

IN THE MATTER

Before the Palmerston North City Council (PNCC) and
of the Resource Management Act 1991 (the Act)

And

IN THE MATTER of NOTICES OF REQUIREMENTS

Sought by KIWI RAIL HOLDINGS Ltd

STATEMENT OF EVIDENCE OF DENNIS BRUCE EMERY

ON BEHALF OF

NGA KAITIAKI O NGATI KAUWHATA Incorporated

12th August 2021

E Te Kaiwhakawa o te Komihana!

1. INTRODUCTIONS – Whakamohiotanga

Ko Tainui te wāka

Ko Ruahine te maunga

Ko Oroua te awa

Ko Kauwhata te marae

Ko Ngati Hinepare te hapu

Ko Ngati Kauwhata te Iwi

Ko Tainui te wāka

Tihe Mauriora!

2. My name is **Dennis Bruce Emery**, of Ngati Kauwhata, Ngati Haua me Ngati Maniapoto descent, born at Kauwhata Marae in Feilding, but living in Palmerston North.
3. Through my whakapapa connections, I retain interests and involvement in several local Iwi committees, organisations and activities.
4. These include, but not limited to:
 - a. Kauwhata Marae, Te Arakura Line Extension, Feilding – hapu member
 - b. Aorangi Land Block, Te Arakura Line Extension – land shareholder
 - c. Sandon Land Block 153 – Awahuri Road, Feilding – trustee/land owner
 - d. Nga Kaitiaki O Ngati Kauwhata Incorporated – Chairperson**
 - e. Te Hono-ki-Raukawa Settlement Trust – Chairperson
 - f. Treaty of Waitangi – WAI claimant (1461), on behalf of whanau, hapu & Iwi
 - g. Taiao Raukawa Environmental Resource Trust – Trustee
 - h. The Manawatu River Leaders Accord – Iwi signatory
 - i. Oroua River – Catchment Care Group - Chairperson
 - j. Awahuri Forest - Kitchener Park Trust, Feilding – Former trustee

3 PURPOSES: - Nga Kaupapa

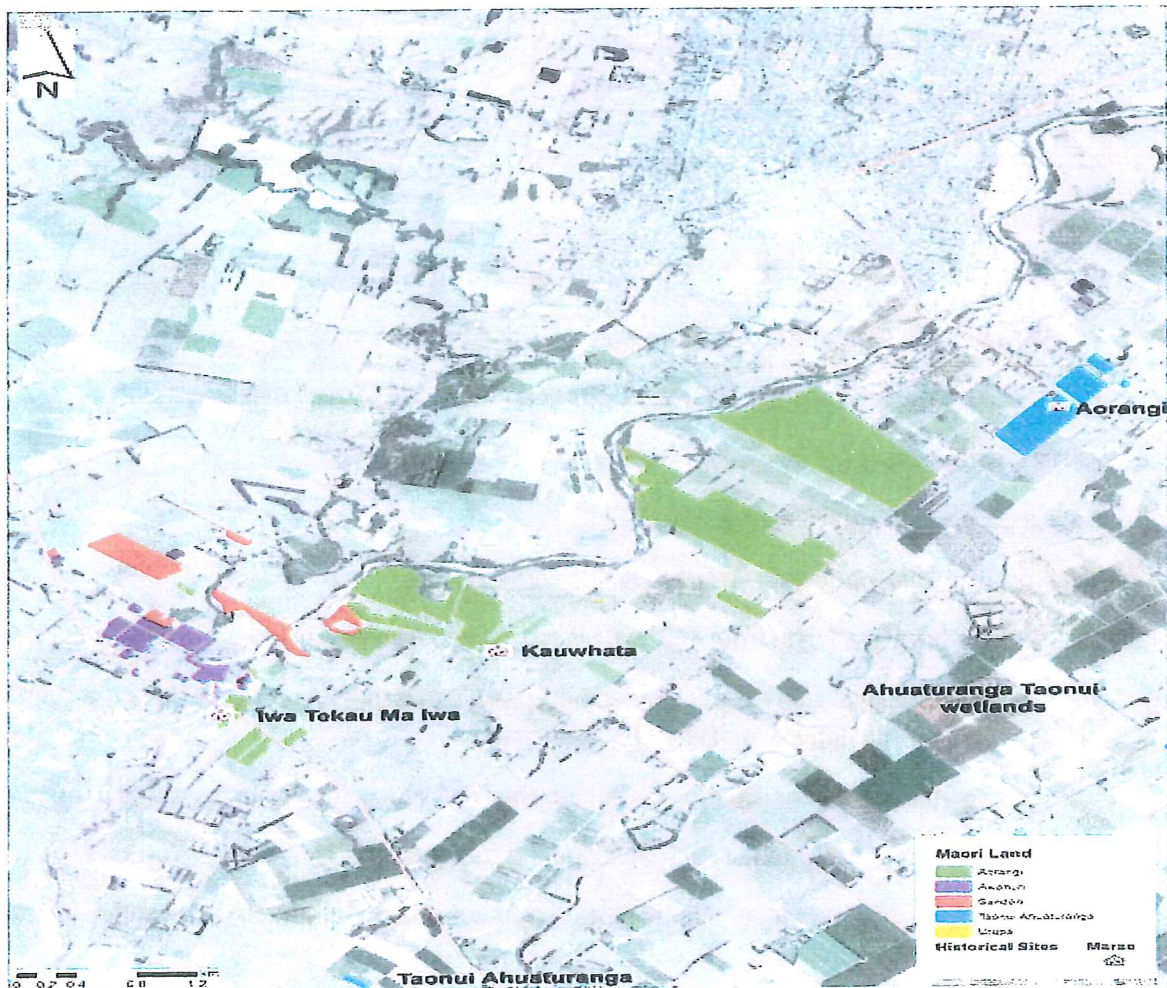
This submission has been prepared on behalf of whanau, hapu and iwi members' o Ngati Kauwhata Iwi.

We provide this submission in conjunction with neighbouring hapu and Iwi, Aorangi Marae Trustees and in support of other submitters, their statements and comments.

In this submission, we wish to cover the following elements in statement:

4 STATEMENTS: - Nga Korero O Te Wā

- 1 Our four (4) main concerns – key recognition and enshrinement of Te Tiriti O Waitangi in all matters dealing with this notice of requirements (NOR) and resource consents (RC) within te Iwi rohe or boundaries
- 2 Impacts on the cultural integrity of Ngāti Kauwhata Iwi, hapu, marae and whanau
- 3 Impacts on Aorangi Marae complex, on Waugh's Road, FEILDING
- 4 Inadequate levels of proper consultations with whanau, hapu and Iwi members' where matters that need to be given serious consideration and agreement are reached before any long-term development plans are approved and / or resource consents granted.



Korero Tuatahi – Te Tiriti O Waitangi

By whakapapa derived from the Tainui Waka, Ngati Kauwhata is a separate Iwi it in its own right The Iwi of Ngāti Kauwhata claim customary ownership of a large part of the Manawatu block since 1823. This includes Te Ahua-O-Turanga O Taonui, its tributaries, nga puna me Awa They also claim *mana whenua* status, invoking authority and jurisdiction of the Oroua River, from its source and headwaters out of the Ruahine ranges, as it flows 142 kilometres southwards, through Feilding township towards its confluence with the Manawatu River at Rangiotu, south of Palmerston North city.

Ngati Kauwhata has retained *ahi kaa* – or kept the homes fires burning since, before *Te Tiriti O Waitangi was signed on 6th February 1840*, and before Pakeha settlers first came to this region. Ngati Kauwhata has just concluded giving evidence to the Waitangi Tribunal in the matter of the Porirua ki Manawatu Inquiry WAI 2200 at the Feilding Civic Centre.

Te Pene Raupatu – land loss grievance claims:

Whanau and Hapu members provided, written, oral and visual evidence to the Waitangi Tribunal about the pain and *mamae* affecting our People for the past 180 years, primarily highlighting scurrilous and corrupt practises of the Crown. This included

- Deforestation and erosion
- Land clearing and draining
- Waterways, Aquifers and Pollution
- Intensifications and Agri usage
- Effects of Transport, and Railways

Historical and Traditional

- ✓ Establishing Railway Lines – by Mr. Julius Vogel in 1870 – Immigration & Public Works Act
- ✓ Railway Lines seen as ACCESS for new arriving SETTLERS inland and colonisation!
- ✓ Needed an Act of Parliament for the CROWN to take “ownership” of land
- ✓ Dr Heather Bassett – Renowned researcher & report writer!
- ✓ PN – Whanganui Railway Line about 1893
- ✓ From Turakina – to Bunnythorpe took 488 acres of land
- ✓ In 1905, 293 acres taken from Settlers, 56 acres taken by Maori owners, rest by Crown (139)
- ✓ Issues with Railways at Kakariki (Piaka Block for Ngati Rangatahi for a ballast area) through Kawakawa (Feilding), Aorangi and Bunnythorpe.
- ✓ Not known if any compensation was paid to the landowners involved – no records found !
- ✓ 1959 line from Foxton to P. North closed rediverted outskirts on PN City in 1987
- ✓ Became part of a Waitangi Tribunal Hearings process and CLAIM by Ngati Kauwhata Iwi

Cultural attributes:

Ngati Kauwhata in maintaining their tribal tikanga me kawa (values and procedures) has exercised Whakawatea, Whakapainga me Whakatapungia from recent horrendous incidents which occurred in the Sites 3 and Sites 4 of the proposed Freight Hub near Ta Ahuaturanga Taonui or Bunnythorpe.

Cultural Impact and Assessments

Using a collaborative or alliancing approach, Ngati Kauwhata expects to lead and demonstrate Matauranga Maori aspects of Kaitiakitanga, Tino Rangatiratanga, Ūkaipōtanga, Manaakitanga, Wairuatanga me Kauwhatatanga derived from their ancestors or Nga Tupuna.

Ngati Kauwhata has recognised cultural, environmental and scientific models and institutions capable of meeting the needs of futuristic developments and designs.

Ngā hāparu o ngā wai – pollution concerns

To hāparu is to dirty the essence of life. Hā is the breath of life, and part of the hau. Paru means dirty or muddy. Hāparu is a desecration, debasement or defilement of the breath of life. Hāparu originally referred to the intentional destruction of a sacred place or significant resource for revenge against another or to provoke a battle. To defile a river as a matter of course may never have happened because it was so abhorrent to Māori. Today however, hāparu has become the norm.

Tikanga Māori did not permit the discharge of waste of any kind to water. Bodily waste, food scraps, fish scales and gut, or even pipi shells, were discharged only to land. The contamination of water was not just a hē or wrong, but a hara or spiritual offence which would bring serious misfortune to the offenders and their hapū. When Māori built homes in western form, they commonly built both washhouses and toilets a distance from the house to prevent the contamination of the house. Still today, on many marae, the ablution blocks are invariably discrete buildings.

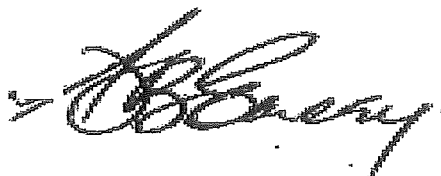
Water may become hāparu or contaminated in various ways. It becomes impure or unsanitary when its natural flow is disturbed or modified by unnatural means, or when separate watercourses are fused so that the mauri of the waters mix by unnatural means. Boiled water used for cooking is seen to be wai mate (dead water). It should not be discharged to living water that supplies food. Similarly, a river or lake loses its power or force and may become dead when there is a discharge of effluent into an awa. In such a case, the mauri has diminished and can only be restored through Papatūānuku. Discharging sewerage and other waste material into waterways is highly offensive to Māori, no matter how well treated.



CONCLUSIONS

- In support of the submission from Aorangi Trustees and whanau and hapu members of Ngati Tahuriwakanui, neighbouring hapu and Iwi organisations the Iwi authority is not opposed to the granting of said consents requested at present.
- However, Nga Kaitiaki Inc tables a number of Iwi and community concerns, which must be dealt with appropriately; including
- We will NOT agree to anything which will undermine or usurp our current Te Tiriti O Waitangi land grievance claims (WAI 1461, WAI 113A, WAI 784 and WAI 972)
- Hapu and Iwi presence and attendance at the decision-making table
- That the proposed site of the Freight Hub be established at the furthest eastwards point from Aorangi Marae as possible
- Key cultural attributes and values are understood and agreed to prior to any developments
- That Iwi Maori tikanga me kawa be enshrined and infused throughout the whole process

Signed:

A handwritten signature in black ink, appearing to read 'Dennis Emery', with a stylized flourish at the end.

Dennis Emery – Chairperson

On behalf of Nga Kaitiaki O Ngati Kauwhata Inc