

Te Taumutu Rūnanga Submission Points and Speaking Notes for Hearing of the Selwyn District Council Rural Residential Strategy Hearing.

1. Thank you to the Council for this opportunity to present the oral submission of Te Taumutu Rūnanga on the Rural Residential Strategy.
2. My name is Bryan McGillan, I am a Resource Management Planner for Mahaanui Kurataiao Ltd (MKT), a company that provides manawhenua environmental services for the six rūnanga in the Christchurch region. MKT is owned by these rūnanga and has a mandate to engage in resource management business on their behalf.
3. The Tē Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.
4. Notwithstanding its statutory status as the representative voice of Ngāi Tahu Whānui “for all purposes” Tē Rūnanga o Ngāi Tahu accepts and respects the right of individuals and Papatipu Rūnanga to make their own submissions to the consent authority. In this case Tē Rūnanga o Ngāi Tahu is not submitting on this matter as it is a matter of local significance for which the Papatipu Rūnanga hold concerns.
5. Tē Taumutu Rūnanga is one of the Papatipu Rūnanga that makes up Tē Rūnanga o Ngāi Tahu. The Rūnanga are the collective of the hapu and whānau of Ngāi Tahu who hold manawhenua in the takiwā that centres on Taumutu and the waters of Tē Waihora and adjoining lands. Tē Taumutu Rūnanga have strong cultural associations with the land and waters including waipuna (springs) of Selwyn District area, and these natural resources and the associations held, form an important part of Tē Taumutu Rūnanga cultural identity.
6. The social wellbeing of Tē Taumutu rūnanga is strongly identified and impacted by changes to the rural environment and the social impact of any changes is of significance. This includes impacts on health, education and wider aspects of cultural identity and well-being. Explicit recognition of such taonga and cultural associations

in rural residential development will support the well-being of tangata whenua through necessary recognition and protection of valued resources and places.

SPECIFIC PROVISIONS OF THE DRAFT STRATEGY THAT MY SUBMISSION RELATES TO

7. Tē Taumutu Rūnanga wish to reiterate their position on Outline Development Plans (ODPs) as stated in their submission to plan change 32. This position is that Tē Taumutu Rūnanga support the requirement for Outline Development Plans (ODPs) as part of rezoning land for rural-residential development; however Tē Taumutu Rūnanga opposes the requirement that ODPs are to be prepared by the private developer as part of their private plan change rather than prepared by Council as proposed under plan change 17.
8. Outline Development Plans (ODPs) are a key planning mechanism which can effectively recognise and provide for the protection and enhancement of tangata whenua values in the zoning and development of land. As such, Tē Taumutu Rūnanga considers it is critical that tangata whenua values and wāhi taonga are identified in the preparation of ODPs. However, with the significant change in approach in the development of ODPs in plan change 32 from that in plan change 17, tangata whenua values are considered at risk of not being effectively included in the preparation of ODPs.

Chapter 6 Regional Policy Statement

9. The role of the private plan process to develop ODPs for rural residential development is considered an insufficient process to adequately ensure that the ODPs will fulfil Council's responsibility prescribed in Chapter 6, Policy 6.3.9 of the CRPS for managing rural residential development. This includes Policy 6.3.9 (5) that "the location and design of any proposed rural residential development shall: *"support the protection and enhancement of ancestral land, water sites, and wahi tapu and wāhi taonga of Ngai Tahu"*.

Te Taumutu Rūnanga seek the following decision from the Selwyn District Council:

10. Tē Taumutu Rūnanga seek that the Rural Residential Strategy Consultation Draft adopts the 'Council developed ODPs approach' proposed in PC17 as this process provides greater certainty to the rūnanga that their values would be included.
11. If, the developer prepared ODPs approach as under proposed plan change 32 is to proceed, then Tē Taumutu Rūnanga's second preferred relief is that a process be formalised between Tē Taumutu Rūnanga and Selwyn District Council to assure all steps are taken to:
 - a. Encourage any private plan change applicant to consult with rūnanga in the development of ODPs; and
 - b. That when the Council receives a plan change request, those requests are forward to rūnanga for comment before being accepted for processing under Clause 25 of Schedule 1 of the RMA.

RURAL RESIDENTIAL LOCATION CRITERIA – GENERIC CRITERIA

12. Tē Taumutu Rūnanga consider that the wording - "Not significantly adversely affect ancestral land, water, sites, wāhi tapu and wāhi taonga of Ngāi Tahu" does not provide a proactive direction or an outcome to protect, enhance and restore Ngāi Tahu cultural values in rural residential development.
13. The wording in the Draft Strategy does not reflect the wording in Chapter 6, Policy 6.3.9 (5) (i) of the CRPS which states that the "the location and design of any proposed rural residential development shall: ...support the protection and enhancement of ancestral land, water sites, and wāhi tapu and wāhi taonga of Ngāi Tahu". This wording provides a more proactive protection of cultural values through the words "support" and "enhance" rather than merely "not significantly adversely affect".
14. Tē Taumutu Rūnanga seek that the wording under the Rural Residential location criteria table in Appendix 1 under "Chapter 6 of the CRPS (LURP)" relating to Ngāi Tahu values be changed to the following wording:

Support the protection and enhancement of ancestral land, water, sites, and wāhi tapu and wāhi taonga of Ngāi Tahu”.

Avoid adverse effects on existing surface water quality

15. Tē Taumutu Rūnanga considers that the above criterion needs to include groundwater quality as well as surface water quality. Groundwater quality is increasingly a significant issue due to the rapid increased intensification of landuse in the district. There is a criterion in the Draft Strategy related to groundwater which states the “avoidance of the groundwater recharge zone for Christchurch’s drinking water” however this does not adequately protect groundwater in the whole district area. The protection and restoration of groundwater quality is addressed in the following policy in the IMP:

Wai Māori , Policy WM 6.3 To require that clear and effective targets are established for restoring water quality in the takiwā, with immediate attention to: (a) Lowland and coastal streams; and (b) Groundwater.

16. In addition, the absence of reference to ‘groundwater quality’ in the Draft Strategy is inconsistent with Chapter 6, in the CRPS. Policy 6.3.9 (5)(I) does not limit water quality to surface water but water quality in general. It states that the “the location and design of any proposed rural residential development shall: ...avoid adverse effects on existing water quality”.
17. Tē Taumutu Rūnanga considers that it is critical that water quantity in both surface water and groundwater is also protected from adverse effects along with the protection of water quality. Degraded water quantity in the rivers and other waterways in the Selwyn district is a critical issue. Large areas in the Selwyn district are in the “red zone” which means that the water allocation exceeds the precautionary trigger levels by 100% or more as illustrated in the CWMS (figure 2: Groundwater allocation zones in Canterbury). Water is a taonga to Te Taumutu Rūnanga and the quantity of water needs to be protected and included in the Draft Strategy.
18. Most drains or races were once natural waterways that fed into Tē Waihora and are as such still valued by Tē Taumutu Rūnanga as important taonga. Protection of the water quality and quantity of these waterways would help towards restoring the cultural health

of the waterways and hence its mauri and provide for the relationship of Tē Taumutu Rūnanga with water as a significant taonga.

19. Tē Taumutu Rūnanga seeks that the criterion "Avoid adverse effects on existing surface water quality" be changed to the following wording:

Avoid adverse effects on water quality and quantity of surface water (including drains and water/stock races) and groundwater.

Landscape values

20. The protection and restoration of indigenous flora and fauna is advocated in the Mahaanui Iwi Management Plan 2013, Tane Mahuta, Policy 3.1:

To approach the restoration of indigenous biodiversity in the takiwā based on the following principles:

- a) Restoration of indigenous biodiversity is about restoring original and natural landscapes, and therefore the mauri of the land; and
- (b) Restoration of indigenous biodiversity is about restoring the relationship of Ngāi Tahu to important places and resources; including planning for customary use.

21. The restoration of indigenous species is also outlined in the CWMS target area for 'enhanced Indigenous biodiversity across the Zone' in the Selwyn Waihora - Zone Implementation Programme, of which Tē Taumutu Rūnanga have had an integral part in its development. The target specifically requires that "Indigenous biodiversity corridors are created across the plains including waterway corridors"

22. Te Taumutu Rūnanga seek that the criterion "Protection of natural features, significant trees and vegetation" be changed to the following wording (changes in bold):

Protection, enhancement and restoration of indigenous flora and fauna in particular mahinga kai species, cultural landscapes, natural features, significant trees and vegetation.

23. Te Taumutu Rūnanga consider that several criteria need to be categorized into the 'red star' group instead of the 'yellow triangle' due to their high cultural significance. These include the following criteria:

- Protection of natural features, significant trees and vegetation
- Avoid adverse effects on existing surface water quality
- Avoid significant adverse ecological effects
- Not significantly adversely affect ancestral land, water, sites wāhi tapu and wāhi taonga of Ngāi Tahu
- Avoid locations that may compromise the quality of ecosystems or indigenous biodiversity and ensure that rural residential areas do not adversely affect ancestral land, water, wāhi tapu and wāhi taonga of Te Taumutu Rūnanga. These include the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Tē Waihora/Lake Ellesmere, springs and any associated mahinga kai sites.

The above criteria all need to be 'critical outcomes' in rural residential development as these matters are of critical significance to Te Taumutu Rūnanga.

Study Area Criteria

24. Due to time and capacity constraints, the 'study area criteria' in the Draft Strategy have not been assessed as to whether they adequately protect and provide for the cultural values of Te Taumutu Rūnanga. However, it is assumed that the changes to the "generic criteria" sought by Te Taumutu Rūnanga in this submission will sufficiently cover any issues that may arise in the 'study area criteria'.

Support in Part

25. Tē Taumutu Rūnanga supports in part the following provision:

Avoid locations that may compromise the quality of ecosystems or indigenous biodiversity and ensure that rural residential areas do not adversely affect ancestral land, water, wāhi tapu and wāhi taonga of Te Taumutu Rūnanga. These include the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Tē Waihora/Lake Ellesmere, springs and any associated mahinga kai sites.

26. However, there needs to be more emphasis on 'protecting, enhancing and maintaining' their values rather than just avoiding any 'compromise' of them. This provides a stronger outcome to be achieved in protecting these cultural values.
27. Finally, Te Taumutu Rūnanga would like to reiterate our support for the work of the Council on the Rural Residential Strategy, and particularly with reference to the attempts to celebrate and integrate the unique culture and heritage of Ngāi Tahu within the plan. We also want to reinforce the need for Te Taumutu and the Council to continue the working relationship developed through the strategies drafting, into the finalisation, and most importantly, the implementation of the strategy and its key projects.

