

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-Ā-TARA ROHE**

ENV-2020-WLG-00014

UNDER the Resource Management Act 1991

IN THE MATTER OF a notice of motion under section 87G of the Act seeking the grant of resource consents to Waka Kotahi NZ Transport Agency for Te Ahu a Turanga: Manawatū-Tararua Highway

**MEMORANDUM OF COUNSEL FOR WAKA KOTAHĪ NZ TRANSPORT
AGENCY FILING EVIDENCE-IN-CHIEF**

12 June 2020

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MAY IT PLEASE THE COURT

1. This memorandum is filed on behalf of Waka Kotahi NZ Transport Agency ("**Transport Agency**") to accompany the evidence-in-chief being filed in support of the Transport Agency's application for resource consents for Te Ahu a Turanga: Manawatū-Tararua Highway ("**Project**").
2. This memorandum has two purposes as follows:
 - (a) to identify and list the witnesses giving evidence on behalf of the Transport Agency; and
 - (b) to note and explain that counsel are also filing (or intend to file) briefs of evidence on behalf of the Project's Iwi Partners, being Rangitāne o Manawatū, Rangitāne o Tamaki Nui-ā-Rua, Ngāti Kahungunu Ki Tāmaki Nui-a-Rua, and Ngāti Raukawa ki te Tonga / Ngāti Kauwhata.

Evidence filed on behalf of the Transport Agency

3. The following briefs of evidence accompany this memorandum and are to be presented by witnesses appearing on behalf of the Transport Agency:
 - (a) **Lonnie Dalzell** of the Transport Agency (Owner Interface Manager);
 - (b) **Tim Watterson** (Project design);
 - (c) **Anthony Adams** (Project construction);
 - (d) **David Dunlop** (transport);
 - (e) **Campbell Stewart** (erosion and sediment control);
 - (f) **Richard Chilton** (air quality);
 - (g) **David Hughes** (stormwater);
 - (h) **Dr Jack McConchie** (hydrology)
 - (i) **Keith Hamill** (water quality);
 - (j) **Justine Quinn** (freshwater ecology);
 - (k) **Dr Matthew Baber** (terrestrial ecology);
 - (l) **Joshua Markham** (offset and compensation of terrestrial ecology effects);

- (m) **Boyden Evans** (natural character);
- (n) **Ainsley McLeod** (planning – conditions); and
- (o) **Damien McGahan** (planning – statutory assessment).

Evidence filed (or to be filed) on behalf of Iwi Partners

4. As described in the evidence of **Mr Dalzell**, the Transport Agency has partnered with iwi in relation to this Project.
5. In that context, the Transport Agency has discussed with iwi a process whereby the Transport Agency's counsel would file with the Court the written evidence of the Iwi Partners, at the same time as the evidence of the Transport Agency's witnesses.
6. There is one exception, for Rangitāne o Manawatū, where the Court has previously approved an extension for the evidence of **Siobhan Karaitiana** to be filed on 7 July 2020.¹
7. The briefs of evidence accompanying this memorandum are:
 - (a) **Manahi Paewai** on behalf of Rangitāne o Tamaki Nui-ā-Rua
 - (b) **Lindsay Poutama** on behalf of Ngāti Raukawa ki te Tonga / Ngāti Kauwhata; and
 - (c) **James Kendrick** on behalf of Ngāti Kahungunu Ki Tāmaki Nui-a-Rua.
8. Transport Agency is very grateful to its Iwi Partners, and to the witnesses for providing written evidence to assist the Court; and acknowledges and respects the various views expressed in the evidence. This evidence is provided on behalf of the iwi (rather than the Transport Agency), but under the umbrella of the Transport Agency's evidentiary case.
9. It is important to emphasise that some of the views expressed by the iwi witnesses in their written evidence do not necessarily reflect the position of the Transport Agency. This includes any suggestion that the Transport Agency should have any role in determining mana whenua status (which the Transport Agency is not qualified to do).
10. Counsel have advised the iwi and the witnesses that this explanation would accompany the filing of their evidence.

¹ Minute of the Court, 4 June 2020.

Leave for additional evidence to be filed

11. **Mr Paewai**, the witness for Rangitāne o Tamaki Nui-ā-Rua wishes to supplement his evidence filed today with additional whakapapa information.
12. Counsel seek leave to file this additional information on Mr Paewai's behalf by **Friday 18 June**.

DATED this 12th day of June 2020



David Randal / Thaddeus Ryan / Frances Wedde
Counsel for the New Zealand Transport Agency