tika (meaning correct or strait) and Māori

(meaning normal or usual). Two meanings are applicable in the context of this submission. Tikaka Māori in the human context denotes the processes, rule, plan, method or authority of the Māori people¹. In the context of Hurunui and the Water Conservation Order, Tikaka Māori refers to the rules, plans, methodologies and authorities of manawhenua - the Māori people of that place. Tikaka Māori in the context of the natural world refers to the natural processes of the environment. It refers to unfettered and freedom of action. In this context the tikaka Māori of Hurunui is a state of unconstrained and unfettered flow and function².

Manawhenua

9. Manawhenua again stems from two key expressions, mana (power, control and authority) and whenua (land, ground, placenta). Again two meanings are applicable to this submission. Manawhenua in the human context means the power and authority exercised over land and resources by takata whenua. Manawhenua in the context of the natural world refers to the prestige and integrity of the land and its resources.

Mahika Kai

10. The practice of food gathering, the practice includes an element of authority as one could not practice mahika kai without manawhenua or the consent of takata whenua with manawhenua. This practice followed the seasons, it followed the life cycles of animals and the growth of plants, it would be managed by gathering the same foods at different places allowing previously harvested areas time to recover³. Mahika kai and its trade was and is the foundation economy of Kāi Tahu.

Tapu

11. Tapu describes a state of being; essentially it is a state of restriction. In the spiritual world, which constantly dominated the Māori world, tapu involved rituals and religious ceremony. Tapu is a state which has variation in its nature. A place or thing

¹ Williams, H. (1992). *Dictionary of the Māori Language*.

² Williams, H. (1992). *Dictionary of the Māori Language*.

³ Dacker, B. (1990). *The People of the Place: Mahika Kai*

can have tapu due to association with an important ancestor as, an example. Alternatively, a person will have personal tapu due to ancestral whakapapa⁴.

12. It has been argued by Mead that water cannot have tapu, although he acknowledged this is debatable. During the discussion Mead did not provide any convincing evidence. His main argument centered on the use of cooked food in ceremony, this is of course correct. However, what was over looked in the discussion was that a range of tools are available to ritual practitioners and much depends on context of the practices. In Kāi Tahu practices water is used in rituals associated with cleansing blessing and dedication ceremonies. In these examples the tapu of water is utilized for cleansing purposes. This includes using water to render a person tapu⁵. Concluding the argument Mead stated that water is important.

13. In further analysis of Meads work, he stated that the source of tapu was traceable and that descent lines which trace back to the gods include significant elements of tapu. In accepting this, we submit that tribal histories show that water has a traceable decent line back to the gods. Therefore for Kai Tūāhuriri water, as an element has tapu, it is also used to render tapu and lift tapu.

Tohi

14. Tohi is a ritual ceremony used by takata whenua. Tohi has been described for various purposes including, baptisms, blessings for fighting men and initiation practices. Tohi are a significant practice and the places they are done are also significant.

Whanaukataka

15. An essential component of Tikaka Māori is whanaukataka. Whanaukataka is based on the relationship principle of Tikaka Māori and is based on whakapapa. The essential element of whanaukataka is that those of the whakapapa threads expect to

⁴ Mead, H. (2003). *Tikanga Māori Living by Māori Values*.

⁵ Beattie, H. (1994). *Traditional Lifeways of the Southern Māori*

be supported by their relations. As individuals, the whakapapa relationship, or the whanaukataka of whakapapa, binds the individuals into collectives. This is an absolute fundamental of Tikaka Māori. Whanaukataka extends beyond the kin group to those who develop relationships, often through shared experiences and values.

16. In the context of this submission whanaukataka extends to the relationships held with natural resources, places and environments of the Hurunui catchments and surrounds.

Indicators of Outstanding Significance

17. The following terms are terms used in Tikaka Māori for indicating outstanding significance to lands and resources. While not limited to these terms, Tangata Whenua utilize them as a system of identifying who had relationships to places, and what the relationship was.

18. Before proceeding to describe the specific characteristics of the Hurunui which are of outstanding significance in accordance with Tikaka Māori, We would also like to discuss a number of other concepts that are important in terms of conceptualizing the relationship of Takata Whenua with the Hurunui and the natural world generally.

Wāhi Ikoa

19. Wāhi Ikoa means names of places. Many places on the landscape are named for the purposes of preserving the relationship Takata Whenua have with the place. Were places are named this is an indicator of outstanding significance, as opposed to an unnamed place which, while also having significance, would be of a lesser degree.

Tapatapa

20. Tapatapa is the tradition of naming places on the landscape⁶. Individual Chiefs would claim authority to a place and this was marked through the name. Where

⁶ Beattie, H. (1934). *Tikao Talks*.

landscapes are named the areas are considered of outstanding significance to Takata Whenua.

Mahika Kai

21. Mahika kai is of outstanding significance to Takata Whenua, mahika kai is the base economy of Takata Whenua. The base economy is outstanding in its significance to takata whenua because it is from this foundation that the Takata Whenua economy develops, when mahika kai is eroded and diminished the economic capacity is eroded at a fundamental level.

Wāhinoho

22. Wāhinoho refers to places in which Takata Whenua dwelt either permanently or temporarily. They are of outstanding significance to Takata Whenua as it is a general term and includes places used to access surrounding resources. They indicate relationship with the surrounding resources, they are signposts of relationship, they are markers indicating access and use rights. This was so significant that it was recognized in law, by the creation of Māori reserves for this purpose.

23. A semi-nomadic culture exists in Kāi Tahu histories, in which the people move from place to place utilizing resources and maintaining relationships with each other and their places. Wāhinoho are the bases, the camps and villages, from which the practices were launched, they are the bases of commerce and industry of the day.

Ara Tawhito

24. Ara Tawhito are the travel routes that our ancestors used to travel around the island. Ara Tawhito are of outstanding significance to Takata Whenua because they carry the historical associations and are the traditional highways of trade and communication. Ara tawhito link significant places and the events which occurred there.

Tauraka Waka

25. Tauraka Waka refers to the drawing up of vessels to the shore. The use of waka and the places they are used in indicates that the area was used for more intensive purposes due to the capacity of load carry of vessels. Tauraka Waka indicates that the trail use and area use is of higher and more intensive use than other trails or areas.

Wāhi Tapu

26. Wāhi Tapu are areas of special significance. Wāhi Tapu indicate that the relationship with the area is of a religious nature, of a historically important event requiring an element of sanctity. Wāhi Tapu may indicate an element of tapu is present.

Whakapapa

27. Places or matters bearing whakapapa names (e.g. names of ancestors) or whakapapa relationships are powerful indicators of outstanding significance. This is due to a relationship which may extend beyond access and use. It indicates a more direct and potent association due to individual living members being able to link through genealogy to the ancestral connections.

Whakāhua Māori

28. Whakāhua Whenua is a term used in this submission to describe an observable character of the waters in the river. This is also a pragmatic reality of tikaka, which are, in this case, rooted in observations of cause and effect.

29. In the context of this submission Āhua means form and character (Mead 2003), this term relates also to the natural form and wildness of the land in an unmodified sense.

30. Whakāhua Whenua in the context of this submission is the forming of land through the natural soil bearing capacity of the river flow. It has been observed by Takata Whenua that the natural character of the flow in the river contains sediments and

also moves stone and boulders rolling them from the mountains to the sea. Particularly significant is the ability of the river to move larger material through higher flows. This feature of outstanding natural character is significant to Takata Whenua in that these soils and materials are deposited all along the river beds and banks. They are carried to the sea and wash back to shore. It has been observed by Takata Whenua that this feature of natural character create and shifts island habitats and mud flats.

Kāi Tuke

31. Kāi Tuke is historically the hapū of the area. Kai Tuke whakapapa is common across all three Papatipu Rūnaka. This is through the shared whakapapa of Kāti Wairaki, Kāti Mamoe and Waitaha and Kai Tahu.

32. A Kāi Tuke hapū Chief named Wharekai was a Kāti Wairaki chief with strong links to Kaiapoi, who lead a war party through the Hurunui to do battle on Te Tai o Poutini. A mountain bearing his name sits in the Taramakau River as an enduring testament of his mana whenua and tūrakawaewae on Te Tai o Poutini.

33. His genealogical links reflect the shared interests of the three Papatipu Rūnaka, Kāti Kurī, Kai Tūāhuriri and Kāti Waewae.

Whakapapa of Water

34. Whakapapa is an integral part of Māori society. It is used both used extra and inter-tribally to establish and maintain relationships between people, their speaking and leadership rights and the environment. These relationships determine access to resources and the philosophies for their use and also the responsibilities of people to others.

Te Whakapapa o Wai

Na: Matiahatiramorehu 1849

The whakapapa is as follows:

Kei a te po te timatanga mai o te waiatatanga mai o te Atua

Na te Po, ko te Ao

Na Te Ao, ko Te Ao Marama

Na te Ao Marama, ko te Aoturoa,

Na Te Aoturoa, ko Te Koretewiwhia

Na Te Koretewiwhia, ko Te Koreeteraweā

Na Te Koreeteraweā, ko Te Koreteetaamua

Na Te Koreteetaamua, ko Te Korematua

Na Te Korematua, Ko **Te Maku (the damp)**

Na Te Maku, ka noho I a Mahoranuiatea, ka puta ki waho ko Raki

Na Raki ano hoki teenei aitanga, na tetahi wahine, na Papatuanuku,

I puta atu ai ki waho, a Tane, no muri mai I a Rehua,

Tane,

Paia,

Wehinuiamamao,

Turakahiahina,

Te Aki,

Whatiua,

Tuu,

Roko,

Ruu,

Uako,

Hua,

Puna,

Wherei,

Uru,

Kakana,

Waionuku,

Waioraki,

Aiohoutaketake,
Kamaukitahitooteraki,
Kairoa,
Kaipehu,
Kaiakiakina,
Tapatapaiawha,
Te Manuaeroarua,
Toi,
Rauru,
Ritenga,
Whatonga,
Apa,
Rokomai,
Tahatiti,
Ruatapu,
Pipi,
Te Aratumaheni,
Rakiroa,
Rokomai,
Poupa,
Te Rakiwhakamaru,
Hounuku,
Houraki,
Houatea,
Uenuku,
Kahutiateraki,
Ruatapu,
Paikea
Tahu Potiki (Ngāi Tahu)

35. The following whakapapa illustrates the relationship of Takata Whenua with water.

The waters of Hurunui fall into this relationship.

36. The whakapapa relationship is one of genealogical decadency through the creation stories of our people. This means that according to whakapapa and tikaka, the people of Kāi Tahu relate to the waters of Hurunui as an ancestor.

37. The whakapapa list describes the genealogical decent lines from the creation of the universe, to the primary elements and on to that of our human ancestors. The primary element of note in the context of the Water Conservation Order is named as “Te Maku” described in the manuscript as “the damp,” the first reference to water in the creation stories. The genealogy continues to include Raki and Papatuanuku, which are the names for the Earth and Heavens; eventually the links are made to the human of Paikea who was the father of Tahu Potiki. Tahu Potiki is the primary ancestor of the tribal members of Kāi Tahu.

38. The ancestor Te Maku is the first expression of water in the creation story of Kāi Tahu. Following from this ancestor the decent lines arrive at Tahu Potiki whose father was Paikea. Te Maku is expressed in the manuscript translation as “the damp” which is the origin of water in the text of the manuscript. The Damp is a literal translation of the name Te Maku and is an accurate description as names are often used as a descriptive.

39. The effect of the whakapapa association of Takata Whenua through Tahu Potiki to Te Maku (the first reference to water in the creation stories of Kāi Tahu) with water means that an element of sanctity and religious association is established to the waters of Hurunui.