

**ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

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

ENV-2023-WLG-000005

Under the Resource Management Act 1991

In the matter of 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

By Waka Kotahi NZ Transport Agency

**STATEMENT OF EVIDENCE OF QUENTIN PARR
ON BEHALF OF NGĀTI HIKITANGA IN SUPPORT OF THE APPLICATION BY
WAKA KOTAHİ NEW ZEALAND TRANSPORT AGENCY**

Ngāti Hikitanga Evidence and Support (with conditions)

Dated: 4 July 2023

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Hikitanga E!

Ui mai ko wai te manene tū whakatete nei
Māku hoki te mānukanuka nā
Te rurutu ā kui e noho kāpunipuni ana
Aue, ngere rawa te mokopuna nei
Inā i whakautu atu kua kore he pātai tāu;
Tēnā, ko wai ka tū hei hīnātore mā mātou e?
Kaua e noho wahangū tāroa ake te kūaretanga
He aha te pūtake numinumi ai te tika
Mā wai e whākorekore a Hikitanga e!

Hoturoa, Hotuhope, Hotumatapū, te kāwai o Raukawa
Ngātokowaru te uretū o Huia ka puta mai a Kikopiri
Nā wai a Monariki, Nohowaka, Hinerau, ā, Hikitanga e?

Whakarongo ki te tangi ā ngā mokopuna nei,
Inā wera a Māhoenui i te ahi ka kōpikopiko tahanga e
Tē kitea ngā oioinga ō ngā kuia rā
Tē rangona i tōnā tangi mō Te Toroa
Kei ngārehu māhoe ā mātou taonga puipuiaki rā
Me tū anō a Hikitanga ki tōna tūrangawaewae e!

**KO TAINUI TE WAKA
KO HOTUROA TE TANGATA
KO NGĀTI RAUKAWA TE IWİ
KO TARARUA TE PAE MAUNGA
KO ĪHAU TE AWA
KO WAIWIRI TE ROTO
KO TE PAEA TE TANGATA
KO NGĀTI HIKITANGA TE HAPŪ**

INTRODUCTION

1. Ko Te Paea te tino rangatira hei whakakotahi i o tātou whānau katoa. He uri ahau nō tana tamaiti tuatahi me tana tamāhine kotahi; Rangiuira Te Paea (also known as Rakera Te Paea, Rakera Brown, Rakera Kipihana). Ko **Quentin Parr** ahau.
2. I am authorised to give this evidence on behalf of Ngāti Hikitanga 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 Hikitanga is one of the five hapū, within Ngāti Raukawa, that makes up the Ngāti Huia Collective.
4. Ngāti Raukawa 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 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. As part of this work, Ngāti Hikitanga, as part of the Ngāti Huia Collective, also prepared a Cultural Impact Appreciation Report (**CIA**) dated 2022. Ngāti Hikitanga acknowledges the partnership it has with Waka Kotahi and the journey ahead as both Ō2NL and Te Tiriti partners.
5. My evidence will address:
 - (a) the whakapapa, rohe and areas of interest of Ngāti Hikitanga;
 - (b) Ngāti Hikitanga view on the Resource Management Act Act 1991 (**RMA**) and its processes;
 - (c) our engagement with Waka Kotahi and support for the Project, subject to proposed conditions;
 - (d) a summary of the Project's cultural effects from the Ngāti Hikitanga perspective; and
 - (e) mitigation of effects and conditions of consent.

ROHE & WHAKAPAPA

Introduction

6. Ngāti Hikitanga, alongside the Huia Collective, has prepared a CIA for the Ō2NL Project. This is attached to Waka Kotahi's applications and must be read in conjunction with this evidence. Our CIA sets out important details of central importance to these applications, including on our rohe, some of our interests in the whenua through which the Ō2NL Project traverses, our cultural values, and some general issues of concern shared by other Ngāti Raukawa hapū. This evidence seeks to provide more detail to the court of Ngāti Hikitanga and its direct interests and concerns.
7. Ngāti Hikitanga, a hapū of Ngāti Raukawa ki te Tonga, has a rich history and profound connections to their ancestral lands in the Horowhenua region of New Zealand. With over 600 registered members, Ngāti Hikitanga is a recognised hapū of Te Rūnanga o Raukawa and Te Tumatakahuki. Ngāti Hikitanga has working relationships with Horowhenua District Council and Horizons Regional Council.

Rohe

8. 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 Hikitanga is one of ten hapū of Ngāti Raukawa ki te Tonga (including Ngā Hapū o Ōtaki on behalf of Ngāti Kapu; Ngāti Huia ki Poroutawhao; 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.
9. Ngāti Hikitanga land and cultural interests span across areas, including Muhunoa, Ōhau, Waiwiri, Māhoenui, Pukemoremore, and others. This section aims to outline Ngāti Hikitanga's rohe (land interests) and whakapapa (genealogy) connections, emphasizing their unique relationship as kaitiaki (guardians) and manawhenua (people of the land) within their environment.

Land interests and sites of significance

10. Ngāti Hikitanga's rohe therefore includes several areas of the Horowhenua District, consisting of diverse landscapes and natural resources that hold

immense cultural and spiritual significance. The land interests of the hapū include:

- (a) *Muhunoa*: Muhunoa holds a special place in Ngāti Hikitanga's rohe. Once it was a forest full of birds, that were seasonally snared and trapped. Today it is an area abundant in fertile soils and is renowned for its agricultural productivity.
- (b) While Crown actions, colonisation, and land loss have inhibited our ability to have a tangata whenua presence on our rohe akin to pre-colonial time, Ngāti Hikitanga have still maintained its relationships to this land for generations, fostering sustainable practices and maintaining the balance between development and environmental preservation.
- (c) *Ōhau*: Ōhau is another vital part of Ngāti Hikitanga's ancestral lands. This area is home to the Ōhau River, a significant waterway with deep cultural and historical importance to the hapū. The river sustains both ecological and spiritual values, providing a source of healing, nourishment and connection to the land.
- (d) *Waiwiri*: Lake Waiwiri and the Waiwiri River hold immense cultural and ecological significance for Ngāti Hikitanga. These water bodies are integral to the hapū's identity, providing sustenance, recreation, and spiritual nourishment. Ngāti Hikitanga has acted as kaitiaki, safeguarding the health and integrity of these waterways for generations.
- (e) *Māhoenui, Weraroa, Pukemoremore, and Arawhata*: Māhoenui, Weraroa, Pukemoremore, and Arawhata are areas within Ngāti Hikitanga's rohe that are deeply intertwined with the hapū's history and whakapapa connections. These lands have supported the hapū's traditional practices, including cultivation, gathering of natural resources, and the passing down of cultural knowledge from one generation to another.

Whakapapa

11. Ngāti Hikitanga's whakapapa connections to its ancestral lands are integral to its identity and its unique relationship as kaitiaki and manawhenua. The hapū's whakapapa links it to its tūpuna (ancestors), who lived, thrived, and cared for the land throughout history.

12. Ngāti Hikitanga traces its origins back to renowned ancestress Hikitanga, the daughter of Kikopiri and grandmother of Te Paea. Ngāti Hikitanga has a close relationship to Ngāti Huia, an iwi itself that unites many hapū that also are a large part of the iwi “nation” of Raukawa. Ngāti Hikitanga has close whakapapa ties to Te Rauparaha’s mother Parekōhatu and her hapū. Te Rauparaha is the reason Ngāti Hikitanga occupy the lands described.
13. Te Rangihaeata often stayed with Ngāti Hikitanga and other hapū of Ngāti Huia (Ngāti Kahoro, Ngāti Parekōhatu, Pareraukawa) at Māhoenui. These ancestral figures played significant roles in shaping the identity of the hapū, its cultural practices, and relationships with their environment.
14. The whakapapa connections serve as a guiding force for Ngāti Hikitanga's responsibilities as kaitiaki. The hapū has inherited the duty to protect and nurture their ancestral lands, ensuring the well-being of both the natural environment and the people who inhabit it. This responsibility extends to the preservation of waterways, flora, fauna, and cultural heritage within their rohe.

Taonga

15. All taonga species within our sphere of mana are connected to each other and our people; when the land is experiencing disease, our people are experiencing disease. All taonga species are of importance to our hapū. As are all of the other living things the communities within and future generations.

Summary

16. Ngāti Hikitanga's rohe and whakapapa connections to their ancestral lands reflect their deep and spiritual relationship with the environment. As kaitiaki and manawhenua, the hapū carries the responsibility of safeguarding the land, waterways, and cultural heritage for future generations. Their enduring connection to the rohe and whakapapa serves as a foundation for their active participation in the Environmental Court process, asserting their rights and responsibilities as custodians of their ancestral lands.

NGĀTI HIKITANGA VIEW ON THE RMA AND ITS PROCESSES

17. The RMA process often involves iwi groups engaging in resource consent applications, submissions, and potentially participating in hearings or court proceedings. In situations where there are competing interests or conflicts between iwi groups, the RMA process can intensify competition for resources or influence over decision-making processes. This competitiveness can arise from concerns about the impact of a proposed development on cultural sites, customary practices, or resource access.

Adversarial Environment

18. As iwi groups navigate the RMA process, disputes or disagreements regarding resource consent applications can lead to an adversarial environment. This can be further fuelled by historical grievances, differing cultural perspectives, or concerns about the potential loss or infringement of cultural rights and interests. The adversarial nature of the RMA process has the potential to strain relationships and perpetuate the existing grievances between Ngāti Raukawa and Muaūpoko.

Limited Collaboration

19. The RMA process, particularly in situations involving competing iwi interests, may prioritise individual iwi perspectives and legal rights over collaborative decision-making or finding common ground. This can hinder opportunities for meaningful collaboration, dialogue, and reconciliation between Ngāti Raukawa and Muaūpoko. The emphasis on individual submissions and legal arguments may overshadow the potential for shared cultural values and aspirations to be considered and addressed collaboratively.

Mediation and Facilitation

20. Engaging in mediation or facilitation processes before formal RMA proceedings can provide an opportunity for Ngāti Raukawa and Muaūpoko to address their grievances, foster understanding, and find areas of agreement. Mediation can help promote dialogue, reconciliation, and shared decision-making, reducing the adversarial nature of the RMA process.

Cultural Impact Assessments

21. Integrating cultural impact assessments into the RMA process can ensure that the perspectives and concerns of both Ngāti Raukawa and Muaūpoko

are considered. This allows for a more holistic evaluation of the cultural effects of proposed developments, encouraging collaborative decision-making and the identification of mutually beneficial outcomes.

22. The Ngāti Huia Collective CIA provides tools in the form of the Matrix of Interest and Te Whare Tapa Whā structure as well as the elevation of Takawaenga as mediators.

Relationship-Building Initiatives

23. Investing in ongoing relationship-building initiatives between Ngāti Raukawa and Muaūpoko can help address historical grievances and foster a more collaborative and constructive environment. This can include cultural exchange programs, joint management agreements, or initiatives focused on shared cultural revitalization and preservation.

Iwi-to-Iwi Protocols

24. Developing protocols or guidelines specifically tailored to address conflicts or competing interests between iwi groups can help establish respectful processes for engagement and dispute resolution. These protocols can provide a framework for negotiation, collaboration, and finding common ground, reducing the adversarial dynamics within the RMA process.

OUR ENGAGEMENT WITH WAKA KOTAHİ AND SUPPORT WITH CONDITIONS FOR THIS PROJECT

25. Ngāti Hikitanga support the applications lodged by Waka Kotahi, subject to inclusion of appropriate conditions for the following reasons:
 - (a) Engagement with Waka Kotahi has ensured Ngāti Hikitanga has had a strong ‘voice’ in the development of the Project to this point.
 - (b) While it has its faults (see above), the RMA process can strengthen and ensure that this voice, and Ngāti Hikitanga participation in the Ō2NL Project, are embedded in Project outcomes, which will assist in achieving sustainable management and bringing benefits to our people and to the whole community.
 - (c) Ngāti Hikitanga wish to ensure that Conditions attached to the Designation and resource consents adequately and appropriately provide for this outcome and that they embed and strengthen Hapū involvement, while recognising and providing for our cultural values, our

relationships with our ancestral lands, water, wāhi tapu, and other taonga, for our kaitiakitanga responsibilities, and our Mana.

26. While support is given, subject to conditions; the Ō2NL Project traverses our rohe and will carve a scar through Papatūānuku. The construction and operation of the Project will 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.
27. The existing State Highway, while connecting our people north and south, has brought enduring impact across multiple generations. We wish to ensure this impact does not permeate the new highway. We seek to avoid, or at least minimise, adverse effect on our future generations and our cultural values.
28. Ngāti Hikitanga have been working in collaboration with Waka Kotahi on this Ō2NL Project, in a Project Partnership developed over a number of years, to find ways to mitigate these potential impacts. The Partnership with the Crown (through Waka Kotahi) reflects our status as mana whenua for this area.
29. Te Tiriti establishes the basis for Partnership between Māori and the Crown and for our ownership, administration, Kaitiakitanga, and management of our taonga, this is enduring.
30. The relationship developed with Waka Kotahi is strong and has underpinned a positive and inclusive process of engagement with Ngāti Hikitanga. This engagement process has ensured we have had a strong ‘voice’ in the development of the Project to this point.
31. Through our Project Partnership with Waka Kotahi, we expect this strong voice will continue through the RMA process, into construction, and through the operational life of the Ō2NL Project.
32. Outcomes from the RMA process can strengthen and help ensure that this voice, and Ngāti Hikitanga participation in the Ō2NL Project, are embedded in Project outcomes, bringing benefits to our people and to the whole community.

SUMMARY OF CULTURAL EFFECTS

33. Ngāti Hikitanga has an interest in the proceedings that is greater than that of the general public as the Ō2NL Project:
 - (a) Is situated within the rohe of Ngāti Hikitanga;
 - (b) Will affect Ngāti Hikitanga tikanga (customs) and related ancestral relationships with wai (water), whenua (land) and other taonga (treasures);
 - (c) Will impact Ngāti Hikitanga kaitiaki obligations.
 - (d) Includes proposed cultural conditions. Such conditions must be informed by Ngāti Hikitanga views and practices to achieve desired outcomes, given tikanga is hapū specific.
34. Ngāti Hikitanga also made a submission in respect of the RMA applications and Notices of Requirement lodged with Horizons Regional Council, Greater Wellington Regional Council, Horowhenua District Council and Kāpiti Coast District Council.
35. Ngāti Hikitanga are interested in all parts the proceedings.

Cultural Impact Appreciation

36. Ngāti Hikitanga has been engaged in the Ō2NL Project since 2016 directly. Our engagement has only been supported in the last two years of the process with resource. Our hapū was involved in the MCA phase. Over the period of June 2021 to October 2022 I was personally involved in the consent design phase and contributed heavily into the CEDF, through a series of weekly workshops with the lead author of that document, and also with technical design and effects experts. I also attended ecology, water take and material supply / take design workshops with Project ecologists, geologists, hydrologists and designers, as well as with Waka Kotahi Project representatives over this period.
37. As outlined above, Ngāti Hikitanga, as part of the Ngāti Huia Collective, prepared a CIA for the Ō2NL Project. I was involved in the preparation of the CIA (dated June 2022) and it is attached to the Waka Kotahi RMA applications. This CIA set out important details of central importance to these applications. Some of the key components of the CIA are emphasised

below, however, for completeness my evidence should be read in conjunction with the CIA.

38. The CIA is supportive of the Project, but with provisions to allow for negotiation of on-going design development in the context of cultural values and the management of effects of the Project on cultural values (Matrix of Interest, Te Whare Tapa Whā).
39. Within the CIA we also gifted a tikanga process for mitigation, mediation and muru to take place in a culturally respectful and mana enhancing manner (Tikanga Alternative Dispute Resolution).
40. These are not conditions, but gifts to the Project partnership, other partners may support, wish to add changes or reject. They are tools that balance cultural integrity with legal and commercial realities.
41. As explained above, the Ō2NL Project traverses our rohe and will carve a scar through Papatūānuku. The construction and operation of the Project will 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.
42. In particular I wish to draw attention to the cultural effects for Ngāti Hikitanga in regards to Muhunoa:
 - (a) Loss of mana and authority over Muhunoa, an area of cultural and historical significance.
 - (b) Disruption or destruction of cultural sites, including wāhi tapu (sacred places) and other areas of cultural importance.
 - (c) Severance or alteration of cultural landscapes and connections between Ngāti Hikitanga and their ancestral lands.
 - (d) Potential impacts on cultural practices, customary activities, and access to resources such as kai (food) gathering or medicinal plants.
 - (e) Impacts on traditional knowledge, stories, and spiritual connections associated with Muhunoa.
43. The CEDF includes design principles that allow for design outcomes including on the northern banks of the Ōhau and through Muhunoa (page 116 of the CEDF). These indicate how some of these impacts can be managed, to provide legacy outcomes, to mitigate effects and muru.

44. The Core Principles of the CEDF and process proposed are key to this management approach, and the indicative outcomes of developing an open water, wetland and forest, all possibly accessed by the SUP for recreation, mahinga kai and rongoā is supported. It is acknowledged that this is subject to ongoing investigation that we need to be a part of.
45. I would also like to acknowledge that the involvement of my hapū in the Ō2NL Project has also caused extraneous, unforeseen effects summarised, as follows:
 - (a) Cultural effects on iwi relations as we work together with other iwi to help identify and then reconcile competing and contrasting values and issues.
 - (b) Effects on Ngāti Raukawa ki te Tonga and the hapū involved as they endeavour to work in partnership with Waka Kotahi and other iwi.
 - (c) Cultural effect of land and asset distribution – where the Project requires Māori Te Ture Whenua freehold land and Crown owned land including but not limited to the Department of Education and the Office of Treaty Settlements.
 - (d) Cultural effect on Takawaenga.

MITIGATION OF EFFECTS AND CONDITIONS OF CONSENT

46. Waka Kotahi has prepared a set of draft Designation and Resource Consents Conditions which are lodged with the resource consent applications and notices of requirement. Ngāti Hikitanga consider that the draft Conditions, as they currently stand at the time of lodging this submission, **do not** yet appropriately reflect the outcomes sought by Ngāti Raukawa ki te Tonga iwi. Ngāti Hikitanga seek a number of outcomes, some of which can be secured through conditions, and others which can be secured through other Waka Kotahi agreements with iwi through our partnership.
47. Ngāti Hikitanga seek that both the Designation and Resource Consent Conditions are amended to:
 - (a) Reflect proper accountancy of Te Tiriti o Waitangi and its principles.
 - (b) 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.

- (c) Address direct concerns of Ngāti Hikitanga in regards of Muhunoa and the Ōhau river.
 - (d) Address the matters of concern identified in our CIA.
 - (e) 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.
 - (f) Ensure appropriate opportunity is provided for Ngāti Hikitanga 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.
 - (g) Address any other matter of relevance to Ngāti Hikitanga that may arise through the RMA process.
48. At the time of finalising this evidence we are still in discussions with Waka Kotahi on their draft Conditions and expect to present an update to the Court at the hearing.
49. In addition to the above we continue to work with Waka Kotahi to discuss the following gifts that we presented to the Partnership in our CIA:
- a) Consider and provide feedback on the Matrix of Interest and Te Whare Tapa Whā model as frameworks to help guide cultural integrity; and present to the wider partnership as a tool.
 - b) Adopt Tikanga Alternative Dispute Resolution as a step before adversarial litigation.

Mā pango, mā whero, ka oti te mahi...

Quentin James Parr

4 July 2023