

Rangitāne o Wairau

Cultural Values Report

Molesworth Recreation Reserve

Management Plan Review

Te Rūnanga a Rangitāne o Wairau Trust

PO Box 883

Blenheim 7240

Written by Sophie McGregor

Co-ordinated and Peer-Reviewed by Raewyn Solomon

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TĀHUHU KŌRERO / BACKGROUND

Te Rūnanga a Rangitāne o Wairau Trust (**'Rangitāne'**), with a contribution of funding from the Department of Conservation (**'the Department'**), is commissioning a Cultural Values Report (**'CVR'**) for the forthcoming review of the Molesworth Recreation Reserve Management Plan, October 2013, which has the status of a Conservation Management Plan under section 41B of the Reserves Act 1977.

The CVR will outline the ancestral and intergenerational relationship Rangitāne has with Molesworth and the wider area and provide a platform for Rangitāne to identify the traditional and contemporary values and sites/areas of cultural significance within Molesworth Recreation Reserve (**'Molesworth'**). This will form the cultural foundation upon which the Molesworth Management Plan (**'MMP'**) is to be reviewed and how Rangitāne will engage with the Department and other parties on the review and future management of the Reserve.

STATUS OF TE RŪNANGA A RANGITĀNE O WAIRAU TRUST

The Rangitāne o Wairau Deed of Settlement (**'the Settlement'**) is the final settlement of all historical claims of Rangitāne resulting from acts or omissions by the Crown prior to 21 September 1992. The Settlement recognises the past dealings of the Crown that breached the Crown's obligations under Te Tiriti o Waitangi. It recognises the Crown's failure to include Rangitāne and adequately recognise and compensate the customary rights and interests of Rangitāne in its pre-1865 land purchases, its failure to set aside adequate reserves and ensure Rangitāne retained sufficient lands for its future needs, and the economic loss suffered by Rangitāne arising from breaches by the Crown of its Treaty obligations. The Settlement recognises the "cumulative effect of the Crown's actions and omissions which have had a damaging impact on the social and traditional structures of Rangitāne, their autonomy and ability to exercise customary rights and responsibilities and their access to customary resources and significant sites"¹. Most importantly the Settlement recognises and reaffirms Rangitāne's mana.

The Settlement² recognises the Area of Interest / Rohe of Rangitāne to cover a territory encompassing the mouth of the Wairau River, extending northwards to Camp Lambert, northwest to d'Urville Island, including Whakatū (Nelson) and Waimea and follows the Motupiko River to the Nelson Lakes (Rotorua and Rotorua). The southernmost boundary follows to Waiau-Toa (Clarence River) to its mouth, and then commences a northward journey through Kekerengu, Te Karaka (Mussel Point and Cape Campbell), Kapara Te Hau (Lake Grassmere), Parinui o Whiti (White Bluffs) and Wairau Lagoons.

¹ Deed of Settlement between the Crown and Rangitāne o Wairau. 2010.

² Rangitāne and Rangitāne o Wairau Settlement Trust and The Crown. Deed of Settlement of Historical Claims. 2010.



MAP – Rangitāne area of interest, granted under the Rangitāne Deed of Settlement, 2010, Attachments Schedule.

RANGITĀNE AS A TREATY OF WAITANGI PARTNER TO THE CROWN

The Conservation Act 1987, and all Acts listed in its first Schedule³ including the Reserves Act 1977, must be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi⁴.

The Department of Conservation also has specific responsibilities under Treaty Settlement legislation. To carry out these Treaty-related responsibilities, the Department currently works in partnership with Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu, as well as those Te Taihū iwi with customary interests in Molesworth⁵.

To date limited consultation has taken place between Rangitāne and the Department regarding the management of Molesworth. The commissioning of this report from the Department, in preparation for the upcoming review of the MMP, is a step towards ensuring the interests of Rangitāne are accommodated for, and the Department meets its Treaty of Waitangi obligations and responsibilities.

³ Conservation Act 1987. Schedule 1.

⁴ Conservation Act 1987. s 4.

⁵ Department of Conservation. (2013). Molesworth Management Plan. p11.

LEGAL CONTEXT

Molesworth is a recreation reserve under section 17 of the Reserves Act 1977, subject to a farming lease. Landcorp Farming Limited (**‘the Lessee’**) holds the lease for farming operations on Molesworth under the Land Act 1948. This lease expires in 2023. The MMP, 2013 has been prepared in accordance with the farming lease and Section 40B of the Reserves Act 1997.

The Molesworth Steering Committee is an Advisory Committee under section 9 of the Reserves Act 1977 and comprises several different parties. In undertaking its functions, the Steering Committee has regard to the principles of the Treaty of Waitangi⁶.

⁶ Department of Conservation. (2013). Molesworth Management Plan. p10.

RANGITĀNE O WAIRAU

Rangitāne have resided in the northern South Island since the migration from the Wairarapa in the sixteenth century under the Chiefs Te Huataki, Te Whakamana and Tukanae. Rangitāne established themselves as tangata whenua (people of the land) through conquest, intermarriage and assimilation with the iwi they found residing in the area. The maunga (mountains) and awa (rivers) in the region are the source of stories and whakatauki (proverbs) and in some cases embody Rangitāne tupuna (ancestors).

Rangitāne have occupied and used resources within a territory stretching from the Waiau-Toa (Clarence River) in the south to the Wairau, including the Nelson Lakes, and north to Kaituna and the Marlborough Sounds and west into the Whakatū (Nelson) area. Rangitāne customary rights and interests often overlapped and intersected with other iwi, especially in the Waiau-Toa, Nelson Lakes, Marlborough Sounds and Whakatū districts. Non-exclusive and shared occupation and use rights in these areas were governed by whakapapa connections and customary protocols between the iwi.⁷

One of the central issues for the Waitangi Tribunal in relation to the WAI 785 hearings was the effect and operation of the Ngāi Tahu Takiwā. In its final report, the Tribunal concluded that Rangitāne o Wairau's area of interest extended through most of the Eastern South Island as far South as Waiau-Toa.

Communities were linked by well-used systems of ara tawhito (trails) spanning from coastal settlements, into the richly resourced South Island interior and over to Te Tai Poutini (the West Coast). Movements were often seasonal, following the lifecycles of animals and plants, and also enabled opportunities for trade and means of contact with other iwi. Trade included pounamu and pakohe (argillite). The significance of pakohe, and other natural mineral resources, are recognised through the Rangitāne Deed of Settlement which recognises the long-standing traditional, cultural and historical association of Rangitāne with pakohe⁸.

In the 1820s and 1830s iwi from the North Island invaded and settled in the northern South Island. Although Rangitāne no longer had exclusive possession of all their territory, they continued to live on the land, retained their tribal structures and chiefly lines, and maintained their ancestral connections to the land. Rangitāne retained a strong range of customary rights and remained people of mana. This was confirmed and exemplified in 1840 when the Rangitāne Rangatira Ihaia Kaikōura signed the Treaty of Waitangi at Horahora Kākahu Island in Port Underwood.

The subsequent years saw the Crown signing deeds with Māori to purchase land in the northern South Island. The Crown and the Native Land Courts consistent failure to investigate the nature and extent of Rangitāne customary interests, and wrongly characterising the iwi as a defeated 'remnant' without rights meant Rangitāne were not consulted, compensated for their interests, or given suitable reserves to dwell on. The reserves Rangitāne were granted were inadequate and insufficient to either maintain their customary practices or be developed effectively in the new economy, resulting in alienation, impoverishment, and economic marginalisation. By the late nineteenth century Rangitāne were landless. Crown attempts to alleviate their landless position failed.

⁷ Te Runanga a Rangitāne o Wairau Settlement Booklet.

⁸ Rangitāne Deed of Settlement 2010. s 5.

Te Rūnanga o Rangitāne o Wairau was first established in 1861 by Rangitāne leaders as a forum for representing early land issues caused by landlessness amongst the Māori of Marlborough.

Since then, Te Rūnanga o Rangitāne o Wairau has continued to provide representation and advocacy for Rangitāne iwi members across a range of social and political issues affecting Rangitāne o Wairau.

SHARED INTEREST AREAS AND RECOGNITION OF RELATIONSHIPS

The Area of Interest defined in the Rangitāne Settlement sets out Rangitāne's tribal rohe. Rangitāne have overlapping interests within the statutorily defined Ngāi Tahu takiwā⁹, through the shared historical associations and whakapapa of Ngāti Huataki and Ngāti Kurī.

While there are other Te Tauihu iwi with shared interest areas, this document specifically focuses on the interests of Rangitāne and their areas of cultural interest and significance.

The Waitangi Tribunal have found¹⁰ that Rangitāne and Ngāi Tahu had legitimate overlapping customary rights in the area between Parinui o Whiti and Waiau-Toa, with no rights having been extinguished prior to Crown purchases from 1847. Despite these rights and interests being protected and guaranteed by the Treaty of Waitangi, the Crown extinguished most of these interests in a series of purchases between 1847 and 1860 without establishing the correct right-holders or obtaining their full and free consent.

In the Kaikōura transaction in 1859 the Crown neither inquired into nor considered Rangitāne's rights and interests in this part of the east coast. These rights and interests were unfairly extinguished through the Kaikōura purchase, in breach of the Treaty of Waitangi and its principles¹¹.

Breaches of the Treaty of Waitangi and its principles against Rangitāne continued into the twentieth century when the Crown chose to exclusively deal with Ngāi Tahu at the expense of Rangitāne, and other Te Tau Ihu iwi, who also had legitimate rights and traditional customary interests in the area between the Waiau-Toa and Parinui o Whiti.

The Crown's dealings with South Island iwi since the 1990s has relied on the Māori Appellate Court's 1990 decision on customary rights. Based on the court's finding that Ngāi Tahu had sole rights of ownership in the Kaikōura block at the time of the sale to the Crown, the Government has dealt exclusively with Ngāi Tahu in the matter of Treaty breaches in what is legislated as the Ngāi Tahu takiwā¹².

Although the boundaries of the takiwā of Ngāi Tahu are defined in the Te Rūnanga o Ngāi Tahu Act 1996¹³ and the Ngāi Tahu Claims Settlement Act 1998, there is nothing in this legislation that prevents the Crown from considering Te Tau Ihu iwi interests within the Ngāi Tahu takiwā. "The legislation is not in itself in breach of the Treaty; the breach lies in the way in which the Government has interpreted it. Te Tau Ihu interests were ignored during the negotiation and settlement of the Ngāi Tahu claim. The Crown failed to adequately consult with Te Tau Ihu iwi during this process, as assets that could potentially have

⁹ Defined under the Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998.

¹⁰ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report.

¹¹ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report.

¹² Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report.

¹³ Te Rūnanga o Ngāi Tahu Settlement Act 1996, s 5

been included in any future settlement with Te Tau Ihu iwi were vested in the sole ownership of Ngāi Tahu. This exclusive treatment has continued post-settlement, to the detriment of Te Tau Ihu iwi.”¹⁴

Rangitāne asserts that the exclusive treatment has continued, and is continuing, even at the time of the production of this Cultural Values Report.

The Treaty of Waitangi, and the principles of partnership, reciprocity, autonomy, and active protection, requires “the Crown act fairly as between Māori groups – it cannot unfairly advantage one group over another where their circumstances, rights, and interests are broadly the same”¹⁵.

Rangitāne maintain that the imposition of artificial European boundary lines over customary interests through the Crown land purchases have had detrimental effects by depriving Rangitāne of their customary resource-use and land entitlements¹⁶ and that that process assisted Ngāi Tahu in claiming a boundary which was wrongly upheld by the Māori Appellate Court in 1990¹⁷. “The Crown’s subsequent reliance on the (Appellate) court’s 1990 decision in the enactment of the Te Rūnanga o Ngāi Tahu Act 1996, defined the Ngāi Tahu takiwā with a northern boundary set by the Kaikōura and Arahura deeds, as set out in the Māori Appellate Court’s 1990 decision. These boundaries were then adopted in the Ngāi Tahu Claims Settlement Act 1998.”¹⁸ Rangitāne (and Te Tau Ihu iwi) “alleged that the Crown breached its Treaty obligations to Te Tau Ihu iwi by relying on the Māori Appellate Court’s decision to determine tribal boundaries and by legislating for an exclusive tribal district for Ngāi Tahu.”¹⁹

Findings from the Waitangi Tribunal Report on Te Tau Ihu customary rights in the Statutory Ngāi Tahu takiwā²⁰ conclude that “Rangitāne, Ngāti Toa and Ngāi Tahu all had rights in the east coast takiwā, though those rights were based on different take”²¹. The Tribunal concluded “Rangitāne had rights that had been initiated by campaigns originally against Waitaha and subsequently against Ngāti Kurī of Ngāi Tahu. Those rights were developed by subsequent occupation and use of resources as far as Waiau-Toa and Waipapa which persisted until the time of the Ngāi Tahu attacks on them in the 1830s. Since Ngāi Tahu did not follow those attacks with settlement in the area, Rangitāne were free to resume their occupation or use of the coast north of Waiau-Toa. Even though Rangitāne may not have been in occupation in any great number, or at all, by the time the Wairau and Kaikōura purchases were negotiated, they retained ancestral associations. The Crown was obliged to consult Rangitāne who were still living at Wairau and Pelorus (as they were eventually consulted for the Waipounamu purchase).”²² The Tribunal also found Ngāi Tahu “had a right to occupy that part of the coast, had they chosen to do so. But we do not consider

¹⁴ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report.

¹⁵ Te Tau Ihu o Te Waka a Māui. (2007) Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p5.

¹⁶ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p3.

¹⁷ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p8.

¹⁸ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p9-10.

¹⁹ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p10.

²⁰ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report.

²¹ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. pp85-86

²² Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p86.

that they had an exclusive right, since they did not occupy any land north of Waiau-Toa and did not completely obliterate Rangitāne...²³.

The Tribunal, in its report, found that “the straight-line boundary determined by the 1990 Māori Appellate Court decision was not appropriate when considering the overlapping rights of Te Tau Ihu iwi and Ngāi Tahu in this area. The boundary had the effect not only of drawing a line directly through whakapapa but also of driving a wedge between some of the whakapapa relationships. Rights and interests derived from shared whakapapa cannot be extinguished or modified by drawing a straight boundary line on a map...”²⁴.

The Tribunal notes that “the courts have made it clear that neither the Te Rūnanga o Ngāi Tahu Act 1996 nor the Ngāi Tahu Claims Settlement Act 1998 prevents the Crown recognising and settling claims of other iwi. The legislation adopts the boundaries of the Māori Appellate Court’s decision but not the notion of exclusivity.”²⁵

Incorrect interpretation of legislation and failure to adequately engage and consult with Te Tau Ihu throughout land sales and subsequent iwi claims and settlements has resulted in limited available assets and land vestiture opportunities for Rangitāne through their own Settlement with the Crown.

As mentioned elsewhere in this report the Deed of Settlement between the Crown and Rangitāne o Wairau²⁶ recognises the intergenerational relationship of shared historical associations and whakapapa of Ngāti Huataki and Ngāti Kurī and recognises the cultural, spiritual, historical, and traditional associations and kaitiaki responsibilities of Rangitāne with the rivers, lakes, land, and natural resources in the rohe of Rangitāne. Fundamentally, for this report, the Settlement recognises that Rangitāne continues to have interests between Te Parinui o Whiti and Waiau-Toa.

²³ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p87.

²⁴ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p179.

²⁵ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p179.

²⁶ Deed of Settlement between the Crown and Rangitāne o Wairau. 2010.

CULTURAL VALUES OF RANGITĀNE

Rangitāne have resided in the northern South Island since the migration from the Wairarapa in the sixteenth century under the Chiefs Te Huataki, Te Whakamana and Tukanae. Rangitāne established themselves as tangata whenua (people of the land) through conquest, intermarriage, and assimilation with the iwi they found residing in the area. Since then, Rangitāne have continued to have strong unbroken connections and occupation in the Te Taihū area.

Much of the northern East Coast and Marlborough Sounds were dotted with pa, kāinga, and tauranga waka (canoe landing places) and were supported by an abundance of mahinga kai opportunities.

Communities were linked by well-used systems of ara tawhito (trails) spanning from coastal settlements, into the richly resourced South Island interior and over to Te Tai Poutini (the West Coast). Seasonal pa and kāinga are dotted throughout the interior, providing resting points along a journey or temporary homes for resource gathering expeditions. Movements around the interior were seasonal, following the lifecycles of animals and plants, and enabled opportunities for contact with other iwi and for trade, including pakohe (argillite) and pounamu. In early times pounamu was carried to the pa complex at the Wairau Lagoon via trails through the Waihōpai or Awatere Valleys. Brailsford²⁷ describes both the Awatere and the Waiau-Toa as subsidiary pounamu trails.

Over time Rangitāne developed extensive knowledge of available resources and their seasons. Many landmarks, mahinga kai sites, waterbodies, plains and bays are named after important tupuna or events. Places and names were passed down through generations, accompanied by stories, histories, traditions, and whakapapa, enabling any Rangitāne to find their way, both physically and spiritually.

Mahinga kai is a fundamental element of being Māori. The concept of mahinga kai encompasses the whole process of gathering food and other resources. It includes the act of fishing, hunting or gathering; the act of weaving or collecting weaving resources; the act of gathering medicinal plants and knowledge of where they are gathered; the methods used to procure resources; the places where those resources are found, and the actual resource itself. It also includes the passing on of traditional knowledge to future generations – mātauranga Māori. The ability to provide for both whānau and manuhiri and exercising kaitiakitanga are central to the mana and identity of Rangitāne. Post European settlement, land “sales” and the lack of adequate reserves, loss of land and access to traditional land-based mahinga kai and other opportunities, including opportunities for financial gain or benefit, has severely diminished the ability of Rangitāne to connect to their traditional interior lands, wāhi tapu and mahinga kai sites.

The abundance of food resources available both today and traditionally along the eastern coastline, Marlborough Sounds and into the South Island interior provides an insight into the long-standing occupation and association of Rangitāne in the area. Archaeological remains provide evidence of this occupation around the Wairau area, Marlborough Sounds and beyond into the inlands on the South Island. Urupā, umu (ovens), kūmara pits, middens, cultivation remains, and archaeological finds all provide insight into the movements of Māori. Many of these sites and finds are recorded through the New Zealand Archaeological Association.

The resource rich Wairau Lagoons and associated areas formed the metropolis and central hub of Rangitāne. The extensive and complex 19km Wairau Lagoons canal system, constructed under the

²⁷ Brailsford. B. (1984). Greenstone Trails: the Māori search for pounamu.

chiefs Whata-koiro and Patiti and completed by a grandson of Whata-koiro, is a remarkable example of how Rangitāne modified the ecosystem in order to maximise their harvest of fish, eels and waterfowl²⁸.

The Wairau Lagoon area comprised multiple areas of occupation, spanning a vast area. Horekaka is a Rangitane pa on Horahora Kākahu, an island near the entrance to Cloudy Bay. Te Kauae pa was located on the northern side of the Wairau River, while Te Kōwhai was located near the Wairau River mouth, between Matukopoko and Pātiki Streams. Two major occupation areas were located within the Wairau lagoon complex. One on Budge's Island and the other in the area between Chandlers Lagoon and Big Lagoon. An urupā, Morepo, was located on an island in the lagoon, while several other pa (with associated urupā) were built on islands in and around the lagoon margins to protect the areas resources. Motueka, Utawai and Mokinui were all pa located within the lagoon complex.²⁹ Pokohiwi (Kupe's Elbow), a boulder bank which encloses the Wairau Lagoons on their seaward side, was an important residency of Rangitāne, owing to its abundance in mahinga kai and easy accessibility to the sea. Several pa and urupā are located on Pokohiwi and the area was an important noho huihui (meeting place) for the iwi to discuss significant issues. Hui were held here with the Crown in the 1850s³⁰.

Offshore fishing included barracouta, flounder, snapper, shark, topai, octopus, squid, kahawai, bluenose, moki, hapuka, moki, tamure, terakihi, cod, rig, gurnard, and elephant fish, while the coastline continues to provide an abundance of crabs, shrimp, pāua, kutae (mussels), oysters, tutua (clams), pipi, cockles, kina, scallops and koura. Lagoons were rich in waterfowl and swan and duck eggs, while rivers provided fish such as mullet, kahawai, tuna (eels), monkfish, flounder and whitebait³¹.

The Wairau Lagoons continue to be an important source of mahinga kai and central to the identity of Rangitāne today. Richard Bradley, in evidence to the Waitangi Tribunal in 2003, stated that the Wairau Lagoons are "...the site of significant number of ancestral urupā and mahi tapu specific to Rangitane. Our claim of ahi kaa is strongest here and is derived from the strip of land known to our people as Te Pokohiwi a Kupa (or Boulder Bank), and the adjoining lands collectively referred to as Te Aropipi, Morepo, Mataora, or the Wairau Lagoons"³².

The Maruia area also played a significant role in the history of Rangitāne as it was rich in bird life and was frequented when passing through. The area is still significant today.

Te Pukatea Pa was situated on a high ridge straddling Whites Bay at Rarangi and was a favoured traditional Rangitāne occupation site. A complex of kāinga were located around Te Pukatea Pa and the area was know for it mahinga kai and cultivations. The Settlement³³ recognises the significance of Pukatea / Whites Bay by its vesting as a recreation reserve³⁴.

²⁸ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p2.

²⁹ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p51.

³⁰ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. pp4-5.

³¹ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p3.

³² Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p56.

³³ Rangitāne o Wairau Deed of Settlement. (2010). s 5.

³⁴ Pukatea / Whites Bay to be vested jointly as tenants in common with the trustees of the [Toa Rangatireia] Trust and Ngāti Rārua Settlement Trust with all three being the joint management body.

SHARED AREAS OF INTEREST AND OCCUPATION BETWEEN THE WAIRAU AND WAIU-TOA

Both Rangitāne and Ngāti Kurī have significant traditions and associations with the area between the Wairau and Waiau-Toa.

The Awatere River is one of the major river systems in Marlborough and an important resource utilised by Rangitāne. The river provided a pathway for access into the South Island interior for gathering resources, mahinga kai and engaging with whānau and iwi. The river, its tributaries and associated wetlands provided an abundance of resources, such as tuna, waterfowl, harakeke and raupō. The river mouth and coast provided kaimoana and the inland valleys associated with the Awatere provided bird, such as weka, kaka, kea, kereru, and plant, such as tikumu, ti kouka, taramea, aruhe (fernroot), resources. Unsurprisingly a series of pits and terraces are located at the mouth of the Awatere, supporting the importance of the river catchment.

The presence of oven stones and 'firestarter' trees such as the kaikomako in the Blind River indicates that this area supported a resident population at some point.

Kapara-te-Hau (Lake Grassmere) was an important and culturally rich mahinga kai area. The area was originally settled by Te Hau who planted an array of gardens. The gardens later became Lake Grassmere when they were inundated by a flood. Te Hau and his people placed boulders by the sea to create beds for kutae (mussels), pāua and tiotio. The area includes pa sites, wāhi tapu, urupā, cultivations and is an important source of birds, eel, kaimoana, raupō and harakeke³⁵. Evidence of occupation in the area can be found through several New Zealand Archaeological Association recorded sites, including burials, ovens, middens, pits and terraces.

Marfells Beach was an area of occupation and cultivation, with shell middens, terraces, large pits and ovenstones, adze and other tools all being found there.

A kāinga at Mussel Point once housed a significant population. Pits, ovenstones, middens, burial artefacts, fishing equipment and kōiwi have all been uncovered at this area.

Te Karaka, named after a grove of karaka which once grew there, near Cape Campbell, was an occupation area with many artefacts finds, while middens, ovens and artefacts have been found further south at Orumoa (Long Point).

Waiharakeke (Flaxbourne) is other area of occupation and battle sites. The name Waiharakeke implies the plentiful and important harakeke resource and the Rangitāne chief Te Huataki had a pa at the mouth of the Waiharakeke.

Kaitutae was a Rangitane pa at Kekerengu (20kms north of Waiau-Toa).

From the time of the Rangitāne chief Te Huataki, Rangitāne had established their control of the east coast as far south as the Waiau-Toa (Clarence River), a key event being a battle, named Paororo, near the Waiau-Toa mouth. Here Rangitāne and Ngāti Mamoe were said to have overcome Ngāi Tahu. In 1843 the Ngāi Tahu chief Tuhawaiki told Shortland³⁶ that Paororo Te Huataki controlled the lands north

³⁵ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p265.

³⁶ Edward Shortland. (1974). The Southern Districts of New Zealand: A Journal, with Passing Notices of the Customs of the Aborigines. p98.

of Waipapa, located on the south side of the Waiau-Toa. Te Huataki established pa at Matariki (on the north side of the Waiau-Toa) River³⁷ and was said to have also established a pa called Mokinui at the southern end of Mataroa (inland of Parinui o Whiti).

In his evidence to the Waitangi Tribunal³⁸, Graham Norton notes that Matariki, on the north side of the Waiau-Toa, was a Rangitāne pa and mahinga kai site occupied until the late 1820s.

Occupation at the Waiau-Toa provided Rangitāne with mahinga kai opportunities, both coastally and within the river itself, was an important staging-post for expeditions along the coast and provided pathways into the South Island interior. This ara tawhito up the Waiau-Toa included further opportunities to gather resources but also connected to other valleys and trails, linking back north down the Awatere Valley or over to Te Tai Poutini.

The significance of the occupation of Rangitāne along the eastern coast, particularly around the Waiau-Toa, is the close locality and connection into Molesworth.

³⁷ Armstrong. D.A. (2021) Draft Historical Research Report in Support of Te Rūnanga o Rangitāne o Wairau Application. p88.

³⁸ Te Tau Ihu o Te Waka a Māui. (2007). Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā. WAI785. Waitangi Tribunal Report. p23.

CULTURAL VALUES AND HISTORY OF RANGITĀNE IN MOLESWORTH

Considering the scope of occupation, centred around the northern east coast south to the Waiau-Toa, and the extensive size and population at the Wairau Lagoon complex, the interior of the northern South Island was utilised for Rangitāne survival and prosperity.

Major Rivers such as the Wairau, Awatere, and Waiau-Toa provided pathways inland, mahinga kai resources and easy access to other valuable resources. Significant Māori settlements and evidence of large occupation are present at each river mouth.

With easy access to the Wairau, Awatere and Waiau-Toa valleys, and the abundance of mahinga kai and other resources within these valleys, exploration inland to what is now Molesworth was inevitable.

Pre-human vegetation of Molesworth would have included taller tree forest, particularly tawhairauriki (mountain Beech), and a woodland mix of totara, mātai, houhi (mountain ribbonwood) and mountain totara (celery pine)³⁹. Although human disturbance and the introduction of pests and weeds has hugely changed the vegetation landscape, Māori would have utilised these forests for many resources. The forests also provided ideal habitat for a multitude of bird species. Current bird species found on Molesworth include the tara (black fronted tern), kāmana (southern crested grebe), kārearea (New Zealand Falcon), pohowera (banded dotterel), kea, tōrea (South Island pied oystercatcher) and tītīpounamu (South Island rifleman). Shrublands support bird populations of miromiro (South Island tomtits), kakaruai (South Island Robin) and pī pipi (brown creepers)⁴⁰. Today an abundance of vegetation has been recorded on Molesworth. Aruhe (fernroot), houhi (mountain ribbonwood), kanuka, kāpuka (broadleaf), korokio (wire-netting bush), koromiko, mania (sedge), manuka, pānako (fern), pātōtara (dwarf mingimingi), raupō, rautāwhiri/kōhūhū (black matipo), taramea (speargrass), tawai (beech), tikumu (mountain daisy), toatoa (celery pine), tutu, wharaki (mountain flax), wī (silver tussock), and wīwī (rushes)⁴¹ have all been recorded on Molesworth, with many species still utilised by Māori today for their various uses.

Many of Molesworth's braided rivers still support an abundance of bird species. Other species found on Molesworth include kāhu (Australasian harrier), kākārīki (New Zealand parakeet), karoro (black backed gull), kōau (black shag), kōparapara or korimako (bellbird), pārera (grey duck), pihoihoi (New Zealand popit), Pīpīwharau (shining cuckoo), pīwakawaka (South Island fantail), poaka (pied stilt), pūtakitaki (paradise shelduck), riroriro (grey warbler), and tara (terns), many of which still hold cultural significance today.

With 3 major river headwaters located on Molesworth, the area supports many lakes, smaller river tributaries and wetlands, all of which would have supported an array of aquatic, and waterfowl, life. Today many of these waterbodies lack introduced fish species and are free from invasive introduced aquatic weeds⁴², which in turn supports native fish and tuna species. Shortfin tuna for example has been recorded in Island Lake⁴³.

³⁹ Department of Conservation. (2013). Molesworth Management Plan. p14

⁴⁰ Department of Conservation. (2013). Molesworth Management Plan. p15

⁴¹ Department of Conservation. (2013). Molesworth Management Plan.

⁴² Department of Conservation. (2013). Molesworth Management Plan. p15

⁴³ Department of Conservation. (2013). Molesworth Management Plan. p15

Evidence of moa butchery remains at the Wairau complex supports Rangitāne travelling inland in the hunt of resources. Rangitāne, as descendants of the moa hunters, inherited the customary mātauranga associated with these practices and the area. As the moa population declined, Rangitāne would have traversed further up the valleys, right into Molesworth, in the hunt for moa. A Māori archaeological site⁴⁴ at the outlet of Lake Tennyson records several small pieces of moa bone and an obsidian flake knife, while a high concentration of bones in a swamp about 50 feet square was found on the western side of the Acheron Valley, halfway between the Clarence-Acheron Junction and the Five Mile on Molesworth in 1959⁴⁵.

There are several reports and evidence of Māori remnants throughout Molesworth. Explorers Mitchell and Dashwood found a quantity of collected firewood and the remains of a whare in the Acheron Valley in the 1850s⁴⁶. Travers, who owned the Lake Guyon run (adjoining Tarndale on the south-west), described his men finding adzes, pāua shells, remains of tuna baskets and other articles left along travel routes.

The South Island interior could be an unforgiving landscape to those unfamiliar with the land. Early European explorers utilised Māori guides when traversing over Te Waipounamu. European settlers utilised existing mātauranga by utilising existing trails and mahinga kai spots dotted along the way, from north to south, east to west and through the passes, when moving stock across lands. Molesworth was a throughfare for Nelson and Marlborough pastoralists supplying stock to newly established Canterbury runs in the mid-1800s and beyond. The Acheron Accommodation House and Molesworth Cob Cottage at the eastern entrance to Molesworth are examples of several cob cottage remains dotted throughout the area along these stock trails. While these structures are not of Māori origin, they highlight how European settlers adopted similar strategies to earlier Māori in traversing the South Island interior.

Gardner in *The Amuri* claims the Acheron, Tarndale and Upper Wairau travel routes were utilised by Ngāti Toa taua (war party), under Te Rauparaha, in the 1830s in their attack on Kaiapoi pa. "While the main force travelled down the coast by waka, another party went up the Wairau to Tophouse, then by way of Tarndale, the Acheron and Jollie's Pass to the Hanmer Plain, meeting the coastal force at the mouth of the Waipara"⁴⁷. Rangitāne chiefs guided the contingent of Te Taiuhu forces through the inland routes to Kaiapoi. Rangitāne not only guided these forces, but also went with their own interests to pursue.

This route had been drawn in chalk on the floor of the Nelson Sherriffs Office by unnamed Rangitāne in 1850 at the request of several Nelson leaders keen to find new land suitable for pastoral farming. The Nelson Examiner⁴⁸ describes the route information which was received from "two natives of the Rangitane tribe, the original possessors of all the country at the northern end of this island, but who in their wars with Rauparaha and his allies, were mostly slain or made captive. These are the only natives who appear to have any knowledge of the interior of this part of the country, or of the passes through the rugged chains of mountains which intersect in so many directions."

⁴⁴ New Zealand Archaeological Association. Site M31/1.

⁴⁵ McCaskill. L. W. (1969). Molesworth. p15.

⁴⁶ McCaskill. L. W. (1969). Molesworth. pp20-21.

⁴⁷ McCaskill. L. W. (1969). Molesworth. p16.

⁴⁸ The Nelson Examiner and New Zealand Chronical. (6 April. 1850). Vol IX. Issue 422.

This history shows the knowledge of Rangitāne in accessing the South Island interior and utilising its many pathways. This knowledge is acknowledged through a Rangitāne waiata, which talks about accessing the Molesworth area to reach Kaiapoi pa.

WAIKUPU / RECOMMENDATIONS

Whakapapa and tūrangawaewae are core values that establish Māori history and cultural identity.

Whakapapa explains the origins and creation of all things. It connects people to their ancestors, the land, and natural resources. It binds tangata whenua to the mountains, foothills, plains, rivers, coasts, and other landscapes, linking the health of the people with the health of the environment.

Tūrangawaewae is derived from whakapapa. It establishes a sense of place, a sense of where you belong - your ancestral land, or 'home ground'. The relationship between tangata whenua and the natural environment, defined by whakapapa, is given practical expression through values such as kaitiakitanga (including the continued capacity for future generations to access, use and protect resources), whakapaparanga, wairua and mauri.

Kaitiakitanga includes ensuring the continued capacity for future generations to access, use and protect resources. In other words, if you have a right to access and use a resource, you also have the responsibility of ensuring the resource is plentiful and fit for use for future generations.

Inextricably linked to kaitiakitanga, Rangatiratanga is about independence and self-determination. It's about the ability of tangata whenua to exercise customary authority over things Māori - over mahinga kai, wahi tapu and other taonga tuku iho. Effective rangatiratanga and independence enable manaakitanga (hospitality, taking care of visitors), by ensuring that whanau have access to local resources that are healthy and abundant.

Mana, Mana Whakahaere and Mana Motuhake encompasses the authority and rights to manage land, soil, and resources, to exercise mana and kaitiakitanga over resources, and giving the authority for decision making by utilising the generational knowledge of land management that Māori retain.

Mauri is the essential life force of all things, spiritual essence. It is a central component of the Māori perspective on the environment and can be defined as the life principle, life supporting capacity, or life force present in all things. The preservation of mauri was closely associated with the practices of tapu. The prohibition of certain practices and the sacredness of certain places ensured their protection and hence their mauri. For example, it was tapu to leave the feathers of snared birds in the forest because other birds would sense danger and leave the area. Similarly, the cleaning of fish in the sea constituted not only physical pollution but also spiritual pollution. Mauri is instinctive. It engages the human senses. If a river looks and smells fresh with a healthy biodiverse habitat, if it sounds alive and full of vitality, if the water and kai is sweet to taste and if overall, it just feels right, chances are the mauri will be healthy.

Wairua is borne from the spiritual domain. It conveys elements of whenua/soils to spiritual connections which bind the living to the non-living, the heavens to the earth. It is an essential requirement for the identity and wellbeing of Māori. The expression of Wairuatanga in the physical environment connects cultural heritage with its contemporary context and contributes to a sense of belonging and a unique sense of identity. Some describe it as an internal connection to the universe.

The concept of ki uta ki tai has a general meaning of mountains to the sea and encompasses thinking in terms of a whole catchment, rather than individual waterways. What happens in the mountains effects downstream in the coastal marine area. However, this a very simplistic view. Ki uta ki tai includes layers of knowledge about the environment. It refers to how Maori managed resources and how they organised

their lives by the seasons. For example, eels are an important food source for whanau, which means that the whakaheke or migration of eels from the rivers and estuaries out to sea, is hugely important. Our understanding of the way in which ecosystems are interconnected is not only formed by geographical factors, but also the seasonal availability of and access to foods both in and out of the oceans, including both fish and bird life and other types of species as well. This means that ki uta ki tai has always been based on Mātauranga Māori and provides the foundation for the way in which whanau structured their economies and lived as healthy communities.

Utu is a general principle that for everything gifted another of a least equal value should be returned. Utu denotes reciprocity between the living and the departed. It is through reciprocity that balance is achieved. If you take water or kai from a river, there is the obligation to look after the river. Looking after the resource that feeds us establishes a common-sense sustainable approach and demonstrates respect for the resource.

Tikanga basically means to do the right thing and do it in the right way. Māori have specific cultural values and perspectives through a body of highly specialised knowledge developed over generations. Tikanga is underpinned by tribal kawa (spiritual and natural order) which guide the interaction and moderate the balance.

The values listed above, and others that are not listed here, embodies what it means to be Māori. Māori identity is connected and strengthened by exemplifying these values in every aspect of life. The whenua is a pillar of Māori identity. It represents where and who we come from through our creation stories, our tupuna are embodied through the landscapes, and it has been and continues to be crucial to our survival.

The identity of Rangitāne is strongly associated with the natural environment. Over the past 170 years Rangitāne's ability to express these relationships and exercise kaitiaki responsibilities has been drastically eroded⁴⁹, and as such Rangitāne have been excluded from engagement and other potential opportunities.

Rangitāne have whakapapa and inter-generational connection with Molesworth through historical and contemporary use, events, and associations. This connection is still maintained by Rangitāne today.

Te Rūnanga a Rangitāne o Wairau Trust make the following recommendations to ensure Rangitāne interests and aspirations are accounted for, and areas of cultural significance are accommodated as required:

- 1. The Department of Conservation to recognise the traditional, cultural, and contemporary connection Te Rūnanga a Rangitāne o Wairau Trust have with Molesworth.**
- 2. The Department of Conservation to recognise that Molesworth Recreation Reserve sits within the rohe of Rangitāne o Wairau, and as such, records Rangitāne o Wairau as having interests within Molesworth Recreation Reserve.**
- 3. The Department of Conservation to engage Te Rūnanga a Rangitāne o Wairau Trust on the Molesworth Recreation Reserve Conservation Management Plan Review, and any subsequent reviews.**

⁴⁹ Te Rūnanga a Rangitāne o Wairau Settlement Booklet

4. **The Department of Conservation to engage Te Rūnanga a Rangitāne o Wairau Trust on the management of Molesworth Recreation Reserve in accordance with the Molesworth Recreation Reserve Conservation Management Plan.**
5. **The Department of Conservation to provide Te Rūnanga a Rangitāne o Wairau Trust resourced representation, with decision making capabilities, on the Molesworth Steering Committee.**
6. **The Department of Conservation to provide resourcing for Te Rūnanga a Rangitāne o Wairau Trust to prepare a long-term Strategic Direction Plan for their interests in Molesworth, for inclusion in and implementation through the Molesworth Recreation Reserve Conservation Management Plan.**
7. **The Department of Conservation to engage Te Rūnanga a Rangitāne o Wairau Trust in updates/reviews of existing farming leases and grazing licences and any future farming leases and grazing licences.**
8. **The Department of Conservation to require the lessee (Landcorp) to develop and implement a Farm Environment Management Plan ('FEMP') for Molesworth to minimise the impact of farming on the ecological health and amenity value of New Zealand waterways.**
 - a. **The Department of Conservation in consultation with Te Rūnanga a Rangitāne o Wairau Trust, will first investigate and then require the lessee to use FEMP for Molesworth to acknowledge and implement good farming practices.**
 - b. **The Department of Conservation will undergo annual audits, which will increase to 3 yearly audits when water quality and quantity improves (measures identified in FEMP).**
 - c. **The Department of Conservation and the Lessee to engage with iwi when developing and implementing the FEMP.**

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