

BEFORE THE HEARINGS PANEL

UNDER the Resource Management Act 1991
IN THE MATTER of the Proposed Otago Regional Policy Statement 2021

STATEMENT OF EVIDENCE OF EVELYN COOK
ON BEHALF OF WAIHŌPAI RŪNAKA, TE RŪNANGA O ŌRAKA-APARIMA AND TE
RŪNANGA O AWARUA

23 November 2022

MIHI/INTRODUCTION

1. My preference is to share my pepeha and mihi when I stand in front of the panel at the hearing.
2. My name is Evelyn Cook.
3. I am the Waihopai Rūnaka representative on the Board of Te Ao Mārama Incorporated. I was part of Te Ao Mārama from its earliest days, after its establishment in 1996, addressing resource consent applications.
4. I currently represent Waihopai Rūnaka on Invercargill City Council and represent Te Ao Mārama at the governance level in relationship with Environment Southland, as well as representing Ngāi Tahu ki Murihiku on the Otago Regional Council (ORC) Land and Water Regional Plan Governance Group.
5. I am providing evidence on behalf of Waihōpai Rūnaka, Te Rūnanga Ōraka Aparima and Te Rūnanga o Awarua, to be read alongside the evidence provided by Edward Ellison, David Higgins, Matapura Ellison, Brendan Flack and Justin Tipa.
6. I also acknowledge the evidence of Ailsa Cain who is representing the Cain whānau. We are the voices of Kāi Tahu wāhine in this process.
7. My preference is to speak using the collective terms “we” and “our” as it is customary for me to do because I am carrying my tūpuna, my whānau and my hapū with me.

WHAKAARO

8. We are all Kāi Tahu with interests in the Otago region. These regional boundaries are a modern construct that does not define us. Our tūpuna were not bound by lines on maps, but by whakapapa relationships, connections to the natural world and to each other. Our relationships are our responsibilities, as takata tiaki and whanauka.
9. Our origins are in the waves of migration to Te Waipounamu and in the intermarriages that brought us together as Kāi Tahu whānui. We were raised to understand Murihiku as the area we were connected to that extended from the south coast up to the Waitaki River. When we talk about Kāi Tahu ki Otago and Ngāi Tahu ki Murihiku these are artificial distinctions in many ways as we are all Kāi Tahu here. Our preference is to use the southern dialect ‘k’, so it is only for the purposes of this planning instrument

that we are differentiating kā rūnaka by these different expressions, to make it easier to understand which Papatipu Rūnaka are being referenced.

10. It is tika, it is right that the proposed Otago Regional Policy Statement (pORPS) recognises the interests of Waihōpai Rūnaka, Ōraka Aparima Rūnaka and Awarua Rūnaka in Otago, which have always been there but have not always been recognised. In the past we have not had the capacity to join in with processes in Otago. Te Ao Mārama has taken time to build resources following our Treaty settlement in 1998. It has taken many years to establish support from local authorities for Te Ao Mārama to be involved in policy making and decision-making. These are the ways we exercise our kaitiaki responsibilities to te taiao, wai and whenua, taoka and mahika kai.
11. Our rights are guaranteed to us under Te Tiriti o Waitangi. We are part of the community with the rights guaranteed to all citizens under Article Three. Our well-being, social, cultural and economic, is therefore always a matter of importance for decision-making. We are not separate from the community in Otago. Our taoka katoa that we wished to retain is also guaranteed to us under Article Two, which means that our wāhi tūpuna and our mahika kai must be actively protected. This is what makes us also distinct members of the community. We are in partnership under Article One. Kawanataka, the right for the Crown and local authorities to govern, is in constant relationship with rakatirataka, our right to manage our people, places and resources according to tikaka, kawa and our mātauraka. These foundations of Te Tiriti are also the foundations of the pORPS. Our whānau say that Te Tiriti is for all people. When we honour Te Tiriti we all benefit together, which has always been the promise.
12. Breaches of Te Tiriti were the basis for Te Kēreme, the Ngāi Tahu claim. Our tūpuna faced deception, dislocation, deprivation and witnessed the degradation of te taiao. We fought for seven generations to achieve recognition from the Crown for what was lost, to receive an apology and a promise for a new age of co-operation. Degradation of te taiao, the natural environment, continues to affect the ability of our whānau to engage in cultural practices and so we continue to work for improvement. That is why we are here to support the pORPS. As it is implemented in the region, we hope to see improved outcomes.
13. For our whānau Te Ākau Tai Toka, the Catlins area, is particularly precious because it is where we can still go to reliably practice mahika kai. We take rakatahi there to teach them about their connections, to share mātauraka, to harvest and prepare kai together. That coastline and those forests are our food basket. Kaimoana is healthy because of

the native forested lands ki uta ki tai, that protect the waters and ensure diversity of life, flora and fauna. We established a mātaítai here to help protect the habitat and populations of kaimoana and provide for customary use. We know that there is a closed landfill on the coast at Kaka Point at risk from coastal erosion and sea level rise that threatens this wāhi taoka.

14. Our whānau are concerned about the impact of exotic forestry on catchments and community in the Catlins. These forests are causing problems with the amount of water in streams, pest management and sedimentation of waterways and coastal waters, and particularly permanent exotic carbon forests that are transforming landscapes.
15. Whānau living in the Catlins include those whānau like the Cains who are connected to the reserve lands that are the remnants of what our tūpuna owned and what the Crown promised. These are the places we have left that Kāi Tahu whānau own and can make decisions about, exercise rakatirataka and kaitiakitaka, employ mātauraka, and where there is opportunity for the fullest expression of mana whenua on the whenua. We have so little left that where our whānau are in possession of Māori land, they must be able to use and develop their land for whānau well-being.
16. Our men were the ones to receive land grants from the Crown, as leaders interacting with the patriarchal colonial system. When there was not a male, such as my tūpuna who only had female children, there were no land grants to rely on. Poverty was very real and wāhine faced many risks and hardships. I am descended from Mere Neke who died in childbirth in the late 1840s, who is my whakapapa connection to Kāti Huirapa ki Puketeraki. Our women married sealers, whalers and colonists and this has been the way many whakapapa connections have carried through time, why we have Pākehā surnames. While our men travelled out of the land, engaged in battles and diplomacy, it was our wāhine who were moving over the land, gathering and preparing kai, nurturing tamariki. In many ways it is Kāi Tahu women that have carried the mamae of disenfranchisement of land and resources.
17. Many people will be familiar with the following whakataukī that expresses the importance of looking after te taiao, which we must do to be healthy ourselves:

Toitū te marae o Tāne

Toitū te marae o Tangaroa

Toitū te iwi

18. There is a companion whakataukī that is important to consider because it highlights the dire consequences of failure to meet our responsibilities to te taiao and to each other:

Ka patua te marae o Tāne

Ka patua te marae o Tangaroa

Ka mate te tangata

19. When we allow greed and selfishness to drive our decision-making, not thinking about those who come after us, we bring death to the people. This is the wisdom of our tūpuna. This wisdom is captured in our iwi management plan, Te Tangi a Taurira, which contains some of the earliest iwi policy on climate change in the country. The kaupapa in our iwi management plan recognises that human induced changes to the earth's climate are the ultimate example of failure to look after te taiao, which we rely upon for our survival and are in perpetual relationship with. We cannot escape our responsibilities or the results of our failure to uphold them.
20. When we talk about kaitiakitaka and kaitiaki responsibilities these are based on our whakapapa as mana whenua, our enduring connections to the land and to our origins. Stewardship responsibilities exist for all members of the Otago community. It is important to be careful about the use of language, which was recognised when Section 7 of the Resource Management Act (RMA) was amended to differentiate kaitiakitanga (Section 7(a)) from stewardship (Section 7(aa)). The kaitiakitanga RMA definition references mana whenua, while stewardship references takata katoa. It is a matter of cultural appropriation when those who are not mana whenua refer to themselves as kaitiaki, so we must be clear at all times in the correct use of terminology.
21. Exercising kaitiaki responsibilities has been enormously challenging for Kāi Tahu over time as a result of disconnection from lands and resources and a disempowered position in decision-making structures. We are at a very hopeful time in our journey, as reflected in the strength of provisions in the pORPS that support rakatirataka, kaitiakitaka and the incorporation of mātauraka into decision-making.
22. As takata tiaki, we have long been concerned about the impact that salmonids have had on our indigenous fisheries. Historically trout and salmon hatcheries actively encouraged those exotic fisheries at the expense of customary fisheries. We now have a legacy created by the expansion of sports fisheries that we need to address in order

to protect remaining indigenous populations. Many of the species that we traditionally harvested are no longer in sufficient distribution or abundance to practice mahika kai. Our people harvest what is there to be harvested, and that now includes salmonids. The hydroelectric dams on Mata-au and other dams within the Mata-au impact on the ability of our diadromous species like tuna and kanakana to move freely across their natural range so we have to resort to manual transfers of fish. We do not yet know how our indigenous species will adapt to the pressures of climate change so it is critically important that we do all we can for them in this generation, to support their habitat and populations, to restore them where they have been lost from systems.

23. In preparing this evidence I have reflected on the journeys of our tūpuna and the choices they made over time. Our people tended to migrate south of Mata-au where the climate was not as harsh or dry as Central Otago. Individual families have maintained connections up and down the length of Mata-au where their tūpuna settled, married and raised families. The migrations south from Canterbury were not just about escaping from the raids of Te Rauparaha and his allies, or the land grants, but were part of the story of finding comfortable conditions where it was possible to harvest year round, to grow food, to marry and farm, to become an integral part of communities. Kāi Tahu whānau in the south have always lived contiguously with Pākehā, intermarried amongst miners and farmers, continuing on from the earliest histories of intermarriage with whalers and sealers. The transport routes that we travel on today to visit our whānau and our treasured places follow the old Kāi Tahu trails. Each of our whānau have their own stories of how they came to be where they are and the marriages that have connected them over time to hapū. Together we share our whakapapa as Kāi Tahu that connects us all and connects us to Otago.
24. When we talk about cultural landscapes and about wāhi tūpuna we are referring to these connections through time and space. Te Ao Mārama has worked with Papatipu Rūnaka and whānau, led by Ailsa Cain at Kauati, to develop Āpiti Hono Tātai Hono, our own methodology for assessing cultural landscapes. Essentially all of the region is an interconnected cultural landscape, so when we look at any part of that landscape we are considering not only that place but all of the connections to that place. It is important to us that we are able to use our methodologies and employ our mātauraka to contribute to decisions about what is appropriate to happen in any particular place, and how to support that place to be healthy in order to support the health of the people.
25. There is much more to be said about Kāi Tahu relationship with te haoura o te taiao, the health of the natural environment, and our taoka and mahika kai species. This brief

of evidence is only intended to provide an overview for the decision-making panel to help with understanding of our position. We look forward to addressing the panel at the hearing and to further supporting the process of finalising the pORPS for the benefit of the people of Otago.

Evelyn Cook

23 November 2022