

To the commissioner panel for Onoke Heights Hearing SL2100055

Regarding submission from: Chantez Connor Kingi

Outlining: kahore on behalf of Ngāti Kahu o Torongare to the lands of Onoke being used for housing

Due to:

- Cultural impacts on area of significance to the hapū of Ngāti Kahu o Torongare

Dated: 14 November 2023 version provided 9pm after speaking to the hearing

1. Introduction

- 1.1. To the Commissioner, to the Applicant for Ōnoke Heights Limited and the Councils for Northland and Whangārei District mihi ana koutou kātoa.
- 1.2. We are here today as descendants of today's tribes of Whangārei retaining mana i te whenua over time from Manaia, Tāhuhuniorangi, and the tūpuna who shaped the hapu we have today with the arrival of Ngāpuhi into the Whangārei lands and waters.
- 1.3. Ngāti Kahu o Torongare are the hapū mana i te whenua with the historic and contemporary connection to Onoke and Te Kamo from the generation of Torongare and Hauhaua and their son Torukao marrying Haumakuruata and thus we descend as uri (people of the land).
- 1.4. Ngararatunua Marae is our tribal marae adjacent to the site, our people have walked and worked these lands for generations. We provide our evidence on this matter confident as mana i te whenua.
- 1.5. We acknowledge the whanaunga hapū of Whangārei rohe today being Ngāti Hau, Te Waiariki, Ngāti Tū, Te Uriroroi, Ngāti Kahu o Torongare, Te Parawhau, Patuharakeke as the primary hapū in our surrounding

areas at the time of Te Tiriti o Waitangi 1840 with duties rights and obligations for the entirety of Whangārei Terenga Parāoa who are still active today.

- 1.6. My name is Nicki Wakefield as the first kaikorero for this submission.
- 1.7. I am a hapū member and active kaimahi for upholding the rights and responsibilities of our hapū across Whangārei including Ngāti Kahu o Torongare. I have a Bachelor of Science in Biology and Earth Science and have led a career in research and giving expression to our hapū priorities as we respond to te ao hurihuri over the last 6 years.
- 1.8. My real qualification on this matter however is having worked.
- 1.9. We have joined via this submission made by Chantez Connor-Kingi today for Ngāti Kahu o Torongare who retains mana i te whenua of Te Kamo and the Ōnoke lands.

2. Background to this submission

- 2.1. We would like to state from the outset of this response to SD2300068 our ongoing commitment to the below statement on sovereignty:
 - 2.1.1. We will not agree to any arrangement which would compromise our Tino Rangatiratanga and our sovereignty;
 - 2.1.2. Our Tino Rangatiratanga and our sovereignty is not negotiable;
 - 2.1.3. Any proposal must recognise the centrality of He Whakapūtanga me Te Tiriti o Waitangi and prioritise constitutional transformation;
- 2.2. We state that Te Tino Rangatiratanga of our lands, culture and resources including whenua, waters, kāinga and taonga tuku iho is yet to be acknowledged by the Crown or it's agents, including Local Government.
- 2.3. This response to SL2100055 has been developed by Ngā Mahinga o Ngāti Kahu o Torongare, a working group established by hui a hapū of Ngāti Kahu o Torongare on the 19th February, 2023 and tasked to bring together the representative workstreams of the hapū. We continue to do this within the tribal areas found within the wider Ngāti Kahu o Torongare tribal rohe while protecting our relationships with whanaunga hapū.

- 2.4. We remain accountable to the hapū members of Ngāti Kahu o Torongare through hui a hapū.
- 2.5. Our decision to engage in this resource consent and participate does not undermine or negate our rangatiratanga guaranteed by the articles of Te Tiriti o Waitangi to the Kāwana for our lands, kāinga and taonga.
- 2.6. We engage and provide response with the wish to assist the Kāwanatanga and Local Government to undertake steps towards recognition, and over time, transformation, to a system which honors and gives effect to He Whakapūtanga me Te Tiriti o Waitangi, and to protect our lands, culture and heritage as descendants of Ngāti Kahu o Torongare. We acknowledge this may take some generations to achieve. We also participate to alleviate some of the prejudice which continues on the lands, waters and people of Ngāti Kahu o Torongare through the Resource Management System and protect the lands taonga and resources of the hapū.
- 2.7. Further to this, processing resource consent applications is distressing to hapū and itself causes prejudice and cultural impacts due to the lack of equitable resourcing for hapū as partners in Te Tiriti o Waitangi.
- 2.8. We are here unrepresented and without baseline resourcing to participate in important processes such as this and to protect our taonga guaranteed in Te Tiriti o Waitangi.
- 2.9. However, we are confident in the oral cultural and traditional kōrero tuku iho on Onoke being wāhi tapu, unsuitable for housing people. We are consistent with generations of our hapū articulating this area is not suitable for housing.
- 2.10. We are thankful to have our elders here with us today including Uncle Richard Shepherd, Taki Kingi, Waimarie Kingi, Lissa Davies, Winiwini Kingi, Tangi Rudolph as a descendant of Tipene Hari, Louisa Collier and Anne Davies who are consistent on the further restrictions required to prevent housing on these lands.
- 2.11. We have limited training in the RMA and come to participate in good faith the commissioner will seek to understand our evidence before decision is made. We are open to questions to help clarify cultural concepts presented here today.

- 2.12. We affirm that our cultural evidence provided today in both te reo and English is the expression of the cultural expertise held within our hapū over generations Ngāti Kahu o Torongare and our lineages to the iwi tawhito before that of Ngati Tū, Ngai Tāhuhu.
- 2.13. Our response below is provided on behalf of Ngāti Kahu o Torongare alone as the hapū with mana i te whenua for Te Kamo since the times of Ngai Tāhuhu. We hold Mātauranga about these lands which have never been documented and are transmitted over generations through our own tikanga and knowledge systems.
- 2.14. It is grievous to be compelled to share this information today on the public record as our tikanga compels us to protect this sensitive information about historic pakanga (battles) and the exact location of the practices which are followed after these pakanga on these specific whenua at Onoke.
- 2.15. We continue to protect the full depth of oral and traditional knowledge about these whenua and one hearing would not be enough to hear all this knowledge about the whenua and the events which have occurred on this site. We hold these histories dearly and protect them from misuse.
- 2.16. We request that the information presented today in our submission is not used outside the context of this decision and restrict it from use in other matters or proceedings.
- 2.17. We acknowledge any other whanaunga hapū with interests in the cultural values that may be impacted by proposed activities including Te Parawhau who we acknowledge for preparing the cultural impact assessment and we affirm that the mana i te whenua is held by Ngāti Kahu Torongare on behalf of all who have cultural interests at this site.
- 2.18. We are not contesting Te Parawhau evidence provided and tautoko support what was provided by Te Parawhau.

3. Onoke lands and alienation

- 3.1. The Wai 1040 Te Paparahi o Te Raki Stage Two report affirms that the legislation of Crown Purchases and Native Land Court which was in

place through the 1840-1992 were designed to alienate our tupuna from their lands.

- 3.2. When these lands at Onoke were alienated the hapū of Ngāti Kahu o Torongare like our other tribes were under the extreme duress of colonisation and it's impact at 1872 when the lands were surveyed. Following the events after the signing of Te Tiriti o Waitangi including the Northern Wars which brought violent force upon our tupuna for upholding their Tino Rangatiratanga guaranteed in Te Tiriti, disease then swept through our tribes bringing the population to an all time low.
 - 3.3. Ngati Kahu o Torongare is now down to less than 2% of our ancestral lands in our ownership and we are left virtually landless by the acts of the Crown. This disconnection has serious impact as we still seek to uphold the duties and responsibilities of our tupuna for the future generations.
 - 3.4. Our hapū experience has been passed down over time and is very different from the narrative which is shared with us in school and in the historical records about the selling of lands.
4. Ngāti Kahu o Torongare relationship to this resource consent application
 - 4.1. The first connection of members of Ngā Mahinga o Ngāti Kahu o Torongare to this application was during the Cultural Impact Assessment being developed by Te Parawhau at a time before the working group was established. Other hapū members also participated in the hui held to develop the Cultural Impact Assessment which has been provided as part of this application.
 - 4.2. At the hui held at Ngararatunua Marae for the Cultural Impact Assessment process led by our Te Parawhau whanaunga, senior kaumātua of Ngāti Kahu o Torongare, along with whanaunga hapū of Te Parawhau agreed on the position which was set by our elders before us - that Onoke can not be developed for housing and we mihi to Te Parawhau for affirming this in the CIA prepared.
5. Worries about mining subsidence

- 5.1. We raise the issue of mining occurring in our evidence also as there is whānau kōrero that the area was used for mining in times of the past and we don't see that recorded in the hazard maps used in this application.
6. Whangārei District Council non-notification to Ngā Mahinga o Ngāti Kahu o Torongare and ongoing frustration with Whangārei District Council
 - 6.1. Since February 2023, Whangārei District Council has engaged with the working group Ngā Mahinga o Ngāti Kahu o Torongare over many resource consent applications yet didn't notify our working group of this public hearing.
 - 6.2. Upon becoming aware of this public notification after the submission date had closed, our working group formally requested information from WDC which was not forthcoming.
 - 6.3. We requested information and support to participate over weeks, with no response.
 - 6.4. We provide the hapū response to this public notification via the submission made by Chantez Connor Kingi instead and have laid a formal complaint about the lack of notification and lack of discussion on the hearings approach which would align with our tikanga, in a timely manner.
 - 6.5. Council also did not schedule the sites and areas of significance shared by Ngati Kahu o Torongare members in 1996.
 - 6.6. We consider this a process failure which destroys good faith in the decisions made by WDC.
 - 6.7. The CDL zone change which became subject to the 1996 Environment Court Hearing included our hapū members documenting this wāhi tapū.
 - 6.8. The elders who declined housing at Onoke in 1980s and 1990s within our hapū were unanimous and united that the place is not suitable for housing.
 - 6.9. Environment court hearing further showed our notification for Ngāti Kahu o Torongare Ngararatunua Marae area has not been adhered to over the years.

- 6.10. More recently we did not receive direct notification of this publicly notified stage to this consent application despite being in nearly daily contact with the consents team at Whangarei District Council since March 2023.
 - 6.11. Thankyou for hearing my submissions, we now pass this to Chantez Connor Kingi to provide her submissions for Ngāti Kahu o Torongare.
7. Expertise on wāhi tapu in Ngāti Kahu o Torongare is found within Ngāti Kahu o Torongare - Chantez Connor Kingi
 - 7.1. United kahore over the generations
 - 7.2. I am a descendant of Ngāti Kahu o Torongare and connection to Haane Snr is by marriage.
 - 7.3. My name is Chantez Connor Kingi
 - 7.4. Our elders are our experts and they all agree Onoke is not for housing
 - 7.5. Frustration that Council have not listened over time.
 - 7.6. The applicant's experts openly agree they don't have our cultural expertise.
 - 7.7. That even the applicants archaeologist acknowledges that heritage (middens and terraces) were found at the site but destroyed in 1988.
 - 7.8. Killing one lifeforce (of a 100yr old heritage tree) to replace with others does not replace the manu kainga, a destruction of habitat. We dont have a right to cut down our tuakana.
 - 7.9. Poor land use decision on Onoke whenua have impact and climate change continues to impact our environment has this development taken climate change into consideration?
 - 7.10. Nga Mahinga spends hundreds of hours a month responding to this council alone we are unfunded volunteers, we have day jobs.
 - 7.11. While the archaeologist and applicant submit that historical records contradict the unanimous view of the hapū of these lands today and in previous generations - we submit that the historical evidence does not contradict the wahi tapu status we uphold in these hearings and provide some kōrero to support this.

- 7.12. Historical cultivations of Tipene Hari does not mean that the land was used to cultivate food for a village.
 - 7.13. Tipene Hari was a tohunga, he was a man who led the care of the dead at Onoke, this place and his work was sacred through his whole lifetime. This was in pakanga (battles) and in the life of the hapū.
 - 7.14. Physical evidence is not required to evidence wahi tapu, the known traditions of our hapū maintain the knowledge of these sacred activities for future generations. This is sensitive tribal information.
 - 7.15. The tapu of this place remains long after the physical evidence has decayed.
 - 7.16. Thank you to the commissioner for hearing our submissions and will now pass the time to my aunty Waimarie Bruce Kingi.
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8. Onoke is a wāhi tapu - Waimarie Bruce Kingi
 - 8.1. Waimarie Bruce Kingi ahau. I am the person involved in this matter since the 1980's.
 - 8.2. Dip road follows a known ancient track used by our ancestors to head north. Onoke is a part of that track that leads onto Hikurangi Swamp - or south to Whangārei Terenga Parāoa.
 - 8.3. Taumatatā (stretchers) were constructed for transporting tupapaku (dead) and injured for the journey home following the pakanga (battles) of the past.
 - 8.4. Onoke Hill was a sacred place, the native vegetation and puriri trees were all sacred on the hill and use to prepare balms to care of the dead and injured.
 - 8.5. Tipene Hari was a tohunga who cared for the dead and injured through the wars of his generations - he carried this out on the Onoke lands which are part of this consent application.
 - 8.6. Tōhunga interred tupapaku (dead) into the puriri and the kairaranga of Ngāti Kahu o Torongare would prepare baskets to hold the dead and the koiwi.
 - 8.7. Waikoropupu (sacred springs) had a purpose in carrying out the tohunga role in the cleansing process.
 - 8.8. Ngau Poaka Stream had a purpose in carrying out the tohunga role

- 8.9. Whauwhaupounamu another stream held an important role for the tohunga in his work.
- 8.10. County council put up water tanks when Kamo ran out of water and water was pumped which drained the Otapapa according to my elders.
- 8.11. We support the Te Parawhau submission
- 8.12. We cannot understand why this issue has come up as believed Council had protected this as a site of significance from our previous opposition and many contacts over the years. Graeme Matthias was the planner of Whangarei District Council in 1997 when Haane Kingi (senior) walked him across the land and explained its significance to our hapū. We marked out our sites and areas of significance and they were not included in the District Plan.

9. Ongoing cultural impacts from developing wāhi tapu across Ngāti Kahu o Torongare rohe

- 9.1. For a long time development has been proposed on these lands
- 9.2. That whole area from Tuatara were referenced as sacred due to wars
- 9.3. Machines turned up in 87-89 to develop the land
- 9.4. My grandfather Hāne Kingi indicated those works were a desecration upon those lands
- 9.5. These types of works have long been opposed through the generations
- 9.6. These are the accounts over the years captured in my growing up
- 9.7. I acknowledge Te Parawhau and Chantez for your proactiveness [in providing submissions]
- 9.8. My elders are those who traversed these activities
- 9.9. Is there anyone else who could speak to these lands without significant occupation? We maintain that no one else can talk to these lands except our elders.
- 9.10. Our ongoing cultural mahi to respond to the cultural impacts of wāhi tapu being developed and used improperly, we have had to respond to wāhi tapu issues in Waro, Abbey Caves, Onoke, Parihaka and many other sites

- 9.11. Any earthworks and disruption to the wāhi tapu there will be a disruption to the tapu and our cultural and spiritual connection to us as mana i te whenua of these lands.

10. Onoke Wāhi Tapu (Whenua ki Te Whenua)

- 10.1. Introduction:
- 10.2. My name is Lissa Davies, I am a descendant of Ngāti Kahu o Torongare mana i te whenua of Te Kamo. I am resident in Ngāraratunua kāinga on my ancestral whenua. I am 63 yrs old, and hold a Diploma in Teaching (Early Childhood) and have been an ECE teacher for 27yrs.
- 10.3. As an ECE teacher I have been a part of the development of kaupapa Māori Programmes such as He Taonga Te Mokopuna, Atawhaingia Te Pā Harakeke, Ka Atamai and recently Me Piki Tāua Project for Ngātiwai Trust Board. These programmes focus on Māori birthing, tūpuna kōrero (ancestral teachings) and parenting to support better outcomes for whānau Māori.
- 10.4. I provide this submission in support of Ngāti Kahu o Torongare opposition to the proposed housing development at Onoke based on Onoke being a known wāhi tapu (sacred site) where whenua (placenta) and pito (umbilical cords) of our ancestors were placed.

He Kupu Whakamārama:

- 10.5. My evidence will describe key Māori concepts relating to our bodies, our people, relationships to each other and to our lands. I will speak to the cultural practices of our ancestors and the importance of whenua tupuna tuku iho (ancestral tribal lands).
- 10.6. I have spent much of my professional life in wānanga with experts such Rangimarie Rose Pere, Malcolm Peri, Kiwa Hutchinson, Taipari Munro, Hinewirangi Kohu Morgan, Hana Tukukino, Andy Sarich to learn and understand these traditions. Locally kaumātua such as Amelia Waetford (Ngāraratunua), Ngarongoa Ihaia Reweti (Te Orewai, Pipiwai Valley), Meri Barber (Whangaruru) have taught me and enhanced my

learning as an early childhood practitioner and Māori parenting facilitator.

- 10.7. As tangata whenua (people of the land) we have an innate connection to the lands of our tupuna (ancestors).
- 10.8. As tribes of Whangārei we have lost significantly in the district leaving us virtually landless - we retain today only 2% of our tribal territories. Much of our traditional birthing and parenting practices of old have been lost through colonization and religion. I have dedicated my life to reclaiming these lost practices for our future generations.
- 10.9. I have spent 2023 researching kōrero tuku iho (traditional teachings) as a part of my current project Me Piki Tāua - these traditional teachings are consistent with our learnings and traditions handed down through the generations.
- 10.10. Ngāti Kahu o Torongare hapū have Whangārei City built on top of our tribal territories with many known wāhi tapu (places of significance) already impacted. Onoke is a sacred site where whenua (placenta) and pito (umbilical cords) of our ancestors were buried. We do not approve of a housing development on the whenua.
- 10.11. I grieve at the impact of whenua of our tupuna being destroyed across our tribal lands.

Key concepts:

- 10.12. Whenua ki te whenua - the placenta is returned to the whenua (land) of the babies ancestors.
- 10.13. Whare Tangata - is the literal womb of women, who provide the 'whare' *house of people* (tangata).
- 10.14. Hapū is a body of people (sub tribe), but also the same word used by Māori to describe *pregnancy*.
- 10.15. Whānau is the name for family but also a word used to describe *birthing*.
- 10.16. Pito is our *umbilical cord* - the connection of mother to child, and is the kaiwhāngai (provides nourishment) to the pēpi (baby) in the whare tangata (womb).
- 10.17. Pepeha - Māori proverbial saying connecting a person to place

- 10.18. Māori Birthing Practices - a sacred time (1930's reflections from research in the National Library)
- 10.18.1. Birthing often took place at home on a bed on the floor
 - 10.18.2. Husbands, grannies were a part of the birthing process and would often mirimiri (massage) the mother for pain relief
 - 10.18.3. Hot baths were used and the bed was often laid in front of the fire for warmth
 - 10.18.4. When baby was born, mirimiri (massage) was used to help the whenua (placenta) come away
 - 10.18.5. The whenua (placenta) was often wrapped and taken to a place set apart, for burial or placement in the hollows of trees in the grove
 - 10.18.6. Our tupuna reflected that they often tried to avoid the hospital as they did not feel comfortable in that setting giving birth

The whenua and pito of my babies

- 10.19. I have 4 children. All my children were born in Whangārei Base Hospital
- 10.20. My husband's grandmother Ngarongoa Ihaia Reweti told me to request the whenua (placenta) of my babies. The hospital declined my request for my eldest two children
- 10.21. My youngest children I was able to take their placenta and bury them on their fathers whenua in Pipiwai
- 10.22. I have ensured all my grandchildren's whenua (placenta) and pito (umbilical cords) have been retained and have been returned to our whenua tupuna (ancestral lands). For example my eldest daughter Huhana took her daughters whenua (placenta) to Whangaroa Harbour, and their pito (umbilical cord) to Tuparehuia, Whangaruru.
- 10.23. Whenua ki te whenua - we return to the lands of our ancestors. Onoke is one such site where our ancestors placed whenua (placenta) and pito (umbilical cords) as a recognition of connection to the lands of Te Kamo. We as Ngāti Kahu o Torongare cleave to the oral traditions of

our ancestors and present these submissions in opposition to the proposal to build housing on Onoke.

Onoke te puke

(Onoke is the hill)

Otepapa te awa

(Otepapa is the river)

Ngāraratunua te marae

(Ngāraratunua is the meeting house)

Ngāti Kahu o Torongare te hapū

We are the people of Ngāti Kahu o Torongare

Tihewa Mauri Ora

11. Taumata closing remarks

11.1. Winiwini Kingi:

- 11.1.1. When I was young our father passed near the area at the centre of our discussion
- 11.1.2. Look at the name 'Onoke', which refers to the deeds/practices of the old seers which involved the noke (earthworm)
- 11.1.3. Why has no one come to hear these accounts from the knowledge holders of our tribe?
- 11.1.4. Are we being challenged as to our understanding of our own culture?
- 11.1.5. Te Parawhau, I acknowledge you and your support and proactiveness

11.2. Uncle Richard Shepherd:

- 11.2.1. Reflects on significant land loss of Ngati Kahu o Torongare over time and how hapu members in the room had ancestors who traveled overseas to serve in the wars, and upon return their lands were gone

- 11.2.2. The shadow of the land is all that Ngati Kahu o Torongare left in our tribal lands
- 11.2.3. I only have one word to share with the Commissioner today regarding this development - it is 'kahore'

11.3. Taki Kingi:

- 11.3.1. In closing for Ngāti Kahu o Torongare
- 11.3.2. I acknowledge you the Commissioner
- 11.3.3. I am Taki Kīngi, son to Hāne Kīngi
- 11.3.4. Onoke is a sacred area
- 11.3.5. Its extent goes through to Hurupaki and wider Kamo
- 11.3.6. I support the speakers before me, my sister among those who spoke both today and at the time of our father, there is not a separation across these areas
- 11.3.7. I was raised in the aspects of those times, in my upbringing I was exposed to the formal experiences on the marae, a time when our cultural practices and repositories were strong and our people were united, those retellings have been sustained across the generations.
- 11.3.8. Kahore over generations
- 11.3.9. Alienation from our lands culture heritage and taonga over generations

12. Summary of cultural concerns which remain for the Onoke Heights proposed development

- 12.1. The lands at Onoke concerned in this application were utilised as pathways and resting spots where the tohunga Tipene Hari and previous generations oversaw the preparation of living, unwell and deceased for their journey back to their homelands.
- 12.2. Cultivation for our tohunga Tipene Hari on the Onoke site were for the wahi tapu purpose, not for occupation by people who were not tohunga or for mahinga kai.

- 12.3. Whenua interred here were both from the afterbirth and whenua of other body parts which could not go on the journey with the tupapaku following these pakanga or battles to the east and to the south.
- 12.4. Ngāti Kahu o Torongare have been consistent over generations on this wāhi tapu status for the specific lands involved in this application.
- 12.5. We are unanimous across the hapū that the lands are not suitable for residential development