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22 February 2022

Attention: Bruce Van Duyn - bruce@cartergroup.co.nz

Ohoka Plan Change Request

Manawhenua Statement

Ngāi Tahu are tangata whenua of the Canterbury region and hold ancestral and contemporary relationships with Canterbury. The contemporary structure of Ngāi Tahu is set down through the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act) and, through this structure and this Act, sets the requirements for recognition of tangata whenua in Canterbury.

The following Rūnanga hold manawhenua over the project's location, as it is within their takiwā:

- Te Ngāi Tūāhuriri rūnanga

The natural resources – water (waterways, waipuna (springs), groundwater, wetlands); mahinga kai; indigenous flora and fauna; cultural landscapes and land - are taonga to manawhenua and they have concerns for activities potentially adversely affecting these taonga. These taonga are integral to the cultural identity of ngā rūnanga manawhenua and they have a kaitiaki responsibility to protect them. The policies for protection of taonga that are of high cultural significance to ngā rūnanga manawhenua are articulated in the Mahaanui Iwi Management Plan (IMP).

Summary of Proposal

- This proposal seeks to amend the Waimakariri District Plan Planning Maps, by rezoning 156 hectares of Rural zoned land to expand the Ohoka settlement.
- Key features of the proposed Outline Development Plan (ODP) area include:
    - Two commercial centres, educational facilities or a retirement village in the area immediately adjoining the larger of the two commercial zones on Whites Road;
    - A small village square for community events/gatherings;
    - 800 residential units and a school or retirement village,
        - Provision for native riparian planting, naturalisation, and instream enhancement.
- The main drainage features include the Ohoka Stream which crosses the northern end of the site, and the Ohoka South Branch (stream) crossing near the middle of the site.

  - Within the site are several land drains crossing the site that discharge directly into the Ohoka Stream or Ohoka South Branch.
  - Four fish species were identified, the native longfin eel, shortfin eel, upland bully, and the introduced brown trout

- Groundwater was encountered between 0.9m and 1.5mbgl.

Stormwater Management and possible in-stream works

- Water reticulation is to be provided from the establishment of a new source or from upgrading of the existing source and headworks.
- Wastewater reticulation within the site can gravitate into the Rangiora Wastewater Treatment Plant.
- Primary stormwater runoff from residential allotments will be discharged via stormwater management facilities to the Ohoka Stream and Ohoka South Branch.
  - Stormwater runoff within road corridors will be via roadside swales and culverts.
  - All sumps will have trapped and/or inverted outlets and connected to the piped stormwater network.
- The road corridor will be used as overland flow paths to direct stormwater runoff when the drainage network is at full capacity.

Earthworks and Landscaping

- Proposed minimum waterbody setbacks for earthworks and buildings in the ODP;
  - 10 metres from the Ohoka Stream tributary, Groundwater Seep, Northern and Southern Spring Channel and South Ohoka Branch.
  - 20 metres from the northern springhead.
  - 30 metres from the large southern springhead.
  - 5 metres from the un-named waterway along the furthermost southwest boundary of the ODP area
- The applicant has already indicated that they will follow the ECAN Sediment and Erosion Control Toolbox and will abide by the Accidental Discovery Protocol during earthworks.
- For all earthworks across the site, an Accidental Discovery Protocol will be implemented at the time of site development, in addition to appropriate erosion and sediment controls.

Evaluation in relation to Mahaanui Iwi Management Plan (MIMP)

The matters that are relevant to this proposal have been identified as:

CL3.8 To require, where a proposal is assessed by tāngata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:

(a) Low risk to sites:

(i) Accidental discovery protocol (ADP)

Comment: The applicant has indicated an Accidental Discovery Protocol will be followed.

P4.3 To base tāngata whenua assessments and advice for subdivision and residential land development proposals on a series of principles and guidelines associated with key issues of importance concerning such activities, as per *Ngāi Tahu subdivision and development guidelines*.

Consistency with this policy depends on the recommendations of the rūnanga being adopted.

P6.1 To require on-site solutions to stormwater management in all new urban, commercial, industrial and rural developments (zero stormwater discharge off site) based on a multi tiered approach to stormwater management:

(b) *Reducing volume entering system* - implementing measures that reduce the volume of stormwater requiring treatment (e.g. rainwater collection tanks);

(c) *Reduce contaminants and sediments entering system* - maximising opportunities to reduce contaminants entering stormwater e.g. oil collection pits in carparks, education of residents, treat the water, methods to improve quality; and

(d) *Discharge to land based methods*, including swales, stormwater basins, retention basins, and constructed wetponds and wetlands (environmental infrastructure), using appropriate native plant species, recognising the ability of particular species to absorb water and filter waste.

Comment: To reduce the volume of stormwater discharged to waterways flowing through the site, the applicant should consider the installation of swales on the carpark (where practical), rainwater tanks and greywater re-use systems.

P6.5 To encourage the design of stormwater management systems in urban and semi urban environments to provide for multiple uses: for example, stormwater management infrastructure as part of an open space network that provides for recreation, habitat and customary use values.

P7.3 To require waste minimisation as a basic principle of, and approach to, waste management. This means reducing the volume of waste entering the system through measures such as:

(c) Incentives for existing and new homes, business, developments and council services to adopt greywater recycling and install low water use appliances; and

(d) On site solutions to stormwater that avoid stormwater entering the wastewater system.

P11.1 To assess proposals for earthworks with particular regard to:

(a) Potential effects on wāhi tapu and wāhi taonga, known and unknown;

(b) Potential effects on waterways, wetlands and waipuna;

(c) Potential effects on indigenous biodiversity;

(d) Potential effects on natural landforms and features, including ridge lines;

(e) Proposed erosion and sediment control measures; and

(f) Rehabilitation and remediation plans following earthworks.

P11.7 To require that indigenous vegetation that is removed or damaged as a result of earthworks activity is replaced.

Comment: Should any indigenous vegetation be removed or damaged, this should be replaced by locally sourced indigenous plants.

P11.8 To require the planting of indigenous vegetation as an appropriate mitigation measure for adverse impacts that may be associated earthworks activity.

Comment: Several waterways flow through the site and are vulnerable to effects resulting from foreseeable development of the area in the future. Appropriate controls are recommended below.

TM2.8 To require the integration of robust biodiversity objectives in urban, rural land use and planning, including but not limited to:

(c) Use of indigenous species as street trees in residential developments, and in parks and reserves and other open space;

WM6.17 To require the development of stringent and enforceable controls on the following activities given the risk to water quality:

(b) Subdivision and development adjacent to waterways;

Comment: A minimum 20m buffer from all waterways with a 10m planted setback is recommended.

WM13.7 To recognise the protection, establishment, and enhancement of riparian areas along waterways and lakes as a matter of regional importance, and a priority for Ngāi Tahu.
Comment: All riparian areas should be planted with locally sourced indigenous species.

Conclusion

During their respective kaitiaki hui on the 17th of February 2022, Te Ngāi Tūāhuriri Rūnanga assessed this proposal.

The protection of waterways is a significant concern to the rūnanga. Additionally, there are no known New Zealand Archeological Authority Māori sites identified within the proposed area.

Various recommendations were made by the Kaitiaki to mitigate, avoid and remedy potential adverse effects on tangata whenua values. These are discussed below.

Recommendations

Recommendation 1:

Where practicable, there should be a 20m setback between the proposed subdivision development and waterways that flow through the site. Additionally, there should be a 10 buffer within the setback which should be planted with locally sourced indigenous plants to assist with nutrient uptake and to enhance biodiversity values.

Recommendation 2:

The inclusion of locally sourced indigenous planting in landscaping plans is an important mitigation measure for subdivision development. This includes street trees and landscaping, which may include indigenous species like *Plagianthus regius*.

- When available, the final landscape plan/plans for the site should be sent to the Rūnanga.

Recommendation 3:

Robust erosion and sediment controls must be installed and maintained in accordance with ECan's Erosion and Sediment Control guidelines.

Recommendation 4:

The policies identified in the Ngāi Tahu Subdivision and Development Guidelines should be referred to by the developer, particularly regarding stormwater management, water supply and use (grey water recycling) and indigenous planting. These guidelines have been attached at the end of this document.

Recommendation 5:

Future subdivision development should incorporate best practice onsite stormwater management controls to mitigate the effects of development and allow for stormwater infiltration.

- Stormwater should be directed to detention ponds and swales to reduce runoff from site and allow for infiltration.
- Stormwater discharge from roads and carparks should not be directed to waterways.

Recommendation 6:

To protect any potential wāhi tapu/wāhi taonga values for the site, an Accidental Discovery Protocol consistent with Appendix 3 of the Mahaanui Iwi Management Plan is recommended for all earthworks. Even shallow soil disturbance has the potential to uncover culturally significant material.

Mahaanui Kurataiao and its staff are available to discuss this report further or assist in direct engagement with rūnanga if desired.

Report Prepared by:

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Appendix One

Ngāi Tahu subdivision and development guidelines

Note: These guidelines are to be read in conjunction with Policies P4.1, P4.2 and P4.3

Cultural landscapes

1.1 A cultural landscape approach is the most appropriate means to identify, assess and manage the potential effects of subdivision and development on cultural values and significant sites [refer Section 5.8 Issue CL1].

1.2 Subdivision and development that may impact on sites of significance is subject Ngāi Tahu policy on *Wāhi tapu me wāhi taonga and Silent Files* (Section 5.8, Issues CL3 and CL4).

1.3 Subdivision and development can provide opportunities to recognise Ngāi Tahu culture, history and identity associated with specific places, and affirm connections between tāngata whenua and place, including but not limited to:

(i) Protecting and enhancing sites of cultural value, including waterways;
(ii) Using traditional Ngāi Tahu names for street and neighborhood names, or name for developments;
(iii) Use of indigenous species as street trees, in open space and reserves;
(iv) Landscaping design that reflects cultural perspectives, ideas and materials;
(v) Inclusion of interpretation materials, communicating the history and significance of places, resources and names to tāngata whenua; and
(vi) Use of tāngata whenua inspired and designed artwork and structures.

Stormwater

2.1 All new developments must have on-site solutions to stormwater management (i.e. zero stormwater discharge off site), based on a multi-tiered approach to stormwater management that utilises the natural ability of Papatūānuku to filter and cleanse stormwater and avoids the discharge of contaminated stormwater to water [refer to Section 5.4, Policy P6.1].

2.2 Stormwater swales, wetlands and retention basins are appropriate land based stormwater management options. These must be planted with native species (not left as grass) that are appropriate to the specific use, recognising the ability of particular species to absorb water and filter waste.

2.3 Stormwater management systems can be designed to provide for multiple uses. For example, stormwater management infrastructure as part of an open space network can provide amenity values, recreation, habitat for species that were once present on the site, and customary use.

2.4 Appropriate and effective measures must be identified and implemented to manage stormwater run off during the construction phase, given the high sediment loads that stormwater may carry as a result of vegetation clearance and bare land.

2.5 Councils should require the upgrade and integration of existing stormwater discharges as part of stormwater management on land rezoned for development.

2.6 Developers should strive to enhance existing water quality standards in the catchment downstream of developments, through improved stormwater management.

Earthworks

3.1 Earthworks associated with subdivision and development are subject to the general policy on *Earthworks* (Section 5.4 Issue P11) and *Wāhi tapu me wāhi taonga* (Section 5.8, Issue CL3), including the specific methods used in high and low risk scenarios for accidental finds and damage to sites of significance.

3.2 The area of land cleared and left bare at any time during development should be kept to a minimum to reduce erosion, minimise stormwater run off and protect waterways from sedimentation.

3.3 Earthworks should not modify or damage beds and margins of waterways, except where such activity is for the purpose of naturalisation or enhancement.

3.4 Excess soil from sites should be used as much as possible on site, as opposed to moving it off site. Excess soil can be used to create relief in reserves or buffer zones.

Water supply and use

4.1 New developments should incorporate measures to minimise pressure on existing water resources, community water supplies and infrastructure, including incentives or requirements for:

(i) low water use appliances and low flush toilets;
(ii) grey water recycling; and
(iii) rainwater collection.

4.2 Where residential land development is proposed for an area with existing community water supply or infrastructure, the existing supply or infrastructure must be proven to be able to accommodate the increased population *prior* to the granting of subdivision consent.

4.3 Developments must recognise, and work to, existing limits on water supply. For example, where water supply is an issue, all new dwellings should be required to install rainwater collection systems.

Waste treatment and disposal

5.1 Developments should implement measures to reduce the volume of waste created within the development, including but not limited incentives or requirements for:

(i) Low water use appliances and low flush toilets;
(i) Grey water recycling; and
(ii) Recycling and composting opportunities (e.g. supporting zero waste principles).

5.2 Where a development is proposed for an area with existing wastewater infrastructure, the infrastructure must be proven to be able to accommodate the increased population *prior* to the granting of the subdivision consent.

5.3 New rural residential or lifestyle block developments should connect to a reticulated sewage network if available.

5.4 Where new wastewater infrastructure is required for a development:

(i) The preference is for community reticulated systems with local treatment and land based discharge rather than individual septic tanks; and

(ii) Where individual septic tanks are used, the preference is a wastewater treatment system rather than septic tanks.

Design guidelines

6.1 New developments should incorporate low impact urban design and sustainability options to reduce the development footprint on existing infrastructure and the environment, including sustainable housing design and low impact and self sufficient solutions for water, waste, energy such as:

(i) Position of houses to maximise passive solar gain;
(ii) Rainwater collection and greywater recycling;
(iii) Low energy and water use appliances;
(iv) Insulation and double glazing; and
(v) Use of solar energy generation for hot water.

6.2 Developers should provide incentives for homeowners to adopt sustainability and self sufficient solutions as per 6.1 above.

6.3 Urban and landscape design should encourage and support a sense of community within developments, including the position of houses, appropriately designed fencing, sufficient open spaces, and provisions for community gardens.

6.4 Show homes within residential land developments can be used to showcase solar hot water, greywater recycling and other sustainability options, and raise the profile of low impact urban design options.

Landscaping and open space

7.1 Sufficient open space is essential to community and cultural well being, and the realization of indigenous biodiversity objectives, and effective stormwater management.

7.2 Indigenous biodiversity objectives should be incorporated into development plans, consistent with the restoration and enhancement of indigenous biodiversity on the landscape.

7.3 Indigenous biodiversity objectives to include provisions to use indigenous species for:

(i) street trees;
(ii) open space and reserves;
(iii) native ground cover species for swales;
(iv) stormwater management network; and
(v) home gardens.

7.4 Indigenous species used in planting and landscaping should be appropriate to the local environment, and where possible from locally sourced seed supplies.

7.5 Options and opportunities to incorporate cultural and/or mahinga kai themed gardens in open and reserve space can be considered in development planning (e.g. pā harakeke as a source of weaving materials; reserves planted with tree species such as mātai, kahikatea and tōtara could be established with the long term view of having mature trees available for customary use).