

**ENVIRONMENT COURT OF NEW ZEALAND  
WELLINGTON REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA  
TE WHANGANUI-A-TARA**

**ENV-2023-WLG-000005**

<b>Under</b>	the Resource Management Act 1991
<b>In the matter of</b>	the direct referral of applications for resource consent and notices of requirement under sections 87G and 198E of the Act for the Ōtaki to North of Levin Project
<b>By</b>	Waka Kotahi NZ Transport Agency

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**STATEMENT OF EVIDENCE OF LINDSAY JAMES POUTAMA  
ON BEHALF OF NGĀTI TUKOREHE IN SUPPORT OF THE APPLICATION BY  
WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY**

Dated: 4 July 2023

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## TABLE OF CONTENTS

INTRODUCTION .....	2
ROHE AND WHAKAPAPA .....	3
OUR ENGAGEMENT WITH WAKA KOTAHI / SUPPORT FOR THE PROJECT ....	4
Project partnership .....	4
Project outcomes.....	7
CULTURAL EFFECTS, MITIGATION AND AND CONDITIONS OF CONSENT .....	8

**Mai i te taketake o ngā maunga, ki te hukahuka o te tai, ki te rohe e mōhiotia  
ana ko Ngāti Tukorehe, mō ana uri, me ōna moemoea katoa**

**Tāku tūranga ake ki runga ki ngā maunga titohea o te takiwā nei, ko Tararua,  
ko Ōtararere, ko Poroporo, ko Pukeatua, ko Tirotirowhetū**

**Ka titiro atu au, ki ngā wai ora, ki ngā puna wai, Ki ngā wai tapu, ki ngā wai  
tuku kiri o te iwi, Ko Waikōkopu, ko Kuku, ko Tikorangi, ko Mangananao, ko  
Te Awa Iti ō Haunui-a-Nanaia**

**Me ngā hapū o te whenua, Ko Tukorehe, ko Te Mateawa, ko Te Rangitawhia,  
ko Ngāti Manu, ko Ngāti Kapu ki Kuku**

*From the peaks of the mountain range, to the white tipped crests of the sea, to the  
illustrious lands that are Ngāti Tukorehe, for all the whānau and hapū of Tukorehe  
our founding tupuna, and his many descendants*

*From my standing place upon the lofty peaks of the Tararua range, I look towards  
the foothill ridges that frame my view of our region, they are Ōtararere, Poroporo,  
Pukeatua and Tirotirowhetū*

*My eyes behold the Awa, streams, tributaries and springs that nurture our lands  
and people whom are the Waikokopu, Kuku, Tikorangi, Mangananao and the Ōhau  
Awa*

*As the land holds my gaze, I am reminded of those contributing tribes who make  
up this land known as Ngāti Tukorehe, they are Te Mateawa, Ngāti Te  
Rangitawhia, Ngāti Manu and Ngāti Kapu ki Kuku*

## INTRODUCTION

1. Tēnā koutou. Ko **Lindsay James Poutama** tōku ingoa. My full name is **Lindsay James Poutama**.
2. I am authorised to give this evidence on behalf of Ngāti Tukorehe Iwi, as a member of Ngāti Raukawa ki te Tonga, in relation to the application of Waka Kotahi New Zealand Transport Agency (**Waka Kotahi**) for resource consents and notices of requirement for designations (**NoRs**) in respect of the Ōtaki to north of Levin highway Project (**Ō2NL Project** or **Project**).
3. Ngāti Raukawa and Ngāti Tukorehe are an Ō2NL Project Partner, having worked closely with Waka Kotahi on the development of the Project from its inception. This has included participating in the shaping of the Ō2NL Project route selection and corridor refinement, communicating its values associated with the Ō2NL environment and its position in terms of environmental effects of the Project, and continuing to work in partnership with Waka Kotahi as the Project moves through the consenting process.
4. As part of this work, I prepared a Cultural Impact Assessment (**CIA**), dated 5 October 2022, on behalf of Ngāti Tukorehe. I was also closely involved in the development of the Cultural and Environmental Design Framework (**CEDF**), together with members of the Waka Kotahi Project team and representatives of Muaūpoko Tribal Authority (**MTA**).
5. My evidence will address:
  - (a) the rohe and whakapapa of Ngāti Tukorehe;
  - (b) our engagement with Waka Kotahi and support for the Project, including in respect of;
    - (i) the Project Partnership arrangements between Ngāti Tukorehe (as a member of Ngāti Raukawa) and Waka Kotahi; and
    - (ii) our involvement in the development of the CEDF and the Project design;
  - (c) a summary of the Project's cultural effects from the Ngāti Tukorehe perspective; and
  - (d) mitigation of effects and conditions of consent.

## ROHE AND WHAKAPAPA

6. The Ngāti Raukawa ki te Tonga tribal area stretches from south of Te Horo, through to Ōtaki, the Horowhenua, and Manawatū up to the Rangitīkei River. Ngāti Tukorehe (although an iwi in their own right) are a partner of ten hapū of Ngāti Raukawa ki te Tonga (including Ngā Hapū o Ōtaki on behalf of Ngāti Kapu; Ngāti Hikitanga; Ngāti Huia ki Poroutawhāo; Ngāti Huia ki Mātau; Ngāti Kikopiri; Ngāti Ngarongo; Ngāti Pareraukawa; Ngāti Takihiku; Ngāti Tukorehe and Ngāti Wehiwehi) who are mana whenua for the area traversed by the Ō2NL Project.
7. I prepared a CIA on behalf of Ngāti Tukorehe for the Ō2NL Project. This is attached to Waka Kotahi's applications and must be read in conjunction with this evidence.<sup>1</sup> The objective of our CIA is to:

*"...provide an assessment of cultural value impacts and traditional history of Ngāti Tukorehe and potential affects to our wāhi tapu, Māori lands, kainga and sites of cultural significance. It also articulates the concerns of the Ngāti Tukorehe iwi members in relation to the existing and future adverse effects to our wāhi tapu."*
8. To that end, our CIA set out details of central importance to these applications, including on our rohe, our interests in the whenua through which the Ō2NL Project traverses, our cultural values, and the issues of concern to hapū. I have included the pepeha from our CIA at the start of this evidence.
9. The proposed road will follow the base of Otatarere and Poroporo Hills and from the Waikawa Awa to the Ōhau Awa and in effect totally dissects our tribal area. The social and economic impacts of the proposed highway impact on some key economic issues which are a hangover from the previous land takings for the railroad and State Highway 1. Both of these reduced the economic viability for our whānau to create a sustainable income from the remainder of the land acquired. This proposal will further dilute those landholdings for affected Māori landowners.
10. The greatest issue is that they may be compensated for the land acquired, but that loss is forever. We have quantum of settlement applied for the felling of native trees, but they will grow back. We are not growing any more land. There needs to be a process setup so that an offset quantum can be applied to land acquired from Māori landowners to compensate the forever

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<sup>1</sup> Te Iwi Ō Ngāti Tukorehe Trust CIA, attached in Volume V of the Ō2NL Project application..

loss that they will endure. On the positive side of this are the business, vocational, housing and land opportunities for our affected whānau and the rest of our Iwi. Environmentally we will welcome opportunities to create, enhance, restore or preserve the mauri of our Taiao to allow it to become the best version of itself.

## **OUR ENGAGEMENT WITH WAKA KOTAHI AND SUPPORT FOR THE PROJECT**

11. Ngāti Tukorehe support the applications lodged by Waka Kotahi, subject to the points I make below. Our support is based on the high trust relationship established with Waka Kotahi.

### **Project partnership**

12. Ngāti Tukorehe have been working in collaboration with Waka Kotahi on this Ō2NL Project since 2017, and more recently, in a Project Partnership developed to find ways to firstly avoid and then to manage and mitigate the potential impacts of the Project.
13. The relationship developed with Waka Kotahi is strong and has underpinned a positive and inclusive process of engagement with Ngāti Tukorehe. This engagement process has ensured we have had a strong 'voice' in the development of the Project to this point.
14. As described in our CIA, Ngāti Tukorehe provided direct input into the assessment of corridor and alignment options through the Project (including through processes facilitated by Te Rūnanga o Raukawa).
15. We have also been directly involved in Project design, and in identifying both the effects of the Project as proposed and how those effects can be addressed.
16. I have regularly attended meetings and workshops with other Project and Iwi Partner team members and experts as the design of the Project, and ways to address effects, has been developed.
17. During the time I was CEO for Te Rūnanga o Raukawa I worked closely with Di Rump, the CEO for Muaupoko Tribal Authority. There was a drive to look at a different model of engagement and application of traditional Māori values that would lead and support what Partnership looked like from a legislative, Crown and Iwi perspective, and remove the notion of Iwi as stakeholders.

This was to be expressed through the creation of a cultural korowai which would provide a set of behaviours around what co-governance, co-design and co-decision making would look like.

18. Secondly, we created an audit tool to assess the effectiveness of processes, activities and people called the Niho Taniwha. Basically, people sit at the core of all decision-making processes; this means road users, staff and Iwi are not transactional relationships but rather are people with shared goals and concerns.
19. There is a partnership with Iwi / Hapū under the Treaty of Waitangi which runs separately, but parallel, to this on the basis; that what is good for Iwi is great for everyone else. The budget, the environmental outcomes, the Project team, and Project outcomes become subservient to building a safe road for our people. In the past what we have found is that if budget sits at the core, then our values, the environment and the project outcomes become a cost to be managed, mitigated or exploited.
20. The Core Design Principles of the CEDF created with Di Rump, Chief Executive of MTA are:

(a) *"Tread Lightly, with the whenua"*

*"Me tangata te whenua (treat the land as a person)"*

*"Kia māori te whenua (let it be its natural self)"*

(b) *"Create an Enduring Community Legacy"*

*"Kia māori te whakaaro (normalise māori values)"*

*"Me noho tangata whenua ngā mātāpono (embed the principles in all things)"*

*"Tū ai te tangata, Tū ai te whenua, Tū ai te Wai (elevate the status of the people, land and water)"*

(c) **Create** - opportunities in all areas of the project that reflect the social, political and environmental aspirations.

(d) **Enhance** - what is already there to realise the maximum potential of the opportunity / environment to be the best version of itself (raise the status of the mauri).

- (e) **Restore** - if its broken fix it.
  - (f) **Preserve** - its natural state, and enhance it if there is an opportunity.
  - (g) **Evaluate** - every step of the journey to ensure that we are being good partners, and the project still reflects the values that we have stated as being important to us and that there is a process to evaluate the lessons learned.
21. These Kaupapa Timu then informed the CEDF's fundamental Project tikanga / values, which I also developed together with Ms Rump. These values have since evolved, and in their current form are:
- (a) Te Tiriti (spirit of partnership);
  - (b) Rangātiratanga (leadership – professionalism – excellence);
  - (c) Ūkaipotanga (care – constructive behaviour towards each other);
  - (d) Pukengatanga (mutual respect);
  - (e) Manaakitanga (generosity – acknowledgement – hospitality);
  - (f) Kaitiakitanga (environmental stewardship);
  - (g) Whanaungatanga (belonging- teamwork); and
  - (h) Whakapapa (connections).
22. Working in partnership on the Ō2NL Project has been a key driver for all of the Project Partners, with a particular focus on what that Project Partnership will look like at the other (operational) end of the Project.
23. I note that at the time of writing this evidence, a formal Project Partnership between iwi and Waka Kotahi is being developed, but is not yet completed or formalised. The three Project Partners do not always agree on everything but we are committed to the partnership and to working together.
24. Through our Partnership with Waka Kotahi, we expect our strong voice will continue through the RMA process, into construction, and through the operational life of the Ō2NL Project.



## **Project outcomes**

25. Ngāti Tukorehe strongly supports the key outcomes the Project will deliver.
26. As explained in our CIA, we have had major concerns with the existing State Highway 1 since it was built (without consultation with us). The highway separated our marae from our Urupā (Te Rau o te Aroha), and created a divide between our land holdings. The current highway is a major issue for our cultural hub, our marae at Kuku. Noise from the highway drowns out speakers and there are significant access and safety issues.
27. The poor design of the highway creates significant safety and resilience problems for us and for the wider community. During a hui with Ngāti Tukorehe whānau we did a tally of Kuku people who had been killed, injured or maimed on this stretch of road. A tally of seven of our local people have died on this stretch of road and seventeen injured or maimed for life.
28. These issues cannot be fixed by realigning the existing highway. We support the Project as the way forward.
29. As explained in our CIA, Ngāti Tukorehe is seeking a range of benefits over the life of the Project, in the form of economic, cultural, social and employment opportunities. In particular:
  - (a) specific employment outcomes for Ngāti Tukorehe people by removing barriers to, or opportunities for employment;
  - (b) local economic opportunities looking at work packages, increasing capacity and capability for Iwi to engage and continue at a sustainable level past the life of the project;
  - (c) vocational and educational opportunities for pre and post project, the development of vocational pathways leading to career choices;
  - (d) opportunities for housing and land opportunities and outcomes such as a settlement quantum that benefit whānau to find ways to restore and enhance the mana, manaakitanga and wellbeing of our marae as regional cultural hubs;
  - (e) enhancing the environment so that the mauri of the whenua, wai, ngahere and taiao is reflective of the best version of itself;

- (f) opportunities to leave an artistic legacy of the connection of Ngāti Tukorehe to the landscape through mahi toi and the stories it can tell.
30. We are continuing to work with Waka Kotahi on how best to realise these opportunities.

## **CULTURAL EFFECTS, MITIGATING THOSE EFFECTS AND CONDITIONS OF CONSENT**

31. While we support the Project and its outcomes, it is important to acknowledge that the Project:
- (a) will have adverse effects for Ngāti Tukorehe; and
  - (b) needs to be subject to appropriate mitigation and management measures.
32. The Ō2NL Project traverses our rohe and will carve a scar through Papa-tū-a-nuku. This means the construction and operation of the Project will inevitably impact on the mauri of our ancestral lands, our sites and water ways, on our taonga, and also on our kaitiaki responsibilities and our mana.
33. We are particularly focussed on ensuring our wai is protected: the Project involves water abstraction, and direct impacts on awa and wetlands.
34. Waka Kotahi has prepared a set of draft designation and resource consents conditions (which they have appended to their evidence-in-chief). Ngāti Tukorehe consider that the draft conditions, as they currently stand at the time of lodging this statement, do not yet appropriately reflect the outcomes sought by Ngāti Raukawa ki te Tonga iwi, although we will continue to work together to address any unresolved issues.
35. Ngāti Tukorehe seek improvements to the proposed conditions that:
- (a) recognise and provide for our cultural values, our relationships with our ancestral lands, water, waahi tapu, and other taonga, for our kaitiakitanga responsibilities, and our mana;
  - (b) address the matters of concern identified in our CIA and any subsequent concerns;
  - (c) embed the CEDF as the framework for delivering and defining Project outcomes, including the Core Principles set out in Chapter 1, the Design Principles set out in Chapter 3, and the Design Response set

out in Chapter 4 of the CEDF, and ensure appropriate opportunity is provided for Hapū participation in developing and confirming the CEDF and the Project outcomes that the CEDF delivers;

- (d) ensure appropriate opportunity is provided for Ngāti Tukorehe participation in developing and confirming the Project designs, construction management plans, environmental monitoring plans, and any operational management plans, including providing for appropriate opportunity to review and consider any changes that may occur over time to any of these matters; and
- (e) address any other matter of relevance to Ngāti Tukorehe that may arise through the RMA process.

36. At this time, we are in discussion with Waka Kotahi about their draft conditions. We will provide an update on this matter to the Court at the hearing.

**Lindsay Poutama**

**4 July 2023**