

**BEFORE THE COMMISSIONERS**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of applications RM20.280  
and LUC-2020-405 by  
Dunedin City Council to  
develop a landfill at  
Smooth Hill, Dunedin.

**DUNEDIN CITY  
COUNCIL**

**Applicant**

**AND**

**OTAGO REGIONAL  
COUNCIL AND  
DUNEDIN CITY  
COUNCIL**

**Consent Authorities**

**AND**

**TE RŪNANGA O ŌTĀKOU**

**Submitter**

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**STATEMENT OF EVIDENCE OF EDWARD ELLISON  
ON BEHALF OF TE RŪNANGA O ŌTĀKOU**

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## WHAKAARA

Tēnei te ruru te kōkōu mai nei  
Kīhai i māhitihi  
Kīhai i māarakaraka  
Te ūpoko nui o te ruru  
He pō, he pō  
He ao, he ao  
Ka awatea, e-e

*This is the owl that cries out  
His great head does not toss,  
It does not bob up and down  
  
'Tis night, 'tis night  
'Tis day, 'tis day  
Ah, it is the day*

## MIHIMIHI - INTRODUCTION

Matua te Pō, Matua te Aō  
Matua o Te Tai o Marokura  
E Matua o Te Tai o Araiteuru  
E tū e Hipo, e kai o mata  
Ki Pukekura  
Ki Ōtākou Wanaka  
Ki Ōtākou Takata  
E pania nei te kura o maukorua  
E Poua ma e Taua ma  
TIHEI MAURI ORA

Ko Te Atua o Taiehu taku mauka  
Ko Ōtākou te awa  
Ko Kāi Te Pahī, Moki II me Te Ruahikihiki ōku hapū  
Ko Te Waipounamu te whare  
Ko Taiaroa rāua ko Karetai, ko Hineiwhariua ōku tūpuna  
Ko Edward Ellison taku ikoa

Ko te mihi tuatahi ki to tātou Matua nui i te rangi mō ōna manaaki ki runga i a tātou.

Ka huri ki a rātou ngā mate o te wā, te wiki, me te tau,  
Haere, heare, tarahaua atu rā  
Ki a tahu kumea  
Ki a tahu whakairo  
Ki te whare poutereraki  
Hai taoka o ngā mate

Hoki atu ai!

Ko tēnei mihi atu ki ngā kanohi ora,

Tēnā koutou, tēnā koutou, mauri ora tātou katoa.

Ki a koe ngā Kōmihana,

Ko koutou ngā kaiwharoko me kaiwhakawā o tēnei kaupapa nui nei.

Tēnā rā koutou, kia aata whakaroko ki kā uarataka,

Kā mea whakapono e tūmanakohia nei e mātou, tēnā rawa atu koutou.

Kā mihi tēnei ki a koutou katoa.

## **QUALIFICATIONS AND EXPERIENCE**

1. My name is Edward Ellison. I was born in 1950 and raised at Ōtākou in our whānau<sup>1</sup> home Te Waipounamu, on our ancestral lands that abut and overlook the Otago Harbour. I have held the role of Upoko of Te Rūnanga o Ōtākou since 2018.
2. I give my evidence today on behalf of Te Rūnanga o Ōtākou.
3. I am a former Manager Iwi Liaison at Otago Regional Council (ORC) and former Deputy Kaiwhakahaere for Te Rūnanga o Ngāi Tahu. I am the chair of Aukaha, chairperson of the New Zealand Conservation Authority, and a member of the NZ Biological Heritage National Science Challenge. I have also had significant experience as an accredited Resource Management Act 1991 (RMA) Hearings Commissioner.
4. I have extensive experience in representing the Kāi Tahu Otago Rūnaka in RMA matters, and I currently represent Otago Rūnaka on the Otago Regional Council Strategy and Planning Committee and the Land and Water Regional Plan Governance Group.
5. As my mihi indicates I am a member of the local hapū. Our lineage connects us to this place; our identity is closely tied to the Otago region, ki uta ki tai, from the mountains to the sea. Our hapū have continuous connection to the land and resources of this area, we have been fishermen and hunter gatherers for countless generations.
6. The key documents that I have referred to in preparing my evidence include:
  - (a) Boffa Miskell (2021) *Smooth Hill Landfill Assessment of Environmental Effects for Updated Design*.

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<sup>1</sup> The meanings of Māori words and phrases are provided as a glossary in Appendix 1.

- (b) Aukaha (2021) *Cultural Impact Assessment prepared for the Dunedin City Council Proposed Landfill – Smooth Hill*.
- (c) Beca (1992) *A Future Landfill for Dunedin*
- (d) The evidence of Yvonne Takau for Te Rūnanga o Ōtākou.
- (c) The Ngai Tahu Claims Settlement Act 1991 (**NTCSA**).
- (d) The National Policy Statement for Freshwater Management 2020 (**NPSFM**)

## **SCOPE OF EVIDENCE**

- 7. This evidence describes the cultural context and principles that are relevant to the support of Te Rūnanga o Ōtākou for the construction of a landfill at Smooth Hill.
- 8. My evidence will address the following matters:
  - (a) Kāi Tahu whakapapa
  - (b) Te Rūnanga o Ngāi Tahu and Te Rūnanga o Ōtākou
  - (c) Te Kerēme (the Ngāi Tahu Claim)
  - (d) The 1992 landfill study and alternatives to Smooth Hill
  - (e) Mana whenua cultural context relevant to the construction and operation of a landfill at Smooth Hill
    - (i) Whakapapa relationship with freshwater (wai māori)
    - (ii) Mauri
    - (iii) Rakatirataka and kaitiakitaka
    - (iv) Mahika kai and taoka species
  - (f) The National Policy Statement for Freshwater Management 2020 and Te Mana o te Wai
  - (g) Response to matters raised by submitters

## **EXECUTIVE SUMMARY**

- 9. Te Rūnanga o Ōtākou has worked collaboratively with the Dunedin City Council on waste management solutions that would enable the closure of the Green Island landfill and address longstanding concerns about contamination of the Kaikarae stream and estuary.

10. The development of a Class 1 landfill at Smooth Hill is preferred by Te Rūnanga o Ōtākou over continuation of this activity on the Kaikarae Estuary. However, the connections between land, wetlands, surface waterbodies and groundwater must be carefully managed through the construction and operation of the landfill to avoid degrading Ōtokia Creek, reducing the extent of wetlands within the catchment, and to avoid adverse impacts on taoka species.
11. Te Rūnanga o Ōtākou through the cultural impact assessment and the submission on the application have sought a high degree of protection for wai māori within the Ōtokia Creek catchment including ongoing water quality monitoring and the adoption of sediment and erosion controls during construction of the landfill.
12. The conditions proposed by the applicant recognise and provide for the exercise of rakatirataka and kaitiakitaka by whānau through engagement in the development of the Landfill Management Plan and through engagement in the development of specific management plans for taoka species, habitat restoration and freshwater and wetland monitoring.
13. Restoration of downstream freshwater and wetland habitats is a practical way of balancing the impact on te taiao from the construction of a landfill at Smooth Hill.

## **KĀI TAHU WHAKAPAPA**

14. Kāi Tahu Whānui is the collective of individuals who descend from Waitaha, Kāti Mamoe and the five primary hapū (sub-tribes) of Kāi Tahu; namely Kāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Ruahikihiki.
15. Waitaha is used to describe collectively all the ancient groups who lived in Te Waipounamu (South Island) prior to the migrations of Kāti Mamoe from Heretaunga in the early 17th century and the migration of Kāi Tahu about a century later.
16. Kāi Tahu and Kāti Mamoe arrived in Te Waipounamu at different times from the eastern part of the North Island several centuries ago. By the time Kāi Tahu arrived, Kāti Mamoe, through a combination of inter-marriage and conquest, had already largely merged with the resident hapū of Waitaha. Again, through warfare and intermarriage Kāi Tahu merged with the resident Waitaha and Kāti Mamoe peoples. When we refer to ourselves as Kāi Tahu we also refer inclusively to our Waitaha and Kāti Mamoe whakapapa.
17. Where I am from, Ōtākou, we have Waitaha, Kāti Mamoe and Kāi Tahu whakapapa like our Kāi Tahu kin. Our hapū affiliations come out of Te Ruahikihiki whakapapa, with the

principal hapū being Kāi Taoka and Moki II, while an Ōtākou tūturu (original) hapū, ko Kāi Te Pahi has special significance to our rohe.

## **TE RŪNANGA O NGĀI TAHU AND TE RŪNANGA O ŌTĀKOU**

18. Te Rūnanga o Ngāi Tahu is the governing iwi authority established by the Te Rūnanga o Ngāi Tahu Act 1996. The Crown in 1998 recognised Ngāi Tahu as “the tāngata whenua of, as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui.”<sup>2</sup> It has therefore been clearly affirmed in statute that Te Rūnanga o Ngāi Tahu is the sole representative of Ngāi Tahu Whānui.
19. Te Rūnanga o Ngāi Tahu is made up of 18 papatipu rūnaka. Papatipu rūnaka are a contemporary focus for whānau and hapū (extended family groups). Through this tribal council structure Te Rūnanga o Ngāi Tahu is accountable to the tribal members. In practice, Te Rūnanga o Ngāi Tahu encourages consultation with the papatipu rūnaka and defers to the views of kā rūnaka when determining its own position.
20. Te Rūnanga o Ōtākou represents the interests of mana whenua for Smooth Hill and the Taiari Plain. The takiwā of Te Rūnanga o Ōtākou centres on Otago Peninsula and extends from Purehurehu Point (north of Heyward Point) to Te Mata Au (Clutha River).
21. Ms Lennox notes that Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki and Hokonui Rūnanga have not been involved in the assessment of the cultural impacts of constructing and operating a landfill at Smooth Hill.<sup>3</sup> In accordance with our tikanga, it is for Te Rūnanga o Ōtākou as the representative of mana whenua to assess the cultural impacts of activities within our takiwā.

## **TE KERĒME (THE NGĀI TAHU CLAIM)**

22. A letter written by Tiramorehu to Lieutenant Governor Eyre in 1849 conveyed the first formal statement of Kāi Tahu grievances about South Island land purchases.<sup>4</sup> This was the start of an intergenerational endeavour to progress the Kāi Tahu “land claim” (Te “Kereme”). The ‘Claim’ for each particular hapū or kaik became very much a part of their identity and a galvanising factor in pursuit of justice and also ultimately a quest for the honour of the tūpuna who had fought so hard in their time to no avail.
23. The formation of all the regional ‘claims’ into the ‘Nine Tall Trees’ in the lead up to the Waitangi Tribunal hearing was a pivotal factor in its ultimate success by uniting the iwi in

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<sup>2</sup> Ngāi Tahu Claims Settlement Act 1998

<sup>3</sup> Otago Regional Council, s42A report, Attachment 13 – Policy assessment

<sup>4</sup> *Tangata Ngāi Tahu, People of Ngai Tahu*, pg 274

the pursuit of the common goal of achieving settlement. The Nine Tall Trees were made up of eight major land transactions and mahika kai, being the ninth tree.

24. The gathering of mahika kai underpins the relationship of Kāi Tahu relationship with Otago's rivers, lakes and wetlands and the broader environment. Our cultural identity as whānau and as hapū is tied to our resources. Fundamental to our culture is our ability to learn and practice customary gathering of food and other resources, to put kai on the table at the marae and at home, and to ensure that the knowledge of customary practices is passed on from generation to generation.
25. I gave evidence to the Waitangi Tribunal on the Ngāi Tahu Claim at Ōtākou marae in 1987. My submission focussed on the loss of our mahika kai resource and places of procurement. Since the 1840s mana whenua have experienced the profound loss of mahika kai resources and the degrading of the values of our wāhi tūpuna due to drainage and/or degrading of the quality of our wetlands, rivers, estuaries, harbours, and coastal domains.
26. The breakdown in the quality of our natural resources and in customary mahika kai activity has been damaging to the retention of and transfer of mātauranga (traditional knowledge) associated with places and resources, between the generations.
27. The Waitangi Tribunal found that the Crown's duty to set aside sufficient land for the present and future needs to Ngāi Tahu / Kāi Tahu included a duty to protect Ngāi Tahu / Kāi Tahu access to mahika kai. The alienation of land and the loss of mahika kai has been associated with a corresponding loss of an economic base and opportunities for cultural use by Kāi Tahu whānau.
28. The Waitangi Tribunal inquiry eventually led to a settlement and apology from the Crown. Being one of the fifth generation to pick up the task of seeking redress to historical grievances, I was fortunate to be a member of the Kāi Tahu 'A' Team who negotiated with the Crown the Ngāi Tahu Claim Deed of Settlement. This Deed of Settlement was given effect through the Ngāi Tahu Claims Settlement Act 1998.
29. The mahika kai resources of Kaikarae (Kaikorai) Estuary have been lost because of the effects of urban development, including industrial discharges to the Kaikarae Stream and infill of a significant part of the estuary through the construction of the Green Island landfill. Kaikarae was named for its mahika kai resources. Kaikarae (a seabird) was cooked and eaten by Rakaihautu, a Waitaha chief who first explored the southern coast. The estuary was a bountiful mahika kai for adjacent coastal settlements, providing eels, waterfowl,

birds and kai moana. The restoration of the mahika kai resources of Kaikarae is a priority for Ōtākou whanau.

30. The operation of a landfill on the Kaikarae estuary has been a longstanding concern to Ōtākou whanau. As a Treaty Partner, Te Rūnanga o Ōtākou is committed to working with the Dunedin City Council on the Waste Futures work programme to identify and implement waste management solutions for Dunedin that will enable closure of the Green Island landfill, including the construction of a Class 1 landfill at Smooth Hill.

### **THE 1992 LANDFILL STUDY<sup>5</sup> AND ALTERNATIVES TO SMOOTH HILL**

31. The Dunedin City Council reviewed 32 possible sites in 1992 as part of succession planning for the Green Island landfill. I was involved in this selection process on behalf of Te Rūnanga o Ōtākou. Impacts on mahika kai resources formed an important part of the consideration for Te Rūnanga in assessing alternative sites. Smooth Hill was identified as the preferred site for a landfill.<sup>6</sup>
32. Te Rūnanga considered that the deterioration that had occurred in the Kaikarae Estuary would be difficult to repair but the estuary should be protected from further damage.<sup>7</sup> The continued use of the Green Island site for a landfill is not supported by Te Rūnanga and is inconsistent with our aspirations for the restoration of Kaikarae as a mahika kai. The development of a Class 1 landfill at Smooth Hill is supported by Te Rūnanga to enable the closure of the Green Island landfill.
33. Dunedin City Council as part of the Waste Futures programme has evaluated alternative options to the development of a landfill at Smooth Hill, including out of district waste disposal and incineration of waste.<sup>8</sup> Trucking waste to existing landfills outside the district is unacceptable to mana whenua. In accordance with the principles of kaitiakitaka it is not considered tika (correct) to resolve Dunedin's waste management issues by trucking waste to another district or region. Similarly, the incineration of waste is not supported by mana whenua.

### **MANA WHENUA CULTURAL CONTEXT FOR A LANDFILL AT SMOOTH HILL**

34. Mana whenua have identified cultural principles that should be reflected in the design, construction, and operation of a landfill at Smooth Hill, and these are discussed in the

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<sup>5</sup> Beca (1992) A Future Landfill for Dunedin; Evidence of Chris Henderson for the Dunedin City Council, paragraphs 36 – 42.

<sup>6</sup> Evidence of Chris Henderson for the Dunedin City Council, paragraph 37.

<sup>7</sup> Beca (1992) *Environmental Impact Assessment of the Extended Green Island Sanitary Landfill*

<sup>8</sup> Evidence of Chris Henderson for the Dunedin City Council, paragraphs 51 – 60.



cultural impact assessment.<sup>9</sup> These cultural principles are grounded in whakapapa and in cultural values and practices, as discussed in the following paragraphs.

### **Whakapapa relationship with freshwater (wai māori)**

35. Water is a central element in mana whenua creation traditions and is present very early in the whakapapa of the world, as described in this creation account from Tīramōrehu:

Nā Te Po (The Night), Ko Te Ao (The Day)

Nā Te Ao, Ko Te Aomarama (The Bright Day)

Nā Te Aomarama, Ko Te Aotūroa (The Long-standing Day)

Nā Te Aotūroa, Ko Te Koretēwhiwhia (The Unattainable Void)

Nā Te Koretēwhiwhia, Ko Te Koretērawea (The Intangible Void)

Nā Te Koretērawea, Ko Te Koretētāmaua (The Unstable Void)

Nā Te Koretētāmaua, Ko Te Koretēmātua (The Parentless)

Nā Te Koretēmātua, ko Te Mākū (The Damp).

E moe ana Mākū i Mahoranuiatea,

Ka Puta ko Raki (The Sky).

Tuatahi e moe ana Raki i Pokoharua-i-te-Po

Tuarua e moe ana Papatūānuku.

[From the Night comes the Day, the Daylight, the Longstanding Day, the Intangible Voids through to the Parentless Realm who creates Moisture. Moisture couples with the Inner Space and gave birth to Raki – the sky].

36. In this whakapapa of wai māori darkness gives rise to light and then to stages of nothingness that produce moisture or water. This whakapapa continues down to Rakinui and his wives Pokoharua-i-te-Pō and Papatūānuku. Through descent from Rakinui and Papatūānuku, overlain by ancestral links and the history and traditions of resource use, the whakapapa of mana whenua, water and land are integrally connected. This is the way it has been from time immemorial, mana whenua are linked to the whenua (land), mountains, rivers, wetlands, lakes and the moana (sea) by whakapapa. This whakapapa relationship is fundamental to the identity of mana whenua.

37. The key points of the whakapapa relationship of mana whenua to freshwater are:

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<sup>9</sup> Aukaha (2021), Cultural Impact Assessment, Sections 6 and 7.

- (a) Whakapapa describes the bonds, relationships, and connections between all things, linking mana whenua to the cosmological world of the Ātua and to the land, water and all life supported by them.
- (b) The interconnectedness between all parts of the natural world, be it land, water, sea or air acts to sustain life and life forms in a myriad of ways and requires reciprocal respect and care.
- (c) The whakapapa connection carries rakatirataka rights for mana whenua and imposes a kaitiakitaka obligation on mana whenua to protect wai and all the life it supports, in accordance with customs and knowledge developed over many generations.
- (d) Because of the close whakapapa connection between mana whenua and wai māori, the condition of water is seen as a reflection of the condition of the people - when the wai is healthy, the people are strong and healthy and so too is their mana.

38. Linked to whakapapa is the concept of whakawhanaukataka, which is expressed in the environment through the concept of ki uta ki tai. This emphasises the holistic management of interrelated elements within te taiao. Water released by Raki as precipitation makes its way into rivers, which in turn connects the entire landscape from the mountains to the sea. From the sea and other waterbodies, water evaporates, condenses, and falls again on Papatūānuku, an eternal holistic cycle. These relationships demonstrate the interconnectedness of environmental systems and form a basic tenet in Kāi Tahu resource management practices and perspectives.

39. Much of the Smooth Hill site falls within the Ōtokia Creek catchment. A wetland below the landfill is connected to a tributary that ultimately joins the main stem of the Ōtokia Creek.<sup>10</sup> It is important to Kāi Tahu that the connections between land, wetlands, surface waterbodies and groundwater are recognised and managed through the construction and operation of a landfill at Smooth Hill to avoid degrading Ōtokia Creek and reducing the extent of wetlands within the catchment.<sup>11</sup>

## **Mauri**

40. Mauri is the life-affirming quality evident in all things, including living beings, the natural world, and inanimate objects. This 'life force' can be observed as a measure of health and well-being.

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<sup>10</sup> Otago Regional Council, s95 notification report, section 4.4

<sup>11</sup> Aukaha (2021) Cultural Impact Assessment – Proposed Landfill at Smooth Hill, Section 8.1.

41. The primary resource management principle for mana whenua is the protection of mauri from degradation. Degradation can arise from alteration of food or energy sources and from contamination, including the effects of discharges on water quality. When mauri is degraded, it may be necessary to impose a rāhui (a restriction on activities) to allow the mauri to restore itself.
42. While there are many intangible qualities of mauri, there are also elements of physical health that enable mana whenua to assess the cultural health of water bodies and wetlands, including:
- Aesthetic qualities including natural character
  - The diversity and abundance of indigenous flora and fauna.
  - Life supporting capacity and ecosystem robustness; and
  - Fitness for cultural use.
43. If contaminants from the construction and operation of the landfill enter groundwater or surface water this would degrade the mauri of the downstream Ōtokia Creek catchment, with consequential effects on all life that is sustained by wetlands and waterbodies within the catchment. Protecting and maintaining the mauri of wai māori is a critical function of kaitiakitaka.
44. Te Rūnanga through the cultural impact assessment and the submission on the application have sought a high degree of protection for the mauri of wai māori including ongoing water quality monitoring and the adoption of sediment and erosion controls during construction of the landfill.

### **Rakatirataka and kaitiakitaka**

45. Rakatirataka is about having the mana or authority to give effect to mana whenua culture and traditions in the management of the natural world. Wai māori is a taoka that is governed under the domain of rakatirataka, in accordance with mana whenua tikaka.<sup>12</sup>
46. Kaitiakitaka is an expression of rakatirataka. The person who is mandated to undertake kaitiakitaka is referred to as a kaitiaki, a term with a number of meanings and associations. In traditional times the function of kaitiaki was not a human role, but rather that of the many deities or Ātua responsible for the many realms of the natural world. Since the signing of

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<sup>12</sup> Customary system of values and practices

the Treaty of Waitangi and the arrival of people unfamiliar with mana whenua customs, the function of kaitiaki became that of the resident mana whenua.

47. I have inherited my kaitiaki responsibilities from my father and, through him, from the ancestors. Kaitiakitaka is exchanged intergenerationally, handed down through whānau and hapū. Implicit in kaitiakitaka is the balance between the right to access and use natural resources, for example, through mahika kai practices, and the responsibility to care for te taiao, focusing on providing a sustainable base for the generations of the future. This is the underpinning meaning of the whakataukī, *Mō tātou, ā, mō kā uri a muri ake nei* (for us and our children after us), which was adopted initially by the Ngāi Tahu Māori Trust Board in the 1940s, and then adopted by Te Rūnanga o Ngāi Tahu as a vision statement following the settlement of the Ngāi Tahu claims.

48. The exercise of rakatirataka requires the ability of mana whenua to have an active role in decision-making and management of our taoka. The conditions proposed by the applicant recognise and provide for the exercise of rakatirataka and kaitiakitaka by Te Rūnanga through engagement in the development of the Landfill Management Plan and through engagement in the development of specific management plans for taoka species, habitat restoration and freshwater and wetland monitoring.

### **Mahika kai and taoka species**

49. Protecting and maintaining the mauri of species and habitat is a critical function of kaitiakitaka. For mana whenua, protection of mahika kai and taoka species requires a whole of system approach to their sustenance that recognises the importance of the interconnection between land, water, and other resources. It requires a focus not just on specific habitat sites, but also on the cumulative effects of activities on the wider system (both upstream and downstream) that supports and sustains the species and their habitats.

50. It is a widely held view within Kāi Tahu (and one that I share) that not enough is presently being done to restore the many degraded mahika kai sites within our takiwā. The cultural impact assessment discusses the principle of 'utu' or reciprocity and the importance of regenerative practices to restore balance within te taiao. Restoration of downstream freshwater and wetland habitats is a practical way of balancing the impact on te taiao from the construction of a landfill at Smooth Hill.

## **NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020 (NPSFM 2020) AND TE MANA O TE WAI**

51. As discussed by Ms Takau, the NPSFM 2020 emphasises Te Mana o te Wai as the fundamental concept in the management of freshwater.
52. Mana whenua have undertaken a robust process to define Te Mana o te Wai in Otago. Our definition of Te Mana o te Wai is informed and framed by our vision for freshwater and aligns with the central elements of our creation traditions. It also emphasises that the whakapapa relationship of mana whenua to the wai, and the associated rakatiratoka rights and kaitiakitaka duties, sit at the heart of Te Mana o te Wai.
53. This definition is informed by our mātauraka (traditional knowledge) about te taiao and wai māori. Our success as kaitiaki in implementing Te Mana o te Wai will be measured in outcomes for the current generations and the generations that follow.
54. I support the proposed development of freshwater and wetland monitoring and management plans,<sup>13</sup> and the enhancement of wetland and riparian habitat, to protect the health and well-being of wetlands and of Ōtokia Creek and its tributaries.

### **RESPONSE TO SUBMITTERS**

55. Mr Hanan has submitted that the development of a landfill at Smooth Hill would diminish the relationship of mana whenua with the area and prevent us from being able to exercise kaitiakitanga in a way that is consistent with tikanga. With all due respect to Mr Hanan, it is only mana whenua who can speak to how our relationship with the area will be affected. There will be opportunities through this project to strengthen our relationship with this area and to exercise kaitiakitaka in accordance with our tikanga through engagement in the development of management and monitoring plans, and through the restoration of wetland habitat and mahika kai.
56. Ms Velenski has submitted that there are old settlement relics up the hills around McLaren Gully Road and Big Stone Road. While Smooth Hill forms part of a wider wāhi tūpuna (ancestral landscape) between the Taiari Plain and the coast, I do not believe there are sites of significance to Te Rūnanga located within the project area. There are no identified cultural sites or place names listed on Kā Huru Manu (the Ngāi Tahu Atlas) within the project area.

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<sup>13</sup> The proposed conditions of consent provide for the development of a Receiving Waters Environment Management Plan and a Freshwater and Wetland Monitoring and Management Plan.

## CONCLUSION

57. Every community generates waste, and it is consistent with kaitiakitaka that waste should be dealt with in the community that generates it. Mana whenua have worked collaboratively with the Dunedin City Council on waste management solutions that would enable the closure of the Green Island landfill and address longstanding concerns about contamination of the Kaikarae stream and estuary.
58. Mana whenua have assessed the cultural impacts of developing a landfill at Smooth Hill and concluded that this site is preferable in terms of its effects on mahika kai and the mauri of waterways and wetlands within the catchment.
59. The measures proposed by the Dunedin City Council to mitigate the effects of the landfill and to restore balance to te taiao are supported by mana whenua. The engagement of Te Rūnanga o Otākou in the development of management plans and monitoring for the construction and operation of the landfill supports the exercise of rakatirataka and kaitiakitaka by whānau.
60. Te Rūnanga o Otākou supports the amendments to the design of the landfill and alignment of McLaren Gully Road to avoid impacts on wetlands, and the proposed amendments to the draft conditions of consent to provide for the mauri of wai māori and te taiao and to protect taoka species.

A handwritten signature in blue ink, appearing to read 'E. Ellison', is written over a faint, light blue grid background.

**Edward Ellison ONZM**

**6 May 2022**

## Appendix 1: Glossary of Māori words and phrases

<b>Te reo Māori term</b>	<b>English translation</b>
<b>atua</b>	early ancestors with continuing influence often translated as 'gods'
<b>awa</b>	river
<b>hapū</b>	sub-tribe, clan
<b>iwi</b>	extended kinship group, nation
<b>kaitiaki</b>	the person who exercises kaitiakitaka
<b>kaitiakitaka</b>	the exercise of guardianship as an expression of mana and rakatirataka
<b>ki uta ki tai</b>	'from the mountains to the sea' a proverb used to reference the mana whenua preference for integrated and holistic natural resource management
<b>mātauraka, mātauraka Māori</b>	knowledge, wisdom, understanding; that of the Māori people
<b>mahika kai</b>	food gathering resources, practices, and sites
<b>mana</b>	prestige, authority, control, power, influence; gained through whakapapa and expressed through the exercise of rakatirataka
<b>mana whenua</b>	the people that are recognised as holding mana over the land in a particular area
<b>mauri</b>	life force, life essence
<b>mihi</b>	personal introduction
<b>papatipu rūnaka</b>	customary governance boards
<b>rāhui</b>	temporary prohibition
<b>rakatirataka</b>	chiefly autonomy
<b>rohe</b>	boundary, district, region
<b>takiwā</b>	territory
<b>taoka</b>	treasured possession(s)
<b>te taiao</b>	the natural environment
<b>tikaka</b>	a customary system of values and practices
<b>tikaka Kāi Tahu</b>	the customary system of values and practices associated with being Kāi Tahu
<b>tūpuna</b>	ancestors
<b>upoko</b>	customary leader
<b>wai māori</b>	freshwater
<b>wāhi tūpuna</b>	cultural landscapes
<b>whakapapa</b>	genealogy

<b><i>whakawhanaukataka</i></b>	<i>the process of establishing relationships</i>
<b><i>whānau</i></b>	<i>family, extended family</i>
<b><i>whenua</i></b>	<i>land</i>