

IN THE MATTER OF The Treaty of
Waitangi Act 1975

AND

IN THE MATTER OF Claims by
HUHURERE
TUKUKINO and
OTHERS known
as the HAURAKI
CLAIMS

**STATEMENT OF EVIDENCE OF ROY JAMES McENTEER ON
BEHALF OF THE CLAIMANTS**

1. My name is Roy James McEnteer. I am a Chartered Accountant (now retired) and have lived in Tauranga since 1948.
2. I was born in Waihi in 1925 and when I was two years old my parents relocated to Thames, where I was educated, firstly at the convent school and later at the Thames High School. When I was 18 years old in 1943 I joined the Air Force and served as a gunner on the Venturer Bomber planes of the RNZAF in Guadalcanal, Bouganville, Rabul, Green Island and New Britain. Returning in 1945 at the end of the war

and after a brief stay at Wellington I moved to Tauranga to be closer to my widowed mother who had also lost my brother in the war.

3. I am of Ngati Maru descent. I whakapapa back to Te Ngako, Naunau. Tarawaikato, Tuangahuru, and Watana.
4. My maternal grandparents were Hine Haeriti and Te Wharau Watana. My maternal grandmother was Te Arani Watana who married Alexander Hogg in 1874.
5. My mother's maiden name was Pare (or Pauline) Whakaarorangi Hogg and she married my father in 1916. My father was killed in a mining accident when I was 7 years old so for most of my teenage years I was bought up by my mother.
6. Remembering back to my primary school days my mates such as the Gregory brothers were pulled up for speaking Maori and told to speak English all the time. Later on in the 1930's, when we attended secondary school, we didn't have any Te Reo classes like you have today, we had to learn French and Latin. My mother spoke Maori and my uncle Tasman was really fluent and always used to speak Maori especially when we visited our relations such as the Kipas and Nicholls. Looking back I regret that I was never taught or encouraged to speak Maori, but those were the days when speaking Te Reo Maori was frowned upon and actively discouraged.
7. In the early days of my youth I remember accompanying my mother, on visits to other Maori families such as the Taipari's, Stewart's, Nicholls', Kipa's, Murray's, Gregory's and attending huis and tangis. My mother would take me to sessions of the Native Land Court when I was a young child. Uncle Tas would say " You have to make an appearance Polly to protect the land." I will always remember the

Native Land Court. It stood next to the old Police Station and cell block at the south end of Pollen Street in Thames. This was before it was shifted to Grahamstown. The Native Land Court sittings were a great event for Maori. In between cases everyone would sit outside. There were many old women with moko who would smoke their pipes under the veranda.

8. During the years of the great depression , my father who was a miner by occupation and a returned serviceman from the 1914-1918, could only find " relief work" labouring on the Thames coastal road during its construction. Occasionally he would take my brother and me to spend a night in the working men's tents erected in the bush near the construction site. There was no other work around and while there were some Maori most were pakeha as I remember it- I was only 5years old. I think you got one pound per week for a married man. Dad had to go to New Guinea to look for work and after he was killed there in 1932 when I was seven, mum had to bring up us four kids during the depression. We survived the best way we could. Mum had a small widow's pension and got some insurance money when Dad was killed. We had a vege garden but the little whanau land that remained could not support us because it was up in the bush and out of Thames. We didn't have transport to get to it and in any case it was inaccessible or land locked by farm land belonging to others. My uncles left Thames to look for work as well.

9. My mum would say we had lands here and there but she didn't know much. When I would ask her about where they were she would say you have to get that from uncle Tasman as he was the older brother. Whenever my uncle Tahimana Rangituangahuru (or uncle Tas as I knew him) visited Thames from his home on the West Coast or Christchurch, which was every three or four years , he would take me on visitations and inspections of some of the land that belonged to the whanau. He would say " This is our land Roy, this piece it's a bit rough but its our lands".

10. It was not until 1964 when I was about 40 years old, that uncle Tas informed me that I was to take over from him the role of kaitiaki of the land interests of the whanau. He was in his 70's at this stage and said that he found it too difficult to travel up from the South Island. He said I was to watch out for our interests. From that point on I became actively engaged in issues affecting the lands. I have fulfilled that kaitiaki role until now on behalf of the whanau which I would estimated comprises about 100 people. This has involved appearances at the Maori Land Court, negotiating contracts for timber, objecting to valuations and council policies, attending Maori land meetings such as the Ceded lands meetings, serving as a Trustee and chairman of different Trusts, liaison with other families and land owners, and keeping our whanau up to date and informed on current issues.

11. The records handed to me by my uncle showed that we originally had beneficial interests in sixty separate blocks of land, the majority being in the Coromandel to Paeroa area, some in the Waikato and Piako and a block on Great Barrier Island. However, our research discovered that most of these blocks had been alienated by way of sale or taken by the government of the day for roading, educational and recreational purposes, now leaving just sixteen blocks with a total area of approximately 440 hectares. Two of the remaining blocks are owned solely by the whanau and the balance shared with other Maori owners. Unfortunately the majority of these blocks are situated back in the hills of the Coromandel range without ready access to them.

12. Mum and uncle Tas never paid rates on the whanau land, they couldn't afford to, but I took it upon myself to pay the rates from the time I took over looking after the lands. Initially they were small rates like 10

shillings per year but then it climbed to hundreds of dollars per year and most recently its up to a thousand dollars per year on some blocks. After I retired I couldn't afford to pay them and it has become a real burden. I have applied for rates relief on some blocks and was recently remitted rate arrears of over \$8,000 on the Ngaromaki lands. I was always worried by the rates issue because I thought the Council would try and take the land. These lands I am talking about are the very last of our lands, we would have nothing left if they took them. Most of the land is not used for anything apart from the public purpose of looking at the scenic back drop to Thames and the Coast road. To my mind if there is such a public value then the public should pay the rates and not expect the Maori owner to subsidise the general community.

13. My first encounter with bureaucracy was in 1972 when as one of the six owners in Te Mata D Block XI11 (15 hectares) at Manaia, I opposed the Coromandel County Council's proposal to have the whole of Te Mata D (approximately 50 hectares) zoned as a scenic reserve. I saw this as a method to alienate us from the land. (This is an area of hill country dissected by very steep gullies and streams with regenerating native bush as land cover, making it unsuitable for housing or farming.) However, the decision went against me as did my appeal to the Town and Country Planning Appeal Board. Under this designation we were deprived of all the benefits of ownership except for the right of access to the land, yet we were still liable to pay and paid the annual rates levied by the council. We were not even allowed to remove ti tree for firewood. This went on for about 10 years. In 1983 the designation was uplifted due to insufficient government funds being available for acquisition. In the meantime as adjoining land was developed for farming horticulture and forestry, the government valuation rose from \$350 in 1973 to its present valuation of \$82,000 despite my objections on the basis that the land is unsuitable for any similar development and has remained in its natural state for the last eighty years. The payment of rates has now become a real financial

burden on the owners. We also found out that the block was listed in the New Zealand rock hound association handbook because it contains semi-precious red coloured rock sought after by jewellery makers and the like. The result was that lots of this rock has been ratted and removed from the land and people seem to wander at will and take without any respect for our rights, consultation or permission.

14. In 1973 when the land owners established this 438 trust, I was elected a trustee of part of the Ngaromaki lands which comprises six blocks of ancestral land containing 50 hectares and situated at Tararu about 8 kilometres along the coastal road north of Thames. Most of this is behind the Thames Coastal Motel. One of the important objectives of the trust was to secure access or better access to the land with a view to harvesting a large stand of matured pine trees and developing a residential subdivision to enable land owners to live on their land on a vacational or retirement basis. Over the years we have endeavoured to carry out this objective but our efforts have been thwarted by both central and local government. For example, the land we had hoped would provide us with access was subject to two unoccupied Miners Residential Site Licences due to be surrendered, but by the passing of the Mining Tenures Registration Act 1962 these licences, without the knowledge, consultation or consent of the Maori owners, became perpetual leases and as the licensees declined to surrender their leases, we have been stymied in our attempts.

15. Again, when it was learned that the Thames North school was to be closed and its future administration would fall into the hands of the Land and Survey Department, the trustees asked that part of the site, a twenty metre strip, be reserved for road access. Unfortunately the Department overlooked or ignored that request and the whole of the site was made a local reserve administered by the Thames Coromandel

District Council, who along with the local residents strongly oppose giving up any part of the reserve so as to provide access into our land.

16. A further request for access through Dicksons Domain, another nearby council administrated reserve, which was originally part of the Ngaromaki lands, met with the same fate and to this day the problem remains unsolved, much to the disappointment of the 120 beneficial owners.
17. The same problem of access applies to a block of 15 hectares, owned solely by my whanau, known as Waihoanga 3B adjoining the old Tararu cemetery and abutting on to Ngaromaki. It also has a large stand of matured pine trees which can't be harvested because of the steepness of the land and lack of access. Once again the liability for rates on this non-productive land is becoming an increasing financial burden for the owners.
18. Another 438 trust in which I have been involved in - as Chairman since its inception in 1977 to when I retired in 1995 - is known as Pakirarahi No. 2 trust. This trust controls and manages 610 hectares of Maori freehold land approximately 16 kilometres east of the Puriri township. The land contains precious minerals such as gold and silver and valuable forestry resource consisting of windfall and salvageable kauri timber. By developing these resources and, with the approval of its owners, retaining a large proportion of its earnings, the trust over the years has built up a sound financial base enabling it to invest in and obtain other assets apart from the land. It is one of the largest Trusts of its type in the Hauraki area. It has been able to distribute financial dividends to its 400 or so owners.
19. In 1990 we set up an Educational Grant Scheme to support those who wish to develop themselves through education and training. I see this as a social dividend. Since then the Trust has made grants to over 150 people aged between nine and sixty-five years. In general, grants have

a value of \$200 to \$600 but in special cases we have provided up to \$1,000. To date these grants have been targeted at those attending a Technical Institute or University but there have been exceptions for specialist needs. Students have been supported in their university studies at Auckland, Waikato, Massey, Victoria, Otago and Tasmania. Polytech students have been supported at Auckland, Waikato, Tairāwhiti, Manawatu and Rotorua. They study a wide range of courses such as Bi-lingual certificates, Bachelor of Technology and Science, Diploma of Disabilities, Certificate of Maori Studies, Automotive Trade Certificate, Bachelor of Pharmacy, Diploma of Nursing, Diploma of Marketing, Bachelors of Science, Arts, Education, Commerce, Social Science and Applied Science, Master of Arts, Bachelor of Laws, Trinity College music, Applied Science in Fishing Technology and others. Recipients have to be able to whakapapa back to owners by direct bloodlines. I feel proud to be part of this successful Maori venture. The long term objective we have is to strengthen people and their cultural identity as skilled Hauraki Maori. In a small way we have attempted to do something that could have so much more impact with a positive Treaty settlement.

20. In concluding let me say that for the future I want to see the return of land as part of this Treaty settlement. We have been left almost no land and have had to fight tooth and nail to retain what little remains. I would like to see the settlement and remedy benefits flow back down to the grass roots people - the people at the bottom of the pecking order who haven't got much. I would like to see more funds flow into health and education not always from compensation because the land was taken but because it is a right of all citizens in this country to develop their potential and remain healthy.

Thank you for listening to me, kia ora, Tena koutou katoa.