

**BEFORE THE WAITANGI TRIBUNAL
TE ROOPU WHAKAMANA I TE
TIRITI O WAITANGI**

**Wai 686 #W11
Wai 349 #A21
Wai 720 #A11
Wai 778 #A21**

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of the Hauraki Inquiry District

AND

IN THE MATTER of a claim by **Te Wiremu Mataia Nicholls, Tamatehura Mataia Nicholls, Wharenui Piahana and Te Runanga o Ngati Tamatera** for and on behalf of themselves and all the descendants, whanau and hapu and the constituent whanau and hapu of the **NGATI TAMATERA** of the **MARUTUAHU TRIBAL CONFEDERATION**

**BRIEF OF EVIDENCE OF HARIATA KUI KUI SORENSON
DATED 29 JULY 2002**

Rangitauira & Co
Barristers and Solicitors
PO Box 1693
DX JP30025
ROTORUA
Ph: 07 348 0034 Fax: 07 3462933
e-mail: rangitauira.office@clear.net.nz
Counsel Acting: John David Rangitauira & Haimona Hemi Te Nahu

TAMATERA
 PUTAHI
 TE KIKO
 TAHAE
 TE POPORO
 PAREWAHAIKA = TUPAEA
 TOKOAHU
 TE POHEPOHE - HIHITAUUA - HUHURERE - TARAIWI
 KIHU -TARAIA -TUKUKINO
 TEHI
 PARAKU RAPANA = HERA HOPIHANA
 TE TEKURA PARAKU = KAHOKI TE MEIHA POTIKI
 TAKAREI RAPANA PARAKU = ZENA HINA HARIHONA HARRISON
 HARIATA KUI KUI SORENSON (NEE PARAKU)

1. My name is **HARIATA KUI KUI SORENSON** and I reside in Paeroa. I belong to the Ngati Tamatera and Ngati Raukawa iwi. My hapu are Ngati Pare, Ngati Tawhaki, Ngati Matewaru and Ngati Tangata.

I am a licensed Kai Karakia with Te Pihopatanga o Aotearoa. I have held this position for 10 years. I have also been active within the social services and ministry to the rohe of Hauraki. I joined Te Runanga A Iwi O Ngati Tamatera and held the following positions;

- | | | |
|----|------------|---|
| a. | 1998 -1999 | claims researcher |
| b. | 1999 -2000 | trustee Wai 778 claims committee |
| c. | 2001 -2002 | Vice Chair Wai 778 claims/finance committee |

I hold a degree in Atuatanga (Aotearoa Theology) Minitanga (Ministry) Awhi Whanau (Social Services) Iwi/Hapu (Tribe/Sub tribe), Tikanga Rua (Treaty of Waitangi) Distinguished Service Medal, Diploma of St John and Certificate of Nursing New Zealand Royal Plunket Society.

My claim today is the same as my Great Great Grandmother **MERE KURU TE KATI** ("My Tupuna"). That is, stop taking and stop stealing our land. My Tupuna opposed the intrusion of the Pakeha and frequently broke up the sittings of the Native Land Court and on one occasion she drove all the members of her tribe out of the court flourishing her mere over the heads of the presiding Judges. My Tupuna was Ariki Tapaiuru of Ngati Tamatera of Ohinemuri. My Tupuna was against the mining laws. She opposed government legislation and argued strenuously against the selling of land and

the removal of Kauri from the District. That is why where it is stated "*Mackay persuaded her to allow gold mining*" I now dispute this. I believe my tupuna had no option where mining was concerned.

5. During the Gold mining days Mackay negotiated a deal with the Grocery Storeman to allow the exchange of food for lands, these land transfers were to be returned on payment of the bills, this never happened. Land was kept and no-one had the right of reply as Mackay had left the Hauraki and did not return for months. I now understand this process was called the "Raihana" system.

6. I remember being told about a meeting that took place at Te Whakahaere O Hauraki (or the place for the management of the affairs of Hauraki) on the 18th February 1875. Te Hira my tupuna's cousin said'

"We own this place, I want to live in peace on this land and not to be disturbed. Remove now the troubles of Hauraki"

7. This meeting was so important it was re-enacted by the direct descendants of Chiefs of Ngati Tamatera where my father's brother Bill portrayed Te Hira. They are as follows;

| | | |
|-------------------|---|---|
| Te Hira | - | Wiremu Hopihana Paraku (Bill my fathers eldest brother) |
| Te Moananui | - | Mr R Te Moananui |
| Wiremu Hopihana | - | Takarei Paraku |
| Mere Kuru Te Kati | - | Mrs M Hirawani |
| Tukukino | - | Huhurere Tukukino (Shu) |
| Te Kepa Rahuruhi | - | Mr W Kepa |
| Hohepa Te Rauhihi | - | Mr P Hirawani |
| Harata Patene | - | Mrs J William |
| Wi Koka | - | Mr T Wickliffe |
| Riwai | - | Mr J Clarke |
| Mataia | - | Mr V Nicholls |

8. Another tupuna Tukukino fought alongside Mere Kuru Te Kati. Together they prevented the opening up of gold fields for many years. Tukukino was classed as a pretty good fellow, but very obstinate when the Crown *or* its

surveyors tried measuring their lands. My tupuna was also known to have chased two surveyors off the land that was about to be surveyed for the Paeroa township.

9. One of the Marae that belonged to Taraia was called Te Aputa Te Puru that my family has shares in. I am extremely aggrieved where kaumatua and Trustees have the right to sell and negotiate land without any negotiation or consultation with shareholders or owners. An example being a multi-million dollar Hotel was in the vicinity of the Te Aputa Te Puru Marae. We have also lost land through succession being made to those of non-blood ties.

RAWHITIROA RIVERBANK ROAD

10. I want to relay the affect of actions against whanau living down this road. Along this metal road grew flax and toi toi. These were used to make fibre, harakeke was used for muka, ropes, shoes, kete and kono. The Keremeneta whanau had huge plum, grapefruit, peach, apple and feijoa trees that were used to feed their family.
11. My parents had seven children. My father worked very hard to feed us. He was the foreman at the Waikino Battery. At that time there were 1000 workers. Gold was the topic of the day and an Uncle of mine Tame Poata Tahatika was pictured finding a vast amount of quartz. During 1950-60s the family moved to River bank road Paeroa. Aunty Mereana swapped the Rawhitiroa section for my fathers Tram cars down at the beach. We had a four bedroom house. There were about 10 peach trees, 5 apple trees, 5 nectarine trees, grape vines, 3 plum trees and a peacharine that my father had cross bred.
12. Another Uncle Fred McCaskill and his wife Mereana Te Putu (a Justice of the Peace) had cows, a milk separator, electric hou, boat and a car. Uncle Fred was a carpenter and he also made coffins. He had many fruit trees, but gardens were his specialty. He grew kumara, kamokamo, corn, potatoes, peas, beans, tomatoes everything you could imagine he grew. The family all worked together during harvesting time. Karakia was paramount to planting and cutting or reaping. However fishing, eeling, and duck shooting he did for relaxation purposes. Aunty Mereana was more interested in medicine like

her remedy for constipation and for boils. My Aunty and Uncle had only three children.

13. Another relation Tangi Te Reina had the largest orchard and about 9 children. She had Black boy peaches, Queen peaches, pears small, long juicy, apples red/green/yellow, grapes red, purple, green, feijoas, plums, hens and cows.
14. Bell another whanaunga also lived down this road. He built his own house that stands today. He was the last one to use a horse and gig on our road. He was a very hard worker. His fruit trees were numerous.
15. Wickliffe and Mary Hirawani who lived there also had many fruit trees as well as animals like hens, goats and other animals. They were stopped from having these animals due to Council bylaws.

THE GRIEVANCE

16. In 1981, plans were made to remove five houses from River Bank road. The reason being the Catchment Board and the Council wanted to "Save the Town" by preventing floods. The flood of 1981 destroyed an embankment that caused flooding on the Town side. Tangi Tereina Peeke would not leave her house during the storm or when they removed the houses. She fought them stating she had lived there for years and it never flooded. She knew the other side of the bank would corrode when the Council and the Board started to muck around with it. cutting down all the trees that supported the bank.
17. Ruka Keremeneta was the first house in the street that suffered. His grievance is two fold. Firstly when all options to fight were exhausted he only agreed to sell as he was told his house due to being made of brick could not be moved. He sold the house to the Catchment Board who gave it as compensation to the McCaskill whanau who had their house demolished by the Catchment Board. Secondly, he lost all his fruit trees and sought compensation for that still has not been resolved.
18. The Paraku whanau (my family) who lived in the third house were aggrieved due to the removal of our whanau home. I personally saw the emotional

devastation of the separation from the papa kainga of our home, the familiarity of the surroundings and our emotional safety were torn when our home was removed. This is a prime example of how we were disconnected from our relationship with the whenua. The arrogance of thinking they could just up root my family from our land. We are one and the same, our wairua with the whenua. How can one be compensated for this. How could one get compensation watching a father cross breed a peach with a nectarine to get a peacharine?

19. These houses were moved but the top soil that should have been used for building up of the remaining homes were sold to farmers. The houses today are flooded continuously. The owners of those houses were led to believe the river no longer belonged to them and the land was now the property of the Catchment Board. When the Council wanted to lay sewerage pipes under the river bed to travel across the river bank, permission had to be sought from the river bank road residents. This happened years after the removal of the houses.
20. The results of the actions of the Council and the Catchment Board are devastating. There are hardly anymore trees. It is now quite barren along that side of the bank. The river is more polluted than ever as a result of continuous pollution over the years. We cannot even see the bottom of the river now as we used to. We no longer have any eels that roam in the river. The pollution from the Dairy factory saw white foam floating down the river and my parents strictly forbade us from swimming there.
21. The loss of our economic stability has caused families to leave for the cities. The once close knitted community has been devastated.
22. The greater impact of unemployment, no housing has caused Tamatera to walk in national hiko against poverty all the way to Wellington. Two members of Tamatera come to mind Henry Wickliffe and Helen Paynter (nee Te Moananui).
23. The historical impact of unemployment saw whanau, hapu leaving their Whare tupuna. Their papa kainga became desolate isolated places to such an extent that the once privately owned Te Pai O Hauraki by Ngati Pare and

Ngati Tawhaki in the 1960s - 1970 was opened to allow other extended whanau tribes to assist.

24. We seek the return of our lands, assets, sea beds, airways, fisheries so as we can ensure the future of Ngati Tamatera with a sustainable economic base for all future generations.

HARIATA KUI KUI SORENSON

DATE: