

**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

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**STATEMENT OF EVIDENCE OF JAMES LLOYD KENDRICK  
REPRESENTING NGĀTI KAHUNGUNU KI TĀMAKI NUI-A-RUA**

12 June 2020

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## INTRODUCTION

1. Tēnā koutou katoa.  
Ko Maungapohatu toku maunga  
Ko Whakatane toku awa  
Ko Ngāti Tāwhaki o Ngāputahi tōku hapū  
Ko Ngai Tuhoe raua Ngāti Kahungunu ki Wairoa ōku iwi  
Ko Urewera raua ko Doherty raua ko Te Wharekotua raua ko Piripi te  
Heuheu oku tipuna  
Ko Gavin Kendrick tōku papa  
Ko Cecilia Kendrick (née Doherty) tōku whaea  
Ko James Lloyd Kendrick tōku ingoa  
No reira, tēnā koutou, tēnā koutou, tēnā ra tātou katoa.
2. My name is **James Lloyd Kendrick** and I am the Mataawaka delegate on the Ngāti Kahungunu ki Tāmaki-nui-a-Rua Trust ("**Trust**").
3. I married into the Edwards whānau in Dannevirke and my grandfather-in-law was Ray Edwards, who had prolific knowledge of local hapū and tikanga Māori. I spent a significant amount of time with him and with the older Māori around Dannevirke who are no longer with us. They imparted to me knowledge of local history and events from their childhood. I believe they entrusted me with this knowledge, and I feel privileged to have received it.
4. For most of my adult life I have had a keen interest in history, and I have a large collection of historical books and documents, many on the Tararua District and Manawatū Region. Within Tararua, my colleagues and Kahungunu ki Tāmaki nui-a-Rua consider me to be an expert on local history.
5. My other area of expertise is in New Zealand's native plants and rongoā (Māori medicine), which I have nurtured and developed throughout my adult life.
6. I gained accreditation under the Ministry for the Environment's 'Making Good Decisions' programme in 2018. I am part of the Resource Management team at the Trust. I am also on the Trust's Education Team where we run environmental education programmes with local schools.

## **Background and role on the Project**

7. I have been working with Waka Kotahi NZ Transport Agency ("**Transport Agency**") on Te Ahu a Turanga: Manawatū-Tararua Highway Project ("**Project**") since 2018 in relation to the notices of requirement for the Project. Since the appointment of Te Ahu a Turanga Alliance as the alliance to design and deliver the Project ("**Alliance**"). I have also worked with the Alliance as well as the Transport Agency on the developing design and resource consent applications for the Project.
8. I have spent considerable time traversing the landscape along the proposed route for the Project in preparation for this hearing.
9. I co-authored the Cultural Impact Assessment ("**CIA**") prepared by the Trust as part of Volume VI of the Assessment of Environmental Effects ("**AEE**"), which accompanied the application for resource consents lodged with Manawatū-Whanganui Regional Council ("**Horizons**") on 11 March 2020 in respect of the Project.

## **Purpose and scope of evidence**

10. The purpose of my evidence is:
  - (a) to summarise the CIA; and
  - (b) to describe further developments since the finalisation of the CIA;

## **SUMMARY OF CIA**

11. This section of my evidence sets out a summary of the CIA, which is based on the Executive Summary contained in the CIA.
12. Te Ahu a Turanga is the traditional name for the Māori land block which the Project will pass through. The name has been gifted to the Project by tangata whenua. The new highway will replace the old route through the Manawatū Gorge which was permanently closed due to elevated risks from continual erosion and landslides.
13. The new highway will traverse the Ruahine Range and link Woodville in the Tararua District with Ashhurst in the Manawatū District. Tararua is within the traditional rohe of Ngāti Kahungunu, whose ancestors arrived from Heretaunga (Hastings District) and Tamatea (Central Hawke's Bay) in the 16th century. Through conquest, strategic alliances and intermarriage with Māori from other Iwi, the hapū of Ngāti Kahungunu gradually extended their dominance over the eastern side of the lower North Island, and their tribal rohe now extends from Paritu, north of the Mahia Peninsula, to Turakirae

(Cape Palliser). Today, the Crown acknowledges the mana of both Ngāti Kahungunu and Rangitāne Iwi within the Tararua District.

14. The Trust is the organisation that represents the collective interests of whānau and hapū affiliated to Ngāti Kahungunu within the Tararua District. For Treaty of Waitangi claims we are aligned with Kahungunu ki Wairarapa and together we each have representation on the Kahungunu ki Wairarapa Tāmaki nui-a-Rua Treaty Settlement Trust. Through negotiations with the Crown, an Agreement in Principle was signed in 2016 and we initialled our Deed of Settlement in 2018.
15. From initial meetings in October 2017 the Trust has continued to engage with the Transport Agency and their consultants, and more recently with the Alliance. The Transport Agency acknowledges Ngāti Kahungunu as a Treaty partner and we have been included in dialogue, workshops and site visits, and monitoring of some aspects associated with the Project.
16. The Trust provided conditional support to the Transport Agency for the Project at the Notice of Requirement hearings and continues to provide cultural guidance, advice and recommendations for the resource consenting process for some of the enabling works.
17. The CIA was drafted from the review of information supplied by the Transport Agency, from personal observations made following site visits within the alignment, limited monitoring of enabling works, an initial cultural scan from a walkover of the whole route inclusive of the new 'northern alignment', assessment of reports concerning ecological matters supplied by the Transport Agency, and input from the Trust's environmental team.
18. There is a constant array of information being supplied by the Transport Agency and their consultants. This includes new information, reviews and amendments/updates to previously supplied information, outcomes from pending Environment Court procedures, and draft assessments of environmental effects.
19. The CIA made a number of "interim" recommendations to address the cultural effects of the Project on Ngāti Kahungunu. Progress in addressing these recommendations since the CIA was finalised is described in the next section.

#### **DEVELOPMENTS SINCE FINALISATION OF THE CIA**

20. Ngāti Kahungunu continue to support the Project and look forward to continuing to guide the development and delivery of the Project through the

mechanisms provided for in the designation conditions and now, the proposed conditions of resource consent.

21. In particular, the requirement to develop a Tangata Whenua Values Monitoring and Management Plan (proposed condition TW3) will provide part of the context for the ongoing involvement of the Iwi Partners in the Project's implementation in terms of:
- (a) cultural protocols and procedures for cultural inductions;
  - (b) monitoring activities, including the development of Te Awa o Manawatū Cultural Monitoring Tool and Framework;
  - (c) approaches to the collection, harvesting and reuse of taonga vegetation;
  - (d) opportunities for participation in planting, weed and pest control, fencing, fish surveys and/or transfer, species monitoring and translocation;
  - (e) provision for the design and placement of signs for wayfinding and cultural narrative in significant areas;
  - (f) a requirement that seed be eco-sourced;
  - (g) setting out the detailed archaeology discovery protocol procedures;
  - (h) consideration of potential effects on taonga species; and
  - (i) identification of opportunities for future access to provide for the ability for the Iwi Partners to sustainably harvest resources.
22. As at the time of preparing this statement of evidence, there are three outstanding matters from the perspective of Ngāti Kahungunu that remain to be addressed. I provide further details below.

### **Water permit application**

23. The Transport Agency is preparing an application for consent to take water from the Manawatū River as part of an "enabling works" consent application.
24. Ngāti Kahungunu are concerned about one aspect of this application, which relates to the proposal to take water when the river is below the minimum flow levels prescribed in the One Plan.
25. However, I acknowledge that this consent application is being considered through a separate process, and Ngāti Kahungunu will continue to discuss

our concerns with the Transport Agency in that context. I am confident that an agreed way forward can be found on this issue.

### **Pre-works survey of tuna**

26. The tuna is of immense cultural significance to Ngāti Kahungunu and one of our taonga species. We have therefore asked that pre-works surveys of tuna take place in and around a large farm pond located on the property currently owned by J & G Bolton Ltd.
27. The Iwi Partners are currently developing Te Awa o Manawatū Cultural Monitoring Tool and Framework, which is being prepared as part of the Tangata Whenua Values Monitoring and Management Plan, which in turn is required by the proposed resource consent conditions (as described above).
28. It is my expectation that this tool will provide for pre-works surveys of tuna to be carried out in and around this pond so that Ngāti Kahungunu can effectively discharge our kaitiaki responsibilities in protecting this taonga species.

### **Protection of planting**

29. The offset and compensation planting to be provided by the Project is essential to ensuring that the ecological effects of the Project are appropriately addressed. Ngāti Kahungunu are concerned to ensure that this planting is protected in perpetuity so that these measures cannot be unwound through a later process.
30. I understand that proposed condition EC18 provides that the Transport Agency must not commence vegetation clearance, stream diversions or stream loss until Horizons has been provided with written confirmation that the Transport Agency *"has entered into legal agreements and/or holds other authorisations necessary to allow entry onto land to carry out, continue and maintain all offset and compensation measures required by conditions EC12 and EC15"*.
31. I accept that condition EC18 will provide the protection under the RMA that Ngāti Kahungunu seek. In terms of protection more generally – such as the Crown not using the Public Works Act in future to acquire protected land – Ngāti Kahungunu will continue to discuss this point with the Transport Agency and other Crown entities as Treaty partners.

## **CONCLUSION**

32. Ngāti Kahungunu continue to support the Project despite the effects that it will inevitably have on our whenua, awa, taonga species and wāhi tapū.
33. The Transport Agency's approach of engaging with Iwi Partners from early on has enabled many of the potential cultural effects of the Project to be appropriately avoided and/or addressed. As outlined above, as at the date of finalising this evidence, there are only three outstanding issues from the perspective of Ngāti Kahungunu that remain to be addressed.
34. I wish to congratulate the Transport Agency on the process it has run for this Project; in particular, to succeed in having all interested iwi working alongside one another as Project Iwi Partners, is a significant achievement.

**James Lloyd Kendrick**

**12 June 2020**