OFFICIAL

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

IN THE MATTER	of the Treaty of Waitangi Act 1975
A N D	
IN THE MATTER	of the Te Rohe Pōtae District Inquiry (Wai 898)
A N D	
IN THE MATTER	of Wai 1095, a claim by Thomas Charles Roa for and on behalf of Ngāti Hinewai, Ngāti Rungaterangi, Ngāti Matakore, Ngāti Parewaeono, Ngāti Urunumia, Ngāti Paretāpoto, Ngāti Taiwa and other hapu of Ngāti Maniapoto

STATEMENT OF EVIDENCE OF THOMAS CHARLES ROA
AS PART OF TE HAUĀURU CLAIMANTS

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Introduction

1. My name is Thomas Charles Roa. I am the named claimant for Wai 1095 being a claim regarding the Huipūtea block in Ōtorohanga. I am of Waikato-Maniapoto descent.

2. I have given kōrero at the Ngā Kōrero Tuku Iho hui and have contributed to the Ngāti Maniapoto Mana Motuhake report (Wai 898, #A110).

3. I have previously given evidence in Hearing Week 1 of this Inquiry which outlines my whakapapa, background and qualifications.[1]

4. I declare that I am the mandated negotiator for the outstanding claims of Waikato-Tainui and wish to be clear with the Tribunal that there is no conflict in my role as negotiator for Waikato-Tainui and as a witness in this hearing.

Huipūtea Block

5. I picked up on this claim because it is a microcosm, I believe, of the Rohe Pōtae claim in that it impacts on so many aspects of claims in the Inquiry district.

6. Firstly, its history is critical in the Kīngitanga. The Maniapoto chief Te Otapēhi, proferred to Te Wherowhero his protection, and therefore Maniapoto's, following the Battle at Mātakitaki, and the subsequent successful repelling of Ngā Puhi at Huipūtea.

7. Secondly, the role of women and the strength of the female character in Maniapoto and how that was undermined in the colonisation through Victorian attitudes.

8. Thirdly, it began as a larger block but was progressively whittled away so that today, what is recognised as the Huipūtea block is a very different shape from that at the beginning of the intrusion of the Land Court and Land Court legislation. The Native/Māori Land Court and it's dealings impact on the Huipūtea.

[1] Wai 898, #H9

9. The Public Works Act played a major role in the alienation of our interests in this block as did the Native Townships Act. The block is also impacted by the railway running through the middle of the block, as well as the desecration of wāhi tapu. Our oral history records an urupā on the northern boundary abutting on the Waikowhitiwhiti block.

10. In more recent times, the intrusion of the stopbanks and the desecration of other sites of significance can be compared to other claims within the Inquiry.

11. Here is the whakapapa. Kite Paiaka married Te Taupoki Kahutoi. The first of their children was my grandfather Te Waha, the second was Kahutoi, the third Te Au, fourth Hera, fifth Te Wehi Taua, sixth Mero, seventh Moetu, eighth Pareumuroa, ninth Tangiamio and tenth Paiaka.

12. I was born on the Huipūtea block, about a hundred yards away from the Waipa River as were a number of my whānau. When I was born, my grand-uncle, Te Wehi Tauā Kite was regarded as the patriarchal figure in my mother's family on the passing of his older brother Te Waha. Te Wahapu married Parewhakarau and their oldest child was my mother, Mahuri Pounamu also known as Te Raukura. She married my father, Ngāhina Roa of Pirongia, giving birth to my older brothers and sisters and me, eleven of us in all.

13. On my birth, my mother tells me that I was premature. There were concerns for my health, so Te Wehi Tauā went to the Waipā, near the railway . That was a wāhi mana, a lair of Waiwaia, who my tūpuna regarded as a guardian not just of the river, but also of children. He gathered water from the spring there, bought it to my mother and blessed me and my mother. There was immediately a lift in my health so that, I believe, played a major role in my being able to present to you today.

14. That spring and place, through the intrusion of the railway and the stopbanks, has disappeared. I am unaware of any other family who might have used that wāhi mana.

15. My Grand-Uncle Wehi pointed out that around a couple hundred metres upstream was another hole in the river where Waiwaia, the taniwha was known, to frequent. He also showed me other spaces in the river where Waiwaia was

known to be, however with the stopbanking, those places disappeared and so the guardian spirit of the river was not able to enjoy those places where that spirit of guardianship could be ensured.

16. The Huipūtea block also became tapu because of the loss of life with Ngā Puhi invaders and the successful bid by the Maniapoto warriors to repell them. As the Ngā Puhi fled, the path they followed ran north-west past our family Marae Taarewaanga where other loss of life occurred in the swamp nearby.

17. There was also loss of life I believe near the present kiwi house and the deer farm near Kakamutu Road , and all the way back to Pirongia.

18. So these wāhi tapu disappeared but people like Grand-Uncle Wehi and others retained that memory of these places.

19. The present Huipūtea block, with the Kahikātea tree, was a place where as a child I would run around and play on my way to visiting relations at Te Kotahitanga Marae and along Otewa Road.

20. My grand Aunt, Pareumuroa, that is Te Waha and Te Wehi's younger sister, lived about twenty or thirty yards away in a little house near the Huipūtea tree. As children, we would climb up the tree and play around it. My Grand-Aunt would come up with her stick and chase us away because of the tapu nature of the tree and the surrounding space.

Matakitaki

21. I referred to Mātakitaki in the Ngā Kōrero Tuku Iho hui. Allow me to recap that history as a reminder to the Tribunal.

22. Hongi Hika, Pomare and the Ngā Puhi warriors devastated the Waikato people who had taken refuge at Mātakitaki believing it to be a place of safety, with Potatau as the warchief in control there.

23. The famous phrase on the memorial stone at the entrance to the pā is "where the mere met the musket".

24. This is somewhat misleading because Waikato Maniapoto forces in the pā already had muskets.

25. The disadvantage to Potatau and his forces was that there were so many non-combatants, old men, women and children who had taken refuge in Matakitaki. We have various accounts in our oral history of three to five thousand people taking refuge in that space.

26. When the Ngā Puhi attacked and musket fire was heard, you can imagine the panic when you hear this "BOOM" and the person behind you starts to bleed or falls down as if struck by magic.

27. Many of the non-combatants in the pā had never seen a musket and/or did not know of it's devastating effect. Panic ensued. In their rush to escape many were trampled, some forced into the trenches, thousands losing their lives not just to the musket-fire but more so to the fear of the unknown.

28. The loss of life was horrendous which of course panicked the people even more. The pā is actually in three parts, with ditches and narrow causeways separating each part. Musket fire across the Mangapiko Stream was just too much.

29. Potatau and his seasoned warriors were expecting musket fire, but couldn't control the thousands in their panic. They were forced to retreat as best they could with their surviving family members.

30. Potatau expressed a pride in his pregnant wife's calm stance in the midst of this panic, and subsequently named their son Tūkaroto, later known as Tawhiao.

31. They regrouped near Maungauika where Te Otapēhi, a warrior of mana in his own right standing at just a little over five feet tall said to Potatau, all of six and a half feet, towering over him … "I'll look after you, come with me."

32. Potatau looks down at this pocket-sized battleship of a man and says "You? Look after me?"

33. Te Otapēhi replied, "A small cloud hides the sun. I have my cloak made out of pītongatonga feathers and it will keep you.

34. The pītongatonga is a small bird that you can hold in the palm of one hand and in closing that hand, cover it completely.

35. However a cloak of its feathers provides a very real warmth in the cold King Country winters.

36. So Potatau retreated into the Nehenehenui with Te Otapēhi and took refuge at Orongokoekoea with Te Otapēhi's people, and there his son Tukaroto, later to be called Tawhiao, was born.

37. Potatau and the Waikato warriors along with their Maniapoto kinsmen were responsible for repelling Ngā Puhi at Huipūtea.

38. The Ngā Puhi warriors at Mātakitaki had captured a number of people, amongst them a woman by the name of Te Riutoto, who is fondly remembered by us.

39. Te Riutoto and the captive women and children were used as slaves by the Ngā Puhi warriors.

40. Te Riutoto was sent to fetch water at the Waipa where the Huipūtea tree is now. As she was gathering her water, Te Otapēhi had swum under the water at dusk and said to Te Riutoto, "In the morning, just before dawn, we will attack. Tell your fellow women folk to keep the warriors entertained for the night so that in the morning they will be sluggish and we will be successful".

41. Jokingly one of my aunties, whose mother lived next door to the Huipūtea tree claims that as the original night club of the King Country.

42. I appreciate her humour but I also appreciate the strength of will of these women folk who had a job to do and by all accounts, did it with some gusto, so that the next morning the sluggish Ngā Puhi warriors were overtaken.

43. Some say that the Huipūtea tree that stands there is where the Ngā Puhi warriors put their muskets as a hui - putea that is they made stands of their muskets at that tree.

44. Others say that one of the warriors killed in that particular battle was a person called Huipūtea.

45. That is where the Huipūtea block gets its name, from that incident and our oral histories of course continue to maintain that story in its various forms.

The Huipūtea Claim

46. The reason that I have put a claim on this particular block is because of the very close relationship between Maniapoto and Waikato but also between Maniapoto at that time and the future King and the responsibility that I believe our tūpuna of that time, and more recent times, feel for the King and for the Kīngitanga. Maniapoto is the tuarā of the Kīngitanga, the backbone of the Kīngitanga.

47. The present heritage status of the Huipūtea tree, the Kahikatea that stands there and the notice is in need of attention. The site is maintained by the Ōtorohanga District Council however, it is treated as a curiosity rather than given the attention we feel is it is due.

48. So as part of a possible redress is an enhancing of the site a story board and other ornamentation around that particular site as it stands now.

49. As a result of the stopbanks, the Waipā River (and the course that it previously took) was changed and now a lake stands there called the Huipūtea Lake.

50. The nearby Progressive Park is subject to claims from other claimants however the alienation of those places and spaces remain a concern and are part of the grievance that our families feel towards the Crown.

51. I would like to comment about the site of the Woolworths Supermarket and the McDonalds on this block.

52. When the Resource Management consents were notified, the timing of those notifications were such that our marae received a notice at our marae committee meeting after the Resource Management consent was given.

53. Should we have received those notices, we would have pointed out the wāhi tapu that Huipūtea block maintains and the assertion of our tūpuna that in fact Ngā Puhi blood was spilt in those places.

54. It would therefore be inappropriate to put places where food was to be consumed and sold.

55. However, in a reconciliation, we, the younger members of the family were informed by our kaumātua that we must not take this to heart, and that we must not cause any ill feeling, which might bring a spiritual illness.

56. We were told by our kaumātua that when Tawhiao was the King was in residence in the Rohe Pōtae, he saw that in the war the 'big timber' (the Kauri, the Totara, the Kahikatea of the tribe) were being lost in the battles.

57. Our taonga, our men and women of particular skills with regard to tikanga Māori were being lost to him.

58. So, our tūpuna tell us, he set about visiting places of tapu and taking the tapu away from those places. We have family members who work at Woolworths, who are employed at McDonalds and there is no difficulty or problem in having them earn their livings in those spaces.

59. However I raise this again to point out to the Tribunal a continuing marginalisation of our history, of our teachings, of our tikanga.

60. Moreover the amazing forgiveness of Tawhiao and of our tūpuna for these transgressions, some of which continue today.

61. But thanks to the foresight of our tūpuna, their effects are not as terrible as they might have been before Tawhiao and his peaceful acts of goodwill towards firstly the Crown, but secondly for the good of those who were to follow him.

62. As I said, the Huipūtea is significant as a block not just in terms of those various acts that I have talked about and in terms of its history, but I believe it has a place to play in the future of our people and in the future of our nation.

63. I will expand on this in my conclusion.

Ōtorohanga Native Township

64. The Huipūtea is in the middle of the Ōtorohanga township. Our family history asserts that we Ngāti Hinewai and other hapu of Ōtorohanga amongst them, Ngāti Rangatahi, Ngāti Taiwa, Ngāti Urunumia, Ngāti Uekaha, and others were very aware of the environment and how around July/August it was prone to flooding. We embraced that and even as children, when the floods came, we

enjoyed it because with the floods came tuna heke; with the floods came bird life, pārera, pūkeko, and others, food galore.

65. As a child I recall going out with my uncles in particular and gathering the duck and other eggs, Pukeko, Weka, Takahe etc and the foods, tuna, native trout, all sorts of kai.

66. There is a map in the Native Māori Land Court minutes which showed that there was a township already here and the street names in that township are actually our family names; Maniapoto Street was originally Matapihi Street, and the Matapihi Maratini family are commemorated with sculptures of two sisters, Kahira and Parehuia next to the library. The name of the library is Te Matapihi. Te Matapihi is Kahira's and Parehuia's father'. Miria Tauariki attaches a copy of this in her evidence.

67. This map clearly shows that there was already a Māori township with those streets already laid out before the Ōtorohanga township was formed.

68. However, when Ellis and Bernard came into the district and started logging the Kahikatea in particular and native forests they showed an intention to build their township, where there was already a Māori community, at Ōtorohanga.

69. The streets were commandeered. Our tūpuna advised them not to build a town there as it floods. They suggested that Kiokio, on the Mangaorongo Stream around 10 kilometers north would be better. It is a much better place and doesn't flood.

70. However, the town authorities built their township at Ōtorohanga and some 70 or 80 years later, the floods caused them to come up with a plan to put in the stopbanks.

71. Now, with the stopbanks, you can clearly see that they run somewhat from east to west along the southern boundary of the township.

72. I don't believe it's a coincidence that the stopbanks begin just past the Te Keeti Marae so that Te Keeti Marae is still prone to flooding and end just before Taarewaanga Marae, so that Tarewaanga too is prone to flooding.

73. The flooding at these marae is of course of a different nature to pre-stopbank flooding.

74. I do not believe it is a coincidence. I believe that it is another instance of local and national government having no concern for tangata whenua and is further proof of a breach of their responsibilities under Article Three of the treaty.

75. We also have kōrero around how our uncle Henry Tauaiti Rangitaawa was displaced from his home with the flooding in the assertion that his home was prone to flooding.

76. Of course it is strange that our tūpuna told them about the flooding. We know how to deal with it. Uncle Henry and the family knew how to deal with that flooding. But they displaced this kaumatua of ours from his home and livelihood near the river but they won't consider doing that to Pakeha whose homes and livelihoods are threatened by flooding.

77. Instead they build a stopbank!

78. Again, I will assert a breach of article three of the treaty as well and the promise that we would be treated as citizens of equal worth of this country.

The Naming of Ōtorohanga

79. Here is the whakapapa.

80. Hoturoa, Hotuope, Hotuawhio, Hotumatapu, Mōtai, Ue, Raka, Kakati, Tāwhao.

81. Tawhiao married Punuiatekore. They found they were having difficulty having a child, Punuiatekore says "Marry my younger sister, so she can provide you with a child." Marutehiakina, the younger sister, fell pregnant. Not long after, about six months later, the older sister Punuiatekore fell pregnant. Marutehiakina gave birth to Whatihua, the younger sister giving birth to the first child. Punuiatekore, the older sister gave birth to the second child Turongo. Naturally the two sons were always in competition, and the debate continues today about who is the tuakana and who is the teina.

82. According to Te Kaapo Tuwhakaaea of Ngāti Korokī-Kahukura, Tāwhao stood at Mātaiwhetū near Taarewaanga Marae with a 360 degree view of the surrounds.

83. He stretched one arm toward Rangiatea, east of Ōtorohanga, and said to Whatihua "From there, north to the coast, Whatihua, you look after that part", stretching the other arm toward Kawhia. He then turned to Turongo "From there south to the coast (meaning the west coast i.e. Kawhia), Turongo, you look after that side".

84. That story from Te Kaapo caused me to consider what Tāwhao meant by "look after". Te Kaapo didn't talk about ownership, he talked about ensuring that Whatihua had his part and a role to play and Turongo had his part and his role to play.

85. I don't know when this took place, I believe that it was probably when Tāwhao being elderly, wanted, to leave a clear legacy for his two sons.

86. I had the opportunity to ask Te Kaapo's younger brother his version of this. He added that Tāwhao said to Whatihua, 'You look after this space AND YOUR YOUNGER BROTHER'S INTERESTS!' Similarly to Turongo, he said 'You look after this space AND YOUR OLDER BROTHER'S INTERESTS!'.

87. So we have o-torohanga, the stretching of the hands.

88. I believe this story has a role in the Ōtorohanga as a native township and its role as a gateway between Waikato and Maniapoto, the Waikato and Te Rohe Pōtae.

89. Turongo had a responsibility for ensuring that the interests of Whatihua and his descendants were to be cared for in the southern areas, Whatihua for the northern.

90. I do admit that this thought only comes to me later in life and is not what Te Kaapo said but it is, I think, a natural conclusion that one might make from Tāwhao reminding the brothers that they were brothers and of their relationship.

Conclusion

91. And again, the Huipūtea block is not, I would assert, owned by the hapū of Ngāti Hinewai, Ngāti Parewaeono, Ngāti Urunumia and others as named in the claim. It is our responsibility but not ours to own.

92. In summary It is ours on behalf of all Maniapoto, of all Tainui in fact.

93. Te Otapēhi realised his and his people's responsibility to Potatau and to his descendants.

94. This continues today with our commitment to the Kīngitanga.

95. Our tūpuna insisted with Ellis and Bernand and others that it would be best to build the township at Kiokio, which didn't flood.

Future Aspirations

96. I'm grateful to the efforts of Te Aue Davis who I am informed was responsible for the Huipūtea being recognised by the Heritage Places Trust as a site of national significance.

97. Throughout the Rohe Pōtae, there is a history and a heritage of which both the local and national populations are largely ignorant.

98. I would assert in our aspirations for nationhood, especially as the commemorations of World War I beckon, this ignorance should be addressed.

99. It appears an axiom that Nationhood stems from conflict. This is evident in the Waitangi Tribunal Claims space, and the resolution of Claims.

100. In robustly exploring the truth of our histories, we as a nation must seek to be better educated in areas like the Huipūtea, its pre-Treaty history and its impacts on our histories post-Treaty.

101. Breaches of the Treaty brought major conflict to our land.

102. The seeking of resolution in the Tribunal process is important to our whānau, our hapū represented in this claim.

103. Tawhiao was the King of peace – Kīngi o te Maungārongo, His son Mahuta was King of goodwill – Kīngi o te Rangimarie.

104. The aspirations of those leaders of those times laid the foundation recognising the conflict, accepting that it took place, using their 'mana' to move on to a higher level.

105. There are a number of ways that the mana whenua can be acknowledged and recognised appropriately.

106. Firstly, funding can be made available to prepare and publish and present both in hard book copy along with compact disc, DVD perhaps, the history of the block; this particular journey in addressing that history; and how resolution of the claim has come about, so that for future generations, both of Māori and other-than-Māori descent, might take a pride in this process of resolution and move together as one.

107. Secondly, at present the management of the block and the caring for the block is clearly with the Ōtorohanga District Council. It would be advantageous I believe to consider with the block and with the township a joint management agreement, whereby trustees and representatives of tangata whenua and council might be charged with the responsibility for the block and appropriately resourced.

108. Thirdly, that appropriate artworks e.g. pouwhenua and/or waharoa; storyboards, etc be developed for the site; naturally from an appropriate research commissioned, and properly resourced, this forming part of the present heritage trail through the King Country.

109. Finally, that as the railway and the stopbanks have affected adversely the local marae and the people of those marae, appropriate resourcing be provided for the development and maintenance of those marae.

110. The opportunities afforded should not be to individuals but be in effect to the whole community, both Māori and other-than-Māori.

Nā,

Thomas Charles Roa