

Te Paerata Papakaainga

[REDACTED], SH3 North

Mōkau

North Taranaki

[REDACTED]

9 May 2025

Waitomo District Council

Draft Annual Plan 2025-2026

Consultation

Attention: Michelle.Higgie@waitomo.govt.nz

Tēnā koe e Michelle

Thankyou for our phone conversations.

I write to make a submission on the Draft Annual Plan 2025-2026 of the Waitomo District Council. I apologise for the lateness of this submission, nevertheless I ask that the Council accept this submission. Further, if possible, I be allowed to make an oral presentation. I do plan to attend the hearing on Wednesday 14 May 2025.

I am a ratepayer in Waitomo District. I am also Manawhenua and a landowner in Mōkau District. I hold various governance roles including Chairperson, Te Paerata Whānau Trust; Chairperson, Piripiri Ahuwhenua Trust; Deputy-Chair & Secretary, Te Rōpū Whakahaere o Te Whare o Tokanganui-a-Noho, Te Nehenehenui Trust.

With this letter I include the Report “Cultural Impact Assessment Report 2023 – Digger Activity at Te Naunau, Mōkau”, as background documentation for my submission.

Submission

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Consultation: The Future of the Council-owned seawall at Mōkau

I am not in support of any of the options put forward by the Council.

I am in support of the seawall at Mōkau being removed, at the expense of those who have benefitted from Council sanctioned building of houses and other structures on Te Naunau, and the sale and purchase of properties on Te Naunau. Te Naunau being the whole of the Sand Spit area.

Te Naunau, i.e. the whole Sand Spit area on the North Head of the Mōkau River, is a burial ground. The history of this is set out in the report attached. In the 1950s the predecessor of today's Council, was granted ownership of most of Te Naunau, except two half-acre sections set aside as burial reserves. One reserve is on the seaside of Te Naunau, the other is on the riverside of Te Naunau. Excluding these reserves, the Council sold most of Te Naunau for residential lots.

Te Naunau is a wāhi tapu, a sacred place. Ancestors of local hapū were interred there. Some of the ancestors who were buried in Te Naunau were later exhumed and reburied at places like Hikumutu Urupā at Maniaroa Marae (for example, around the time that Te Punga o Tainui – the anchor-stone of the Tainui Canoe - was interred there). However, many deceased ancestors were left at Te Naunau.

Members of Te Paerata whānau, including myself, are descendants of people who were buried into Te Naunau. The last person to be buried into Te Naunau that we know of was Teremai Ngahau Whāriki Te Ripo who was interred in 1953 near to her husband, Te Ripo Te Huia, and other whānau and hapū members.

The Council-sanctioned sale of sections in Te Naunau, was effectively, the sale of a burial ground. As a result, the burial ground has been desecrated. To my knowledge, nothing was done by the previous Council, nor the current Council to make this right. This needs to be done.

I am in support of the Coastal Erosion at Mōkau being managed, not by seawalls, but by the planting of sand-dune building plants such as Kōwhangatara (Spinefex) and Pīngao. In the burial reserve where our ancestor Teremai and Te Ripo were buried, since 2023, and with the help and support of Coastcare Waikato, we have planted sand-dune

building plants with success. We would like to see this happen along the full length of Te Naunau, where it can be done. We would also like to see Council reach out to Coastal Erosion Management Expert Jim Dahm as an adviser to this proposition.

We are willing to work with the Council and bach-owners to see if we can find a resolution of the matter. BUT there must be a genuine acknowledgment of the serious wrong that was undertaken at Te Naunau and a genuine attempt to make it right. As far as I know, this has not been done by the Council nor anyone else who has profited and/or benefitted from the desecration of our urupā.

Nākū iti noa

Nā Mārama Henare-Waho

2023

Cultural Impact Assessment Report – Digger Activity at Te Naunau, Mōkau



M Henare-Waho, R Te Huia, R Joseph for
Te Paerata Whānau

3/31/2023

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Introduction

This report sets out the impacts of activity undertaken at Te Naunau Urupā Mōkau in December 2021 upon the Te Paerata Whānau who are Manawhenua, Tangata Whenua of Mōkau and the direct descendants of ancestors buried there. This report is submitted as part of the formal investigation and prosecution undertaken by the Waikato Regional Council and Waitomo District Council as co-plaintiffs against Mr Peter Sole, and Peter Sole Transport Ltd, regarding activity undertaken in December 2021. This report has been prepared by Mārama Henare-Waho, Rawina Te Huia and Rangi Joseph, for Te Paerata Whānau, for the descendants of Teremai Ngahau Whāriki Te Ripo and Te Ripo Te Huia, who were interred at Te Naunau Burial Ground.

Objectives

The aim of this report is to provide information around the importance and significance of Te Naunau Urupā to Te Paerata Whānau and to the whānau of Teremai Te Ripo and Te Ripo Te Huia. The intent is that readers will achieve some understanding of the cultural context in which Mr Sole undertook the activity in December 2021. Mr Sole's activity did not occur in a vacuum but in a cultural context that is very real for Te Paerata Whānau, and that has existed for Mōkau Māori for generations.

This report shows that Mr Sole's activity seriously transgressed the cultural protocols and values pertaining to guardianship of land, to caretakership of burial grounds, to respect for deceased ancestors, to respect for the authority and status of the people directly connected with the burial reserve at Te Naunau. In asserting the damage that has been done to these cultural values and protocols, this report sets out the amends that may be made by Mr Sole to the caretakers of the burial ground to redress this wrongdoing.

Report Writers

This report was written by Mārama Henare-Waho, Rawina Te Huia and Rangi Joseph.

Mārama Henare-Waho is a great-granddaughter of Teremai and Te Ripo who were buried at Te Naunau, in the seaside burial reserve. She is a kaitiaki and guardian of her whānau whenua. She witnessed the digger activity at Te Naunau in December 2021 and filed a complaint with the Waikato Regional Council and the Waitomo District Council. She also alerted Haumoana White, another Kaitiaki of Te Naunau, to the activity, and contacted the Mōkau-ki-Runga Regional Management Committee of the Maniapoto Māori Trust Board to investigate if they had been notified about the activity. She is Chairperson of Te Paerata Whānau Trust, the beneficiaries of whom are direct descendants of Teremai Te Ripo and Te Ripo Te Huia, two ancestors who were buried at Te Naunau.

Mārama has a Bachelor of Laws from the University of Auckland (1992) and a Masters of Applied Indigenous Knowledge from Te Wānanga o Aotearoa (2017). She has worked as Legal Researcher, Legal Officer and Office Solicitor for the Waitangi Tribunal, as a Lecturer in Law at the University of Waikato (1995-1997), as Operations Team Member and Business Analyst for the Waikato-Maniapoto Māori Land Court (1999-2003), as an Education Programme Manager for MO1 Ltd(2003-2004), as a contract Tutor in Iwi Environmental Management (2004-2007) for Kōwhai Consulting Ltd , Contract Project Manager & Researcher for Mangapapa B2 Incorporation (2004-2007), Tutor in Māori Governance and Leadership (2017-2019) and as a Business Analyst for Te Wānanga o Aotearoa (2019-2021).

She has more than 20 years of experience in Māori Land as a governor, administrator, shareholder, beneficiary, and is Chairperson of Te Paerata Whānau Trust, a Trustee of Waikawau Ahuwhenua

Trust and Piripiri Ahuwhenua Trust. She has been a committee of management member for Mangapapa B2 Incorporation, Manga-Awakino A1 Incorporation and Pariwhero A4B Incorporation. She has been Executor and Trustee for several deceased whānau members who entrusted her to administer their estates and to carry out their wishes.

She holds the mantle to look after Te Paerata whānau lands and to lead Te Paerata whānau as kaitiaki of their taonga tuku iho. That mantle was given to her by her tūpuna. She holds that mantle for life.

Rawina Te Huia is a great-granddaughter of Te Arawaka Te Huia who was buried at Te Naunau with other members of her extended whānau and hapū. Rawina's whāngai (foster) mother was raised by Rangiauraki Te Huia, who was a sister to Te Ripo Te Huia, and who is also buried at Te Naunau. She is a member of Te Paerata Whānau.

Rangi Joseph is extended whānau to Te Paerata Whānau through her grandmother, Torea Kete (nee O'Brien). Torea's brother, Harry Rihari O'Brien, was married to Marion Maria Te Ripo, daughter of Teremai and Te Ripo. Rangi is also connected by whakapapa through Ngāti Kinohaku to Te Paerata Whānau through Teremai, who came from Oparure. Rangi is a Kaitiaki Practitioner of many years.

Te Paerata Whānau

Te Paerata Whānau encompasses the whānau of Parehua Kirua and Te Rira Te Huia. These ancestors had mana in the whenua known as Mōkau Mohakatino 2A, previously part of the land known as Poutama. Prior to the arrival of the Native Land Court into Te Rohe Pōtae, Poutama block extended from the Mōkau River to Parininihi (the White Cliffs). Mōkau Mohakatino became the land between the Mōkau River and the Mōhakatino River. Mohakatino Parininihi was the name given to the land between the Mohakatino River and Parininihi.

Much of the Mōkau Mohakatino block was lost from Māori ownership due to dubious actions of the Crown and one Joshua Jones, a failed businessman whose lease of most of the block was transformed into a freehold title through Crown support at the expense of the Māori landowners.

Owners were separated by the Native Land Court into those who agreed to the lease of the land; and those who did not. Those who agreed were put into Mōkau Mohakatino 1; those who did not agree to the lease with Jones were put into Mōkau Mohakatino 2 block. Hapū were forced to translocate to a different part of the block when they did not agree to the lease.

Ultimately, the Mōkau Mohakatino No 1 block was lost through Jones' failed business venture and the questionable transformation of his lease into a freehold title.

"The Crown's willingness to privilege the interests of Pākehā over those of Te Rohe Pōtae Māori is a theme that runs through our report. In our view, the saga of the Jones lease is a glaring example. For an individual settler to receive repeated Government backing to overcome the express preferences of the rightful owners is indicative of the pressure placed on Māori by the Crown at this time to give over their lands for Pākehā settlement and Pākehā economic development. The Crown's response to the issues raised by the lease showed a lack of regard for the rights of Māori landowners. Beyond this, however, the Crown's actions undermined Māori efforts to control Pākehā activity in the district and benefit from interaction with the settler economy through a mechanism other than outright sale. For these reasons, we regard the Crown's Treaty breaches in the Jones lease affair as some of the most brazen acts of bad faith identified in this inquiry."

“The owners of the Mokau Mohakatino block were severely prejudiced by the Crown’s actions in respect of the Joshua Jones lease. They had expected that, by entering into a commercial arrangement with Jones, they would enjoy economic benefits from their land while also retaining control and ownership of that land. Instead, as a result of the Crown’s Treaty breaches, they lost ownership of their land entirely. Approximately 56,000 acres were alienated from their ownership, leaving some owners effectively landless as a result.” (Waitangi Tribunal, 2018)

Mōkau Mohakatino 2A was vested into Parehua Kirua, Te Rira Te Huia, Waata, Ngaro Pano and Ngareta by the Native Land Court. Parehua Kirua was the mother of Te Rira and the other tūpuna in whom the land was vested. Many of the land interests of Te Paerata Whānau derive through Parehua Kirua and Te Rira Te Huia. These tūpuna claimed Mōkau Mohakatino 2A on their Ngāti Wai whakapapa through their tupuna Rangihakahaka. According to Marion Te Ripo O’Brien, daughter of Te Ripo and Teremai, Te Paerata whānau were put into the land at Mōkau to hold the land for Maniapoto. (Henare-Waho, 2017)

Te Paerata whānau is a reference to the descendants of these tūpuna, and their connection and affiliation with the land at Te Paerata. The traditional name for the whenua was Kautu, however, in the late 1800s, an acre of land was taken for a Pilot Flag Signal Station and the area became known as the Pilot Station.

Many Te Paerata Whānau members grew up at the Pilot Station. Te Ripo and Teremai lived there and had their family there. Their children included Toihana, Te Oriwa, Kuini, Timi, Hera, Niwha, Huia, Maria, and Te Omeka. Toihana, Te Oriwa and Kuini passed away and were buried at Te Naunau. Many of Te Ripo and Teremai’s mokopuna (grandchildren) lived and grew up at the Pilot Station. Several of Te Paerata Whānau who submitted statements for this report grew up at the Pilot Station. The Kāinga at the Pilot Station has been a whānau home, papakāinga for generations.

In 2000s, Te Paerata Whānau decided to rebuild the house at Te Paerata. Te Paerata Whānau Trust was established by members of Te Paerata Whānau. The beneficiaries of Te Paerata Whānau Trust are descendants of the family members who vested their shares into the Trust. Te Paerata is a Māori translation of the term ‘the Pilot’. Since 2000s, Te Paerata Whānau have used this term as a way of asserting and reclaiming their Māori identity.

Te Paerata Whānau have land interests in other places around Mōkau also including Mangapapa, Manga-Awakino, Hingarangikauri, Kauri, Waipuna, Aorangi, Te Waro, Mohakatino-Parininihi. Their affiliations include Ngāti Tū, Ngāti Wai, Ngāti Waikorara, Ngāti Rākei, Ngāti Kinohaku, Ngāti Tama and others. They are manawhenua; they are tangata whenua in Mōkau.

Te Naunau Wāhi Tapu

Te Naunau is a wāhi tapu, a sacred place of great meaning and significance to Mōkau Māori, to Māori who affiliate to Tainui waka and to Te Paerata Whānau.

The Tainui waka made landfall at Mōkau after its arrival in Aotearoa some 700-800 years ago. (Jones, 1995) (Phillips, 1989) (Stokes, 1988) In the early 1800s, during the time of Te Rauparaha (a famous warrior chief), a battle between Ngāti Tama and Ngāti Maniapoto occurred at Te Naunau. The dead were left where they fell. The area was considered sacred as a result. (Cunningham, 2014). Archaeological evidence has also recognised Te Naunau as a site of significance. (Cruikshank, 2020)

The Tainui waka was moored at Tokapapa, at Te Naunau. The waka later travelled to Kāwhia and was interred at Te Ahurei. Meanwhile the anchor-stone of the Tainui waka was left at Mōkau, in the river estuary at Te Naunau. It lay there for many generations until it was stolen by a European person and taken to Taranaki. The rangatira, Pēpene Eketone sought Court orders to have it returned to Mōkau. (Te Ara Dictionary of New Zealand Biographies, 2014). In 1926 it was removed for safekeeping to Hikumutu Urupā, a cemetery a short distance from the current location of Maniaroa Marae, Mōkau.

Tainui trees, brought to Aotearoa from Hawaiki aboard the Tainui waka were also left at Mōkau. This place is known as Te Wehenga and is located north of the current site of Mōkau village. (Waka Huia TVNZ, 2013)

The traditional district of the Tainui Waka is described in well-known pepeha (identifying statements) including:

Ko Mōkau ki Runga, Ko Tāmaki ki Raro

Ko Mangatoatoa ki waenganui

Mōkau to the south, Tāmaki to the north

Mangatoatoa in between.

Mōkau was regarded by tribal orators as “the *ihu* or the prow of the Tainui “Canoe” area” with Tāmaki being the kei or stern, and Mangatoatoa, on the banks of the Pūniu river, near Kihikihi, as waenganui or amidships. (Jones, 1995).

In sayings like this one, Mōkau is identified an important marker for the territory of the people of Tainui Waka. It was a southern stronghold of the Tainui waka. When Tainui people recite this pepeha, they are asserting that Tainui has mana in Mōkau.

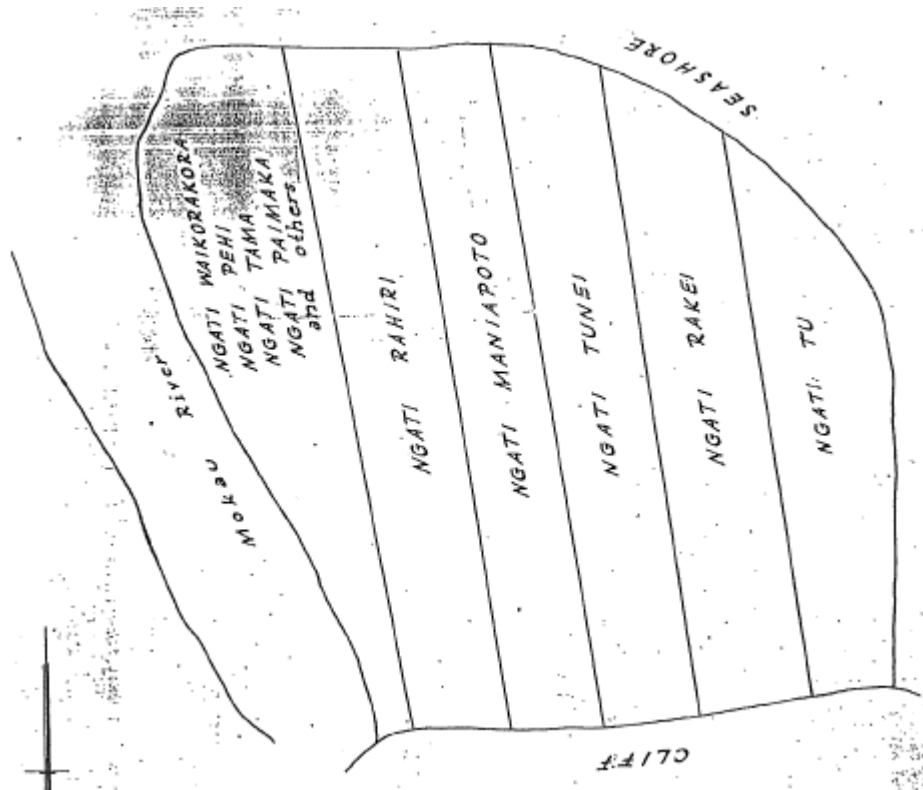
This pepeha also memorialises the deaths of important ancestors of Ngāti Maniapoto, Te Kawa-Iri-Rangi and his son, Runga-i-Te-Rangi. Te Kawa-Iri-Rangi died at Tāmaki (Auckland); his son, Runga-i-Te-Rangi died at Mōkau. (Aranui, 2009)

The ancestors of Te Paerata Whānau were buried at Te Naunau. Ancestors of other tribes were buried there. The burial reserve between Number 8 and Number 12 Point Road, is part of the larger Te Naunau urupā (burial ground). It was reserved by the Māori Land Court in 1953, along with the riverside burial reserve located at 6 Tokapapa Street. (Mokau Burial Ground, 1953)

At the first Māori Land Court sitting in 1953 Kopa Ngatohu (alias Kirika Wiari) gave evidence of the individuals and hapū buried in Te Naunau and their location. These included Ngāti Rākei, Ngāti Tū, Ngāti Wai, Ngāti Waikorara, Ngāti Mihi, Ngāti Waiora, Ngāti Te Paemate, Ngāti Tumarouru, Ngāti Rahiri, Ngāti Kahu, Ngāti Runga-Te-Rangi, Te Atiawa, Ngāti Mutunga, Ngāti Tama, Ngāti Toa, Ngāti Rarua. Individuals included Te Kaha, Te Ianui, Toroihi, Taimepereni and his family. Parehuakirua and family, Te Ripo, Te Arawaka, Rangiauraki, Te Rira, Te Ahitahi, Te Kotuku, Pareatiu, Ngaara Waata, Te Rupe. (Mokau Block, 1953)

Kirika Wiari’s husband was Pahiri. He was not buried at Te Naunau but his ancestors were. Also, Te Ianui, father of Mihi Rikihana; Tākerei of Ngāti Rākei; Tākerei Te Kaha, the father of Te Ianui.

Newton Taylor submitted a diagram showing the areas of Te Naunau that were allocated to the various hapū affiliated. (Mokau Burial Ground, 1953)



In support he asserted that “Te Naunau has been a burial ground from the time the Tainui canoe landed there and that tangis were held at the Kauri Pah just along the river bank, and that the burials took place at Te Naunau. In the olden days it was the only burial ground.”

Other burials mentioned were Hariata Mihi on 3 May 1919, Te Ianui Mihi or Te Kaha on 8 October 1919, Tanirau Eria or Tokoihi on 13 November 1923, Te Awaroa in 1917.

Te Paerata Whānau tupuna, Teremai Ngahau Whāriki Te Ripo, gave evidence in the Court about her family who were buried at Te Naunau.

“Married Ripo Te Huia. Came from Oparure of Ngāti Kinohaku. My husband was buried at Naunau about 1935 on his death. I attended the funeral. His sister Rawea Te Huia buried at Naunau. Others buried there Te Arawaka Te Huia. My own children, three in number are buried there next to my husband. Have always known that Naunau was a cemetery. First went there in 1930.

2 children died before father, and one after. Place not at foot of cliff but fair distance there from.” (Mokau Block, 1953)

The first sitting of the Court was adjourned to August 1953. In the interim, Teremai died, and was buried in Te Naunau. As far as we know, she was the last person to be buried in Te Naunau.

Teremai Ngahau Whāriki is an important tupuna for Te Paerata whānau. She came from Oparure, located much further north of Mōkau, in the district of Ngāti Kinohaku. She descended from the younger sister of Maniapoto (the ancestor for whom the tribe of Ngāti Maniapoto is named) and is also our connection to the area of Waikawau, Ngāti Tupahau and Ngāti Rārua. She married the tupuna Te Ripo Te Huia who came from Mōkau.

Teremai had a moko kauae (a traditional Māori chin tattoo). She was the last tupuna whaea (ancestress) to have a moko kauae. She was also a weaver. Some of Te Paerata whānau grew up

with Teremai, but she died before many of her great-grandchildren were born. The moko kauae that Gloria Te Huia, Mārama Henare-Waho and Rawina Te Huia wear were copied from Teremai's moko kauae. As a sign of solidarity with their tupuna whaea, as a mark of respect for her stand for Te Naunau and as acknowledgement of her status in Te Paerata whānau.



Figure 1 Mārama Henare-Waho, Mārama Gloria Te Huia & Rawina Te Huia standing in front of tupuna photographs of Teremai Ngahau Whāriki, Te Ripo Te Huia and Marion Maria Te Ripo.

When Teremai died, she was buried in Te Naunau beside her husband and children and extended whānau buried there. She knew before her passing, that the issue of Te Naunau was unsettled. That Te Naunau was at risk of being taken. Despite this, she was buried there. Today she is more than a tupuna whaea. She has become a pouwhenua (spiritual marker post) for Te Paerata whānau, a spiritual anchor for their identity as Māori and for their connection to the land at Mōkau.

A Māori Worldview

Māori have a worldview that places people at the centre of a natural world where everything and everyone is connected. Everything has whakapapa (genealogy). Phenomena such as weather, storms, global warming, the ocean currents, the erosion of land are processes that are part of the world we live in and are often out of human control. Atua (Gods) are the ultimate determiners of what happens within their domain; Tangaroa and Hine-Moana for the sea and waterways; Tāne for the forest; Ranginui for the sky; Papatūānuku for the Earth; Tāwhirimātea for the winds, storms, weather; Ruaumoko for earthquakes. Māori understand and accept this. In a world where everyone and everything is connected, Māori recognise that an action undertaken in one part of the environment has implications and impacts for others. In this world of interconnectedness – of whanaungatanga (relationships) and hononga (connection) - people have responsibilities, obligations, duties to fulfil to keep the balance, or to restore it if needed. Kawa (formal process and principles) was set at the beginning of the Universe. Tikanga (protocols, processes) are developed and practised for every aspect of the life cycle. Tapu (sacred, restriction, prohibition), noa (ordinary, unrestricted), mana (prestige, authority, power, control, influence, status) regulate social behaviour.

Whakapono, Ture, Aroha

“...Kia mau ki te aroha, ki te ture me te whakapono!”

Nā Pōtatau Te Wherowhero (1770-1860)

Whakapono, Ture and Aroha are fundamental features of Te Ao Māori. They inform our relationships with the taiao, validate our social and political distinctions, and determine the exercise of Kaitiakitanga underpinned by the manaakitanga of Mana Atua, Mana Whenua and Mana Tangata. That is, Whakapono commands relational responsibility in the preservation of the natural systems, processes and resources that sustain cultural land and waterscapes. Ture commands compliance to the conventions of tapu and noa, tika and pono and the exercise of scientifically observed practises of tikanga and kawa. Aroha commands the preservation of balance, the restoration of ecological harmony and in the event of non-compliance, destruction and or corruption; therapeutic jurisprudence in social and political accountability.

“Toitū te Whenua, Whatungarongaro te tangata”

As man disappears from sight, the land remains.

Kaitiakitanga transcends the aggressions of Eurocentric ideology, concepts of ownership, commodification, and stewardship of merchandise. Kaitiakitanga is a cultural responsibility to the sacred connections that sustain the whakapono, ngā ture and the sciences of Ranginui grounded in the sciences of Papatūānuku. It is an organic expression of cultural competence applied through a range of shared, specialised and sacred knowledges that reinforce the tapu of mana atua, mana whenua and mana tangata as bearers of life and defenders of the social and political order.

“Like Tumātauenga - Atua of Peace, will go to war to defend it!”

Kete, T. Kōrero tuku iho.

Any disruption to the significance of the cultural precedence is viewed as a threat to the taiao, a transgression on the mana and tapu of the whenua, and an assault on the mana and tapu of

Papatūānuku. Consequently, Mana Tangata carries an obligation to ensure manaakitanga - relational responsibility - in the exercise of kaitiakitanga, and therapeutic jurisprudence in the preservation of te mana me te tapu o te taiao. Look after Papa and she'll look after you and yours, long after you are gone!

“He Wahine, he Whenua, ka ngaro te tangata.”

For women, for land, people are lost.

Te Ao Māori is not a cultural perspective on a contemporary European world! It is a reality of ancient culture of engagement and inter-generational experience of organic intelligence - taonga tuku iho, and scientific responsiveness to the natural world that we belong. If any part of the natural system is disrupted by non-compliance or by the invasion of non-compatible systems and processes, the consequences are considered a threat to the taiao, to the state of humanity and therefore, subject to the exercise of rāhui, muru, hohou te rongo and whakamā, to name a few.

‘...there is no part of Māori culture that is not influenced by the relationship to land and the environment’ (Henry, 2021)

Uri, Manawhenua, Kaitiaki

We are uri (descendants); we are manawhenua (people who hold mana in the whenua); we are kaitiaki (guardians/caretakers of Te Naunau). We are people of Mana (status). We are to be respected. The burial sites of our ancestors are to be respected.

As descendants of people buried there, as close relatives of people buried there, we have the responsibility to look after Te Naunau. We have obligations to see that our values and practices are observed that our ancestors are protected in accordance with our tikanga (protocols), with our kawa (formal processes, values, protocols). As kaitiaki we have responsibilities to look after Te Naunau the best we can based on knowledge passed down from our ancestors. By Kōrero Tuku Iho (words passed down) we know that Te Naunau is a burial ground, an ancient one. Despite the dramatic and damaging impacts of colonisation, we hold fast to this knowledge.

Actions that disrespect our ancestors at Te Naunau, that disrespect our role as kaitiaki, as uri, as manawhenua; disrespect us. Anyone who wants to do anything that might affect the burial reserve needs to communicate directly with us. Disregard of this is an insult, an affront, an offence requiring action and redress.

Whakapapa

Te Paerata Whānau are Māori. As such, whakapapa (genealogy) is important. To live healthy and whole as Māori, whakapapa needs to be respected and cared for. Our values as Māori, our beliefs as Māori, our culture as Māori must be respected. Our health and wellbeing encompasses te taha tinana (physical health), te taha wairua (spiritual health), te taha hinengaro (mental and emotional health) and te taha whānau (social and family wellbeing). (Durie, 1998).

Our whakapapa stretches back to the eponymous ancestor of our tribe Maniapoto and further back, to the Tainui waka. The Tainui waka sailed across the sea from the ancient homeland of Hawaiki to Aotearoa around 1350 AD (Jones & Biggs, 1995) (Phillips, 1989). This whakapapa (genealogy) connects these ancient ancestors to our ancestors who are buried at Te Naunau. To Teremai and to

Te Ripo and the other ancestors buried at Te Naunau. This ancestry is like a thread that connects us to all of the generations that came before us. It gives us identity, standing, mana.

We value these links to our ancestors which provide connection, identity, history. They also provide a basis for who we are today. They provide a foundation for our responsibilities, obligations and actions today.

In omitting to contact us about his intention to build a rock wall across our urupā, across our whakapapa connections, across our ancestors, Mr Sole disrespected these values, he disrespected us.

Wāhi Tapu

Whakapono, Ture, Aroha and all that they comprise; are also fundamental to the cultural significance of urupā as distinct wāhi tapu. That is, they also inform the social and political value of urupā and the natural systems that influence selection of the site for purpose. Consequently, the responsibilities of kaitiakitanga that apply also involve manaakitanga of the political value of urupā, the mana of the people interred therein, and the associated inter-generational relationships of their respective and collective whānau and hapū. Furthermore, in the event that the cultural systems, standards and kawa associated to the urupā are violated; Whakapono, Ture and Aroha also inform the resolution standards, systems, and processes to ensure therapeutic jurisprudence in accountability.

Urupā is a Māori word for burial ground, cemetery, or graveyard. (Moorfield, 2023). An urupā is an example of a wāhi tapu, a sacred place that holds special significance for Māori. Today, it is often a place where deceased loved ones are buried and/or memorialised. But it may also be a place where whenua (after-birth, placenta) of new-born babies are buried. Or a place where unidentified koiwi (bones) are interred. People may have buried tissue removed during surgical procedures. There may or may not be headstones to mark the places where people have been buried. There may or may not be plaques to identify who is buried there. There may be just stones, or indeed nothing to mark that people or anything else lay there. There may simply be wildflowers or trees, or plants. It may not be landscaped prettily or fenced off. There may not be any signage to say there is an urupā there. It may be overgrown with trees, vines and plants. This does not make it any less of an urupā. The absence of these western modern features do not change its status as burial ground, as a place of significance to Māori. An urupā is not an urupā because of any sign to say it is there; but because it is a place where deceased people have been buried. A gravesite without a headstone to mark it is still a gravesite. Whether there is a headstone or not.

There are protocols and processes that apply to urupā usually depending on the people most closely associated with the urupā. When a deceased person is buried in an urupā, sometimes there will be a kaikaranga (woman caller) who will stand inside the urupā, close to the gravesite, who will call the deceased person and their bereaved family into the urupā. Usually, this kaikaranga will be closely connected to the land where the urupā is located, of the local hapū or community. She will have special cultural knowledge about the deceased, the land, the landmarks, the hills, mountains, rivers, sea, people of the area, significant events and history. She will call in te reo Māori to the deceased and the mourners. Her call will be composed on the spot as another tribute to the deceased, to their standing in the community, to their whakapapa, to express the grief of loss, to recall genealogical connections, to remember the ancestors who have already passed on, who lie in the urupā. There may be waerea (protective incantation), inoi (prayer, appeal), karakia (blessing, incantation) issued by tohunga, experts in these protocols. Sometimes there will be a return call

issued from a kaikaranga (female caller) coming with the deceased person and their family. There may be speeches, further tributes made to the deceased at the graveside, more laments, songs of farewell, hymns expressed. As the deceased's casket is lowered into the ground, there may be more calls, more karakia. As the deceased's casket is covered with earth, the mourners will gather and wait; they may sing songs as a way of easing the pain of grief felt by the whānau pani (mourning family). People will pay tribute and condolences to the immediate whānau. Mourners will mingle respectfully as the burial is completed, perhaps talking about the service, and what is to happen next, or asking questions about the people of the urupā, the name, the meaning or merely catchup about life. The bereaved family may stand for final prayers before leaving to return to the marae. Some marae call the bereaved family back into the wharenuī (main house). This is a time to welcome the bereaved family back into 'the world of light'; to invite them to shed their metaphorical shroud of grief and to begin to move on with their lives. Uplifting speeches, waiata, items may be performed to entertain the bereaved family during this time. Some marae have stopped doing this due to the paucity of elders who were able and available to practise this tikanga. In which case, the mourners gather outside the dining room to await the call to kai hākari (the funeral feast).

In the meantime, the hau Kāinga (home people) will have prepared the kai hākari (the funeral feast). This will have started prior to the funeral day, and the best food that the home people can offer will be presented for the bereaved family and their guests.

During the tangihanga, gifts, donations or koha will be given to the bereaved family, to the marae. This may be in the form of money, or food, or willing hands to help with the many preparations. The community pulls together to help the bereaved family to farewell their loved one in the best way they can. After the kai hākari (funeral feast) there may be a meeting between the marae people and the bereaved family to ensure that all the costs of the tangihanga have been covered. Any food left over from the kai hākari may be given out to the different families who helped during the tangihanga (formal grieving process).

An urupā may be a burial ground for a particular whānau, hapū or community. In Mōkau, there are many urupā. Hikumutu is an urupā located to the north of Mōkau village, past Purapura, opposite the Awakino Heads Road, close to Maniaroa Marae. Motutawa is an island in the mouth of the Mōkau River; this is an urupā. There is an urupā located at Te Raina, on the south side of the Mōkau River, above and east of the bridge. Ka Mate is another urupā located on the south side of the Mōkau River in the Mōkau Mohakatino land block, previously called Poutama block. Members of Te Paerata Whānau and others are buried there. Te Paerata Whānau also have an urupā at Kautu, on the bluff overlooking the Mōkau River mouth opposite Te Naunau.

Urupā are often located at sites that are important to the people of that place. Often, they are affiliated with Kāinga or marae. Sometimes people are buried in a particular location to hold the land, especially if the person is a significant rangatira or respected leader, in which case their interment there signals the territory affiliated with their people. Sometimes people are buried in a particular location to strengthen in a spiritual way the placement of another important tribal taonga (treasure) such as an anchor stone. Sometimes people are buried in an urupā, not because they come from that land, but because their late spouse lays there or their children or child is there, or they lived in the area; or because their spouse wanted them to be buried there. Sometimes people of a particular affiliation are buried alongside their rangatira (chief).

Traditionally, the specific locations of significant rangatira were not commonly known nor were they advertised. Tribal tohunga (experts) and/or kaumātua (elders) were the only people who knew where these ancestors lay. Often this was to protect these resting places from desecration, or from

people who would steal the taonga that may have been interred alongside the deceased person. Sometimes these ancestors koiwi (bones) were later removed from the original burial site and reinterred elsewhere. Again, to protect against desecration and to protect and uphold the spiritual well-being of the tribe.

The respect attributed to urupā is closely aligned to Māori belief systems. Māori who hold to Māori values and belief systems, are spiritual people. The wairua realm (spiritual realm) is ever-present, always there, never far away. Gods and ancestors are revered and connections with them are made regularly and often, through prayers, karakia (chant, blessings), inoi (prayers), whakawhetai (thanksgiving), karanga (call), whaikōrero (speechmaking), apakura (lament), waerea (clearing), tau (incantations). Certainly, in times of crisis such as ill-health, tangihanga (bereavement), Covid-19 pandemic, but also during whānau or tribal gatherings or events. Such as the opening of a new meeting house, a memorial day for a deceased relative, the erection and/or blessing of a pou rāhui, weddings, anniversaries, birthdays, unveiling of headstones, reunions, ANZAC services, events in the Christian calendar, Māori faith events and others. Big sporting and cultural events will usually not start nor end without an appropriate karakia and/or blessing by the hau-kāinga, the home people. These practices are more than tokenism; they have a purpose. They acknowledge the physical and spiritual realms that co-exist in a Māori worldview. They are practices that are a regular and frequent part of many of the activities that Māori communities engage in.

Tangihanga

Significant events such as birth, death, marriage are marked by certain processes and protocols. In a Māori world, death is marked by the process of tangihanga and there are tikanga unique to that process that occur when a person has deceased. Tikanga vary from whānau to whānau, hapū to hapū, iwi to iwi, community to community. Tikanga have changed dramatically through the generations. Colonisation has impacted these processes hugely.

In modern times, when a deceased person dies, deceased loved ones will often spend time at the whānau home, perhaps a night or two. The bereaved whānau will often take their loved one to lay on their marae, a place where they have whakapapa and connection. This might happen for 3-4 days. During that time, people will come to the marae to pay their respects to the deceased person and to the bereaved family. On a marae, a pōwhiri will occur, a welcoming and a calling to the deceased person and their bereaved family to return to their ūkaipō, to the place that provided sustenance for them from their birth, a sad welcoming to their home. Senior women will karanga and tangi (call and cry) for the deceased, for the death, in grief for the family, in sad remembrance of those who have already passed on, in grief at the loss of someone loved, respected.

These women call not just to the living, but also to all others who are connected in the natural world. They may call to the Atua to acknowledge their ultimate authority and power, they may call to the Earth to welcome the deceased person back to the place where people came from, they may call to those who are already deceased to welcome this newly deceased person into their fold. Senior men will give speeches of tribute, grief, respect, honour and acknowledgement. Directly to the deceased person just as if they were sitting there alive and well in front of everyone. But also to the bereaved family to acknowledge their grief, their loss, to offer condolences and comfort at a very sad, difficult time. Once karanga and whaikōrero have happened, there will be mōteatea, karakia, inoi, waiata tangi. These will ask the Gods for blessings, strength, guidance; will express in

chant, song or dirge the depth of grief felt by all. An elder women may offer an apakura which is a crying tribute made directly in front of the deceased. There may be wailing, there will be crying. A Māori tangihanga is a process that provides the deceased family opportunity to cry, to sob, to talk, to sing, to remember. To express their grief in whatever way they need to for those 3-4 days that their loved one is still with them.

A deceased person is tapu (restricted) during the tangihanga process. There are restrictions around how they are to be treated, handled, respected. When they enter the marae, they may have to be lifted through the front window built especially for the dead to pass through, while everyone else goes through the doorway. They may have to be laid at a particular pou (pole) of the whare which has been specially demarcated for the tūpāpaku (corpse) to be laid. When people leave the wharemate (the house of death), they may sprinkle their hands with water as a ritual for marking the movement from tapu (sacred) space to noa (common) space. There may be karakia or church service each morning and/or each night of the tangihanga. Most groups that arrive will be given a pōwhiri onto the marae, into the wharemate. On the last night of the tangihanga, there may be speeches, items, songs given in remembrance of the deceased. These might go on all night. Throughout the tangihanga people will be fed and accommodated, whether they arrive during the day or night. If there is another tangihanga in close proximity, or on the way home and there is a close connection with that person by genealogy or otherwise, the visitors might stop into that tangihanga as well. Go through the same process there, always ending with the offer of kai (food), a cup of tea or coffee, a cold drink, a chance to rest and talk with the haukāinga, the home people. To reconnect and to strengthen relationships.

The burial service will occur on the last day of the tangihanga. Often the deceased is buried, sometimes there is a cremation ceremony. In the case of burial, the deceased's remains will be interred at a place of special significance to that person, to that whānau. They will often be buried alongside other ancestors from their whānau, their hapū, their people. Many Māori have their own burial grounds that are managed and looked after by their community. These burial grounds are often in whenua, land that has special connection and significance for the people of that place, for the deceased, for their people.

Tupuna are Buried in Accordance with Tikanga and Kawa Māori

For people of the area, we inter our people where we have connection, whakapapa connection, historical connection, current connection, where we have turangawaewae (a place to stand). We inter our people at Mōkau. Until Te Naunau was sold out from under us, we interred our people there. Since then, we have had to inter them elsewhere, such as the Mōkau Public Cemetery, Kā Mate, Te Paerata.

The gravesites of our ancestors are wāhi tapu (sacred places). We protect and care for them. This is our responsibility. We do so according to our tikanga and our kawa.

Burial grounds also provide a tangible location for us to connect to our whenua (land) to our history, to our whakapapa (genealogy), to our home. The burial of our people in the land at Mōkau affirms our connection, our genealogy, our identity as people from that place. It binds us to the land, right there.

As Kaitiaki (guardians/caretakers), we have responsibilities to protect and care for the land, Te Naunau, in accordance with the tikanga (protocols) and kawa (formal protocols, processes, values) of our tupuna (ancestors). Our ancestors chose to inter our deceased people there. As best we can, we must protect Te Naunau from desecration.

Our ancestors knew that by burying their deceased people in Te Naunau, located as it was then and now adjacent to the river and sea, that a time might come when Te Naunau might be eroded. A time might come when the bones of the ancestors would be uncovered. While people might try to prevent this happening, ultimately it is an environmental process out of our control; from a Maori world view, it is a process determined by the elements, by the gods. By Tangaroa and Hine-Moana, the gods of the Sea; by Tāwhirimātea, the god of weather; by Ranginui Sky-Father, by Papatūānuku, Earth-Mother; and others. We accept that these processes are part of the natural world.

We Manage the Burial Reserve according to our Values and Beliefs

As Māori, we manage the burial reserve as best we can in accordance with our values and beliefs. As mentioned above, the whole of Te Naunau is a burial ground. Before houses were built on Te Naunau, the sand spit was not fenced. There were no head stones to mark where people were buried. There were no fences to separate gravesites. This was our way. Instead, there were people – tohunga (specialist experts) - who knew and who could identify where people were buried. These tohunga guided others as to where they could bury their deceased. The Māori community did not need signage. They knew already through generations of kōrero tuku iho (words passed down) that Te Naunau was a burial ground.

Erosion is a Natural Process

Erosion is a natural process. It happens a lot. We are aware of this. Our ancestors were aware of this. Sometimes erosion could be mitigated by way of planting, or by allowing vegetation to take hold. Certainly, in early photos of Te Naunau, it is covered in vegetation.

But ultimately, serious erosion is often outside of our control. We may not like this, but we accept it. With respect to burial grounds like Te Naunau, that are located on a sand spit, between the sea and a river, our tupuna anticipated that erosion of the sand spit might occur. That they might not be able to stop it. That koiwi (bones) of ancestors might be uncovered.

This has happened at Te Naunau. The elements have determined the forces that have eroded Te Naunau. Human activity has also impacted the erosion happening at Te Naunau. The building of rock walls along the western side of Te Naunau has accelerated the erosion at Te Naunau.

We know that the building of rock walls along the western length of Te Naunau, on either side of the burial reserve, has accelerated the erosion of the sand spit, and of the burial reserve. As the seawater comes in, it travels along the rocks and into the burial reserve.

Tikanga Māori for Uncovered Koiwi

We have a tikanga (protocol, process) when koiwi (human bones) are uncovered. When koiwi are uncovered, all other activity stops. The area where the koiwi were uncovered is restricted. We call

on our Kaitiaki, our elders, our Pou Tikanga (cultural experts) to attend the site, to assess the situation, to determine what needs to be done, and to action that. It may involve a rāhui, a barring of certain activity for a period. It will likely involve karakia (prayers, incantations) and reinterment of the koiwi in an appropriate spot, determined by our people. The spot where the koiwi were uncovered may be reinforced or strengthened, or simply left as is, for nature to take its course. As koiwi are uncovered, and as we become aware of this, we practice our tikanga the best we can. For koiwi that may have already been swept out to sea, we karakia, we acknowledge their return to the realm of Tangaroa, of Hine-Moana.

These practices, these tikanga are grounded in our values and belief systems, in our kawa. They are not up for negotiation. They are undertaken by our people who know. It is part of our responsibility as kaitiaki.

Tangata Whenua have continued to practice Kaitiakitanga at Te Naunau

Despite the sale of Te Naunau for housing, the Māori community have continued to practice their tikanga and kawa, their kaitiakitanga (guardianship) over Te Naunau. They continued to bury their deceased family in Te Naunau right up to the burial of Teremai Te Ripo in 1953.

When it became obvious to the Māori community that Te Naunau was at risk, they sought to protect it. Local Māori approached the Minister of Lands, D H Guthrie, in 1921 to protect Te Naunau, ultimately unsuccessfully. Pahiri Wiari and Tanirau Eria applied to the Native Land Court in 1923 for investigation into the title of the Mōkau Sand Spit. The matter was dismissed by the Court for lack of knowledge and inability to prosecute.

“Throughout the first half of the twentieth century, local Maori believed that the entire spit was an urupa and continued to use it for that purpose.” (Cunningham, 2014)

Around 1941, Te Koro Wetere threatened to tear down a bach that was erected there. The bach was removed to the northern part of the spit. In the 1950s, local residents in Mōkau associated the Sand Spit with Māori interests. The extent of Te Naunau urupā was made known to the Surveyor for the Commissioner of Crown Lands in 1951 by Newton Taylor, a local businessman who was married to a Māori woman, Mihi Rikihana. In particular, Māori made it known that the whole of the spit was burial ground and that the Te Ripo whānau had been burying their deceased in the middle of it for years. The Surveyor was well aware that the whole of the spit was considered a burial ground, but only the more recent ones were to be taken into consideration.

For many years, koiwi (bones) have been uncovered at Te Naunau. When this happened, and when our elders were made aware of it, they attended the location, undertook the appropriate karakia, and reinterred the koiwi in a safer place. Kaumātua, now deceased, who have undertaken these tasks over the years include Perenara Bill Waho, Te Oriwa Te Huia (also known as Olive Stephenson) Jim Cross and others. Haumoana White is one of the few kaumātua currently resident in the area who continues to undertake this role.

Te Paerata Whānau have known for years that their tupuna were buried at Te Naunau, and have worked to protect Te Naunau the best we could. We continue to do so today.

Crown Acquisition of Te Naunau

Crown acquisition of Te Naunau is set out in depth by the Waitangi Tribunal in Te Mana Whatu Āhuru, the Report on Te Rohe Pōtae Inquiry. (Waitangi Tribunal, 2018). In short, it was stolen by the Crown. It was treated as part of the Mōkau block, which was acquired by the Crown through duplicitous and underhand means, in breach of the Treaty of Waitangi obligations around partnership, good faith and the duty of active protection.

“We find that the Crown, in conducting the Awakino, Mokau, Taumatamairi, and Rauroa transactions, made insufficient efforts to identify all customary right holders. Instead, it conducted the purchases in the knowledge that there was opposition, but refused to act on that opposition. This was a breach of the Treaty principle of partnership, the guarantee of tino rangatiratanga, and the duty of active protection.” (Waitangi Tribunal, 2018)

“The Crown’s tactics in negotiating the four Mōkau–Awakino purchases showed further evidence of bad faith. Rather than allow negotiations to proceed at their own pace, the Crown manipulated Mōkau Māori into agreeing to purchase, and did not provide sufficient time for opposition and disputes to be resolved through tikanga.” (Waitangi Tribunal, 2018)

“Overall, we find that the Crown did not pursue its negotiations with Mōkau Māori in the utmost good faith. Together, these actions constituted a breach of the Treaty principles of partnership and good faith, and the duty of active protection.” (Waitangi Tribunal, 2018)

To be clear, Te Naunau was not sold; was never intended to be sold; and as far as Te Paerata Whānau are concerned remains a sacred site of the Māori people of that area. It is a sacred site, it is a burial ground, and has been for many years. The Crown stole it. It was not given. It was not sold. It was taken by devious and dishonest means. The law was used to clothe the theft of the land with the facade of legality. But the ‘legality’ does not change the fact that the land was stolen. The legal facade that disguised the Crown’s acquisition of Te Naunau as legitimate did not make the theft right.

Despite having acquired Te Naunau through stealth, the Crown then gave it to the Council. Most of it was cleared for sale by the Māori Land Court and sold to private interests. This was done with complete disregard for the evidence provided by the Māori community that asserted that the whole of Te Naunau as a burial ground. (Cunningham, 2014)

Te Paerata Whānau are tangata-whenua. Under the Treaty of Waitangi, our ‘tino rangatiratanga’, our tikanga and kawa, our belief systems and values were protected. While Te Naunau was stolen by the Crown, given to the Council, cleared by the Māori Land Court for sale and most of it sold to private purchasers, we are still tangata-whenua of this land. Our values and belief systems are a valid and important part of Aotearoa; and were guaranteed by the Crown to be respected under the Treaty of Waitangi.

Even though the Crown breached the Treaty and serious wrongs were perpetrated upon us as a result, it does not change the fact that we are tangata-whenua, that our tikanga and our kawa are valid, that our values and beliefs are worthy of respect. We are still manawhenua, we are still kaitiaki.

Our Role as Kaitiaki has been Severely Restricted

Since 1953, our protection and management of Te Naunau has been severely restricted and denied. Western property laws legalised the sale of Te Naunau and the purchase of house sites by private individuals. Private individuals were allowed to build on, dig into and live on the burial ground of our ancestors. The desecration of Te Naunau was authorised by a system that gave priority to Western property values over tikanga Māori. Māori sought the protection of the law for Te Naunau but were denied, save for two ½ acre pieces. Even then, the two pieces were vested into the Tainui tribes, which completely disregarded the ties of Taranaki iwi and hapū to the area.

With the advent of private housing being built on three sides of the reserves, the reserves themselves were eaten into by adjacent landowners. Bach-owners were protected by a 'legal' system that validated western property values and ignored tikanga Māori and kawa Maori. The Māori communities' concerns were ignored and overridden by the Council and the Court. As a result, when Māori stood to protest the desecration of Te Naunau, an area that had been a sacred site for generations, they were denounced by the people who purchased sections at Te Naunau.

Te Paerata Whānau have had to endure the on-going desecration of Te Naunau for generations. We have been ignored. We have been told that nobody cares about the burial reserve. We have been told that people have been desecrating the burial reserve for years, which apparently makes it okay.

To be clear. It never has been nor ever will it be okay to desecrate our burial ground. No matter that the law has legalised that desecration; no matter that houses have been built on top of it; no matter that people have been living on it for years; no matter that the Council has done nothing to resolve the wrong they committed 70 years ago. None of that changes the fact that it is not okay and never has been okay for our burial ground to be desecrated.

Activity Undertaken by P Sole December 2021



Figure 2: Peter Sole building the rock wall in front of Burial Reserve, Te Naunau, Mōkau. 11 December 2021. Source: M Gibbs.

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Ltd, across the Te Naunau Burial Reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mōkau, North Taranaki; without prior consultation, communication or discussion with the direct descendants of Teremai Te Ripo and Te Ripo Te Huia, who were buried in the reserve.

Impacts on Te Paerata Whānau

Repeated desecration of our ancestral burial ground, Te Naunau Urupā, is at the heart of this report. Inaction by and failure of the Councils to protect the status of Te Naunau as a burial ground has meant that residents, contractors, visitors to Te Naunau continually and regularly disrespect and disregard it.

Te Paerata whānau have been ignored; their views and values have been discounted and overridden. By Councils, by the Māori Land Court, by the Crown, by successive bach-owners at Te Naunau. The activity of Mr Sole in December 2021 continues this disregard, this disrespect.

The impacts of Mr Sole's actions on Te Paerata Whānau are set out in the statements of Te Paerata Whānau members. Common themes are disgust, anger, shock, and offence. Te Paerata Whānau are appalled and affronted and view Mr Sole's actions as arrogant, disrespectful, and rude. They see this activity as another instance in a long line of examples where the burial grounds of their tūpuna have been desecrated and disrespected; where their status as Kaitiaki, as Uri, as Manawhenua, as Tangata Whenua has been ignored, disregarded, treated with contempt and indifference.

Mark Ripo is a grandson of Teremai and Te Ripo. He is also a founding trustee of Te Paerata Whānau Trust. He was "disgusted to hear that the burial place of my ancestors was treated with such disrespect and disregard of my ancestors right to lay in peace in their final resting place." His ancestors and others buried at Te Naunau were "people revered among our hapū and tribe as leaders of respect, mana and prestige". In his view the actions of Mr Sole treated these revered ancestors with "the most soul-destroying contempt". This made him sad and angry. (Appendix I)

Gloria Te Huia, granddaughter of Teremai and Te Ripo, is angry and disgusted at Mr Sole's actions. She is one of few family members left who knew her grandmother Teremai, personally. She has fond and affectionate memories of Teremai living at the Pilot Station in a small one-room bach external to the main house. That someone could willingly undertake work across the burial reserve where her beloved grandmother was buried without consultation or discussion with her whānau is beyond her. Her only explanation is that it was intentional and done with arrogant disregard. (Appendix II)

Mere Wenzlick (nee Ripo), grand-daughter of Teremai and Te Ripo, was "heartbroken and angry" that Mr Sole could have such disrespect towards her tupuna. (Appendix III)

Pamelia Terry-Ripo, grand-daughter of Teremai and Te Ripo, another founding Trustee of Te Paerata Whānau Trust, was disturbed and outraged that anyone could be so disrespectful. (Appendix IV)

Marie Teremai Te Huia-Warren was named after her great-grandmother Teremai Ngahau Whāriki. She also named one of her daughters Teremai. She describes what has happened at Te Naunau as "the highest form of disrespect and disregard", as "another situation of waving the middle finger to not only local and regional laws, but to us as mana whenua". (Appendix V)

Hemi Te Huia, a great-grandchild of Teremai and Te Ripo was shocked, appalled, in disbelief and could not understand how someone could be so disrespectful. (Appendix VI)

Mārama Henare-Waho, great-grandchild of Teremai and Te Ripo, and Chairperson of Te Paerata Whānau Trust, describes Mr Sole's actions as arrogant and disrespectful. In her view, Mr Sole "blatantly disregarded the thoughts, feelings, interests, rights, of the people connected with this land and the people buried there." He accorded Te Paerata Whānau less consideration than other

property owners with whom he had worked previously to build rock walls. In this way, his actions smacked of arrogance, ignorance, and reckless disregard. (Appendix VII)

She describes how she was mentored by her kaumatua to be a Kaitiaki of their whenua; how she trained as a lawyer to help her whānau look after their whenua. Her training enabled her to research the wider story of Te Naunau. For her the acquisition of Te Naunau by the Crown and later sale by the Council of most of it for housing was a serious wrong that needed to be righted.

She spoke of the trauma of colonisation, loss of land, loss of language, desecration of sacred sites, and how this had devastating effects for Māori communities. For many years she was not able to visit the gravesites of her tupuna because of the deep frustration and anger she felt for the desecration that had happened there that had not been righted.

The erosion of Te Naunau and its impacts on baches was an inevitable outcome; a spiritual retribution for the wrong that had happened. She could understand that people wanted to protect their property, but unfortunately for them, they had purchased land that was a burial ground. They should not have been there in the first place.

Mr Sole's actions, undertaken to protect his property from erosion but without consideration or regard for the Kaitiaki of the Burial Reserve just perpetuated the desecration that had been happening for years.

Wewetehapua Jenny O'Mullane, now retired and living in Australia, grew up in Mōkau with her parents Butcher and Torea Kete. Her mother's brother, Harry O'Brien was married to Marion Te Ripo, youngest daughter of Teremai and Te Ripo Te Huia. She grew up knowing full well that the whole of Te Naunau was a burial ground. Often, the Police would visit her father, to seek his help with dealing with koiwi (human bones) that were uncovered. In line with tikanga Māori, he would direct the Police to the people immediately affiliated to the urupā. To hear about the current desecration that is going on saddens and sickens Wewetehapua.

Rangi Joseph, extended whānau of Te Paerata Whānau, recites "Toto Wera", haka of Ngāti Maniapoto to express her disgust and contempt for the actions of Mr Sole. (Appendix VIII)

"He tangata, Hī!
 Rangatira, Hī!
 He tangata, Hī!
 Rangatira! Au, au, auē hā!
 He toto wera, he toto wera,
 He totohū nō te toroparawae o Maniapoto
 I ā haha!
 Tukuna kia haere, te wanawana
 Tukuna kia haere te wana, te ihi, te wehi e
 Hī!"
 (Winikerei, R & Stephens, R; 2001)

'Toto wera' is a reference to the blood that erupts within a person, or warrior who is preparing for battle. (MFM Te Reo o Te Iwi, 2023) The haka 'Toto Wera' is performed regularly at cultural performances and occasions by Ngāti Maniapoto as an acknowledgement of the ancestor, Maniapoto, who was an accomplished warrior and leader.

The primary effect of the unconsented activity at Te Naunau Urupā is the relentless assault on the cultural presence, validity, and authority of Te Paerata Whānau.

In the first instance, Peter Sole's failure to notify and consult with mana tangata suggests the cultural context is of no consequence and engagement with tangata whenua, irrelevant. Secondly, the subsequent desecration of the urupā because of the activities associated with the construction of the rock wall at No. 8 Point Road; is an assault on the cultural significance of Te Naunau Urupā. It is also an assault on the cultural validity of our relationships and associated responsibilities of kaitiakitanga of the waahi tapu, and manaakitanga of the mana me te tapu of Te Naunau Tangata, Te Naunau Urupā, and that of ngā whānau, hapū and iwi of the tūpuna interred therein. Essentially, the cultural assaults in the present perpetuates the cultural assaults of 2-3 generations past.

Desecration of Te Naunau Continues

Today, Te Paerata Whānau rights are still being ignored. Houses continue to be built and rebuilt on Te Naunau. Digger activity continues.

One recent example. On 8 October 2022, at No. 8 Point Road, Mārama Henare-Waho discovered a digger sitting on the burial reserve, atop a half-finished retaining wall. (Henare-Waho, 2022). This activity was not notified to Te Paerata Whānau. This activity required the digger to be driven along a 'laneway' that is part of the burial reserve and part Council land. The digger in question was driven to the seaward end of this 'laneway' and positioned on the bank, part of which is within the burial reserve boundary.



Figure 3 Digger above partially completed retaining wall sitting atop north boundary of Burial Reserve & Council Laneway adjacent to 8 Point Road, Te Naunau, Mokau. 8 October 2022. (Source: M Henare-Waho collection)



Figure 4 Aerial picture showing approximate boundaries of burial reserve, Council laneway & No 8A & 8B Point Road. (Source: Waitomo District Council)

Information from the Council confirmed part of the 'laneway' is part of the burial reserve. The neighbours at Number 8 and Number 12 know that the section between them is a burial reserve. Any activity on, in or around the burial reserve should not have occurred without our involvement or consent.

This activity involved a digger owned by Peter Sole Transport, even though at that time, Mr Peter Sole and Peter Sole Transport was under formal investigation by the Waikato Regional Council and Waitomo District Council for his activities there in December 2021. Even though Mārama notified her concerns to the Council, the digger activity continued at this spot. The retaining wall was completed and backfilled. Timber from the burial reserve was used to complete the wall.



Figure 5 Completed retaining wall across burial reserve, Council laneway, No 8 and No 6 Point Road, Te Naunau, Mokau: 30 October 2022. (Source: M L Henare-Waho collection).



Figure 6 Completed retaining wall showing section located on burial reserve, Te Naunau, Mokau: 30 October 2022. (Source: M L Henare-Waho collection).



Figure 6 Digger undertaking work to complete retaining wall at end of Council laneway and across northern boundary of burial reserve, Te Naunau, Mokau, October 2022. (Source: M Gibbs collection).



Figure 7 View of completed retaining wall extending from 8B Point Road across Council laneway & burial reserve, across to 12 Point Road, 8 November 2022. (Source: M Henare-Waho collection)

An application for resource consent was withdrawn some years ago due to the engineer's report confirming that the wall design was deficient and that wall itself would accelerate erosion. As predicted, the wall has been a moving feast.

Information and knowledge about Te Naunau being a burial ground has been discounted and denied by the Māori Land Court, Councils, and bach-owners. But Te Paerata Whānau, and other members of the Māori community of Mōkau know. Even though the impacts of colonisation upon Māori communities, such as loss of language, culture, urbanisation, disconnection from traditional ways of living, have operated against this knowledge being passed down and surviving. Given a legal system that legitimises property rights over tikanga and kawa Māori, protecting Te Naunau against desecration has been an up-hill battle. Generations of the Māori community have done their best, but the odds have been stacked against them.

“Te Rohe Pōtae Māori were subject to the authority of central, local and regional authorities who did not have to consider Treaty principles, provide for Māori co-management, engage and consult Māori, enable their participation in management or have regard to their customary values outside of possible granting of authorisations or permits for gathering, taking or catching species or for the protection of their archaeological sites. As a result, they were further separated from many of their important taonga sites and species and there was a corresponding loss of mātauranga Māori.” (Waitangi Tribunal, 2019)

“There has been massive environmental change in the district without Te Rohe Pōtae Māori having any meaningful control and authority over developments that have fundamentally changed the nature of their relationship with their environment. They have suffered financial loss and customary resource loss. They are no longer able to express their rangatiratanga, kaitiakitanga, their tikanga, and mātauranga Māori over sites and wetlands that they no longer own or where these have been destroyed. Even where they own them, such as the lakes (and fisheries) at Tahāroa or Maniapoto's cave they have not been able to protect them from desecration or collapse.” (Waitangi Tribunal, 2019)

In spite of this damage and disrespect of our tino rangatiratanga (absolute authority) and mana whakahaere (practical authority), we continue to try to protect our urupā. Te Naunau is still the burial ground of our ancestors.

Due to the wrongful sale of most of Te Naunau for housing in the 1950s, we have been actively prevented from looking after Te Naunau in accordance with our beliefs. However, this does not change our status as Manawhenua, as Kaitiaki or as Uri of the people buried there. Nor does this take away our responsibilities to try to look after our ancestors, to try to follow the tikanga and kawa of our people.

Even though the legal system and mainstream society largely ignores and denies Te Naunau's status as an urupā, it is a burial ground, a sacred site. We will continue to fight for its protection and recognition.

Conclusion

Te Paerata Whānau are Manawhenua in Mōkau. We affiliate to Ngāti Maniapoto of Tainui Waka and to Taranaki. We were given a kaupapa to hold the land for Maniapoto. Te Paerata Whānau Trust represents descendants of Te Ripo Te Huia (son of Te Rira Te Huia) and Teremai Ngahauwhāriki Te Ripo, two ancestors who are buried at Te Naunau Urupā.

Te Naunau is a wāhi tapu, a sacred place for Mōkau Māori and all who affiliate to Tainui waka. The Tainui waka made landfall some 700-800 years ago and was moored there for some time. Te Punga o Tainui (the Anchor Stone of Tainui) was left at Te Naunau and remains interred at Hikumutu Urupā at Mōkau. Te Naunau was a burial ground for the people of Mōkau for generations. Teremai Ngahau Whāriki Te Ripo was the last ancestor of Te Paerata Whānau to be buried at Te Naunau in 1953, alongside her husband, Te Ripo, and other whānau members. Teremai is a pouwhenua for Te Paerata whānau, a spiritual anchor for our identity as Māori of Mōkau.

As Māori, Te Paerata Whānau have a worldview where all entities are connected, where people are a part of a natural world controlled by Atua, where actions in one part of the environment has effects and impacts for others. Concepts such as kawa and tikanga, tapu and noa, mana, whakapono, ture, aroha guide and regulate behaviour in the preservation of balance, harmony. People are kaitiaki for the environment; transgression of these regulators incur consequences to redress imbalance.

As uri of people buried at Te Naunau, the whakapapa of Te Paerata Whānau make us kaitiaki, obligated to protect and care for the burial ground as best we can. Any action that affects the burial ground, affects Te Paerata Whānau. In attempting to build a rock wall across the urupā, without contacting Te Paerata Whānau, Mr Sole disrespected Te Paerata Whānau, whakapapa, tūpuna, tikanga, kawa.

When the ancestors chose Te Naunau as a location to bury their deceased, it was intentional and deliberate. Full well knowing that at some point the elements of Tangaroa, Hinemoana, Tāwhirimātea, may erode the point. A Māori worldview accepts that these factors are often outside of human control. However, Māori also know and accept that human activity affects and impacts the environment. Māori understand that living in harmony and balance with the environment provides a sustainable way of living. Today we know that more extreme weather is a consequence of global warming brought about by the pollution of the environment. Global warming and the more extreme weather patterns are impacts of this imbalance. Erosion of Te Naunau by extreme storms is one result. These impacts are outside of the control of people. These are consequences of the natural world responding to excessive and damaging collective human activity.

In the face of such extreme weather, Te Paerata Whānau do what they can to protect their tupuna lying at Te Naunau. As has been the tikanga at Te Naunau for generations, when koiwi are uncovered, our people undertake the appropriate rituals and reinter them in a safer place. We do not build rock walls. This is our decision to make, no-one else's. So, when someone wants to build a rock wall across our burial reserve, they need to talk with us. If they do not, it is a breach of tikanga, it is a breach of kawa, it disrespects us and our tūpuna.

The Crown theft of Te Naunau has been documented by the Waitangi Tribunal. It resulted in most of the burial ground being sold for housing by the Waitomo County Council. The burial reserve between Numbers 8- and 12-Point Road, was one of two sections reserved by the Māori Land Court in 1953. As a result, Te Paerata Whānau have had to tolerate the presence and activities of bachowners at Te Naunau and on either side of the burial reserve where Teremai and Te Ripo lie.

Mostly, these activities have happened without discussion nor consultation with Te Paerata Whānau. Bach-owners haven't bothered to contact us. This has happened even though other kaitiaki of the area, such as Haumoana White, have protested the desecration of Te Naunau over the years. The agenda of capitalism and property development progresses and continues under the façade of legality in complete disregard and denial of tikanga and kawa pertaining to the burial ground.

To be clear. It never has been nor ever will it be okay to desecrate our burial ground. No matter that the law has legalised that desecration; no matter that houses have been built on top of it; no matter that people have been living on it for years; no matter that the Council has done nothing to resolve the wrong they committed 70 years ago. None of that changes the fact that it is not okay and never has been okay for our burial ground to be desecrated.

The impacts of P Sole's attempt to build a rock wall across the burial ground without contacting Te Paerata Whānau or consulting with Te Paerata Whānau, has been to continue the disregard and denial of tikanga and kawa Māori. Essentially, he trampled on our status as kaitiaki, as uri, as Manawhenua. His actions smack of arrogance, ignorance, and reckless disregard. He has seriously transgressed the cultural protocols and values pertaining to guardianship of land, to caretakership of burial grounds, to respect for deceased ancestors, to respect for the authority and status of the people directly connected with the burial reserve at Te Naunau.

Mr Soles actions perpetuate the relentless assault on the cultural presence, validity, and authority of Te Paerata Whānau.

Reparation

Mr Sole's actions are just another example of a long list of actions that have desecrated our urupā and disregarded us as Kaitiaki, as Uri, as Manawhenua. While he is not responsible for the initial wrong that occurred (i.e., the taking of the land by the Crown, its devolution to the Council and the Council's sale of the land for housing), he is certainly responsible for perpetuating it. For ignoring and disregarding Te Paerata Whānau as direct descendants of the people who lie in the burial reserve, he perpetuates the damage, the injury, the desecration.

Te Paerata Whānau have considered the ways by which Mr Sole might repair the damage that he has done.

Mr Sole has pleaded guilty to the charges laid; he has pleaded guilty to breaching the rules and relevant Council Plan. However, he hasn't pleaded guilty to disregarding Te Paerata Whānau, to deliberately ignoring Te Paerata Whānau. This, he needs to do.

1. We seek a genuine and heartfelt written and public apology from Mr Sole, for deliberately ignoring and disregarding Te Paerata Whānau as descendants of the people who lie in the Te Naunau Burial Reserve, when he attempted to build a rock wall across the burial reserve in December 2021.
2. We seek an undertaking from him to NOT undertake any further works in, over or around the burial reserve without seeking and receiving the express agreement of Te Paerata Whānau directly (via the Trustees of Te Paerata Trust represented by Mārama Henare-Waho, Mark Ripo and Pamela Ripo-Terry).
3. We seek this apology and undertaking to be published in the public notices of the Taranaki Daily News and Waitomo News.
4. We seek removal of the rocks that were placed in front of our burial reserve.
5. There is a tikanga Māori that deals with the situation where an offence has been occasioned upon a group. It is called 'muru'. Traditionally this was a plunder to appease offences (Gallagher, 2016). But more than that, it was a way of addressing the damage caused to relationships, the imbalance caused by an offence against a group's mana (Ministry of Justice, 2001). Both the victim and the perpetrator accepted that a wrong had occurred and that the 'muru' needed to happen to redress the wrong. It could entail the perpetrator forfeiting something owned by them to the victim.
6. In consideration of this tikanga, we believe it would be appropriate for Mr Sole to forfeit his digger to be sold, with all proceeds to go towards the protection of the burial reserve (such protection to be determined, as appropriate, by Te Paerata Whānau)
7. Alternatively, he could forfeit his house and leave Te Naunau.

Appendices

Appendix I – Statement of Mark Ripo

**Statement of Cultural Impacts as a Result of
Activity Undertaken by P S Sole, December 2021**

Name:

My name is Samel Mark Ripo

Of:

I live at 25 Isabella Street, Collingwood Park, 4301 Queensland, Australia

AGE.

I am 69 years old

OCCUPATION.

I am now retired but have worked for many years in the gas pipelines industry. I have worked in the Mokau community most of my life in the shearing industry leading into contract shearing with farmers in the district and North Island of New Zealand. I was also a foreman of staff shearers, roustabout, pressers.

I have also worked internationally as a supervisor pipe bender which is a unique role that few people were able to fill. I worked in Malaysia and Australia.

TRIBAL AFFILIATIONS:

My tribal affiliations are Ngati Tu ki Te Paerata, Poutama ki Mokau, Ngati Maniapoto, Ngati Tama ki Taranaki.

CONNECTION TO TE NAU NAU BURIAL GROUND, MOKAU

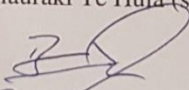
I am connected to Te Nau Nau Burial ground because Te Ripo Te Huia my grandfather, Teremai Ngahau Whariki my grandmother are both buried in this burial reservation.

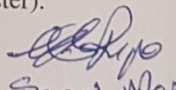
REASONS FOR SUBMITTING A STATEMENT for the CIA report

Te Paerata is an important and meaningful papa kainga of my whanau from before my grandparents.

In my youth I was taught many traditional values of my tupuna in relation to hunting and gathering ensuring the value of manaakitanga, sharing among the community of Mokau and the surrounding district was maintained. In my later years I was moved to continue maintaining our connection to Mokau and our Papa Kainga Te Paerata this allowed me to learn more about the lands in and around Mokau and Te Nau Nau burial ground is one of the many lands occupied by early Maori.

An area of importance to me and my whanau is the burial ground Te Nau Nau my knowledge is that my grandmother Teremai Te Huia was the last person buried at Te Nau Nau 28 July 1953. My grand father Te Ripo Te Huia was also buried at Te Nau Nau and so were his siblings Te Ara Waka Te Huia (brother), Rangiauraki Te Huia (sister).


Brentan Poetee
C/ALB30


Samel Mark Ripo

ACTIVITY OF P S SOLE, DECEMBER 2021

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Limited, across the Te Naunau burial reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mokau, North Taranaki: without prior consultation, communication or discussion with the known kaitiaki and whānau of people buried in the reserve (namely Marama Henare-Waho, Mark Ripo and Pamela Terry-Ripo as Trustees for Te Paerata Whanau Trust and descendants of Teremai Ngahau Whariki Te Ripo and Te Ripo Te Huia), and despite being asked to desist work at the time by known local kaumatua and kaitiaki, Haumoana White, and district resident Marie Gibbs.

CULTURAL IMPACTS.

The impacts of the above-mentioned activity upon myself, my whanau have been very unsettling and disturbing to points of unrest and at times anger toward the actions of disrespect.

I was disgusted to hear that the burial place of my ancestors was treated with such disrespect and disregard of my ancestors right to lay in peace in their final resting place.

It worries me that a person who is fairly new to the district, in comparison to my ancestors could be permitted to continue this disrespectful act and should treat me, my whanau and my ancestors in such a rude way. We were encouraged to grow as one in Mokau and talk about things to ensure that families and community are supportive of each other.

I am appalled that Peter Sole thought he could undertake this work without talking with us.

My ancestors buried in the Te Naunau reserve have been defiled and desecrated in a most unkind manner, I feel this activity has made me, once again grief stricken at the thought of my grandmother, grand father and others have been driven over by diggers, trampled underfoot by self-serving, self-righteous people who have no regard for the deceased.

My ancestors, and others buried at Te Naunau reserve are people revered among our hapū and tribe as leaders of respect, mana and prestige that have been treated with such the most soul-destroying contempt and this makes me sad and angry.


This action must be stopped and never to be ignored again. I am grieving and angered by this whole affair.

DECLARATION

I am of sound mind and capability and give this statement in full knowledge and understanding of its purpose and its content.

DATE. 25/01/23

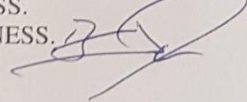
NAME. Samuel Mark Ripo

SIGNATURE. 

WITNESSED BY. C/42830

NAME OF WITNESS. Brentan Porter

ADDRESS OF WITNESS.

SIGNATURE OF WITNESS. 

DATE. 25/01/23

GOODNA POLICE STATION
QUEENSLAND POLICE SERVICE
12-14 CHURCH STREET
GOODNA QLD 4300

Appendix II – Statement of Mārama Gloria Te Huia

Statement of Cultural Impacts of Activity Undertaken by P Sole, December 2021

My name is Mārama Gloria Te Huia.

I live at 32 Kākāmutu Road, Ōtorohanga 3900 and I also consider the Pilot Station/Te Paerata Papakāinga, 5095 State Highway 3, Mōkau as home.

I am 77 years old. I am retired. For over 30 years, I was a Nurse. I was employed at Waikato Hospital as a Registered Nurse, also as an Enrolled Nurse. I undertook a Community Nurse Training at Te Kuiti Hospital. Prior to that, I was a School Dental Nurse.

My tribal affiliations are Ngāti Maniapoto, Ngāti Tū, Ngāti Waikorara, Te Whānau o Te Paerata, Ngāti Kinohaku, Ngāti Rārua.

I am the second eldest living grand-child of my Grand-mother Teremai Ngahau Whāriki and my Grand-father, Te Ripo Te Huia. My grandparents were buried at Te Naunau, Mōkau. Other members of the whānau were also buried there.

I was born 12 September 1945 at Waitara but grew up in Mōkau, North Taranaki. I attended Mōkau Primary School from the age of 6 years old. I was 7 years of age when Granny Teremai died and was buried at Te Naunau. I lived at the Pilot Station (also known as Te Paerata Papakāinga) with my parents Marion and Harry O'Brien and other members of the family.

My mother was Granny Teremai's daughter. Granny Teremai lived at the Pilot Station in a single room bach. She was very much a participant in the whānau. She regularly travelled on the White Star Bus Service to Mōkau. She and the driver knew each other well and often exchanged friendly banter.

I attended Queen Victoria Boarding School in Auckland from 1958. In 1965 I registered as a School Dental Nurse at Auckland School Dental Nurse Training Centre. In 1966 I was Sole Charge Dental Nurse at Te Araroa School Dental Clinic. I was away from Mōkau during these years but moved back to Mōkau in the early 70s.

As a young person growing up in Mōkau, I knew that Te Naunau was a burial ground. Granny Teremai was buried there in my lifetime. But it has been in later years that I have learned that other members of our Te Paerata Whānau were buried at Te Naunau. These include my grandfather, Te Ripo Te Huia, the husband of Teremai and others.

ACTIVITY OF P S SOLE, DECEMBER 2021

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Ltd, across Te Naunau Burial Reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mōkau, North Taranaki; without prior consultation, communication or discussion with the known kaitiaki and whānau of people buried in the reserve, and despite being asked to stop work at the time by known local kaumātua and kaitiaki, Haumoana White, and local resident Marie Gibbs.

IMPACTS

I came to know about the activity of Mr Sole because of being told about it by my daughter, Mārama Henare-Waho. I also viewed photographic evidence taken by Mārama and video evidence recorded and posted by Marie Gibbs on YouTube.

I was disgusted and angry that Mr Sole had the audacity to do this without contacting us. I felt his actions were arrogant, ignorant and racist. I felt Mr Sole showed a 'couldn't care less' attitude to us as the family affiliated to the burial ground. Through his actions he showed that he didn't care that he was working on a burial ground; he didn't care that what he was doing wasn't right; he didn't care that he should stop.

REPARATION

I view what Mr Sole has done as a serious matter. To make amends he should:

- Make a public written apology
- Remove the rocks that he put in front of the burial reserve
- Give a written undertaking that he will not action any work/s in, on or around the burial reserve without the express consent of Te Paerata Whanau.
- Forfeit the digger that was used to Te Paerata Whanau, to be sold with all proceeds going to protection of Te Naunau Burial Reserve.

Signed: *Marama Gloria Lethin*

Dated: *14th March 2023*

Witness Name: *Mr. Sturley*

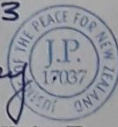
Witness Signature:

Elizabeth Marnin Hurley, JP
#17037

Date:

OTOROHANGA
Justice of the Peace for New Zealand

14th March 2023



Appendix III – Statement of Mere Wenzlick

Statement of Cultural Impacts of Activity Undertaken by P Sole, December 2021

Name & Occupation

My name is Maryanne Wenzlick (nee Ripo). I am also known as Mere Wenzlick. I currently live in New Plymouth. I am currently employed by Woolworths New Zealand as an Office Manager and have been employed by them for 23 years. I also worked at Mōkau Tearooms and Lynmar Tearooms, both in Mōkau.

Tribal Affiliations

Ngāti Tū ki Te Paerata, Poutama ki Mōkau, Ngāti Tama ki Taranaki, Ngāti Maniapoto.

Connection to Te Naunau Burial Ground

My connection to Te Naunau is through my grandfather, Te Ripo Te Huia and my grandmother, Teremai Ngahau Whāriki, who are buried at Te Naunau.

Reasons for Submitting this Statement

My whānau home is Te Paerata located in Mōkau where both my grandparents and parents lived.


Te Naunau is important to our whānau as both my grandparents Te Ripo Te Huia and Teremai Ngahau Whāriki Te Ripo have been laid to rest there along with other whānau members.

Nan Teremai chose Te Naunau as her resting place and was the last to be buried there in 1953.

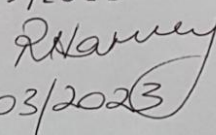
Impacts of P Sole Activity

The impact of the above-mentioned activity has been devastating to myself and my whānau. I was heartbroken and angry that Mr Peter Sole could have such disrespect towards our tūpuna. This whenua is highly significant to our iwi and out of common courtesy and principle Mr Peter Sole should have respected our sacred resting place of our tūpuna.

I believe Mr Peter Sole should pay reparation to the descendants of those buried at Te Naunau for his disgraceful behaviour.

Signed: 

Dated: 15/03/2023

Witness Signed: 

Dated: 15/03/2023

Diane Robyn Harvey, JP
#15124
NEW PLYMOUTH
Justice of the Peace for New Zealand

Appendix IV – Statement of Pamela Ripo-Terry

NAME PAMELIA RIPO-TERRY

ADDRESS 42 TAWA STREET HAWERA

AGE 65YRS

OCCUPATION

I AM RETIRED I WORKED FOR BUS COMPANIES PICKERING MOTORS OPUNAKE WEIR BROTHERS HAWERA HAWERA TAXIS MOBILITY WHEEL CHAIRS STRATFORD TAXIS. I WAS BORN AND BRED IN MOKAU I HELPED MY MOTHER(JOYCE RIPO) IN THE SHEARING SHEDS SHE WOULD ALWAYS TAKE ME. WHEN I LEFT HIGH SCHOOL I GOT A JOB MOKAU TEAROOMS WHICH ITS NOW WHITEBAIT INN WORKED MY WAY FROM CHIP CUTTER TO A WAITRESS FROM THERE I WORKED FOR PAT SKLENNER OCEAN VIEW AQUARIUM.

TRIBAL AFFILIATIONS

ARE TE PAERATA NGATI MANIAPOTO

CONNECTION TO TE NAUNAU

BURIEL GROUND MOKAU.

MY CONNECTION TO TE NAUNAU BURIEL GROUND ARE MY GRANDPARENTS TE RIPO TE HUIA AND TEREMAI NGAHUA WHARIKI BOTH BURIED IN THIS URUPA.

REASON FOR SUBMITTING A STATEMENT FOR THE CIA REPORT.

MY GRANDPARENTS ARE BURIED AT TE NAUNAU WE AS A WHANAU HAVE THE MOST GREAT RESPECT FOR OUR ANCESTORS. GRANDMA TEREMAI TE HUIA WAS THE LAST MAORI WOMAN TO BE BURIED AT TE NAUNAU WHEN THE MAORI COMMUNITY WHE TE FIGHTING IN 1953. GRANDDAD TE RIPO TE HUIA WAS ALSO BURIED AT TE NAUNAU AND SO WHERE HIS SIBLINGS (TE ARA WAKA TE HUIA, RANGIAURAKI TE HUIA.

ACTIVITY OF PS SOLE DECEMBER 2021

THE ACTIVITY THAT THIS STATEMENT RELATES TO IS THE ATTEMPT TO BUILD A ROCK WALL BY MR PETER SOLE TRANSPORT LTD ACROSS THE TE NAUNAU BURIEL RESERVE LOCATED BETWEEN 8 POINT ROAD AND 12 POINT TE NAUNAU MOKAU NORTH TARANAKI WITH OUT PRIOR CONSULTATION COMMUNICATION OR DISCUSSION WITH THE KNOWN KAITIAKI AND WHANAU OF PEOPLE BURIED IN THE RESERVE (NAMELY MARAMA HENARE- WAHO MARK RIPO PAMELIA RIPO-TERRY AS TRUSTEES FOR TE PAERATA WHANAU TRUST AND DESCENDANTS OF TEREMAI NGAHUA WHARIKI TE RIPO AND TE RIPO TE HUIA. DESPITE BEING ASKED TO DESIST WORK AT THE TIME BY KNOWING LOCAL KAUMATUA AND KAITIAKI HAUMOANA WHITE AND DISTRICT RESIDENT MARIE GIBB.

WITNESS
SELWYN J. METCALFE
HAWERA



14/02/2023

P. Ripa-Terry
Pamela Ripa-Terry

1/2

CULTURE IMPACTS

THE IMPACTS AS ABOVE WERE DISTURBING
OUT RAGES AND DISRESPECTFUL TO MYSELF
AND WHANAU I WAS VERY ANGRY TO HEAR WHAT WAS GOING ON AT THE BURIAL OF
WHERE OUR ANCESTORS LAID. HOW COULD
PEOPLE LIKE PS SR DO THINGS LIKE THAT AND NOT CONTACT OUR WHANAU BEFORE
HE DECIDED TO GO AHEAD.

DATE 14 February 2023
NAME Pamela Ripo-Terry
SIGNATURE *P. Ripo-Terry*

WITNESSED BY

NAME OF WITNESS

SIGNATURE OF WITNESS

DATE

Selwyn James Metcalfe

14/02/2023

S.J. METCALFE J.P.
1414
HAWERA
Justice of the Peace
for New Zealand

Appendix V – Statement of Marie Teremai Te Huia-Warren

Statement of Cultural Impacts as a Result of
Activity Undertaken by P S Sole, December 2021

NAME:

My name is Marie Teremai Te Huia-Warren

OF:

I live at 510 Barclay Road, RD 1 Aria, 3979

AGE:

I am 51 years old.

OCCUPATION

I am employed as a teacher and Assistant Principal at Te Kūiti Primary School.

TRIBAL AFFILIATIONS:

My tribal affiliations are:

- Ngati Maniapoto
- Ngati Tū / Ngati Tūmai
- Ngati Kinohaku
- Ngati Wai

CONNECTION TO TE NAUNAU BURIAL GROUND, Mōkau:

I am connected to Te Naunau Burial ground because many of my tupuna were laid to rest here in the traditional burial customs of the time.

My namesake, and my mother's grandmother, Teremai Ngahau Whariki, was the last known member of our whānau to be interred here. Although of Ngati Kinohaku descent, she chose Te Naunau as her final resting place with her husband, Te Ripo, and three of their children.

My tupuna, Parehuakirua, is buried at Te Naunau.

My tupuna, Te Rira Te Huia, is buried at Te Naunau.

My father's grandfather, Te Arawaka Te Huia, is buried at Te Naunau.

My father's grand-aunt, Rangiauraki aka Rawea Te Huia, is buried at Te Naunau.

REASONS FOR SUBMITTING A STATEMENT for the CIA Report

My connection to Te Naunau began at a young age with whānau stories and recollections by those who remembered these tupuna who were laid to rest here.

My father, Sonny Hemi Te Huia, would often recall Granny Teremai as a lovely and gentle lady. He recounted the story of how she liked to sit in the sun at the Pilot Station, overlooking the sea. He shared with me the day he found her in this spot, her hands cold to the touch, eyes closed, unresponsive.

My father's mother, Maikara Inia, showed me the area where she remembered Granny Teremai's final resting place on Te Naunau. She had attended her tangi.

My father's sister, Hana Rehu, recalled growing up as a girl in Mōkau and being told that Te Naunau was an old burial site. Aunty Hana visited me when I was living in Mōkau and asked me to take her on a 'tiki tour', where she pointed out different sites of significance, naming whānau buried on Te Naunau as well as other burial sites along the Mōkau estuary.

My husband, Anthony (Tony) Brian Warren, grew up in Mōkau. He is a descendent of Ernest Riu Batley and Rangirere Te Mamae Te Kapo, granddaughter of Taniora Wharau. As a child, Tony recalls being reminded by local adults, whānau and kaumatua not to go and play or dig holes down on Te Naunau. It was common knowledge that Te Naunau was a burial ground.

My mother-in-law, Marilyn Warren nee Fryday, recounted to me a time when her and my father-in-law, Brian Dennis Warren, considered purchasing a bach on Te Naunau. Her mother-in-law, Ethel Raua Warren (nee Batley), strongly advised against this, saying that Te Naunau was a known burial site. Marilyn and Brian respected that advice and chose to buy a home elsewhere in Mōkau.

ACTIVITY OF P S SOLE, DECEMBER 2021:

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Ltd, across the Te Naunau Burial Reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mōkau, North Taranaki; without prior consultation, communication or discussion with the known kaitiaki and whānau of people buried in the reserve (namely Mārama Henare-Waho, Mark Ripo and Pamela Terry-Ripo as trustees for Te Paerata Whānau Trust and descendants of Teremai Ngahau Whariki Te Ripo and Te Ripo Te Huia), and despite being asked to desist work at the time by known local kaumatua and kaitiaki, Haumoana White, and district resident Marie Gibbs.

CULTURAL IMPACTS:

In the case study commissioned by the Waitangi Tribunal for Te Rohe Potae district inquiry (Wai 898, March 2014), many of these whānau names and connections are mentioned. This report highlights the intergenerational transmission of local knowledge that Te Naunau was, and still is, a burial ground. Local families of the past who knew this, respected this site. Bach owners on Te Naunau today are not locals and therefore do not hold this knowledge. The presence of these baches built on the bones of our ancestors is, in my opinion, the highest form of disrespect and disregard.

Our tupuna voiced their concerns of development on Te Naunau. Their concerns have been recorded. These same concerns are still relevant to their descendants today. Our tupuna were ignored, invalidated, humiliated, subjugated, questioned, accused and ultimately ridiculed.

The greedy need for land, especially prime ocean and river views, has conveniently silenced the voices of respect and reason. The continued desecration of our urupā through the actions of bach owners and local government, both past and present, needs to be acknowledged and addressed in a way that is meaningful, truthful, and respectful to those whānau who, for generations, have had to bear witness this historical trauma. Let's flip it - how would you feel if I built on top of, or dug around, your grandmother's grave?

The more recent actions undertaken by Mr P Sole on Te Naunau is another situation of waving the middle finger to not only local and regional laws, but to us as mana whenua, people of that land. Mr P Sole knowingly took the law unto himself with little regard to the cultural and environmental impacts on Te Naunau.

The following:

Provide a public apology to the descendants of those buried in the burial reserve

Remove the rock wall that he put there.

Pay reparation in the form of erecting a pou and an information board near the site, in collaboration with descendants of those buried in the burial reserve.

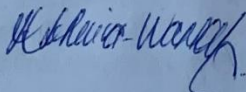
Remove his bach and leave Te Naunau.

DECLARATION:

I am of sound mind and capability and give this statement in full knowledge and understanding of its purpose and content.

DATE: 20 March 2023


NAME: Marie Teremai Te Huia-Warren

SIGNATURE: 

WITNESSED by:

NAME OF WITNESS: Coral McKinlay-Earl

ADDRESS OF WITNESS: 1 Tawa Street, Tekuiri

SIGNATURE OF WITNESS: 

DATE: 20 March 2023

Coral McKinlay-Earl, JP
#8153
TE KUITI
Justice of the Peace for New Zealand

Appendix VI – Statement of Hemi Te Huia

Statement of Cultural Impacts as a Result of
Activity Undertaken by P S Sole, December 2021

NAME: Hemi Arena Te Huia

OF: 30a Myrtle Grove
Altona VIC 3018
Australia

AGE: 47 years

OCCUPATION

I am an Investor, Business owner in multiple companies and a stock market strategist.
My job is to strategies and increase growth in companies via business acquisitions, mergers, private equity, property development, construction and stock market trade.

TRIBAL AFFILIATIONS:

Tainui, Maniapoto, Ngati Tu.

CONNECTION TO TE NAUNAU BURIAL GROUND, Mōkau:

I am connected to Te Naunau Burial ground by my nanny Teremai and Te Ripo Te Huia

REASONS FOR SUBMITTING A STATEMENT for the CIA Report

I am a direct descendent of Nanny Teremai Ngahau Whariki Te Ripo & Te Ripo Te Huia

ACTIVITY OF P S SOLE, DECEMBER 2021:

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Ltd, across the Te Naunau Burial Reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mōkau, North Taranaki; without prior consultation, communication or discussion with the known kaitiaki and whānau of people buried in the reserve (namely Mārama Henare-Waho, Mark Ripo and Pamela Terry-Ripo as trustees for Te Paerata Whānau Trust and descendants of Teremai Ngahau Whariki Te Ripo and Te Ripo Te Huia), and despite being asked to desist work at the time by known local kaumātua and kaitiaki, Haumoana White, and district resident Marie Gibbs.

CULTURAL IMPACTS:

The impacts of the above-mentioned activity upon myself/my whanau have been:

- I was shocked to find out that any person could do this to my nanny Teremai & Te Ripo grave site and all my other whanaus whanau that are buried at Te Naunau burial reserve.
- I was angry that Mr Peter Sole did not consult with our kaumātua about the burial reserve.
- Where is the respect, I'm sure Mr Peter wouldn't like it if that was done to his family's grave sites.
- I am actually appalled at what Mr Peter Sole has done, these are my grandparents and great grandparents.
- I am disgusted by Mr Peter Soles actions, attitude and disrespect to me and my family.
- Our burial ground has been desecrated and I am in disbelief that Mr Peter Sole could do something like this despite the fact that the status of Te Naunau being a burial ground has been publicly documented for a long time, more recently by the Waitangi Tribunal's report into Te Rohe Pōtae Inquiry.

Handwritten signature and dates:
07/03/2023
HTH 07/03/2023

- My great-grandmother was buried at Te Naunau, in that reserve. We have great respect for our ancestors and treasure their memory. Our whakapapa is important to us. Granny Teremai is an important ancestor for our whānau. She was the last of our whānau, hapū and iwi to be buried at Te Naunau, when the Māori community were fighting in 1953 for it to be protected by the Māori Land Court. She gave evidence for our whānau. She spoke about how her husband, children and other whānau members were buried there. She is also the last woman in our whānau to carry moko kauae (traditional Māori chin tattoo). She is a woman of mana (status) to us. Her burial site and the burial site of the others located there must be respected.
- As descendants and whānau of the people buried at Te Naunau, we have obligations and responsibilities to look after and protect the burial sites of our people. We are kaitiaki (guardians). We must do the best we can to protect them. Generations before us have done this and we must try to do this in our time.
- However, since the whole of Te Naunau was stolen by the Crown, given to the Council, only partially recognised by the Māori Land Court, sold by the Council and private bach- owners, our role as kaitiaki was made extremely difficult, and successively disregarded, disrespected, and ignored. The law and successive councils and bach owners have carried on their activities regardless of what we feel or think. The activity undertaken by Mr Sole is just another example of the many multiple activities undertaken at Te Naunau where our concerns, feelings, thoughts, rights, responsibilities, tikanga and kawa, have been deliberately ignored and overridden. When I saw the activity undertaken by Mr Sole, I was affronted and disgusted that our values and rights were yet again being ruthlessly disregarded.
- As a result of the actions that Mr Peter Sole has done I would like him to pay reparation to the descendants of those buried in the burial reserve and to acknowledge in a formal letter saying sorry for his actions.

DECLARATION

I am of sound mind and capability and give this statement in full knowledge and understanding of its purpose and content.

DATE: 7 March 2023

NAME: Hemi Arena Te Huia

SIGNATURE: 

WITNESSED by:

NAME OF WITNESS:

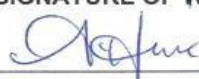
AMY TAUMIHI HUIA

ADDRESS OF WITNESS:

51 BIRCHWOOD BLVD HOPPERS CROSSING VIC 3029

DATE: 7 MARCH 2023

SIGNATURE OF WITNESS:



AMY HUIA JP
C/O HONORARY JUSTICE SERVICES SUPPORT
24/121 EXHIBITION STREET
MELBOURNE 3000
JUSTICE OF THE PEACE FOR VICTORIA
REG NO. 12242

Appendix VII – Statement of Mārama Henare-Waho

Marama Henare-Waho - Statement of Cultural Impacts of Activity Undertaken by P S Sole, December 2021

Introduction

My name is Mārama Henare-Waho. I live at 32 Kākāmutu Road, Ōtorohanga, King Country. I am 55 years old.

I am a trustee of multiple Māori Land Trusts and a kaitiaki (guardian) of our whānau (family) and interests. I am a researcher, administrator, advocate and mentor. I fulfil multiple cultural roles our whānau (family), our hapū (sub-tribe), our marae and our community.

Tribal Affiliations

My tribal affiliations are Ngāti Maniapoto, Ngāti Porou, Ngā Puhi, Ngāti Hine, Te Aupouri. My hapū (sub-tribes) are Ngāti Tū, Ngāti Wai, Ngāti Waikorara, Ngāti Kinohaku, Ngāti Rārua on my Tainui side. I am also Te Whānau-a-Hinerupe, Te Whānau-a-Tūwhakairiora on my father's side.

I am married to Robin Waho, of Ngāti Maniapoto and Ngāti Tama. We have a daughter, Kōtuku, aged 13 years. My mother is Mārama Gloria Te Huia. We live together in Ōtorohanga.

We also have a whānau (family) home at Te Paerata Mōkau, on the south side of the Mōkau River Mouth, directly opposite Te Naunau Burial Ground.

As my husband's place of work is in Ōtorohanga and my daughter's school is in Hamilton, we need to live away from Te Paerata for now. However, we spend as much time as we are able at Te Paerata. Maintaining a regular and constant presence at our papakāinga (home ground) is important to us. It is part of keeping the ahi-ka (home fires) burning.

Many members of our whānau were raised there. My brother and I were the last children of our generation to be raised at Te Paerata. Today, our whānau ensure to bring our children and extended whānau back to Te Paerata to continue that connection to our whenua (land) to our tūpuna (ancestors).

Our home at Te Paerata provides us with a tūrangawaewae (a place to stand) to return to for generations to come.

Connection to Te Naunau Burial Ground

I am a direct descendant of people buried at Te Naunau, and in the Burial Reserve between Number 8 and Number 12 Point Road, Te Naunau, Mōkau. My great-grandparents, Teremai Te Ripo and Te Ripo Te Huia were buried there, along with other members of their whānau

(family) and hapū (subtribe). As far as we know, Teremai was the last person to be buried in Te Naunau in 1953. Prior to her death, she gave evidence to the Māori Land Court in 1953 about Te Naunau, about her whānau buried there, and where they were buried. (Maori Land Court, 1953) (Cunningham, 2014)

I am a kaitiaki (guardian/caretaker) of our whenua whānau (family lands).

I witnessed the digger activity at Te Naunau in December 2021. I filed complaints about it with the Waikato Regional Council (Waikato Regional Council, 2021) (Waikato Regional Council, 2021) and the Waitomo District Council (Waitomo District Council, 2022). I also alerted Haumoana White, another Kaitiaki of Te Naunau, to the activity, and contacted the Mōkau-ki-Runga Regional Management Committee of the Maniapoto Māori Trust Board to see if they knew anything about the activity. Neither Haumoana White nor the Mōkau-ki-Runga Regional Management Committee knew anything about the activity.

I attended a meeting with Waikato Regional Council managers in December 2021, at Waiopapa Marae, Te Kawau (halfway between Mohakatino and Tongaporutu), to discuss the activity undertaken by Mr Sole at Te Naunau 9-10 December 2021, and the process for dealing with the matter.

When Waikato Regional Council initiated a formal investigation into the matter, I was interviewed by the WRC investigator, E Billington, at Te Paerata Papakāinga 17 February 2022.

I am Chairperson of Te Paerata Whānau Trust, the beneficiaries of whom are direct descendants of Teremai Te Ripo and Te Ripo Te Huia, and whānau to other ancestors buried at Te Naunau.

Qualifications & Experience

I have a Bachelor of Laws from the University of Auckland (1992) and a Masters of Applied Indigenous Knowledge from Te Wānanga o Aotearoa (2017). I have worked as Office Solicitor for the Waitangi Tribunal, as a Lecturer in Law at the University of Waikato (1995-1997), as Operations Team Member and Business Analyst for the Waikato-Maniapoto Māori Land Court (1999-2003), as an Education Programme Manager for MO1 Ltd(2003-2004), as a Tutor in Iwi Environmental Management (2004-2007) for Kōwhai Consulting Ltd , Contract Project Manager & Researcher for Mangapapa B2 Incorporation (2004-2007), Tutor in Māori Governance and Leadership (2017-2019) and as a Business Analyst for Te Wānanga o Aotearoa (2019-2021).

I have more than 20 years of experience in Māori Land as a governor, administrator and/or shareholder/beneficiary, and am currently a trustee of Te Paerata Whānau Trust, Waikawau Ahuwhenua Trust and Piripiri Ahuwhenua Trust. I have been a committee of management member for Mangapapa B2 Incorporation, Manga-Awakino A1 Incorporation and Pariwhero A4B Incorporation. I have been Executor and Trustee for several deceased whānau

members who entrusted me with the responsibility to administer their estates and to carry out their wishes.

I also hold the mantle to look after our whānau land and to lead our whānau as kaitiaki (caretaker/guardian) of our taonga tuku iho (treasures passed down). That mantle was given to me by my tupuna (ancestors) who were kaitiaki for our whānau in their time. I hold that mantle for life.

Activity of P Sole, December 2021

The activity that this statement relates to is the attempt to build a rock wall, by Mr Peter Sole, using a digger owned by Peter Sole Transport Ltd, across the Te Naunau Burial Reserve, located between 8 Point Road and 12 Point Road, Te Naunau, Mōkau, North Taranaki; without prior consultation, communication or discussion with myself as a direct descendant of Teremai Te Ripo and Te Ripo Te Huia, who were buried in the reserve, nor with anyone else in my whānau who are direct descendants of these ancestors buried in the reserve.

Impacts

I was and still am affronted and appalled at Mr Sole's actions. I am seriously disappointed that someone would decide to build any kind of wall across the burial reserve without consulting the people directly connected with the reserve. He should have contacted us to discuss his intentions. He did not.

That Mr Sole decided of his own initiative to undertake this work, without consultation discussion or notification to the direct descendants of people buried in the burial reserve appalls me. His actions show that he didn't care about our views. That he did this without genuine attempt to contact us was arrogant and reckless.

That he would carry on doing this work even though local kaumātua, Haumoana White and local resident, Marie Gibbs, attended the site in clear view of Mr Sole, demonstrates his lack of care. His actions were arrogant, disrespectful and blatantly disregarded the thoughts, feelings, interests, rights, of the people connected with this land and the people buried there. His actions have no explanation to me other than he didn't care and intentionally ignored us.

He was not concerned with how we felt nor what we thought. He was concerned only with what he wanted to do, without regard for us nor for the graves of those buried there.

Mr Sole's actions occurred after many years of desecration at Te Naunau (which comprises the whole sand spit). In short, the land was stolen by the Crown and devolved to an earlier Council. In 1953, the Māori Land Court cleared most of Te Naunau for sale, and the Council sold it for housing. Mr Sole's section at Number 12 Point Road is one of the sections. For generations, human bones have been uncovered out of Te Naunau, and reinterred into safer locations.

The burial reserve on the seaside of Te Naunau is what is left of one of two half-acre sections that were reserved by the Māori Land Court in 1953. As such it has been vulnerable to the activities associated with the housing that has arisen around it. The building activities, the living activities, the recreational activities. Yes, it has been eroded into by the sea. But it has also been walked through, dug into, sat upon, climbed up onto, without any regard for it being a burial reserve. It has been treated as if it is a thoroughfare.

For many years I couldn't bring herself to visit the burial reserve where my tūpuna Teremai and Te Ripo lay. I was profoundly hurt and angry that our people were unable to stop the desecration that had happened there (which included the sale of the burial ground for housing). As a young adult, I was mentored by my tūpuna to be a Kaitiaki for our whenua. I trained as a lawyer, worked in the Māori Land Court and the Waitangi Tribunal. I used my legal training to research our family land holdings. I learned the story of Te Naunau, from the Māori Land Court's perspective. Through my work as a Lecturer at Waikato University Law School, alongside senior Māori legal academics, I learned about the effects and impacts of colonisation on Māori.

When the Waitangi Tribunal undertook Te Rohe Pōtae Inquiry and held a hearing at Maniaroa Marae in 2010, my sister, Marie Te Huia, and I spoke for Te Paerata Whānau. We gave evidence to the Tribunal about Te Naunau and the other significant places that their whānau affiliated to.

However, colonisation is more than an academic process, it is a traumatic process. Land loss, language loss, undermining – and then appropriation – of Māori knowledge, desecration and destruction of sacred places. These are all part of the machinery of colonisation, of one culture's domination of another. Many of the effects of colonisation on Māori have had devastating consequences.

The theft and sale of Te Naunau was a tool of colonisation. The law legitimised the theft and the sale. The law was used to dismiss and undermine Māori authority, Māori ways of being, Māori ways of living. Instead, the law was used to legitimise Western values around property and land ownership, capitalism and selling land for profit; the law gave weight to individual rights over collective rights. The law privileged non-Māori over Māori.

For many years, I could barely bring myself to visit the burial reserve at Te Naunau. The desecration that had happened there, the erosion, the building of rock walls on either side of the burial reserve that had accelerated the erosion. The fact that none of the houses on Te Naunau should ever have been allowed to be there in the first place; but they were. This frustrated and angered me.

Over the years when I heard that houses were falling into the sea; that the spit was eroding, I had little sympathy for the bach-owners. I could understand that people had invested money into the land; that they wanted to protect their investment. But I had little sympathy for their situation. They had purchased a burial ground. Whether it was with

knowledge of that, or not, the fact remained. They had built on the graves of the ancestors. It was wrong.

My people, our Māori community had tried to protect Te Naunau but they had been ignored and disregarded. They had told the Court that the whole of Te Naunau was a burial ground. But they were not believed. Their evidence was discounted and ignored.

Later, when much of Te Naunau had been sold for housing and it began to erode; when houses began to fall into the sea; as far as I was concerned it was an inevitable outcome. A spiritual retribution. An inevitable consequence of living on a cemetery. From my Ao Māori point of view, it was a response by the Atua and the ancestors to the wrong that happened.

For me, Peter Sole's actions, his intentional disregard of my people as Kaitiaki of the burial reserve, his deliberate decision to ignore our whānau; this is yet another example of an arrogant ignorant individual disregarding our people and attempting to impose his will regardless of us. His actions just continue the desecration that has been happening at Te Naunau for generations.

Mr Soles actions perpetuate the wrong

In carrying out this activity, without consulting us, without making the attempt to consult us, Mr Sole essentially decided we didn't matter. He disregarded our views, thoughts, feelings, interests, rights, considerations as Uri, as Kaitiaki, as Tangata Whenua, as Mana Whenua of the burial reserve. Mr Sole ignored us; he disregarded our values and disrespected our ancestors buried there.

It would not have been a difficult thing to attempt to contact us. The Waitomo District Council and NZ Police have information about how to contact representatives of people buried in this burial reserve.

In carrying out this activity, Mr Sole has treated us in a lesser manner than he has all private bach-owners who he has worked with to build rock walls across their sections. He did not accord us the same consideration. He just went ahead with his plans arrogantly, ignorantly and careless of our interests. Without stopping to consider what we thought about his plans. Without stopping to give us the opportunity to have input, to hear our views. Without stopping to consider that there might be a different or better way of moving forward. Without stopping, without considering, without according us the same respect that he has accorded others, to discuss a way forward. His actions smack of arrogance, ignorance and reckless disregard. His actions smack of racism.

Reparation

The wrong that happened at Te Naunau has not been corrected. There has barely been acknowledgement by the Council or anyone else that the wrong even occurred. Until that original wrong at Te Naunau is acknowledged and amends made, we will continue to fight for it.

Mr Sole's actions are just another example of a long list of examples of desecration of our urupā, and disregard of our people. While he is not responsible for the initial wrong that occurred, he is certainly responsible for perpetuating it. For ignoring and disregarding us as direct descendants of the people who lie in the burial reserve, he perpetuates the damage, the injury, the desecration.

Mr Sole has pleaded guilty to the charges laid; he has pleaded guilty to breaching the rules and relevant Council Plan. However, he hasn't pleaded guilty to disregarding us, to deliberately ignoring us. This, he needs to do.

1. We seek a genuine and heartfelt written apology from Mr Sole, for deliberately ignoring and disregarding us as descendants of the people who lie in the Te Naunau Burial Reserve, when he attempted to build a rock wall across the burial reserve in December 2021.
2. We seek an undertaking from him to contact us directly with regards to any and all future works that he might wish to undertake in and around the burial reserve.
3. We seek this apology and undertaking to be published in the public notices of the Taranaki Daily News and Waitomo News.
4. We seek removal of the rocks that were placed in front of our burial reserve.
5. There is a tikanga Māori that deals with the situation where an offence has been occasioned upon a group. It is called 'muru'. Traditionally this was a plunder to appease offences (Gallagher, 2016). But more than that, it was a way of addressing the damage caused to relationships, the imbalance caused by an offence against a group's mana (Ministry of Justice, 2001). Both the victim and the perpetrator accepted that a wrong had occurred and that the 'muru' needed to happen to redress the wrong. It could entail the perpetrator forfeiting something owned by them to the victim.
6. In consideration of this tikanga, we believe it would be appropriate for Mr Sole to forfeit his digger to be sold, with all proceeds to go towards the protection of Te Naunau Wāhi Tapu. Alternatively, he could forfeit his house.

DECLARATION

I am of sound mind and capability and give this statement in full knowledge and understanding of its purpose and content.

NAME: *Marano Henare-Hakio*

SIGNATURE: *Marano Henare-Hakio*

Date: *14/3/23*

WITNESSED by:

NAME OF WITNESS:

Elizabeth Marain Hurley, JP
#17037


ADDRESS OF WITNESS:

OTOROHANGA
Justice of the Peace for New Zealand

SIGNATURE OF WITNESS:

DATE:

14th March 2023.

Elizabeth Marain Hurley


Appendix VIII– Statement of Rangi Joseph

Ref. TE NAUNAU KAITIAKI REPORT 2023

Cultural Impact Statement

Nā: Rangi Mārama Joseph
24 Feb., 2023

Contact details: rangi.i@xtra.co.nz
021 076 8173

Occupation: Self-employed

Qualifications:

- 5th generation descendant of whānau engagement with Crown officials (1835-present)
- 6 generations of implicit and explicit mātauranga tuku iho
- 7 generations of applied kaitiakitanga practitioners
- millennia of undisturbed exercise of te mana whatu āhuru herein after acknowledged as the kaupapa that underpins the inter-generational whakapono and exercise of wholistic¹ therapeutic jurisprudence

Tribal affiliations: Ko Rereahu rātou ko Ngāti Maniapoto me ōna hapū maha ō Tainui Waka. Ko Ngāti Ruahine, Ngāti Ruanui rātou ko Ngā Rauru Kītahi ō Aotea Waka. Ko Te Ātiawa ō Tokomaru Waka, me Ngāti Kearoa rātou ko Ngāti Tahinga ō Te Arawa Waka.

Connection to Te Naunau Urupā, Mōkau:

Ko Mōkau ki runga, Tāmaki ki raro, Mangatoatoa ki waenganui. Pare Waikato, Pare Hauraki, Te Kaokaoroa ō Pātetere me te mana ō Raukawa, ki te Nehenehenui ō te Hauāuru.

My connection to Te Naunau urupā is reflected in this photo of my tupuna, taken 4 June 1885, by Alfred Burton.



Standing: Rewi Maniapoto, Tawhana Tikaokao, Taonui Hikaka, Te Rerenga Wetere
Sitting: Te Rangituataka, Te Naunau Hikaka.

¹ Wholistic - denoting the whole in wholism as opposed to the hole in Holistic.

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My connection to Te Naunau urupā (Te Naunau) is also reflected in the various huihuinga (consultation gatherings) a-whānau, a-hapū and a-hapū-maha held throughout Te Rohe Potae o Tāwhiao including, yet not limited to, ngā huihuinga:

- held at Te Puna Roimata that mandated the appointment of Pōtatau Te Wherowhero hei Kiingi
- that reinstated the aukati border control around Te Nehenehenui ō Tāwhao traditionally recognised as the ancestral forestry and fishery estates of Rereahu and Ngāti Maniapoto me ōna hapū maha
- held at my tupuna homestead at Māhoenui resulting in the various negotiation petitions submitted to the colonial office and;
- throughout Taranaki that resulted in the militia assaults on innocents, enslavement of menfolk for the construction of "new" Zealand's infrastructure and the subsequent militia assaults on Parihaka that forced my tupuna and his siblings to flee to safety ki Te Nehenehenui me Te Rohe Potae.

My connection to Te Naunau also involves holidays with whānau and tupuna who lived and died at Mokau and surrounding communities. It also involves inter-generational relationships with direct descendants and kaitiaki of Te Naunau, our families connected by whakapapa and the undisturbed exercise of Whakapono Māori. My connection also involves shared tupuna with Kaitiaki Mārama Henare-Waho, Te Paerata Whānau and several tupuna acknowledged in the Te Naunau Kaitiaki Report submitted on behalf of the whānau and descendants of Parehua Kirua and Te Rira Te Huia. The significance of my connection to Te Naunau is that:

1. I always was and always will be privy to the inter-generational transmission of cultural excellence and compassion for Te Naunau Urupā
2. I can attest to the good character, cultural expertise, compassion and patience of Kaitiaki Mārama Henare-Waho, Te Paerata Whānau and their Tū Rangatira concerning Te Naunau Waahi Tapu

And;

3. I can attest to the custom of inter-generational appointment of mana whenua and mana tangata kaitiakitanga of waahi tapu!

Reasons for submitting this Statement

This cultural impact statement is submitted in support of Kaitiaki Mārama Henare-Waho, Te Paerata Whānau, the descendants of Teremai Ngahau Whāriki Te Ripo and Te Ripo Te Huia, Kaitiaki Haumoana White, Te Naunau Tupuna, Te Naunau Waahi Tapu, Te Naunau Urupā and ngā whānau, kaitiaki and descendants of all others interred therein.

Our tupuna were not averse to engaging meaningful relationships with tauiwi or in seeking fair, reasonable and culturally safe resolution with the Crown and govt. officials. What they were opposed to, was the demonstrated intent to effect genocide upon māori, ecocide upon te taiao, and entrap surviving generations in a subjugating society founded on papal edicts that sustain the perpetual and systemic genocidal assault on the Māori soul!

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"He mamae, he mamae i a hāha aue" Ara Ra Kapangapanga (oral literature)
(We can no longer bare this excruciating pain on our own.)

translation by Kaitiaki Wharetatao King

Mārama Henare-Waho and Te Paerata Whānau are also not averse to engaging fair, reasonable and culturally safe opportunities to engage with tauīwi or the Crown. However, their evidence concerning Te Naunau speaks for itself! The welfare of Te Naunau Urupā and ALL of its cultural significance to mana tangata, mana whenua and mana atua, has endured 70 years of cultural assault. That is, 70 years of illegal activity allegedly sanctioned by the Crown and God! 70 years of perpetual contempt, arrogance, disrespect and assault on the cultural presence, validity and authority of whānau, hapū and whakapono maori! 70 years of demonstrated inter-generational aroha and compassion despite the 70 years of shock, horror, disgust and frustration. 70 years of exemplary patience despite the Crown's responsiveness/non-responsiveness to the consequences of non-compliance to Ture Wairua and Westminster law! Including yet not limited to, the recent illegal activities of Peter Sole, the associated desecration of Te Naunau, and the Crown's incompetence to satisfactorily effect the consequences of non-compliance!

"He mamae, he mamae" translation by Kaitiaki Wharetatao King
(the excruciating pain finally expelled from us)

These are my reasons for submitting this statement. Enough is enough and 70 years of legal and cultural incompetence on the part of Crown officials and policies, is 70 years too many!

Cultural Impact

"He tangata, Hī!
Rangatira, Hī!
He tangata, Hī!
Rangatira! Au, au, auē hā!
He toto wera, he toto wera,
He totohū nō te toroparawae o Maniapoto
I ā hāha!
Tukuna kia haere, te wanawana
Tukuna kia haere te wana, te ihi, te wehi e
Hī!"
Toto Wera nā Rāniera Winikerei & Rawiri Stephens (2001)

The cultural impact of Peter Sole's recent desecration of Te Naunau Urupā affects me because it affects my whānau as described above, and maintaining whānau wellbeing is a cultural responsibility attributed to the entire whakapapa! As a result, the perpetrators of threat and or assault of any degree, on the mana of any member(s) of the whānau whether living or deceased, are subject to accountability to any or ALL of the whakapapa!

I submit that Peter Sole should rightfully be held accountable for the cultural impact of his arrogance and violation of the whānau and waahi tapu that is Te Naunau Urupā. I also submit that he be held

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accountable to the full extent of NZ law for the breaches of associated NZ law. I further submit that ALL reparation sought by ngā Kaitiaki of Te Naunau and Te Paerata Whānau be supported without prejudice, by both the Waitomo District Council and Waikato Regional Council concurrently and; for the entire duration necessary to achieve the wholistic therapeutic jurisprudence required to resolve the cultural impact!

Justification is attributed to the evidence provided in the Te Naunau Kaitiaki Report and Councils' demonstrated incompetence and failure to enforce the law(s) associated to the construction of the unconsented rock wall. Justification is also attributed to the Crown's preference to engage with inorganically appointed "perceived" representatives through the non-māori conventions of Crown mandated inorganic institutions. Namely, the former MMTB and the current TNN Trust who DO NOT have implicit or explicit consent to represent Te Paerata Whānau, Te Naunau Urupā or me!

Alternatively,

Prove me wrong!

Prove the evidence untrue!

And;

Prove the cultural impact experience irrelevant!

DECLARATION

I am a 5th generation descendant connected to Te Naunau and I am the authority of my cultural impact experience.

I am a 6th generation descendant of demonstrated cultural excellence informed by te Aroha me ngā Ture o taku Whakapono Māori, and I am an authority of my cultural heritage.

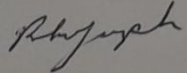
I am a 7th generation descendant of applied wholistic therapeutic jurisprudence and I am an authority of my cultural authenticity.

I am also a blood relative of Mārama Henare-Waho and the descendants of Te Paerata Whānau and I attest to the cultural authority and validity of their Kaitiakitanga, their Mana Tangata, Mana Whenua and their relationship with Mana Atua and Te Naunau Urupā/Waahi Tapu.

I am of sound mind and capability and give this statement in full knowledge of its content and purpose.

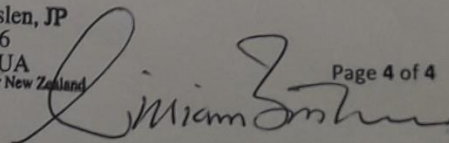
DATE: 08/03/2023

NAME: Rangī Mārama Joseph

SIGNATURE: 

Witness:

William Brislen, JP
#94466
ROTORUA
Justice of the Peace for New Zealand



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Glossary of Māori Terms

Ahuwhenua Trust – A trust created by the Māori Land Court under Te Ture Whenua Māori 1993 (the Māori Land Act 1993)

Apakura – a lament

Aroha – love, compassion, care, consideration

Atua – Māori god

Awakino block – land block purchased by the Crown in March 1854, estimated at 16,000 acres when first purchased, but later found to be 23,000 acres

Haka – a Māori dance of war, of cultural expression

Hākari - feast

Hapū – kinship group, clan, tribe, sub-tribe

Hau Kāinga – home people

Hine-Moana – female atua of the sea

Hohou te rongo – to make peace

Hononga – connection, joining

Inoi – prayer, request, appeal

Kai – food

Kaikaranga – Female caller

Kaitiaki – Guardian, Caretaker

Kaitiakitanga – guardianship, caretakership

Karakia – Prayer, incantation

Karanga – Call, usually of a woman

Kaumātua - elder

Kawa – formal procedure, procedure to remove tapu

Koiwi – human bones

Kōrero Tuku Iho – words passed down from generation to generation

Mana – power, authority, prestige, standing, status

Mana Atua – power, authority of Māori Gods

Mana tangata – power, authority, standing of people

Mana Whakahaere – governance, authority, jurisdiction, management, mandate, power

Manaakitanga – hospitality, generosity, kindness, the process of showing care, generosity, respect for others

Manawhenua – territorial rights, power from the land, authority over the land

Maniaroa – marae located between Mōkau and Awakino

Marae – courtyard of the wharenui (large house), complex of buildings around the marae

Mohakatino Parininihi – Māori land block located between Mohakatino River and the White Cliffs

Mōkau – village on North side of Mōkau River

Mōkau block – Māori land block of about 850 acres located north side of Mōkau river, purported to be purchased by the Crown in 1854

Mōkau Mohakatino – Māori land block located between Mōkau River and Mohakatino River

Moko kauae – traditional Māori chin tattoo

Mōteatea – traditional Māori chant, often a lament, tribute, poetry

Muru – to plunder, confiscate, take ritual compensation

Ngāti Kinohaku – a tribe who descend from the younger sister of Maniapoto, Kinohaku

Ngāti Maniapoto – a tribe who descend from Maniapoto

Ngāti Tama – a tribal group affiliated to land around Mōkau, northern South Island, Chatham Islands

Noa – common, free from restrictions of tapu, ordinary, unrestricted, void

Oparure – a settlement northwest of Te Kūiti

Pākehā – New Zealander of European descent

Papatūānuku – Māori Goddess of the Earth

Pepeha – identification statement

Pou rāhui – post marking a temporary prohibition

Pou Tikanga – metaphorical description for a person expert in Māori protocols and customs

Poutama – an old name for the land between Mōkau River and Parininihi (White Cliffs)

Pouwhenua – a post marking territory

Pōwhiri – formal welcome

Rāhui – temporary prohibition

Rangatira – chief, leader

Ranginui – Māori God of the Sky

Rauroa block – land block comprising 10,200 acres located north of Awakino, purchased by the Crown in 1857

Ruaumoko – Māori God of earthquakes

Taha tinana – Physical dimension

Taha wairua – Spiritual dimension

Taiao – environment, natural world

Tangaroa – Māori God of the Sea

Tangata Whenua – people of the land

Tangi – to cry, to lament, o wail, to kean,

Tangihanga – formal period/process of mourning for a deceased person until the funeral/cremation service

Taonga – treasure, something treasured

Tapu – restricted, sacred

Taumatamaire block – land block of 26,700 acres purchased by the Crown in January 1855

Tāwhirimātea – Māori God of Winds, Weather

Te Naunau – burial ground located on the northern head of the Mōkau River

Te reo Māori – the Māori language

Te Ripo Te Huia – ancestor of Te Paerata Whānau buried at Te Naunau

Te Rohe Pōtae – the traditional territory of Ngāti Maniapoto

Te taha whānau – social dimension

Teremai Ngahau Whāriki Te Ripo – ancestress of Te Paerata Whānau buried at Te Naunau

Tikanga – Māori custom, protocols

Tino rangatiratanga – absolute sovereignty, self-determination

Tohunga - expert

Toto Wera – haka composed by Raniera Winikerei and Rāwiri Stephens in 2001

Tūpāpaku - corpse

Tupuna - ancestor

Tupuna whaea - ancestress

Turangawaewae – place to stand

Ture – law, rule

Ūkaipō – true home, origin; mother, source of sustenance

Uri – descendant

Urupā – burial ground, cemetery, graveyard

Waerea – protective incantation

Wāhi Tapu – sacred place, restricted place

Waka – canoe, confederation of tribes

Whakamā – ashamed, shame, embarrassment

Whakapapa - genealogy

Whakapono – belief, faith, trust

Whakawhetai - thanksgiving

Whānau - family

Whānau Pani – bereaved family

Whānau Trust – a trust created by the Māori Land Court under Te Ture Whenua Māori (the Māori Land Act 1993)

Whanaungatanga – relationships, connections between people

Wharemate – house of death, house/tent where deceased person lays for duration of tangihanga