

**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 DIANNE RITA RUMP
ON BEHALF OF MUAŪPOKO TRIBAL AUTHORITY IN SUPPORT OF THE
APPLICATION BY WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY**

GOVERNANCE, PROJECT AND MTA OVERVIEW

Dated: 4 July 2023

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INTRODUCTION

MY WHAKAPAPA

Kupe
Mātangiōrupe
Ruarangi
Whātonga
Taraika I Nohu
Wakanui
Turia
Te Aohaeretahi
Tūteremoana
Moeteao
Mahanga
Te Aonui
Aoroa
Te Uira
Te Mou
Potangotango
Tapuwae
Taueki
Hereora
Te Ahuru
Alice May
Biddy
Ivan
Di Rump

Ko Kurahaupo te Waka –

Ko Tararua nga pae Maunga –

Ngā Uri o Ngāi Tara o te Mua Ūpoko o te Ika

Ko Ngāti Hine te Hapū

Ko Kawiū te Marae

Ko Punahau te moana

Ko Hokioi te Awa

Ko Di Rump toku ingoa

1. Tēnā koutou. Ko **Dianne Rita Rump** tōku ingoa. My full name is **Dianne Rita Rump**.
2. He Kura Hokioi (Chief Executive) tōku mahi. Muaūpoko Tribal Authority (**MTA**), the mandated organisation for the Muaūpoko Iwi. I have held this role since 21 January 2016.

3. I am authorised to give this evidence on behalf of MTA 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**).
4. MTA is a mandated iwi organisation, representing Muaūpoko as a Te Tiriti o Waitangi partner and as the holder of Muaūpoko fisheries quota. Separate, and secondary, to that role, MTA is an Ō2NL Project Partner. And finally MTA is a submitter and section 274 party in order to protect our interests through the Resource Management Act 1991 (**RMA**) process and provide for our rangatiratanga in our own right.
5. As a Project Partner, MTA has worked closely with Waka Kotahi and Ngāti Raukawa ki te Tonga Hapū on the Project's development, which has included participating in the shaping of the Ō2NL Project route selection and corridor refinement, communicating MTA's values associated with Ō2NL environment and its position in terms of environmental effects of the Project, preparing a Cultural Impact Assessment (**CIA**), co-creating the Cultural and Environmental Design Framework (**CEDF**) and continuing to work with Waka Kotahi and Ngāti Raukawa ki te Tonga Hapū as the Project moves through the consenting process and beyond.
6. We have become a submitter and section 274 party under the RMA in order to secure effects management outcomes that our CIA recommends but have not yet been adopted into the Project and consent conditions. This includes recognition of our fundamental relationship with the Horowhenua Block as our contemporary heartland, outcomes for our significant sites the Project interacts with across the Project landscape and security that any narrative about Muaūpoko in the Project moving forward will be respectful to our unique history as tangata whenua with a connection that stretches back around a millennia.
7. MTA acknowledges both the Treaty partnership it has with the Crown (including through Waka Kotahi) and the Project partnership it has with the Ō2NL Project team. MTA recognises the journey ahead to delivering, firstly, the obligations and expectations as Te Tiriti partners, and secondly, the Ō2NL Project as a Project partners.

8. My evidence provides:
- (a) an overview of MTA, including its background and governance structure;
 - (b) a discussion on MTA's Treaty partnership arrangements with the Crown (and by extension, Waka Kotahi);
 - (c) a discussion of what Project partnership means to MTA in the context of Ō2NL, including outlining MTA's involvement with, and roles within, the Project to date; and
 - (d) context to our decision to conditionally support the Project, and how we see this Project partnership continuing into the future.
9. Although I am not giving this evidence in an expert capacity, I have the following qualifications and experience relevant to my evidence:
- (a) Eight Years in the role of CEO for Muaūpoko Tribal Authority Incorporated;
 - (b) Member of NZ Institute of Directors;
 - (c) I am an advisor to the Post Settlement Governance Entity – for Tapuika Iwi;
 - (d) I hold governance positions on numerous Māori Iwi and Non Māori Boards and Alliances such as Mid Central Iwi Māori Partnership Board, Greater Wellington Leadership Forum, Manawatū River Accord, Te Whatu Ora Horowhenua Takiwa Prototype, Horowhenua Freshwater Management Unit Governance Group, MBIE Regional Skills Leadership Forum and others; and
 - (e) I have a Master of Māori and Indigenous Leadership from the University of Canterbury.

OVERVIEW OF MTA

Background

10. MTA was established in 1997 as an incorporated society. Its primary purpose is to protect Muaūpoko identity and assets, and to build a stronger economic, social and culture base for our people.

11. MTA is the mandated organisation for the Muaūpoko iwi ie Ngai Tara o Mua Ūpoko o te Ika a Maui (**Muaūpoko**), representing Muaūpoko under RMA processes, Te Tiriti o Waitangi settlement negotiations and negotiations under the Māori Fisheries Act 2004. MTA is also recognised as an Iwi Aquaculture Organisation in the Māori Commercial Aquaculture Claims Settlement Act 2004.
12. MTA's services include:
 - (a) Leadership, advocacy and representation;
 - (b) Iwi, hapū, whānau and marae development;
 - (c) Iwi registration;
 - (d) Whānau Ora, Rangatahi and Kaumātua support services;
 - (e) Hauora Services
 - (f) Taiao protection and cultural monitoring;
 - (g) Iwi consultation under the RMA;
 - (h) Project management and administration;
 - (i) Treaty settlement; and
 - (j) Fisheries.
13. The mahi we do representing Muaūpoko is guided by our Muaūpoko vision, which was developed and adopted in 2009 following a hui-a-iwi process, together with a set of imperatives for enacting the vision. The vision and strategic imperatives have been regularly reviewed and have been fundamentally maintained since 2009.
14. The Muaūpoko vision is:

Whakahono kia tu kaha Muaūpoko: Unite, stand strong Muaūpoko.
15. The current strategic imperatives guiding that vision are the:
 - (a) promotion and support of tino rangatiratanga for Muaūpoko whānau, hapū and iwi;
 - (b) strengthening and retention of Te Reo and the traditional, cultural and spiritual values of whānau, hapū and iwi of Muaūpoko;

- (c) protection, preservation, promotion and enhancement of Muaūpokotānga, assets and taonga;
 - (d) representation of Muaūpoko interests to support a stronger economic, educational, health, social and cultural base for Muaūpoko people; and
 - (e) Enacting Muaūpoko Mana Whenua responsibility to care for all peoples on our whenua.
16. To support these strategic imperatives we have developed 12 strategic goals, which are:¹
- 1. *Support Te Reo and hapū cultural revitalisation initiatives and structures, work with our people to develop an environmental strategy.*
 - 2. *Support strengthening the paepae on Muaūpoko marae.*
 - 3. *Develop and maintain a sustainable hapū development programme.*
 - 4. *Develop leadership opportunities for our people and in particular – our rangatahi.*
 - 5. *Support and celebrate Muaūpokotanga connection celebrations (for example, Muaūpokotanga Day, Matariki).*
 - 6. *Continue to support the strengthening of Muaūpoko and MTA governance and operational capacity, systems and procedures.*
 - 7. *Build strong connection with members.*
 - 8. *Contribute to and leverage existing initiatives and/or relationships aimed at protecting and enhancing Muaūpoko natural resources and the environment.*
 - 9. *Grow and protect the Muaūpoko asset base.*
 - 10. *Develop a comprehensive iwi hauora and well-being strategy.*
 - 11. *Represent Muaūpoko interests at local and national forums and ensure the mana of Muaūpoko is always upheld.*

¹ These are also set out on page 9 of the CIA.

12. *Continue to develop and maintain relationships with other Iwi, stakeholders, government agencies and private-sector organisations that enhance the ability of Muaūpoko to achieve our Iwi vision and Muaūpoko Mana Motuhake.*

Governance structure

17. MTA's constitution supports governance by a board of elected representatives, two from each of the seven existing Muaūpoko hapū. The hapū are Ngai Te Ao, Ngārue, Ngāti Hine, Ngāti Pāiri, Ngāti Tamarangi, Ngāti Whanokirangi and Punahau. Each hapū may elect two representatives - a three-year term, and 18-month term. Furthermore, an alternate hapū representative may be appointed to sit on the Board.
18. MTA's Management and Operational team is made up of:
- (a) The Chief Executive Officer;
 - (b) The Environmental Manager
 - (c) Taiao kaimahi for nursery development, whenua and coastal protection (plant and animal pest control) and cultural monitoring services
 - (d) Kaiwhakahaere Social Services - Oranga Whānau me Oranga Rangatahi
 - (e) Whānau Ora Navigators;
 - (f) Kaihapai Rangatahi (mentors);
 - (g) Hauora Services - including COVID response and outreach
 - (h) Project Kaimahi; and
 - (i) Administration Kaimahi.
19. We also have a subsidiary company, Muaūpoko Trading Company Ltd (**MTC**), which is 100% owned by MTA and holds all of the Iwi's fisheries and other assets. MTC was established in 2000 and is also registered as a charitable incorporated society.

TREATY PARTNERSHIP

20. The distinction between partnership arrangements under Te Tiriti o Waitangi and Project partnership is an important one. It lies at the heart of a number

of MTA challenges in previous years, sets the scene for our role in this Project, and in particular provides context for MTA's involvement and responsibilities to Muaūpoko people in this Project.

21. Muaūpoko has a wide area of historic and contemporary interest and a traditional rohe that extends from the Rangitīkei River to Turakirae (Cape Palliser) in Te Whanganui-a-Tara (Wellington Harbour).² Although, in current times, the Horowhenua block is known as the 'heartland' of Muaūpoko³, we retain a deep historical and cultural connection with our traditional rohe. This connection is traversed in research reports submitted for Waitangi Tribunal hearings by Bruce Stirling⁴ and David Armstrong.⁵
22. However, despite this deep connection, Muaūpoko and MTA have been excluded in previous years from considerable development both within and traversing our rohe. This includes various roading projects such as Transmission Gully, Peka Peka to Ōtaki, and Mackays to Peka Peka. Despite assurances given by Waka Kotahi and being located within the traditional rohe of Muaūpoko, MTA were not able to participate in the developments, cultural recognition and expression in those projects, leaving our historical 1000-year relationship with the whenua, our mana, our relationship with archaeological materials and our status as tangata whenua, unacknowledged.
23. These previous exclusions have caused significant disadvantage and hurt for our people, and do not accord with the partnership obligations that we consider to be a cornerstone of our Treaty relationship with the Crown, and by extension Waka Kotahi.
24. Nevertheless, as discussed in more detail in the below sections of my evidence, we are Project partners on the Ō2NL Project, and are committed to being the best Project partners we can be in order to deliver the Project and its many benefits, including resilience and safety for our community.
25. In order to move forward with the Project, the implications of previous struggles must be recognised, acknowledge that those issues still exist, and seek a way to define MTA's Project partnership with the Ō2NL team from its Treaty partnership with the Crown (and by extension, Waka Kotahi).

² See Figure 1 on page 8 of the CIA.

³ Page 11 of the CIA.

⁴ [Muaupoko Customary Interests \(justice.govt.nz\)](https://www.justice.govt.nz/muaupoko-customary-interests)

⁵ [Muaupoko Land Interests \(justice.govt.nz\)](https://www.justice.govt.nz/muaupoko-land-interests)

26. In our view holding this space for each Project partner to acknowledge and maintain their individual backgrounds and positions, while at the same time committing to delivering a meaningful and collaborative Project partnership, is the best way to future proof the success and momentum required for the Ō2NL Project.

PROJECT PARTNERSHIP

27. The above background and the Ō2NL Project's route through our contemporary heartland gives MTA's role as Project partner on Ō2NL an even greater significance, as we now have the opportunity to contribute to the development and operation of this mahi in a meaningful way – as leaders in our heartlands and as partners – where we were excluded from this on previous projects.
28. Below I set out the key milestones of MTA's involvement in the Project to date.

Route selection

29. My initial interactions and kōrero regarding commitments made to Muaūpoko/MTA by Waka Kotahi for Ō2NL occurred in 2016.
30. The first key input in terms of MTA's involvement in the Project detail was during stage 2 – the development of a long list of corridor options – in 2017. Following early Project investigations, and a series of public and Muaūpoko-specific engagement sessions in 2016-2017, MTA attended a workshop in August 2017 (referred to in the consenting application documents as the IBC MCA Workshop 1) to discuss and revise the identified "longlist" options alongside the options evaluation criteria.
31. Representatives of MTA, LHT and Muaūpoko mātauranga experts attended IBC MCA Workshop 1 along with technical experts, local community members, the relevant regional and district councils,⁶ the Department of Conservation and representatives of Ngāti Raukawa ki te Tonga.
32. Our fundamental concern at that workshop (and throughout the route selection and corridor refinement process) was to ensure that the corridor did not cut through Punahau / Lake Horowhenua, including its gravel headwaters, tributaries and surrounding wetlands or disrupt the countless

⁶ That is Horowhenua District Council (**HDC**), Kāpiti Coast District Council (**KCDC**), Greater Wellington Regional Council (**GWRC**) and Manawatū-Whanganui Regional Council (**Horizons**).

wāhi tapu in the coastal area. The Muaūpoko perspective was that, although there would be effects arising from a route east of Punahau, these would be to a much lesser degree than the western route. Muaūpoko ancestors are interred in the dune systems west of Punahau, we have many wāhi tapu and thriving wetlands there, so placing a highway west of Punahau would have had unacceptable effects. This is discussed in more detail in the evidence and appendices of one of our technical advisors, **Siobhan Karaitiana**.

33. Our mātauranga understands that the health of Punahau relies on groundwater inputs, therefore any form of cutting would destroy the mauri of the Lake irrevocably. Accordingly, an East of Levin corridor option above ground level has always been the only acceptable possibility, from the Muaūpoko point of view.
34. Following that initial workshop other corridor options were added – including two options running East of Levin – and the updated longlist was evaluated at the second workshop (IBC MCA Workshop 2) in late August 2017. Again, representatives of MTA and Muaūpoko mātauranga experts (which included Lake Horowhenua Trustees) attended and scored each option against a *Tangata Whenua cultural values* criteria. The subsequent selection of a route east of Taitoko/Levin as a result of the MCA processes was crucial to our peoples support for the Project moving forward.

Project partnership agreement

35. In July 2020 we held a formal launch of the Project partnership with Waka Kotahi Regional Executive, Ō2NL Project Sponsor, Ō2NL key project team members, project technical experts, MTA Board and MTA team members where we shared our history and aspirations. This included a bus tour and visit to the proposed route options. Waka Kotahi, Muaūpoko and Ngāti Raukawa shared commentary regarding plans, implications and the narrative associated with sites of significance. Senior Management of Waka Kotahi presented the high level route options. A commitment to partner was given by both partners.

Cultural and Environmental Design Framework (CEDF)

36. Following the formal project partnership launch, in October - November 2020 we commenced development of the draft CEDF in collaboration with the Waka Kotahi Ō2NL Project team and representatives of Te Rūnanga o

Raukawa.⁷ Initially, the kaupapa was jointly led by MTA and Te Rūnanga o Raukawa to develop the Project's Core Principles, with Waka Kotahi assisting with drafting. As we progressed, Waka Kotahi took on a greater role in leading its technical development.

37. The intention of the CEDF Core Principles was to provide an overarching common framework for the Project (separate to the particular values held by individual iwi or hapū). The Core Principles of the CEDF, which we developed together with Lindsay Poutama, the then-CEO of Te Rūnanga o Raukawa and now the representative of Ngāti Tukorehe hapū, are:

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)

Create an Enduring Community Legacy

38. The principles are woven together by a framework to:

- (a) Tiaki/ preserve;
- (b) Whakaora/ restore;
- (c) Whakapaipai/ enhance; and
- (d) Whakatū/ create.

39. These core principles then informed the fundamental Project tikanga / values, which again were developed in collaboration with Mr Poutama and Te Rūnanga o Raukawa.

40. These were largely agreed by March 2021, however have evolved slightly since then and overarching Project values have been developed. These values, in their current form, are:

- (a) Te Tiriti (spirit of partnership);
- (b) Rangātiratanga (leadership – professionalism – excellence);
- (c) Ūkaipotanga (care – constructive behaviour towards each other);

⁷ Ngāti Raukawa's involvement in the O2NL Project has at times been through their representative body (Te Rūnanga) and at times through other iwi and/or hapū representatives.

- (d) Pukengatanga (mutual respect);
- (e) Manaakitanga (generosity – acknowledgement – hospitality);
- (f) Kaitiakitanga (environmental stewardship);
- (g) Whanaungatanga (belonging – teamwork); and
- (h) Whakapapa (connections).

41. The CEDF, including its purpose, content and development process, are discussed in more detail in the evidence of **Ms Karaitiana**.

MTA input into the CEDF principles

"Tread lightly"

- 42. There is a huge historical significance behind the need to *"tread lightly"*.
- 43. In 1886 Muaūpoko sought, through its appointed leader, to manage the development of the iwi's land that would go on to become Taitoko (Levin). While our ancestors understood that this would result in significant changes to Papatūānuku, cutting right through the sacred Muaupoko connection of ki uta ki tai (from mountains to sea), as well as significant spiritual pathways – they sought the settlement and development of Taitoko (Levin) provided such development would be the equal benefit of Muaūpoko and Pākehā and strengthen, not diminish their relationship with their ancestral lands and taonga, Punahau (Lake Horowhenua).
- 44. However, that marked the beginning of an accelerated demise of tino rangatiratanga and our people's prosperity, as the native land laws favoured partition and purchase over retention and rangatiratanga. This historic context is further described in the CIA.⁸ For our people, the need to tread lightly is understood in that historical context. It is about maintaining and strengthening the relationship with Papatūānuku and our waterscape .

"Enduring legacy"

- 45. Our people hold these values very near and dear because our experience of everything that has happened in this space in the past. In the contemporary heartland of Muaūpoko, everything that has been done in this area has had a huge impact on whenua, whānau, hapū and iwi – from railway infrastructure

⁸ Section 1.5 of the CIA, page 11.

coming through, to township developments, an over representation (per population) of psychiatric institutions, lake destruction and more.

46. To meet our obligations as Treaty partners and ensure our rights and interests are provided for in the Ō2NL Project – while seeking to enact our Mana Whenua responsibility to increase the safety of this section of roading for all peoples – MTA have no choice but to participate. We do this to the best of our ability, beyond unreasonable pre-settlement and inequitably funded capacity.

Regular hui

47. Commencing in December 2020, and becoming weekly (at least) from March 2021 and throughout 2022, MTA representatives attended hui to discuss the Project's design, including the CEDF and water (including groundwater and hydrology) components of the Project. Also in attendance at these meetings were representatives of Ngāti Raukawa, and various members of the Project team including the technical design and ecology specialists.
48. We also attended various hui involving other technical experts' disciplines to ensure there was appropriate representation and understanding of the mātauranga and tikanga components of the Project. For instance, at some of these meetings we led 'deep dive' expert sessions to educate members and technical specialists of the Ō2NL Project team on our particular mātauranga, including in respect of the Project's topography, whenua and groundwater around Punahau. These have regularly required hui outside normal business hours since pre-settlement status does not enable employment of the required capacity, capability and expertise "in house".
49. We spoke about our mātauranga, that had been handed down over many generations, to assist the Project team with understanding some of the technical components of the Project. For example, when discussing the Project's hydrology, hydrogeology and geotechnical components with Dr Jack McConchie and Dr Jonathan Procter, we found a strong correlation between the western (geotechnical and groundwater level monitoring) perspective and the mātauranga Māori perspective, noting the connection of all water – from the sacred lakes and springs up in Maunga Tararua through into Punahau and beyond to the coast.
50. We also benefitted from the perspectives of the technical experts provided by Waka Kotahi, for example when our people (including Trustees and owners

of Punahau), had questions that required additional technical input. These 'Q&A' sessions led to useful discussions about sediment and erosion control of the Project and its implications for Punahau and other waterways. These hui, particularly our involvement from a mātauranga perspective, are discussed in more detail in the evidence of **Dean Wilson**.

51. I also attend monthly Project Steering Committee (**PSC**) meetings, which commenced in February 2022. Attendees include:
- (a) Mr Kevin Reid, Project Sponsor, Chief Advisor and System Design
 - (b) Ms Kim Wallace, Independent member
 - (c) Ms Sarah Downs, Regional Manager – Central System Design
 - (d) Ms Linda Stewart, Dir. Regional Relationships
 - (e) Mr David McCorkindale of Horowhenua District Council
 - (f) Mr Hayden Turoa, Ngāti Raukawa hapū representative
 - (g) Mr Lonnie Dalzell, Project Director
52. The purpose of the hui are to provide strategic Project guidance. Waka Kotahi staff canvass all major documents and decisions on the Project before implementation including items such as the Business Case, the Procurement approach, Legacy Outcomes framework, consenting strategy among other business.

Project Partnership in practice

53. Beginning (regularly) in 2022, I have also attended quarterly Project partnership hui with Waka Kotahi representatives. The Waka Kotahi representatives include:
- (a) Mr Rob Napier, Project Manager;
 - (b) Mr Lonnie Dalzell, Project Director;
 - (c) Mr William Peet, Independent Chair;
 - (d) Mr Kevin Reid, Project Sponsor;
 - (e) Mr Michael Dreaver, Iwi liaison; and
 - (f) Mr Daryl French, MTA Project Manager.

54. The purpose of the hui is to discuss actions and issues at a strategic level such as contracts and partnership agreements, to shape partnership direction, discuss partnership in practice and make key decisions.
55. In October 2022 as part of the quarterly partnership hui and in response to operational uncertainty engaging in the Project following a change in the Ngāti Raukawa partnership engagement and representation model (From Iwi to Hapū), we were asked by Waka Kotahi Ō2NL management to provide our thoughts and views on what we might need in order to respond to the new representation approach and/or how to provide a similar model. We met with our own people and developed a comprehensive 'Thought Starter' document for Waka Kotahi setting out how we saw the Project hui and partnership might best be future proofed going forward. That document provided:
- (a) Our view on Treaty partnership (as opposed to Project partnership) and how these differ in the way that this is managed. We asked for a definition of the Project Partnership to be developed and agreed by all Project Partners that takes into account ours and all views.
 - (b) A refresh of the Project values and recommendations for how these can be implemented in practice; we asked for a collection of values statements to be developed and agreed by the Project Partners.
 - (c) Recommendations for necessary Project controls to reduce unmanaged conflict, develop an issues approach and create a productive project work environment which acknowledged the nature and complexity as well as allow MTA to plan scarce resources accordingly. The Project controls we asked for include:
 - (i) An actions, questions and issues register to formally record and keep track of issues raised;
 - (ii) A response and resolution process to outline the process for resolving issues raised by Project team members;
 - (iii) A definition of roles and responsibilities of Project partners to understand the decision making process;
 - (iv) A decisions register to record any decisions that have been made and thus the closing of issues on the issues register;

- (v) A Project timeline and milestones in the iwi workstream so that MTA have a view over timelines of the Project and upcoming deliverables to plan scarce resources accordingly;
- (vi) Engagement protocols to give some discipline for hui including a clear purpose and agenda, recording of actions, minute taking, clear identification of a suitably experienced Chair who is clear of their forum responsibilities – separately to any technical role;
- (vii) A pathway for getting Muaūpoko roles in the Project, and
- (viii) A pathway for a Muaūpoko Iwi and hapū engagement structure.

Differences in iwi partnership models

56. As a result of previous experiences resulting in exclusion from Waka Kotahi and other Crown initiatives and projects in our rohe, Muaūpoko have been unable to build up sufficient resource capability to participate in the Project in their preferred iwi/ hapū model. To compensate, and to ensure we were good partners on the Project, able to deliver to the Project timeframes while protecting our interests and assets, MTA implemented a working model which would support Iwi participation and engagement while providing suitable experienced and qualified resourcing to meaningfully contribute to Project outputs and outcomes. MTA has expert technical resources at the operational Project level who report to the MTA CEO, Environmental Manager, and MTA Board of Trustees. The resources are ultimately delivering for Muaūpoko people as per the mandate of the MTA Board. We have three experts working for MTA, including:
 - (a) a Kaupapa taiao specialist; I refer to the evidence of **Ms Karaitiana** for her role in the Project;
 - (b) a Project manager with a broad oversight role of the Project and who authored our 'thought starter document', identifying the opportunities in robust Project control and forum management; and
 - (c) a business and procurement lead.
57. By choice we would prefer to have developed our own people, however given the starting point of our capacity and capability (as per the historic exclusion impacts outlined) that would have required an initial level of investment alongside "ready to go" resources – which were not afforded in the

commencement of this Project. We are seeking to address that as we move forward. Therefore, although not by choice but out of necessity, the Iwi working model was adopted. Despite the constraints, this model has been effective for the wider Project as a whole and the expert technical resources have contributed equally to the overall Project, which in turn has enabled us to meet our commitment to and achieve our objective for being a valuable partner because:

- (a) our experts on the Project have been able to provide expert knowledge to the benefit of all parties;
- (b) we are more able to co-design deliverables and provide timely outputs into plans and documents, somewhat overcoming our underlying extreme resource capacity issues;
- (c) The MTA Project team is able to provide input for Muaūpoko as they report through the CEO to the Board of hapū representatives each month and are mandated by the Board's direction.

58. Our model of Project partnership is different to Ngāti Raukawa ki te Tonga who made a change to their model adopted in the first year to operating under a hapū engagement model. Ten Ngāti Raukawa hapū are represented through the Project and attend day to day hui alongside our expert consultants. This change can present challenges for engagement and decision making.
59. Below I explain that our people feel Waka Kotahi do not properly understand who Muaūpoko are, due to previous exclusions from other projects in our traditional areas of interest coupled with promises made since 2016, nor that they understood or acknowledge the unique challenges that the iwi face as a result.
60. In the meantime, our technical experts are trained and skilled in delivering and have been heavily involved in all aspects of Muaūpoko mātauranga communication, Board, LHT and rangatahi engagement, therefore we rely on their expertise to input to and deliver documents for us that represent our priorities. We believe this is a productive and reasonable approach. This does mean the Project operational forums are at times “unbalanced” in terms of partner presence and voices at the table. This can be problematic and is why we offered a “thought starter” solutions paper in October last year in

order to develop a productive way of working within the different partnership models.

Progress in the Project partnership

61. We continue to seek progress on suggestions we tabled in our 'Thought Starter' document. This background provides context for our request through our submission to see a Project Partnership Group condition that sets out at a minimum the Project controls required for the Project to be set up for success.
62. We also feel it is crucial for the importance of Muaūpoko in the Horowhenua Block to be recognised through the consenting process. **Ms Karaitiana** provides advice in her evidence on how the Project could respond to our request.
63. Our position on this is a matter of fact, it is supported by historical evidence⁹ and our day to day actions as kaitiaki. The Horowhenua Block is Muaūpoko contemporary heartland, the maintenance of our relationship with this whenua is of the utmost importance to the health and wellbeing of our people who have had an attachment to this whenua for 1000 years. Without this formal recognition of the importance of our role (not to be confused with exclusivity as this is not our position, we seek simple recognition of our connections and their strength) which to date the Project has not done.
64. Our people require certainty that disparaging narrative put forward through Ngāti Raukawa CIAs about Muaūpoko - will not be perpetuated further by the Project and that Muaūpoko relationship to our significant sites, traditional lands and waters will be recognised and protected on a factual basis. We seek further security that our significant sites will be managed appropriately by the Project.
65. In the interim period since the 'thought starter' we have also been working hard to deliver on our commitment to be the best Project partners we can be under the trying day to day circumstances where Treaty partnership can be confused with Project partnership, while also representing our people as best we can. In 2023 so far, we have:
 - (a) (in January 2023) participated in the procurement of Principal Technical Advisors (**PTA**) – consultants for the procurement strategy;

⁹ Muaūpoko Priority report Wai 2200

- (b) (from January onwards) participated in the development of the Legacy Outcomes Framework¹⁰ and planning;
- (c) (in April 2023) participated in writing an Expression of Interest (**EOI**) for release to the industry that helped identify constructors and designs that will be interested in submitting a proposal for the Project;
- (d) (in May 2023 and ongoing) participated in, and provided input into, the Project's procurement including advice on cultural and Te Ao Māori matters; and
- (e) (in May 2023) begun preparation for an interim Katiaiki and Cultural Induction Plans.

Mahi Toi Strategy

- 66. Although the Mahi Toi Strategy is addressed in more detail in the evidence of **Mr Wilson** (who discusses the mātauranga aspect of it and four locations of particular significance¹¹), I touch briefly on it here in the context of *Treaty partnership* and the previous exclusions mentioned above.
- 67. The Mahi Toi Strategy is primarily an effects management tool for Muaūpoko, it is a way in which we as tangata whenua can identify with our significant cultural landscapes and sites that are traversed by the highway and ensure their mana is not destroyed in the process. If the mahi toi strategy incorporates and authentically uplifts our four key significant sites then the mahi toi strategy will have a positive impact on our people, where they will feel proud to see their mātauranga recognised in the whenua – currently totally absent from all other sections of Waka Kotahi Projects in our traditional area.
- 68. To prepare our approach to the Strategy, we assembled an expert team of mātauranga advisors, representing Muaūpoko hapū, called Kāhui Ārahi. And we held a number of consultation sessions with our whānau alongside dedicated Kaumātua and Rangatahi sessions. Because of our position that – outside of the context of the Project – there are Treaty partnership gaps with Waka Kotahi, our people understandably have amplified expectations of Waka Kotahi's responsibilities to Muaūpoko in this area, and have a vested interest in understanding what the plan going forward is.

¹⁰ The legacy outcomes framework is a framework for the Project to deliver outcomes for iwi and the community

¹¹ The locations include Pukehou, Whakahoro, Ohau and Wai-Mārie/Arapaepae

69. In particular, previously our people have felt as though their reactions and responses to exclusions were viewed as contrary and inconvenient. In turn MTA – as the mandated representative entity – are held responsible by our people for ensuring the wrongs that have happened to us up to this point are not perpetuated.
70. The importance of Mahi Toi was clear from our consultation sessions and Kāhui Ārahi engagements, are represented in the CIA and the Muaūpoko Outcomes Framework (discussed below). At this time, mahi toi is a key area of the Project that remains uncertain for our people.

CIA

71. The CIA was prepared by expert advisors Kāhu Environmental, and informed by work led and undertaken by Kāhui Ārahi, work with the MTA Board, LHT and our iwi leaders and rangatahi. MTA took a lead role in this process, compiling the Kāhui Ārahi team, engaging Kāhu Environmental and organising whānau, kaumātua and rangatahi engagement sessions. There was a high level of agreement coming out of these sessions regarding the sites and narratives that our people wished to see represented through the Project. In particular:
- (a) Landscape connections ki uta ki tai;
 - (b) Key significant sites being Wai-Mārie/Arapaepae, Whakahoro, Ohau and Pukehou; and
 - (c) The importance of ngārara, ngata and wetland taonga.
72. The information and kōrero we learned was collated and these fed into the CIA (discussed in more detail in the evidence of **Ms Karaitiana**) and the broader Muaūpoko Outcomes Framework.

Muaūpoko Outcomes Framework

73. In June 2022 we began developing the Muaūpoko Outcomes Framework, which comprises the long, medium and short term aspirations for Muaūpoko participation in the Ō2NL Project.
74. The Framework was developed from a series of engagement sessions with our Board, our members, hapū, rangatahi and Kāhui Ārahi expert rōpū. The overall goal was to capture their expectations and aspirations in terms of the outcomes from this particular Project, they were clear that outcomes from the

Crown (through Waka Kotahi) as a Treaty partner could not be excluded in the Project partnership for this road.

75. A general theme coming out of the engagement sessions was the feeling that Waka Kotahi needed to better understand who Muaūpoko are and the unique challenges that the iwi has faced which has led to the way in which we have no choice but to engage in the Project partnership today. That affected the outcome strategy as well as the expectations for the Project.
76. The Framework's categories are:
- (a) Cultural outcomes:
 - (i) Education & training;
 - (ii) Te Reo, tikanga and heritage;
 - (b) Infrastructure outcomes:
 - (i) Muaūpoko Capacity and Capability Development - including Muaūpoko hapū, rangatahi, marae participation and development;
 - (ii) Lake Horowhenua Trust development;
 - (c) Assets and environment:
 - (i) Impact on the environment;
 - (ii) Expressing and enacting our kaitiakitanga;
 - (d) Economic Development:
 - (i) Employment;
 - (ii) Muaūpoko business outcomes;
 - (iii) Social Enterprise;
 - (e) Hauora:
 - (i) Health and safety;
 - (ii) Housing;
 - (f) Leadership:
 - (i) Participation;

(ii) Governance.

77. Alongside these Kaupapa, a principle to slipstream every opportunity to enact the core Project values of “Tread Lightly” and “Create a Legacy” in an authentic and organic but intentional way was decided upon.
78. Furthermore, an acceptance and recognition that the Ō2NL team will deliver and move on. We have been here 1000 years and will be here another 10,000 plus years. We therefore expect to engage /lead Project outcomes and benefits in our community – whenever and wherever possible.
79. We connect greatly with the safety and resilience benefits the road will bring for our wider community and those who pass through our rohe. There remains a risk that this Project will not have a direct benefit for Muaūpoko members. The Muaūpoko resource requirements for this Project to protect our basic function as tangata whenua and participate to meet Project requirements is significant when considering our other responsibilities including:
- (a) The status of Punahau as severely degraded, its ongoing decline, the amount of lake clean-up projects and responses we are supporting our Lake owners with and the effect that has on our people which requires extra health and wellbeing support;
 - (b) The National Policy Statement for Freshwater directs the Regional Council to exempt the Lake from needing to achieve national bottom lines in terms of fundamental water quality attributes that protects the health and wellbeing of the wai and our people, if that would adversely impact horticulture production. We have challenged this in the High Court and now the Court of Appeal;
 - (c) Our pre-settlement status and the concurrent Ngāti Raukawa ki te Tonga Waitangi Tribunal inquiry where Muaūpoko is being identified as conquered slaves, that we don’t own our assets including the lake (a narrative repeated throughout Raukawa hapū CIAs for this Project);
 - (d) Taitoko/Levin is one the of Māori Health Authorities Takiwā Prototype pilot locations;
 - (e) Enquiry into abuse in state care where the Horowhenua has the highest number of state institutions per person in the country;

- (f) The plethora of contemporaneous regulatory change (eg Three Waters, Local Authority Act, RMA Reform, Te Mana o Te Wai) which all have significant long term implications for Iwi – if not actively attended to;
- (g) The requirement for Horowhenua to be an integral and active member (Mayors and Iwi Leads) of the development and design for the Wellington Regional 80-to-100-year infrastructure investment and urban development plan; and
- (h) The significant volume of regional and local authority plan changes.

Conditional support for the Project

- 80. Our core vision and strategic imperatives guide our engagement with the Muaūpoko community and the work we are doing to fulfil our role in the Project partnership. We do champion this Project and are continually looking for ways to bring meaning to our partnership and create a legacy. We also recognise that Waka Kotahi has uniquely and intentionally taken the opportunity to engage Iwi earlier than in any other roading project ever undertaken and we acknowledge that is a huge opportunity to frame new transformative narrative for what Crown Iwi partnership might look like. This means new uncharted territory, learnings and agility are required. We are genuinely excited by this possibility and aspiration.
- 81. As set out above, and in the CIA, the key focus for MTA throughout this process has been to ensure that neither the route nor corridor cuts across, or impacts, Punahau or the gravel of the headwaters, destroys wāhi tapu or high value taonga habitats. That was a requirement for MTA and our Lake Owners. It was also critical to our support of the Project that the selected route and corridor not interact with the coastal/western area. In our view everything else is able to be managed with the right strategy.
- 82. For example, as noted in the CIA, (joint with Lake Horowhenua Trustees) we have expressed concern about the cumulative effects of the Project on the state of our wai, especially implications for Punahau as well as our taonga species and sacred sites. We sought robust stormwater management and monitoring measures, and a comprehensive ecological mitigation and offsetting package to ensure our taonga would be protected. We have worked closely with Waka Kotahi and the Project team on addressing these concerns, and feel positive about the way in which water quality and ecology has been managed. However, we are not yet satisfied about the way in

which our relationship to our significant sites and the Horowhenua Block is being recognised in conditions and the CEDF.

83. More generally, we are supportive of the Project because we believe:
- (a) in working to make travel safer and more resilient;
 - (b) in increasing transport choices for the region's future and growing population;
 - (c) in opening up and accessing economic development for our people and our community; and
 - (d) that the desire and possibility does exist to deliver a stunning hitherto unknown or seen showcase for Iwi and Crown partnership.
84. One point I must further emphasise relates to our capacity as an iwi organisation with pre-settlement status. We are working hard on this Project to meet our responsibilities as a Project partner and it is critical that as mana whenua we play our role in its delivery, congruent with our 1000 year attachment to this whenua. *Our people will accept nothing less.*
85. Historic Treaty breaches, exclusion and marginalisation of our people have affected the way in which we are able to engage on largescale public projects like Ō2NL, therefore we have faced challenges in terms of our ability to address what is important to our people. Nevertheless, we have developed structures for engaging with this Project alongside a small but dedicated Project delivery team to action and participate under instruction from our iwi, MTA and LHT leaders. At this time, there remains risk around separating Treaty and Project partnership matters during day to day operational management of the Project partnership parties.
86. Moving forward as Project partners in the delivery of the Project, it is important that MTA remains closely involved in the design development process (including the CEDF) and construction, that a Muaūpoko-focussed management plan be implemented (as discussed in the CIA and reflected in the consent conditions that still require amendments), that authentic participation is supported through capacity and capability investment which is also a fundamental pre requisite to achieving benefits realisation.

Dianne Rita Rump

4 July 2023