OFFICIAL

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of the Te Rohe Pōtae District Inquiry (Wai 898)

OPENING SUBMISSIONS
FOR TE HAUĀURU CLAIMANTS

RECEIVED
Waitangi Tribunal
04 Nov 2013
Ministry of Justice
WELLINGTON

Director
Aidan Warren

Solicitor Acting
Glenn Tootill

One on London
1 London Street
PO Box 9348
Hamilton 3240
New Zealand

DX GP 20020
T 64-7-838 2079
F 64-7-839 4652
W www.mccawlewis.co.nz

McCaw Lewis
LAWYERS

MAY IT PLEASE THE TRIBUNAL

Introduction

1. These are brief opening submissions in respect of Te Hauāuru Claimants. Attached and marked 'A' is a list of Te Hauāuru claimants McCaw Lewis represent ("the claimants").

Te Hauāuru Claimants

2. Unlike other rōpū, the Te Hauāuru claimants are not an historic grouping, but consist of claimants from a number of Ngāti Maniapoto hapū generally extending inland from Ōtorohanga to Kāwhia on the coast, taking in the Pirongia and Waitomo regions.[1] Some claimants also have affiliations to iwi other than Ngāti Maniapoto.

3. The claimants have filed separate claims and maintain their own autonomy and independence in regards to their claims, however to ensure the most efficient presentation of their claims to the Waitangi Tribunal, they agreed to work together and filed a joint fully particularised Statement of Claim.[2] The claimants will be presenting their claims together this week as Te Hauāuru.

4. The hapū that underpin the claims include:

   (a) Ngāti Urunumia;

   (b) Ngāti Hinewai;

   (c) Ngāti Rungaterangi;

   (d) Ngāti Rora;

   (e) Ngāti Taiwa;

   (f) Ngāti Parewaeono;

   (g) Ngāti Te Rahurahu;

   (h) Ngāti Matakore;

[1] See Wai 898, #1.2.20, para 8-14 for more detail
[2] Wai 898, #1.2.20

(i) Ngāti Parewhata;

(j) Ngāti Ngāwaero;

(k) Ngāti Paretekawa;

(l) Ngāti Uekaha;

(m) Ngāti Paretāpoto;

(n) Ngāti Rangingonge;

(o) Ngāti Korokino;

(p) Ngāti Taramatau;

(q) Ngāti Hikairo; and

(r) Ngāti Apakura.

5. Some of the claimants are also part of the Whanake Ake Trust. The Whanake Ake Trust is a charitable trust established to advance the claimants claims before the Waitangi Tribunal in regards to lands and resources within the rohe of Ngāti Maniapoto. The name Whanake Ake is taken from the ōhākī of the ancestor Maniapoto who insisted that his descendants continue to develop strategically – Whanake Ake.

6. All the claimants are descendants of the eponymous tūpuna Maniapoto ("Ngāti Maniapoto"). The claims assert that, prior to 1840, the iwi Ngāti Maniapoto had developed trade within and outside the iwi resulting in a prosperous, healthy, vibrant society, fiercely independent and yet eager to share that prosperity internally and externally. To that end, a number of rangatira including Haupokia, Te Ngohi and others signed Te Tiriti o Waitangi at Kāwhia.

The Claims

7. These submissions will set out a brief overview of the claims to be presented during this hearing week. Whilst the claimants will present evidence regarding their respective claims individually there are a number of recurring themes which permeate the evidence including:

(a) The effect of Crown purchasing in the northwest of Te Rohe Pōtae;

(b) The establishment of the Ōtorohanga Native Township;

(c) Landlocked land;

(d) Mana wāhine from a Ngāti Maniapoto perspective.

Hinekahukura Barrett-Aranui - #O7, #O8

8. Hinekahukura Barrett-Aranui will present evidence regarding:

(a) #O7: Mana Wahine from a Ngāti Maniapoto perspective in answer to a number of questions raised by the Tribunal in previous hearings, as well as her experiences regarding education encompassing te reo Māori; and

(b) #O8: Ngā Taonga o Hauturu – the Waitomo Caves, in particular in relation to the Aranui Cave.

Dr Beryl Roa - #O3

9. Dr Beryl Roa will present evidence regarding an abridged version of her PHD thesis concerning the alienation of the Kopua One block in the northwest of Te Rohe Pōtae, and how Crown success in the Kopua One block purchase served as a prototype to access other blocks. Her evidence also discusses the landlocked urupā Te Ākarauti.

Miria Tutunui Te Kanawa-Tauariki - #O6

10. Miria Tutunui Te Kanawa-Tauariki's evidence will focus on how her tūpuna Parehuia Maratini's land at Waikowhitiwhiti (in what is now the township of Ōtorohanga) was taken by the Crown against her wishes.

May Te Kanawa - #O1

11. May Te Kanawa will focus on the Ōtorohanga Township and Māori involvement in the local council.

Loui Ru Reihana Rangitaawa - #O4

12. Loui Ru Reihana Rangitaawa will present evidence regarding his experiences with landlocked land over his 83 years. He will also discuss how the claimants have mana over their rivers and are the kaitiaki of the rivers.

Bill Harris - #O5

13. Bill Harris will focus on whenua taken from his whānau under the "uneconomic shares" provisions in the Māori Affairs Act 1953 in Hauturu-Waipuna C and Tokanui.

Walter Tata - #O2

14. Walter Tata will present evidence regarding Parish of Pirongia Allotment No. 265, which was granted to his tūpuna Wahanui by the Crown in 1885, however within 45 years of granting the land to Wahanui it was proclaimed Crown land and disposed of.

Tom Roa - #O17

15. Tom Roa will discuss the Huipūtea block describing it as a microcosm of the Rohe Pōtae claims in that it impacts on so many aspects of claims in the Inquiry district.

DATED this 4th day of November 2013

_____

A H C Warren / G P Tootill
Counsel for the Claimants

List of Te Hauāuru Claimants McCaw Lewis represent

1. Wai 472 – Miria Tauariki for and on behalf of the descendants of Parehuia Maratini;

2. Wai 847 – Beryl Roa for and on behalf of Ngāti Maniapoto;

3. Wai 986 – May Te Kanawa and others for and on behalf of Ngāti Urunumia, Ngāti Hinewai, Ngāti Rungaterangi, Ngāti Rora, Ngāti Taiwa and Ngāti Parewaeono;

4. Wai 993 – Eddie Neha and others for and on behalf of Ngāti Urunumia, Ngāti Rungaterangi, Ngāti Te Rahurahu, Ngāti Matakore, Ngāti Hinewai, Ngāti Parewhata, Ngāti Ngāwaero, Ngāti Paretekawa, Ngāti Taiwa, Ngāti Parewaeono, Ngāti Uekaha and Ngāti Paretāpoto;

5. Wai 1015 – Manny Tata and others for and on behalf of hapū in the Ngāti Maniapoto rohe;

6. Wai 1016 – Loui Rangitaawa and others for and on behalf of hapū affiliated to Ngāti Maniapoto;

7. Wai 1054 – Walter Tata for and on behalf of his family and the descendants of Reihana Wahanui Te Huatare;

8. Wai 1058 – Barry Carr for and on behalf of hapū in the Ngāti Maniapoto rohe;

9. Wai 1095 – Tom Roa for and on behalf of his family and hapū Ngāti Hinewai, Ngāti Rungaterangi, Ngāti Matakore, Ngāti Parewaeono, Ngāti Urunumia, Ngāti Paretāpoto, Ngāti Taiwa and other hapū of Ngāti Maniapoto;

10. Wai 1115 – Harry Turner for and on behalf of his family and hapū Ngāti Taramatau, Ngāti Hikairo, Ngāti Apakura and other hapū of Ngāti Maniapoto;

11. Wai 1608 – Weno Iti for and on behalf of Ngāti Maniapoto;

12. Wai 1965 – Miria Tauariki for and on behalf of Ngāti Uekaha;

13. Wai 2335 – Weno Iti for and on behalf of the descendants of Ngāti Uekaha;

14. Wai 1586 – Dawn Magner for and on behalf of the descendants of Te Maawe Uri o Newha and Nathaniel Barrett;

15. Wai 1612 – Dawn Magner for and on behalf of the descendants of Ngāti Uekaha; and

16. Wai 2120 – Hinekahukura Aranui for and on behalf of the descendants of Uekaha.