

**IN THE MATTER**

of the Treaty of  
Waitangi Act 1975

**AND**

**IN THE MATTER**

of Remehio TE  
MAUNGA  
MANGAKAHIA of  
Whangapoua and on  
behalf of descendants  
and whanau members  
of HAMIORA  
MANGAKAHIA

**Brief of Evidence of John Kevin Nicholls**

1. My name is John Kevin Nicholls. I am part of the whanau Mangakahia - my mother was a Bright and she was the daughter of Pareake. Mum's given name is Motutere - she was named after Castle Rock, a landmark up in Whangapoua, it's one of the mountains. Castle Rock looks like a giant's head. You can see Motutere from both sides. It is the mountain within our whanau. You can see Motutere driving into Coromandel as you head down into Manaia or you can see it from way out at sea off Whangapoua. I've been around the base of Castle Rock. I went there in 1990 looking for crystals. The rock is significant because it's the only chunk of land in that forestry area that the whanau still has title to. Auntie Winnie's side of the family have that and they still pay the rates on it. We have that one chunk in amongst the 30,000 plus acres around it.

2. I was born on the 20 October 1954 in Thames. My Dad's parents were from Tunihia - Ngati Hako, Ngati Tamatera. I am the eldest of four. My sister is Sandra Ann, she's 44 in January, then there's Gregory Allen, he's 39, then there's Thomas Richard, he's the youngest at 36. We all grew up in Thames. I left there about four to six weeks into the fifth form - and that was my total schooling. I didn't much like school. Sandra left after the fourth form to become a hairdresser. Greg and Richard went through and got UE. They never went to university - Greg went to Polytech for 12 months in Hamilton and then joined the Ministry of Works doing a New Zealand Civil Engineer's Apprenticeship. Richard went and worked for Telecom in Hamilton on the microwave links, and then from there he went into the Army. Greg completed his New Zealand Civil

Engineer's Certificate, spent some time surveying and then left that and went into the police force. He's now a sergeant in the police force. Mum now has six moko (grandchildren). I have two children, Janielle Kerry Marie - she's 17, and Jarrad Kylie - he's 16.

3 When we were kids, Dad's mother was forever trying to teach us Maori but Dad forbid her to teach us. Te reo was basically thrashed out of Dad when he went to school - when he started he was speaking broken English. He got a hard time when he started school and that is probably why he was against my sister and I learning Maori. But by the time the younger boys got to high school - they were teaching Maori in high school. I think Richard did Maori in his third form. Greg's gone back to learning Maori - just picking it up through the police, and Richard through the Army. Richard actually got up and spoke at some big occasion at Waiouru and I think Greg does the same sort of thing.

4. When I finished high school, I worked in several fields until 1978 when I went back to building. When I was shearing in 1975, I met Judy Te Aorere Rowlands from Te Araroa, Ngati Porou. We got married in 1976 and we have been married for about 23 years. We shifted back to Thames in 1978. My grandmother offered us a section next to her place. In 1986 I went into business for myself and struggled along in the building business, getting my own contracts. Then things got a bit tough here and I went up to Auckland in 1989. I was up there for a few years. Then I got a job as a production manager for the Hauraki Maori Trust Board - they got into the steel frame housing concept from Australia. Jimmy Nicholls was instrumental in bringing the idea out here. They set up a factory out at Paeroa, and I got a job there. We built homes for Hauraki tribal members. I had a good working relationship with them. That was the first time I had been involved professionally with Maori.

## **Whangapoua**

5. The first time I went to Whangapoua I was about six or seven. We went over for a holiday with friends of Mum and Dad's and we stayed in Mum's old homestead. I can remember we went over a few weeks beforehand to clean all the hay bales and sheep manure out of the house because the Denizes were using it to store all their hay in it. We then went and spent a couple of weeks there. I think that was the only time we stayed in it. I would have been about six so it was the early 1960s.

6. There were no houses there, just sand dunes and pines and we did all our beach activities down at the northern end. I mean swimming and hanging out at the beach. I can remember Mum telling us not to go down to the southern end of the beach. When Mum was a kid they were not allowed to go down the southern end of the beach near Raukawa.

7. But we walked around the road from Mum's old homestead, around Denizes' road towards the woodshed to get to the beach. That was a hell of a walk- it was probably only a mile, but when you're a little kid it seemed like a long way.

8. We would get to Whangapoua on a friend's car - and it didn't have enough power to get us up the hill, so we had to all get out and walk. The car was driven up the hill, and once getting to the top, we would all pile back in again.

9. The first time we went, I can remember spear fishing for flounder in the Whangapoua harbour at night - out by Henans Bridge on the causeway - that's heading out towards Te Rerenga. Dad made a spear - a proper spear with a light down near the end of it and a battery - so you could actually stick it under the water.

10. When I first went down to Whangapoua, Auntie Winnie and her husband Zim were on the farm then they moved to Auckland not long after. The farm was not in good nick. Auntie Lillian farms there- they have dry stock there now. Winnie and Zim were farming the place and they were living where Reg lives now - on the Mangakahia farm. I remember the following year we stayed in that old homestead. Tangiora Brownes' homestead was still standing but it was a bit dilapidated. There was nobody living in it around 1963 - 1964. It looked like a big house, but we never went in - it looked too spooky. We stayed for a couple of weeks over the Christmas period. We went shooting rabbits around the old Browne homestead - that's how I can remember the house. Auntie Lill had taken over because there was nobody else there.

11. We went down there with other families to camp out. The Denize' s place was like a tent town from one end of their farm to the other. Most of the campers were people from Auckland and Hamilton. The second time I went back was 1965. Then we just didn't go for holidays any more. We would go and stay with grandmother in Coromandel. We would get on the bus to go stay with her. I do not know when she left

Whangapoua. Grandmother used to live in old rented houses - I do not think grandfather was alive. She lived out at Tiki and Wharf Road with Cheryl and Kay. She didn't have much but she must have been on a pension. We would see our grandmother several times a year, and we would all stay in the house she was living in. Our family relationship with our grandmother was quite strong.

12. We didn't keep much contact with any of our Mangakahia cousins - I knew that they existed but I never saw them. It was not until I got older and working in Auckland that I came into contact with Lucien and his brothers. I met them when they were in a band - they lived out at Mount Wellington and played at the local pub. We were under age, but we would go out there and see them. I was staying in Auckland with Auntie Dawn Smith in Te Atatu. The next time I made contact with them would have been 1978 - not long after we shifted back from down south. Auntie Dawn got hold of a lawyer in Auckland to do some preliminary investigations into what happened to the land over there - a man named Paddy Driscoll - he was only young then. We ran into Lucien at a meeting we had in Coromandel - and that's when I really took notice with what had happened with the land at Whangapoua. Paddy summed it up by saying that yes, the Mangakahia's did own land over there, it was stolen, but stolen legally. Dawn is Wayne's mother. I was there when Paddy Driscoll said this at the meeting - we just all arrived - I think it was in the church at Coromandel. From what I can gather Lucien was there, so that was round about the time that they had started to shift back down there. That would have been around 1979. We were rung up and told about the hui. So that was the first time that I began to understand what had happened in Whangapoua - when I heard that I thought that's the end of that and sort of forgot about it again.

13. When I was working, I never went back to Whangapoua - Mum and Dad would take the boys over, but by then I was working. Mum and Dad had a caravan and they used to camp on the Denize's property. We might have gone for day trips, things like that, but we didn't actually go and stay there again until my kids were young. We used to go for the odd day trip and hang out on the beach, go snorkelling, things like that. I used to dive years ago.

14. In the early 1980s my sister rented a place off the Denize's farm - the old school house and I went over to see her and spend a day with her. I can vaguely remember Bert Denize and I have met Robin - the one that's on the farm over there now, him and his wife Wendy. The family have always been allowed to go and camp. The Bright family have still got about three-fifths of an acre of land on Robin's farm. He calls it

the Bright farm, but somehow there was a triangular piece that was missed out of the sale to the Denize's and it's still in Nana Bright's name. But it is landlocked. Robin used to always used to let us go and camp on their place - but we would have to go and see him and when we went in and out. That's also what my parents did every time they went.

(see map, # L 6(a))

15. The Denize's are still living in a big old homestead right on the beach. Alberta McClean built that house. It must be 60 years old, so it was built in the 1940s. It is very grand. The reason I can remember the age of the house is that I've seen papers where Alberta McClean did a trade-off with Whakakoro in order to get access to her house. We think that might be how we got this triangular piece of land - that might have been part of the settlement. Their homestead is huge - it's a long rectangular house, it's got to be 3,000 plus square feet. It has verandas out the front.

16. The Denize's were very good to my grandmother when they were living there. They would give my grandfather a bit of work. When Mum finally sold the family farm of 310 odd acres in 1970 she sold it to the Denize's. Nana Bright had always said that if ever that farm was going to be sold, the Denize's had to be given first refusal. Nobody wanted to farm the land so mum's family sold up. I was down south at the time along with two of my cousins. Mum asked us then "Do you want to come home and farm this farm?", and we said, "What the hell do we want to go over there for?". I regret that decision now. They told us they were going to sell it, and that's what they did. Nobody wanted anything to do with it so they sold it.

17. From the age of six through to the early 1990s we would have been to Whangapoua between eight to 12 times. As an adult we were over there basically every second week when our kids were younger.

### **Mahi Kai (Food Gathering and Preparation)**

18. We would collect kaimoana every day and we would go fishing. Mum told us where to go for pipi and other kaimoana. Then we would go around on the ocean side of Raukawa and get mussels, or even out at the harbour entrance. At the northern end by Denizes rocks we would get kina, and paua - small though. We would fish off the rocks, and later on we got a tin boat and we would go out fishing off the beach. So the species we could get were paua, kina, mussels, pipis, cockles, fish - mainly kahawai off the rocks, and schnapper right off the beach - there's a bit of a reef out off the beach - we would go out by boat. There's a few

mussels and paua - but they are not very big. For a while there, on Pungapunga Island, just off the main beach, for one season there we were getting big mussels - about four or five in the water. But everybody else has got the same idea, all the holiday makers, and in one season they were stripped - gone, and the big mussels have not gone back since. When you see people there with their boats, and a half a dozen people diving off the boats and filling their boats up - well, they weren't going to last long.

19. We started gathering kaimoana in the late 1970s early 1980s. Over the years, the mussels have declined - that is because there are more people in the area. When you go over to Whangapoua in the summertime, the foot traffic around the rocks at Raukawa heading around to get mussels or whatever is like being on Queen Street on a Friday afternoon. Mostly they are walking on Raukawa - looking for shellfish, fishing. They are also walking all over the top of Raukawa even where the pa site is. I would rather not see people walking there at all. If that area came back to the family we would have to consider controlling access. It has got to the stage where I will not go fishing on Raukawa because of the numbers of people. If I was going to go fishing, I would get down there before daylight be back before 7:30, before the crowds start moving. There must be 280-300 odd sections down at Whangapoua now. The numbers really swell around the summer period - the influx lasts for two or three weeks and then it tapers off again. The numbers of people are in the thousands, because you haven't only got the bach owners, you have to count their friends.

20. Pungapunga Island was stripped of mussels (kutai) the following year we found mussels on this rock off New Chums, we stumbled across them. When we went back last year, there's none there now. So it goes on every year - it just gets worse and worse.

21. We would catch the odd flounder in nets as well as John Dory. There are very few flounder there now. The harbour is polluted. After they started to log the pine forests, when a heavy rain occurs the harbour turns to a muddy Browne. Instead of the sand being fine, it becomes all clogged with mud. We get all that run-off from the logging. The logging continues on the blocks around Whangapoua. Even though it has moved further back from the harbour now, the rivers carry the mud and silt down to the harbour. I have been fishing out at sea and have seen the results of this silt and mud run off from the harbour carried right around to Kennedy's Bay. The company doing the bulk of the logging are Earnslaw One. They are logging the lands that were formerly part of the Mangakahia estate.

22. I have some photographs. The first one taken by the harbour I believe shows the building of the what is now known as the Causeway. This photograph shows a number of men standing on the line that I think was built to take the logs from the blocks around Te Rerenga. In the distance are a number of buildings that were situated at the present wharf area and at the area known as School House Bay - just below the Opera Point Reserve. Another photograph is an old shot of Te Rerenga. The final shot is one of the mill that was at the base of Raukawa on the harbour side. These photographs came from the Denize's family. I do not know when they were taken.

## **Rivers**

23. There are several rivers that feed into the Whangapoua Harbour. These rivers accommodate a large watershed area where there is much logging. I have an enlarged section of a map of the area which depicts nearly all these rivers. The important rivers are: the Waingaro; the Waitekuri - the river that was the subject of the dispute between Mohi and the loggers in the 1800s; the Oritonui - the area where loggers started a gold mining venture; the Oweru and the Otanguru. I know where the mouths of these rivers flow into the harbour and go out to sea. These rivers are important to the ecology of the harbour.

24. The Pungapunga River is down at the beach. It runs direct to the sea. At its mouth it forms a semi lagoon area. That has silted up since I first went to Whangapoua. In flood, the Pungapunga discolours the sea all the way out to Dummy's Island out at the point. The lagoon area is no longer an area that is good for swimming. As a kid I remember it being covered with beautiful sand and it was larger. Because of the build up of silt the area grassed over. I have photographs of the main beach area that can be used to illustrate the main changes that have taken place. One of the shots shows a horse and it is taken from Denize's lands. The other is a shot of the lagoon at Pungapunga probably taken from the Maori paa site above the Denize's wool shed. It was taken after my early trips to Whangapoua, probably about 1966-1967.

## **The Mangakahia Claim**

25. In 1993, I got involved with the Claims Committee - I was not even at the meeting. But they needed people to do whatever was needed - I think my Mum put my name forward. So I became involved

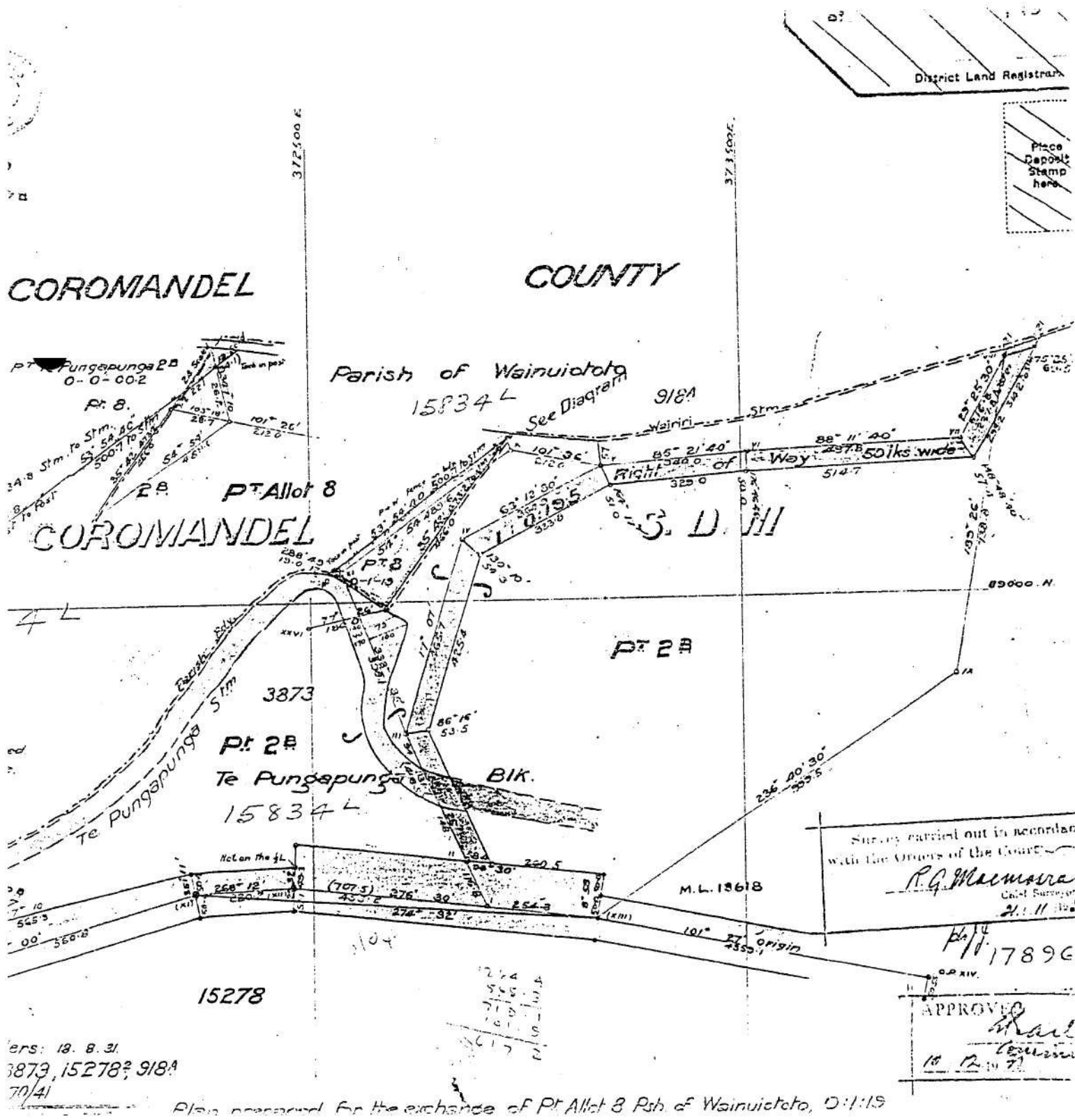
from there on. Initially, before all this started, I saw all of these claims as - "Hey, they sold their land for a blanket and a musket, that was that". But this has opened up my eyes to a hell of a lot more than that - and the work that other members of the whanau did. I would not like to see this claim lumped in with the whole of the Hauraki claim because I believe that Whangapoua is the Mangakahia's and nobody else's.

26. In conclusion, I now know that Whangapoua is important to all of us. It just feels like home. Jarrad, my son really feels something for the place. It would be nice to actually drive in there and know that a part of it remains our home.

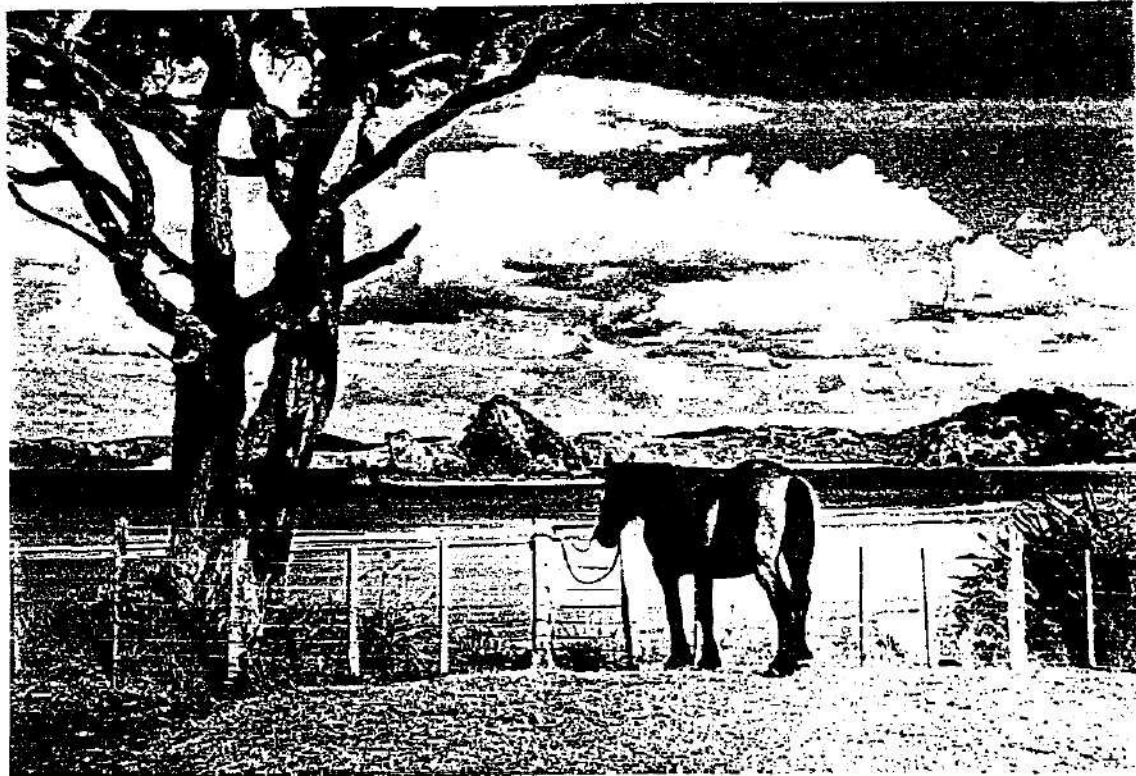
Now Business manager for AA signs. so  
his road weekly. drive



#LG(a)  
 (see paras 14 & 22 of #LG)



Pungapunga  
Island from  
Denize's  
Homestead

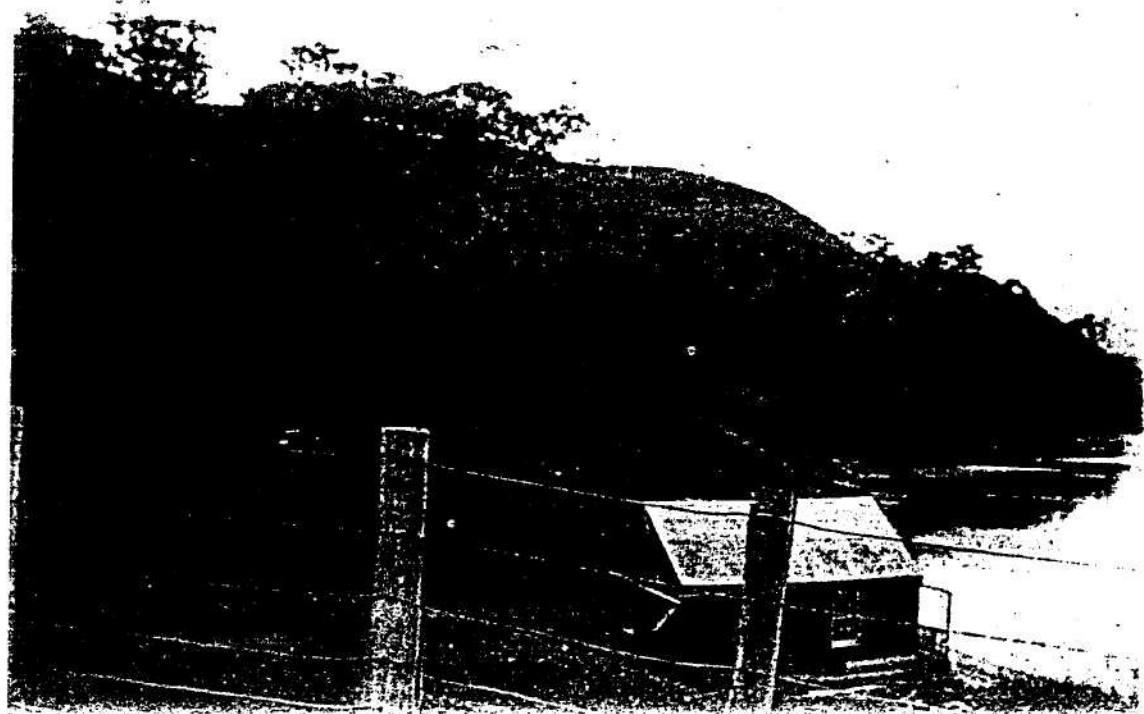


Pa site  
from  
Denize  
(? late 1960s)

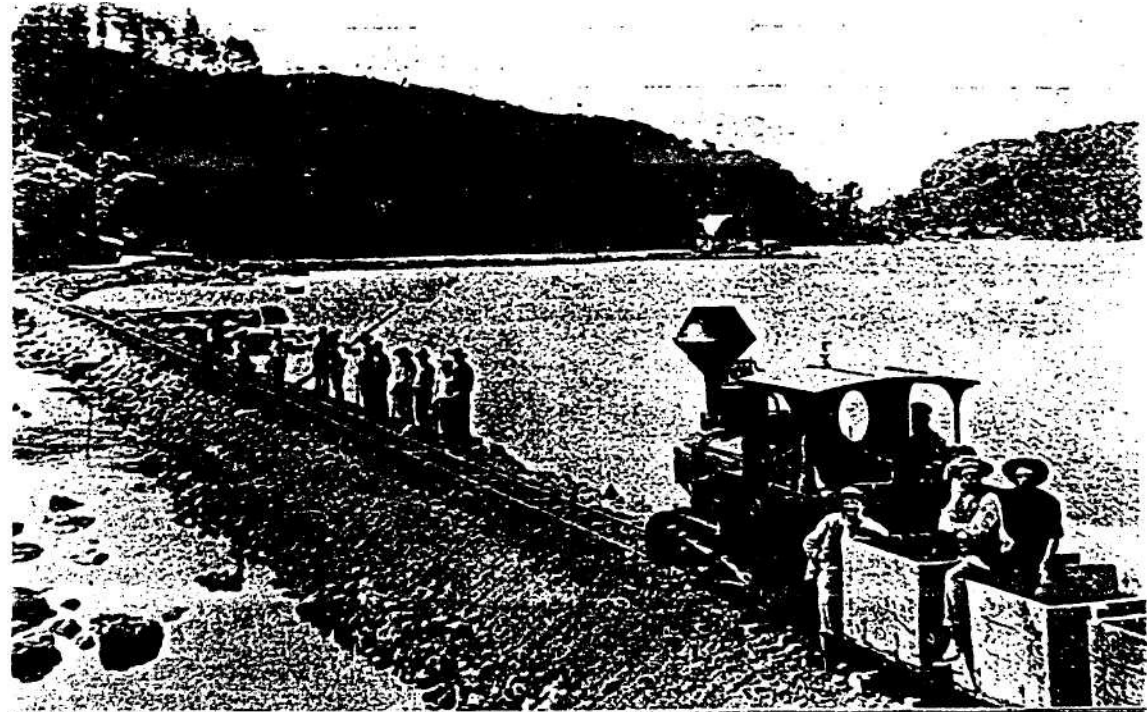




old  
school  
house  
at  
Whangapoua  
Harbour.



"Building of  
the Causeway"



Te Rerenga  
(date  
unknown)



mill,  
Raukawa  
(date unknown)

