

# **Ruapuke Mātaitai Application**

**23 MAY 2023**

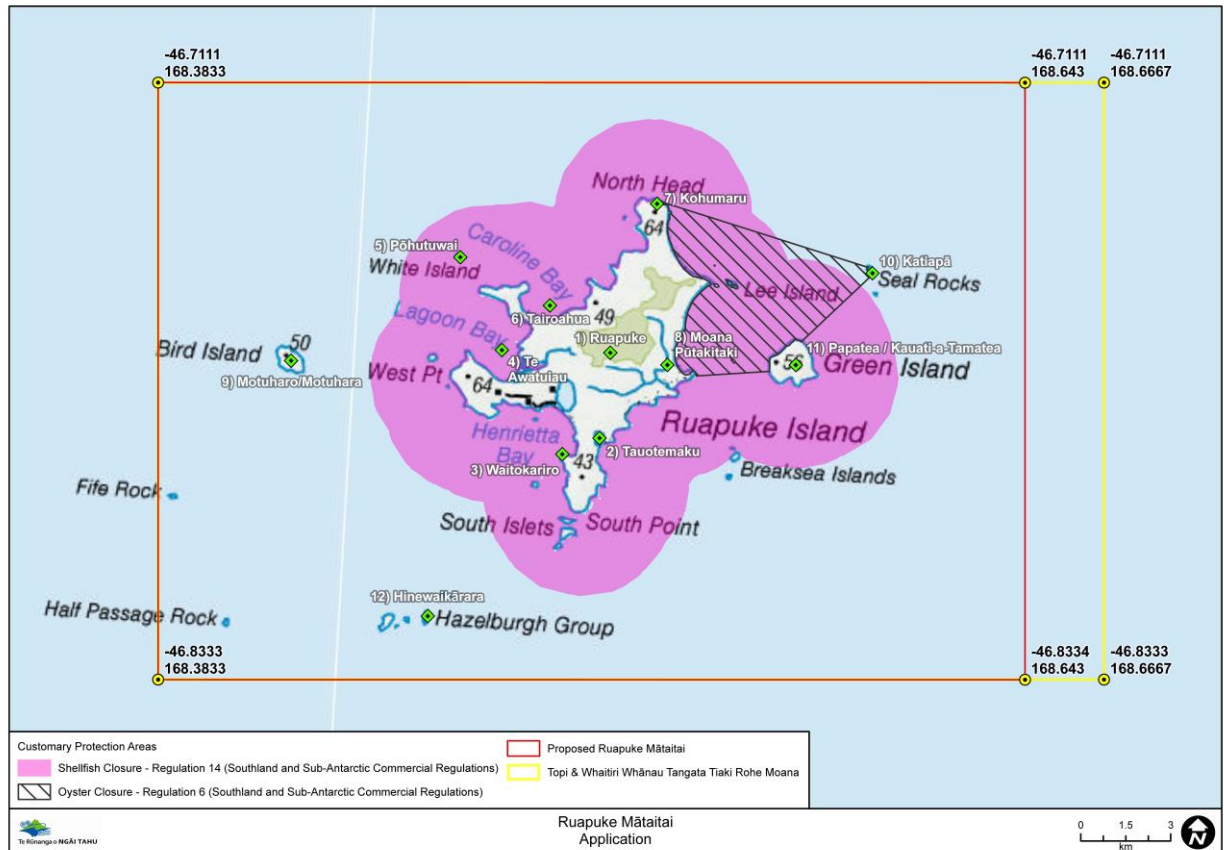
## 1.0 Applicants

Topi Whānau, Whaitiri Whānau and Awarua Rūnanga (Nominating Authorities for the Topi Whānau and Whaitiri Whānau Tangata Tiaki/Kaitiaki).

## 2.0 Area of Application (traditional fishing grounds)

The mātaimai area covers the key traditional fishing grounds within the gazetted rohe moana area for the Topi Whānau and Whaitiri Whānau Tangata Tiaki/Kaitiaki, within the following coordinates set out in Map 1 below:

**Map 1 – Ruapuke Mātaimai application area**



### 3.0 General aims of management

- To restore fisheries resources so that an abundant supply of mahinga kai is available to the whānau of Ruapuke;
- To ensure the whānau of Ruapuke are able to exercise their customary fishing rights.

### 4.0 Special relationship of the applicant with the traditional fishing grounds

#### 4.1 *Whakapapa and ahi kaa*

On the Ka Huru Manu website, the background to the native reserve on Ruapuke is described as follows:

“Ruapuke Island was not covered by any of the major land purchase agreements conducted between the Crown and Ngāi Tahu. As such it remained Māori customary land until the Native Land Court conducted an investigation into its ownership. In 1887, the Native Land Court determined that Ruapuke had originally been inhabited by three persons (Te Pae, Te Pai and Kaihaere) and used this as the basis for determining ownership. The Court subdivided the island (4,100 acres) into four main blocks (and five cemetery reserves) which were awarded as follows: Ihaia Whaitiri and whānau (1000 acres); Teone Topi Pātuki and whānau (1200 acres); Kihau whānau (1200 acres); and 700 acres to T. Pratt, J. Coupar, J. Stirling and others. Today some sections remain Māori freehold land, while others have been split into smaller blocks or sold, and converted to general title.”

Dr Atholl Anderson in *The Welcome of Strangers: An ethnohistory of southern Maori A.D. 1650-1850*, (page 179) documents the settlements at Ruapuke [Number 1 on Map 1], Tauaotemaku [Number 2], Waitokariro [Number 3], Te Awatuiaiu [Number 4] and Tairoahua [Number 5] (refer to Table 1 below and Map 1).

Ruapuke became such a stronghold of Ngāi Tahu rangatiratanga that it was one of three places in the Ngāi Tahu takiwā that the Treaty of Waitangi was signed (in June 1840). Topi Patuki was a senior Ngāi Tahu chief from the late 1840s.

#### 4.2 *Mahinga kai – Maintaining the special relationship*

Prior to the arrival of any Europeans, the Ngāi Tahu whānau on Ruapuke relied on the mahinga kai resources around the main island and the surrounding offshore islands. The main island and the surrounding offshore islands provided Ngāi Tahu with an abundant, diverse range of kai in close proximity to their settlements – the traditional equivalent to a convenience store. The ability for Ngāi Tahu to reside in the area and to maintain ahi kaa roa has always been dependent on this food supply.

This mahinga kai custom underpins Ngāi Tahu culture. It is central to the relationships with places, species and resources, to the cultural, spiritual, social and economic well-being of Ngāi Tahu, and is a vehicle for the transfer of traditional knowledge from generation to generation.

Mahinga kai refers to the custom of managing and gathering food, the life-supporting natural resources themselves, the practices involved and the places where they are gathered.

Just as in traditional times, the customary fishing authorisations issued by the Topi and Whaitiri Whānau Tangata Tiaki, for fishing around the main island and the surrounding offshore islands, are dominated by the cultural keystone species that these islands are best known for including

shellfish such as pāua, kina, tio (oysters), kutai (mussels) and kōura (rock lobster) and finfish such as rawaru moki and mārari (butterfish).

Other mahinga kai resources gathered included tuna (eels) from the lagoons and streams on the main island, marine mammals, tītī (muttonbird), waterfowl (such as pūtakitaki – paradise duck from Moana Pūtakitaki), sea bird eggs, forest birds and a variety of plant resources.

An account of the key mahinga kai placenames from around the main island and the surrounding offshore islands from the Ka Huru Manu website and Dr Atholl Anderson is included in the following table and in Map 1 above:

Wāhi/Area	Relationship/ Area type	# on Map	Mahinga Kai	Notes
Ruapuke	Kainga/ Mahinga Kai	1	Pāua, kina, tio, kōura rāwaru, moki and mārari (butterfish).	Rimurapa is utilised by whānau for the making of pōhā to transport and to cook kaimoana.
Tauaotemaku	Kainga/ Mahinga Kai	2	Pāua, kina, tio, kōura rāwaru, moki and mārari (butterfish).	
Waitokariro	Kainga/ Mahinga Kai	3	Tuna and pūtakiraki.	The Ka Huru Manu website states Waitokariro is the large lagoon on the main island.
Te Awatuiaiu	Kainga/ Mahinga Kai	4	Tuna	The Ka Huru Manu website states Te Awatuiaiu is the Māori name for Lagoon Bay and Ruapuke whānau also attribute this name to the lagoon itself.
Pōhutuwai	Mahinga Kai	5	Pāua, kina, tio, kōura rāwaru, moki and mārari.	The Ka Huru Manu website states Pōhutuwai (White Island and the headland on the main island) refers to the island disappearing in high seas when it is smothered in foam.
Tairoahua	Kainga/ Mahinga Kai	6	Tio	The Ka Huru Manu website states Tairoahua is the Māori name for Caroline Bay.
Kohumaru	Mahinga Kai	7	Pāua, kina, tio, kōura rāwaru, moki and mārari (butterfish).	The Ka Huru Manu website states Kohumara is the Māori name for North Head on Ruapuke.
Moana Pūtakitaki	Mahinga Kai	8	Tuna and pūtakiraki.	The Ka Huru Manu website states Moana Pūtakitaki lagoon is the named after the pūtakitaki (paradise duck).
Motuharo / Motuhara	Mahinga Kai	9	Pāua, kina, tio, kōura rāwaru, moki and mārari.	The Ka Huru Manu website states Motuharo / Motuhara are the traditional names for Bird Island.
Katiapā	Mahinga Kai	10	Pāua, kina, tio, kōura rāwaru, moki and mārari.	The Ka Huru Manu website states Katiapā (Seal Rocks) was named after a man who drowned there whilst attempting to travel to Ruapuke in a small waka from the mouth of the Matura River.
Papatea / Kauati a Tamatea	Mahinga Kai	11	Pāua, kina, tio, kōura rāwaru, moki and mārari.	The Ka Huru Manu website states Papatea / Kauati a Tamatea are the traditional names for Green Island. Kauati a Tamatea – the fire-making stick of Tamatea,

				refers to the well-known explorer ancestor Tamatea, who stopped on the island in the Takitima waka to make fire using the kauati method (rubbing two sticks together).
Hinewaikārara	Mahinga Kai	12	Pāua, kina, tio, kōura rāwaru, moki and mārari.	The Ka Huru Manu website states Hinewaikārara is the traditional name for the Hazelburgh group of islands (Group of Nuggets).

The customary food gathering significance of the fisheries surrounding the Ruapuke islands group was acknowledged by the promulgation of special regulations prohibiting the commercial harvesting of all shellfish except rock lobster, tio (oysters) and paddle crab [Regulation 14 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 on Map 1] and prohibiting the commercial harvesting of tio [Regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 on Map 1].

The customary food gathering significance of the fisheries surrounding the Ruapuke islands group is documented in the Ngāi Tahu Waitangi Tribunal evidence, including the evidence of Dr George Habib and Dr Murray Bathgate.

The value of mahinga kai from the Ruapuke islands group has been documented by historians and anthropologists, including Dr Atholl Anderson in *The Welcome of Strangers: An ethnohistory of southern Maori A.D. 1650-1850*, who highlighted the adjacent settlements at Ruapuke, Tauaotemaku, Tairoahua, Waitokariro and Te Awatuiaiu that relied on this mahinga kai.

The value was also acknowledged by the WAI 27 Waitangi Tribunal Report in 1991 on the Ngāi Tahu Claim and substantiated by the Ngāi Tahu Claims Settlement Act 1998 provisions such as the Coastal Statutory Acknowledgement from Te Ara a Kiwa.

The the Ruapuke islands group also featured significantly in interviews with Ngāi Tahu kaumātua, Tangata Tiaki/Kaitiaki and fishing experts during the 'areas of significance' identification phase of the Ngāi Tahu Customary Fisheries Protection Areas Project.

## 5.0 Nominated Tangata Tiaki/Kaitiaki

Ricky Topi  
Peter Topi  
William Bragg  
Elizabeth Wright  
Christine Young  
Laina Niha  
Christian Fife

## 6.0 Proposed conditions

There are several proposed exceptions to the general prohibition on commercial fishing within the mātaimai. The proposed conditions are as follows:

- (a) The anchoring of commercial vessels in the mātaimai (for avoidance of doubt);
- (b) The processing of commercial fish in the mātaimai;

- (c) The landing of commercial fish in the mātaimitai;
- (d) The commercial taking of rock lobster in the mātaimitai;
- (e) The holding of rock lobster in holding pots in the mātaimitai;
- (f) The commercial taking of finfish in the mātaimitai (except butterfish and moki);
- (g) The commercial taking of butterfish and moki by spearfishing;
- (h) The commercial taking of tio (oysters) in the mātaimitai – for the avoidance of doubt this exemption will only operate outside of the existing commercial prohibition area shown on Map 1 (Regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986);
- (i) The commercial taking of pāua and kina in the mātaimitai – for the avoidance of doubt this exemption will only operate outside of the existing commercial prohibition area shown on Map 1 (Regulation 14 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986).

## **7.0 Proposed non-commercial bylaws**

Bylaws will be proposed by the appointed Mātaimitai Tangata Tiaki if the mātaimitai application is approved by the Minister. Potential bylaws will be discussed at the public consultation meeting for the application. These are likely to include, for example, seaweed and shellfish gathering prohibitions (species that form the base blocks of the food web), shellfish and finfish bag limit reductions, method restrictions, area closures and potentially size limit increases and recreational reporting.