



TE RUNANGA O AWARUA

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7th November 2019

Hon Stuart Nash
Minister of Fisheries
P O Box 2526
WELLINGTON 6140

Tēnā koe e te Rangatira

Ōtara Mātaitai Application

Please find attached our application for a mātaimai reserve at Waipapa Point in Murihiku, Southland. The reserve is to be known as the Ōtara Mātaitai. The area contains several traditional fishing-grounds that continue to be of special significance to us today for customary food gathering.

The application is made in the name of our Papatipu Rūnanga, Te Rūnanga o Awarua. The takiwā of the rūnanga is centred on Awarua and extends to the coasts and estuaries adjoining Waihopai. The area shares an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemō southwards.

Together with the Tangata Tiaki/Kaitiaki, we will develop a comprehensive management plan for the Ōtara Mātaitai.

The fishery will be utilised in a conservative, sustainable manner and it is our intention to manage the proposed Ōtara Mātaitai with the involvement of the local community.

We look forward to working with you and your Ministry on the application.

Naku noa, nā

Dean Whaanga
Chairperson
Te Rūnanga o Awarua

Form 4
APPLICATION FOR A MĀTAITAI RESERVE

Applicant:

Te Rūnanga o Awarua
P O Box 19
BLUFF 9842

Area of Application (Identified Traditional Fishing Ground):

Ōtara (Waipapa) – refer to the description and map below.

Location:

Refer to attached map and description.

Relationship of applicant with that fishing ground:

Traditional and contemporary fishing grounds (see the information that forms and supports the application).

Aims of management for the mātaimai reserve:

- To further recognise Ngāi Tahu Whānui manawhenua over these fishing grounds;
- To ensure Ngāi Tahu Whānui can continue to exercise their customary use and management rights;
and
- To ensure the protection of fisheries resources so that an abundant supply of mahinga kai is available to Ngāi Tahu Whānui

Tāngata Tiaki/Kaitiaki nominated for the mātaimai reserve:

Stephanie Blair
Vincent Leith
Stevie Rae Blair

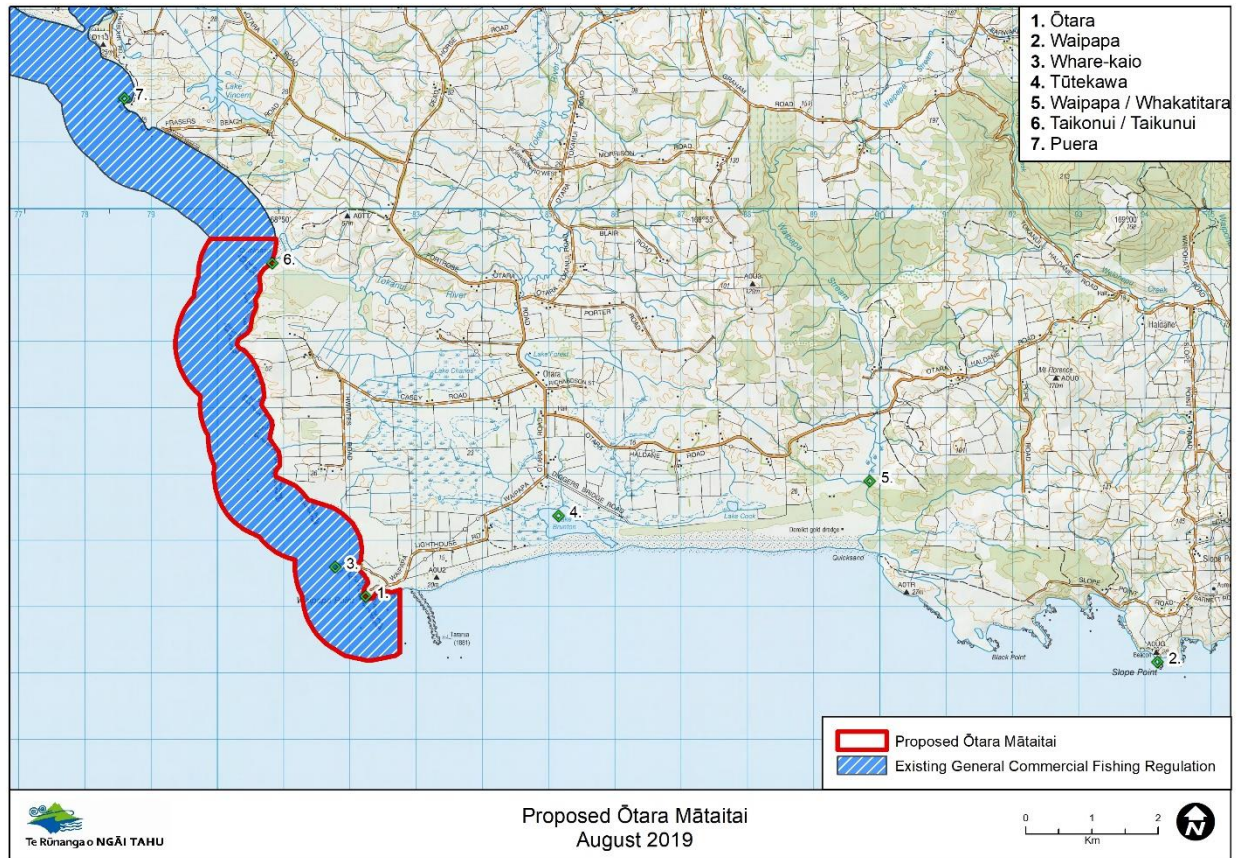


Supporting Information

Location

The Ōtara Mātaitai will include all South Island Fisheries Waters enclosed by a line that commences at the mean high water mark (MHW) at 168° 49' 56.423" E, 46° 36' 41.927" S; then proceeding in a straight line in a westerly direction to a point offshore at 168° 49' 10.019" E, 46° 36' 40.231" S; then proceeding in a generally south then south-easterly direction along a consistent buffer line with the coast to a point offshore at 168° 51' 8.850" E, 46° 40' 6.765" S; then proceeding in a straight line north to a point on the MHW at 168° 51' 11.222" E, 46° 39' 36.014" S; and proceeding along the MHW to the point of commencement.

Map of the proposed Mātaitai Reserve



Special relationship between the Tangata Whenua and the traditional fishing grounds

Whakapapa and ahi kaa (the special relationship with these traditional fishing grounds)

Ōtara is located on the south coast of Murihiku (Southland). Waipapa Point itself is a prominent headland that neighbours Matatoka (Slope Point), the southernmost point in Aotearoa. The history and traditions of this area are linked to the creation traditions that tell of the emergence of Te Waka o Aoraki from the great sea of Kewa (Te Moana Nui a Kiwa), and the fabulous works of Tuterakiwhānoa who fashioned remnants of the wrecked waka into a landscape suitable for human habitation such as the creation of sheltered bays and sites suitable for settlement. The whakapāpā associated with the area has been recognised by Parliament through the Statutory Acknowledgements for Te Ara a Kiwa within the Ngāi Tahu Claims Settlement Act 1998.

The first humans to visit the area were Rakaihautu and his followers, who undertook a journey that traversed the length of Te Waka o Aōraki, where he created and named many of the large inland lakes. Rākaihautū and his ope (followers) continued northward and ultimately settled at Akaroa, from where his people grew in numbers and spread over the face of Te Waka o Aoraki, populating the favoured places they saw on the journey of discovery. They were known as the Waitaha, and included the hapū Rapuwai (also known as Rapuvai) and Hawea. The Waitaha people established the matrix of mahinga kai customs and practices that make Te Wai Pounamu unique to this day.

Over time, migrations of iwi from the North Island made their way south, the first being Kāti Māmoe, descendants of the ancestress Hotu Māmoe, who is believed to have lived at Heretaunga, near Napier, before coming south. The Kāti Māmoe people assumed their place in this island through a range of strategies which centered around warfare, peace alliances and strategic marriages. Over several generations their influence spread along the length of the island, with a very strong presence along the Southland coast.

Eventually a second iwi, Ngāi Tahu, followed the Kāti Māmoe example and crossed over from the North Island extending their influence over the land through warfare, peace alliances and marriage with the Waitaha and Māmoe peoples. A key strategy was for senior men to marry the principal woman of the Waitaha and Māmoe, thereby binding alliances and sections of the resident iwi, and producing offspring who had a blend of all three iwi and carried 'ahi kaa' (continuous occupation).

Ngāi Tahu whānui, comprising the descendants of the alliances and intermarriages between Waitaha, Rapuwai, Hawea, Kati Mamoe, and Ngāi Tahu are now the tangata whēnua of Tautuku. Today the rights and interests of these hapū and whānau are administered through the Ngāi Tahu tribal structure of Papatipu Rūnanga. Of the eighteen Papatipu Rūnanga that make up Te Rūnanga o Ngāi Tahu (the tribal council of Ngāi Tahu), four are located in Murihiku. The rohe of these four Papatipu Rūnanga includes Ōtara (Waipapa Point).

James Wybrow II was the third son of Captain James Wybrow and Temuc (also known as Timanga or Timaka). Temuc bore three sons to Captain James Wybrow: John, William and James. She was the last surviving Māori owner of the original allocated owners for the Māori reserve land at Matatoka (Slope Point). In *The First White Boy Born in Otago*, Thomas Kennard recalls: "*Jim [Wybrow] told me he was the son of a Māori woman who was the only one left with a claim to Slope Point, and he applied for it, and had a big stack of letters from Mantell about it.*"¹

James Wybrow II lived at Waikawa, Fortrose and Matatoka (Slope Point). He married Hera Pika (Sarah Perkins), who was born at Rakiura. They were married on Ruapuke Island by Rev. Wohlers, a missionary in Southland. Hera Pika's father was William Samuel Perkins. Her mother was Pii. Pii's parents were Tuara and Te Opeope. Both Hera and James are resting in the whānau urupā at Waikawa.

¹ J Herries Beattie, *The First White Boy Born in Otago: The Story of T B Kennard, recorded by J Herries Beattie*, Cadsonbury Publications, Christchurch, 1998.

The descendants of James Wybrow II and Hera/Sarah Perkins are the Ngāi Tahu whānau ahi kaa of the Ōtara area. They have a lasting and special relationship with Waipapa Point; a relationship that has existed for many generations, being well before the signing of the Treaty of Waitangi by our Ngāi Tahu tūpuna.



James Wybrow II, Hera Pika and whanau ²

In 1881, 151 people perished in the *Tararua* shipwreck at Waipapa Point. This is New Zealand's worst maritime disaster. Our tupuna, James Wybrow II, retrieved the bodies from the wreck. He spoke of an old kōrero about only taking a certain amount of fish in this place, and if a voice was heard by an individual while fishing, it was time to stop, or death would be certain. Our old people heeded this advice. The following excerpt and the above photo are from 'Fortrose' by Joan MacIntosh:

James, the surviving son of Captain James Wybrow's first family, married Sarah Perkins and lived in Fortrose for many years before moving to work at the sawmill on the Spit at Waikawa. They had a large family too. At the time of the wreck of the "*Tararua*", James was employed to recover bodies washing up with the tides. He was a very strong swimmer and went out into the treacherous waves with a long rope about his waist and secured to shore. He suffered terribly afterwards with nightmares and broken sleep, for his task was anything but pleasant. He also recovered a lot of blankets and linen washed ashore and as the Union Steam Ship Company did not wish to claim them, Sarah and her family washed them free of salt and sand and dried them on fences for their own use.

The Wybrow Whānau own land, which was granted to the whānau, adjacent to the Tokanui River that flows out to Waipapa beach. This land was given in compensation by the Crown for land taken at Rakiura from our tupuna. In 1888, the Middle Island Half-caste Grants Act 1888 was passed which authorised "... *the setting apart of land on behalf of the aforesaid persons ... in fulfilment of certain promises made in favour of the half-caste families on the cession of the Ngai Tahu and Murihiku Blocks by the aboriginal owners to the Crown ...*"

The Act claimed to fulfil promises to provide 'half-caste' people with land in the 'Middle Island', through the awarding of Crown grants of ten acres for men and eight acres for women. The names of James, John and William Wybrow are listed in the schedule of the Middle Island Half-Caste Grants Act 1888. A land grant of ten acres was subsequently reserved for John, William and James II Wybrow adjacent to the Tokanui River at Ōtara, near Waipapa Point in Southland. Hera (Sarah) Wybrow (nee Perkins) was also granted eight acres of land in the Ōtara half-caste reserve under the Stewart Island Grants Act 1873, which authorised "... *the provision of grants of land to half-castes born on Stewart Island/Rakiura*".

Numerous mahinga kai and kāinga nohoanga can be identified along this coastal area including (refer to attached map for numbered locations):

² J MacIntosh, 'Fortrose', Times Printing Service, Invercargill, 1975, pg. 393.

1. Ōtara – a kainga nohoanga, mahinga kai area and nursery. The original name for Waipapa Point, Ōtara, where the Waipapa Light now stands³ is believed to be named after Tara – a resident Kāti Māmoe chief. The surrounding land is now called Ōtara. The islands of Ruapuke and Rakiura are both visible, along with Motu Pohue Te Taurapa o Te Waka o Aoraki.
2. Waipapa (Slope Point), also known as Waipapapa – a mahinga kai area.
3. Whare kaio – a mahinga kai area and tauranga waka (canoe landing area).
4. Tūtekawa – a mahinga kai area.
5. Waipapa/Whakatitara (Waipapa Stream) – a mahinga kai area.
6. Taikonui/Taikunui (Tokanui River) – a mahinga kai area.
7. Puera – a mahinga kai area.

Mahinga Kai (traditional fishing-grounds – maintaining the special relationship)

Murihiku whānau have used the coast around Waipapa Point to gather kaimoana for generations, well before the Treaty of Waitangi. Several historical middens along the stretch of the coast from Waipapa Point to the Tokanui River Mouth contain bone, shells (including pāua and kūtai), charcoal, tool-making stone and as such, bear testament to the earlier use of the coast as a mahinga kai and resource-gathering area for southern Māori. The area also encompasses several traditional fishing grounds that are of special significance to mana whenua whānau. These traditional grounds continue to be utilised today. The customary gathering of food in these areas remains an integral cultural component for the members of Ngāi Tahu whānui who continue to keep the home fires burning in the Ōtara area.

The coast from Waipapa Point to the Tokanui River Mouth is characterised by sandy beaches and akau (rocky reefs). The akau and pools at Waipapa Point are a good place to bring our children to pass on mātauranga about tides, moon phases, seasons and methods for the customary gathering of mahinga kai. Waipapa Point itself is safe and easily accessible by foot and is close to where the local whānau live.

Waipapa Point itself has traditionally been an important mahinga kai and kai moana gathering place for Ngāi Tahu whānui, in particular the Wybrow whānau. Kai moana gathered from there includes pāua, karengo (seaweed), hapuka (groper), trumpeter, rāwaru (blue cod), koura (crayfish) and rimurapa (giant kelp). Pāua from along the Catlin's coast, including the Waipapa Point coastal area, help to sustain the needs of our marae for manaakitanga (hospitality) purposes.

The proposed mātaimai area is currently closed to all commercial fishing of shellfish (except for rock lobster, oysters and crabs) such is the significance for customary fishing (the existing commercial shellfish closure is shown in blue in the attached map).

The coastline was and is our supermarket. Growing up in these areas enabled us to learn how to gather and harvest kai moana that kept us sustained and nourished. It brought us together as a whānau. It is part of our life to gather and hunt. In doing so, it helps us provide the community and marae with kai moana for special and important occasions.

If these areas continue to be overfished by the numbers that are visiting these areas of significance, they will be gone forever. We want our mokopuna and future generations to be able to gather kaimoana – not looking at pictures and being told stories about how we once were able to!

The Wybrow whānau have concerns around the rapid depletion of mahinga kai along Te Akau Tai Toka (the South East Coast), in particular at Waipapa Point. The whānau believe that a mātaimai is a proactive measure and a mechanism that will help ensure mahinga kai resources are available for future generations.

Kei te noho ahau, i Ōtara ahakoa te hau he kai kei Ōtara kia toitu to tatou te Taonga kai moana me mahika kai o Ōtara ake tonu atu!

Whatever the weather, kai is available at Ōtara.

³ In a letter to Herries Beattie, James Wybrow II wrote "... after the stoppage of the fishery (at the Tokanui River mouth), my father shifted down to Tautuku, and after the whaling ceased at Tautuku he came back to Ōtara, where the lighthouse now stands. This is mistakenly called Waipapa Light, but the proper name of that locality is Ōtara".