

Craig Friedel

From: Submissions
Sent: Wednesday, 25 September 2013 4:46 p.m.
To: Submissions
Subject: Form 5 Submission

** Your Details **

Proposed Plan Change No: : 36
First Name: : Murray Sinclair
Surname : Sinclair
Organisation Name : Murray Sinclair
Contact Name : Murray Sinclair
Email Address : mwsinclair@xtra.co.nz
Box/Road/Street Number and Name/Property Name : 393 Trices Road Suburb : Prebbleton Town/City : Christchurch
Post Code : 7604 Phone Number : 27-5347406 Fax Number :

** Submission **

My/Our Submissions is: : 1. The existing 8 sections on Trices Road adjacent to the proposed subdivision average 7890 sq mtrs. The 17 sections proposed have an average size of 7200 sq mtrs. This assumes the 250 sq mtrs at 399 Trices road and the land retained by Orion for the substation is included. I suggest that the exclusion of the substation land will reduce the average plot size below 7200 sq mtrs.

2. Given the two recent lengthy power outages in the area I am concerned that the proposed sewerage scheme may have inadequate holding capacity and will result in overflow to the local catchment area.

3. No mention is made of the use to which the existing bores will be put or how they will be regulated. I believe there are three bores.

4. Protection of existing shelter belts is mentioned but provides no specifics.

I/We seek the following decision from the Council for the following reasons : 1. The subdivision being rezoned as L3 should be at least as restrictive as the existing plot ratio on the 8 existing sections on Trices Road which are zoned L2A. ie greater than 7890 sq mtrs with none smaller than 7247 sq mtrs.

2. The proposed sewerage scheme should be improved to allow for up to 48 hours waste water storage in case of power outages.

3. Mention should be made of the existing bores and their use and regulation post subdivision.

4. Existing shelter belts should be identified and protection guaranteed post subdivision.

If you are attaching your submission separately, do so here : No file uploaded Supporting Information : No file uploaded

** Hearing Options **

Do you wish to be heard in support of your submission : Yes If others are making a similar submission would you consider presenting a joint case with them at the Hearing : Yes

** Trade Competition **

Trade Competition Declaration : I am directly affected by an effect of the subject matter of the submission that does not relate to trade competition or the effects of trade competition

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
Attention: Craig Friedel, Policy Planner
PO Box 90
Rolleston 7643
FAX: 03-347-2799

Full name of submitter: M. G. & B. I. CLAXTON

This is a submission on private Plan Change 36 Conifer Grove Limited.

1. The specific provisions of the proposed plan change that my submission relates to are:

Amending the District mapping maps
from Rural to Living 3

.....(give details).

2. *My submission in SUPPORT / OPPOSITION is:

That this amendment
would give a good mix of building sites
in this rapidly growing area.
With these larger sections it would
give families the choice of for example
Keep a pony for their children, larger
gardens for avid gardeners, or simply
living further away from neighbours
fences.

*Include whether you SUPPORT or OPPOSE specific parts of one or both of the plan changes or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

3. †I seek the following decision from Selwyn District Council:

As in point 1.

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

4. ~~I WISH~~ / DO NOT WISH to be heard in support of my submission (delete as applicable)
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

6.

 M J Claxton

Signature of submitter (or person authorised to sign on their behalf)

14.10.2013

Date

7.

Address for service of submitter: 117 Hamptons Road RD 6
CHCH 7676

Telephone: 3443080 Fax: 3443080

Email: claxtons@ihug.co.nz

Contact person: B or M Claxton Title (if appropriate)

SUBMISSIONS CLOSE AT 5PM FRIDAY 18th OCTOBER 2013

Responses to be:

Posted to:

Craig Friedel, Policy Planner
Selwyn District Council
P.O. Box 90
Rolleston 7643

Delivered to:

A Council Service Centre in Darfield,
Lincoln, Leeston or Rolleston

Emailed to:

submissions@selwyn.govt.nz

SUBMISSION ON PUBLICLY NOTIFIED PRIVATE PLAN CHANGE 36 TO THE SELWYN DISTRICT PLAN

Under clause 6 of the First Schedule of the Resource Management Act 1991

TO Selwyn District Council
PO Box 90
ROLLESTON 7643

NAME OF SUBMITTER Orion New Zealand Ltd (“Orion”)

A. SUBMISSION BY ORION NEW ZEALAND LIMITED

Pursuant to Clause 6 of the First Schedule of the Resource Management Act, Orion hereby lodges a submission on Private Plan Change 36 – rezoning Rural (Inner Plains) land to Living 3 at 100 and 132 Birchs Road, 132 Hamptons Road and 399 Trices Road, Prebbleton.

Orion is a network management company. Orion owns and manages the Canterbury-based electricity network, servicing the greater Christchurch urban area, and large surrounding rural area. The network covers an area of 8,000 square kilometres in Central Canterbury between the Waimakariri River to the north and the Rakaia River to the south. Orion transports electricity from nine major Transpower substations to homes and businesses within Orion’s network area. Orion is owned by the Christchurch City Council and the Selwyn District Council.

Orion is the owner of Lot 1 DP 223302, which is land included in the plan change application. This land is referred to as the “Orion block”. The allotment owned by Orion includes the Prebbleton Substation and an existing dwelling.

This submission focuses primarily upon the potential impact of Plan Change 36 on Orion’s landholding which forms part of the site subject to the plan change. In broad terms, Orion is supportive of Plan Change 36 and the rezoning of the land from Rural (Inner Plains) to Living 3.

Orion wishes to confirm that they are not a party to the application and have not been consulted with respect to the proposed layout of their land shown on the Outline Development Plan and subdivision concept plan.

B. SPECIFIC PLAN CHANGE PROVISIONS THE SUBMISSION RELATES TO

The specific provisions of the plan change that Orion’s submission relates to are as follows:

Proposed Changes to the District Plan (pages 26-28 of application)

- (a) Addition of Rule 12.1.3.X which states:
"In the Living 3 zone (Hamptons Rd) at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plan in Appendix X."
- (b) Addition of Rule 12.1.3.Y which states:
*"Any subdivision of land within the area shown in Appendix X (Hamptons Road Living 3 Zone) complies with:
a) the subdivision layout of the Outline Development Plan at Appendix X.*
- (c) Addition of Rule 12.1.3.YY which states:
"Any allotment created within the Hamptons Road Living 3 Zone shall be in substantial accordance with the respective concept and/or Outline Development Plan in Appendix X.
- (d) Addition of Rule X which states:
"Within the Living 3 Zone (Hamptons Road) shown on District Plan Map X the maximum number of rural-residential allotments for each sub-area shall be as shown in Figure X."

C. NATURE OF AND REASONING FOR SUBMISSION

Orion **supports** Plan Change 36 in part.

Orion is generally supportive of Plan Change 36, which seeks to rezone the application site from Rural (Inner Plains) to Living 3. In particular, Orion supports the overall premise of the plan change to rezone the land to Living 3.

Orion **opposes** the new rules regime which requires that any subdivision of land is to comply with the subdivision layout of the Outline Development Plan, and also limits the number of allotments created in the "Orion Block" to three, plus the substation allotment.

The minimum allotment size proposed is 5000m². The total area of the Orion land is 3.32 hectares and yet the subdivision layout of the ODP limits the number of allotments created in the "Orion Block" to three, plus the utility allotment. This is effectively 1 hectare per residential allotment, given that there is no minimum allotment size in the District Plan for utility allotments. Limiting the number of allotments to three, plus the substation, is not necessary and is not supported by objectives and policies.

Orion considers that the plan change application goes a step further than it needs to, by prescribing a subdivision layout. The layout should be indicative only, for the purpose of demonstrating that subdivision of the land can be achieved. It should not be subject to District Plan rules which require general accordance with the allotment layout. This is inflexible, and limits the subdivision of land to the existing title boundaries. Any subdivision of the land should be considered on its own merit, as part of a subdivision consent application. Furthermore, if a minimum allotment size of 5000m² is proposed, the Orion land should not be limited to a maximum of four allotments.

Orion also has concerns around reverse sensitivity issues in relation to the operation of the Prebbleton substation on the site. A flexible subdivision design would allow Orion to ensure that any reverse sensitivity issues are able to be addressed if they arise.

D. DECISION SOUGHT FROM SELWYN DISTRICT COUNCIL

Orion seeks the following relief:

(a) The **deletion** of the following rules:

- Rule 12.1.3.X which states:
"In the Living 3 zone (Hamptons Rd) at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plan in Appendix X."
- Rule 12.1.3.Y which states:
*"Any subdivision of land within the area shown in Appendix X (Hamptons Road Living 3 Zone) complies with:
b) the subdivision layout of the Outline Development Plan at Appendix X."*
- Rule 12.1.3.YY which states:
"Any allotment created within the Hamptons Road Living 3 Zone shall be in substantial accordance with the respective concept and/or Outline Development Plan in Appendix X."
- Rule X which states:
"Within the Living 3 Zone (Hamptons Road) shown on District Plan Map X the maximum number of rural-residential allotments for each sub-area shall be as shown in Figure X."

(b) A revised Outline Development Plan that does not show a subdivision layout.

Notwithstanding the above relief sought, Orion notes that there may be other ways of achieving the desired relief.

E. HEARING

Orion wishes to be heard in support of its submission.

If others make similar submissions, Orion may be prepared to consider presenting a joint case with them at any hearing

SIGNED for and on behalf of
Orion New Zealand Ltd

.....
Teresa O'Neil
Authorised agent for and on behalf of Orion NZ Ltd

Dated: 17 October 2013

Address for service of Submitter:

Orion New Zealand Ltd
C/- Resource Management Group Limited
PO Box 908
Christchurch Box Lobby
CHRISTCHURCH 8140

Contact person: Teresa O'Neil

Telephone: (03) 903 5231
Email: teresa@rmgroup.co.nz

Craig Friedel

From: Submissions
Sent: Friday, 18 October 2013 10:18 a.m.
To: Submissions
Subject: Form 5 Submission

** Your Details **

Proposed Plan Change No: : PC 36

First Name: : Mark

Surname : Sweney

Organisation Name :

Contact Name :

Email Address : lotsw55@gmail.com

Box/Road/Street Number and Name/Property Name : 329 Trices Road Suburb : Prebbleton Town/City : Prebbleton

Post Code : 7604 Phone Number : 021775531 Fax Number :

** Submission **

My/Our Submissions is: : Development of Prebbleton is constrained by the required separation between Prebbleton and Christchurch to the North and East, power lines and unsuitability of land to the East and residential development which will be constrained by Shands Road and the next stage of the southern motorway to the West and North.

Development to the South of Prebbleton is a logical extension of the existing developments and would take advantage of the proximity to the existing rural residential / lifestyle developments and proximity to power distribution, reticulated water and sewage scheme.

Trices Road provides an alternative traffic route to Christchurch, reducing demand on Springs Road, particularly during peak periods.

The South of Prebbleton is well serviced by public and school buses, cycleways, and the Prebbleton reserve recreational area.

I/We seek the following decision from the Council for the following reasons : Approval of the requested change to the Selwyn District Plan.

The development is a logical extension of the existing developments and infrastructure at the South of Prebbleton. The area is well serviced with an alternative traffic route to Christchurch, public and school buses, cycleways, and the Prebbleton reserve recreational area.

The visual and environmental effects are considered to be minor.

Demand for rural residential / lifestyle land is significant and the carving up of large or isolated rural land in to 4 Ha blocks must be minimised by providing more rural residential / lifestyle land to satisfy demand, utilising existing small blocks close to existing rural residential land and services.

If you are attaching your submission separately, do so here : No file uploaded Supporting Information : No file uploaded

** Hearing Options **

Do you wish to be heard in support of your submission : No If others are making a similar submission would you consider presenting a joint case with them at the Hearing : Yes

** Trade Competition **

Trade Competition Declaration : I am directly affected by an effect of the subject matter of the submission that adversely affects the environment

Submission on Private Plan Change 36 to the Selwyn District Plan

To: Selwyn District Council

Names of submitter: Mr Anthony George and Mrs Barbara George

This is a submission on a Private Plan Change (PC36) to the Selwyn District Plan

1 We could not gain an advantage in trade competition through this submission.

2 Our submission is:

2.1 We support Private Plan Change 36 ("PC36") to rezone 12.4ha of land from Rural (Inner Plains) to Living zone 3, to facilitate the subdivision and development of 17 rural residential households. The subject land is located at 100 Birchs Road (Lot 9 DP 301739), 132 Birchs Road (Lot 1 DP 22302), 132 Hamptons Road (Pt. RS 3967) and 399 Trices Road (Lot 8 DP 301739).

Reasons

2.2 We support the location of the proposed rezone, (the southern boundary of Prebbleton, bounded by Trices, Birchs, and Hamptons Roads), because it is adjacent to the existing residential area and the Metropolitan Urban Limit of Prebbleton. We consider that this is an appropriate area for rural residential development as it is close to the existing amenities of Prebbleton. For example it is a short distance to the Prebbleton domain, shopping within Prebbleton, the cycleway to Lincoln, and bus services.

2.3 We agree that given the demand for land within the Prebbleton area, as identified within the Rural Residential Background report, during the Prebbleton Structure Plan and PC32 process, this private plan change request responds to the need for rural residential land within the Selwyn District.

2.4 It is submitted that PC36 complements the core objectives of the Draft Land Use Recovery Plan ("LURP"). The LURP is a framework document for the short and medium-term needs for housing and business and sets out the delivery mechanisms to develop new communities, meet the land use needs of businesses, and rebuild and develop the infrastructure needed to support these activities, (among others). The draft LURP is currently before the Minister awaiting approval.

- 2.5 Importantly, under the LURP, Prebbleton has been earmarked as a priority residential area to provide additional houses to help meet the increased demand for housing as a consequence of the earthquakes. We agree, as set out at section 5.0 of the application, that this private plan change will meet the growing needs of the community and will also enable sustainable growth of Prebbleton and the Selwyn District.
- 2.6 Given that the proposed subdivision is able to be serviced, we believe that this supports the application to rezone 12.4ha of land from Rural Inner Plains to Living zone 3.
- 2.7 We agree that rezoning the proposed subdivision site as Living zone 3 will ensure that the sense of open space and amenity is maintained within the existing township. The design of the proposed subdivision and the proposed size allotments will retain the rural character of the area.
- 2.8 We understand that if this private plan change request is accepted the site will be developed in accordance with the Living zone 3 standards and relevant statutory and non-statutory planning framework.
- 3 We seek the following decision from the local authority:
- 3.1 That the Selwyn District Council approve PC36 and rezone the subject land as requested.
- 4 We do wish to be heard in support of our submission.
- 5 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Dated this 18th day of October 2013


Sarah Watson as agent for the submitter

15th October 2013

Submission by Mahaanui Kurataiao Ltd

on behalf of

Te Taumutu Rūnanga

to

Selwyn District Council

Re: Private Plan Change: PC36 Conifer Grove, Rural Residential Development, Hampton Road, Prebbleton.

1.0 Introduction

This submission is being made by Mahaanui Kurataiao Ltd on behalf of Te Taumutu Rūnanga.

Te Taumutu Rūnanga are one of the Papatipu Rūnanga that make up Te Rūnanga o Ngāi Tahu. The Rūnanga are the collective of the hapu and whanau of Ngāi Tahu who hold manawhenua in the takiwā that includes the Te Waihora catchment and also extends to the wider Selwyn District and south to the Hakatere/Ashburton River.

2.0 Ngāi Tahu in the Selwyn District: Māori/Tangata Whenua/Manawhenua

Ngāi Tahu are local Māori people, the tangata whenua, of the Selwyn District. Ngāi Tahu hold ancestral and contemporary relationships within this area.

The contemporary structure of Ngāi Tahu is set down through the Te Rūnanga o Ngāi Tahu Act 1996 (TRONT Act), and through the organisational structure and provisions in the Act, the requirements for recognising tangata whenua in Christchurch are set-out.

The TRONT Act identifies Te Rūnanga o Ngāi Tahu as the representative body of Ngāi Tahu Whānui (section 6), who are the collective of individuals who descend from the primary hapū of Ngāi Tahu and their ancestors through Waitaha and Ngāti Mamoe: namely Kati Kuri, Kati Irakehu, Kati Huirapa, Ngāi Tūāhuriri and Ngāi te Ruahikihiki (section 2). The Act identifies the members of Ngāi Tahu Whānui as those descendants of persons who were members of Ngāi Tahu living in 1848 and listed in the minute book of the 1929 Ngāi Tahu Census Committee (section 7).

Te Taumutu Rūnanga are the manawhenua and kaitiaki for the area in which this proposal is situated. Further details of the relationship of Te Taumutu Rūnanga with their takiwā can be found in the Mahaanui Iwi Management Plan 2013 - Part 3 Manawhenua.

3.0 Te Taumutu Rūnanga's relationship to the location of the development area and the region

Te Taumutu Rūnanga hold manawhenua status in the location of the proposed development and their takiwā extends to the wider Selwyn District, including down catchment to Te Waihora/Lake Ellesmere.

The natural resources - water, air, indigenous flora and fauna and land are taonga to the Rūnanga. The relationship of Te Taumutu Rūnanga to these taonga are integral to their cultural identity and wellbeing, and they have a kaitiaki responsibility to protect them.

Regarding the application, there is potential for the activities of changing the land use to a more intensive residential land use would potentially effect tangata whenua values, including the relationship of tangata whenua with their ancestral lands, waters, sites, wāhi tapu and wāhi taonga and other taonga. Providing for the protection of these values and their relationship with tangata whenua enables the taonga and their associated values such as mahinga kai to be passed onto future generations in a state which is hopefully better, but at least not worse than the current state.

Therefore in undertaking any of the activities described in the application, the following must be ensured: preventing further degradation in water quality and quantity of groundwater and waterways; ensuring the protection of wāhi tapu and wāhi taonga and taking opportunities to restore indigenous native flora and fauna.

4.0 Proposal

The application is a private plan change that proposes to rezone approximately 12.4 hectares between Birches Road and Hamptons Road, south of Trices Rd from Rural (Inner Plains) to Living 3 Zone. An ODP has been developed for the site. The application site proposes three allotments and a fraction of a 4th, each which has separate owners. Living 3 zone provides for a low density living environment. The proposed site is on farm land with three existing dwellings. One area of the site contains the Prebbleton sub station for electrical power and energy supply. It is proposed that there would be 16 residential sites created by the private plan change. The site contains an un-named drain that runs along the western and southern boundary of the site and is classified by Council as a water race in one area and a drain in another. There are no known wāhi tapu or wāhi taonga sites.

5.0 Submission points

Te Taumutu Rūnanga opposes the application because the activities do not adequately protect their cultural values. The following points outline the issues of concern.

Stormwater discharge

Te Taumutu Rūnanga understand that there is currently no stormwater management system on the property and that Selwyn District Council does not hold a global stormwater discharge consent with Environment Canterbury for this area. In relation to the groundwater levels, the Engineering Servicing Report (Appendix 5) states that they have "assumed a highest groundwater level of 3.7m below ground level for development". There is however, Selwyn District Council monitoring results that shows "groundwater levels to range between 2.2m and 4.4m below ground at Toswill and 3.3m and 4.1m below ground at Central". This

variability indicates that the water table cannot be assumed to be at 3.7m at the highest. The report also states that the site is considered to be underlain with free draining gravel and soakage tests have confirmed that these underlying soils are suitable for soakage to ground. This is useful for stormwater infiltration, but potentially results in a greater risk to groundwater quality, without appropriate treatment systems.

While Te Taumutu Rūnanga oppose the use of existing natural waterways and wetlands, and drains, for the treatment and discharge of stormwater and support the applicant's proposal to discharge stormwater to land, they also require that the groundwater resource, waterways and soils be protected from contamination. As such, Te Taumutu Rūnanga oppose the discharge of contaminants to land where contaminants may enter water as stated in Policy WM6.8 in the Mahaanui Iwi Management Plan 2013. Given the high water table levels and the free draining gravel in the site, Te Taumutu Rūnanga consider that the risk of stormwater contaminants entering the groundwater may be greater than assessed by the applicant and this is a significant concern, and Te Taumutu Rūnanga need further information on: the suitability of land for discharge of stormwater given the high water levels; the design of the soak holes and the level of treatment expected; and how the design of the soak holes comply with the appropriate standards, to ensure that there is no deterioration in groundwater quality from the stormwater of the new lots.

While Te Taumutu Rūnanga understand that the application for a Plan Change is not directly related to the requirements for stormwater discharge, for which a discharge consent from Environment Canterbury would be needed, Te Taumutu Rūnanga contend that the Plan Change and ODP must specifically identify the areas to be set-aside from development for the purpose of stormwater management/treatment and infiltration, and the location, size and design of this system is therefore integral to the area to be set aside for it. Therefore Te Taumutu Rūnanga consider the stormwater matters are relevant to the Plan Change application itself.

The contamination of groundwater also has implications for the water quality of surface waterways (i.e. the drain and water race) near the site, as there may be hydraulic connection between groundwater and the surface waterways, either in the location of the site or downstream of the location. Te Taumutu Rūnanga consider that the discharge to land must recognize and provide for the connection between land, groundwater, and surface water as interconnected resources. The standard of discharge to protect groundwater quality must therefore ensure that there would be no degradation of water quality in hydraulically connected waterways as a result of the allowing of new residential development.

Stormwater treatment and discharge standards are vital for this, and monitoring of discharge quality to ensure compliance will be necessary. In addition, monitoring of the receiving environment can ensure that the direct and cumulative effects of contaminant discharges are not causing degradation of water quality in these taonga.

Te Taumutu Rūnanga submit that there should be monitoring of the soil, groundwater, and surface water in the area. And should contamination be identified, the discharge must cease and further treatment installed.

These matters are directly related to the policies in Mahaanui Iwi Management Plan – 2013: policies P8.1 and P8.2:

P8.1 To require that discharge to land activities in the takiwā:

- (a) Are appropriate to the soil type and slope, and the assimilative capacity of the land on which the discharge activity occurs;*
- (b) Avoid over-saturation and therefore the contamination of soil, and/or run off and leaching; and*
- (c) Are accompanied by regular testing and monitoring of one or all of the following: soil, foliage, groundwater and surface water in the area.*

P8.2 In the event that that accumulation of contaminants in the soil is such that the mauri of the soil resource is compromised, then the discharge activity must change or cease as a matter of priority.

Te Taumutu Rūnanga also require that a multi-tiered approach to on-site stormwater management solutions is required for all new development. The purpose of this is to both lessen the contaminants and the volume of stormwater generated and entering the stormwater system, as set out in Policy 6.1 of the Mahaanui Iwi Management Plan:

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

The cumulative effects of all land use activities in the catchment on the groundwater quality is also a significant issue for Te Taumutu Rūnanga and needs to be recognized and provided for rather than just assessing the effects of this individual application. This is particularly pertinent to the Selwyn district with the high growth and increase of development of subdivisions.

It is understood that a stormwater discharge consent will be required due to the depth of the groundwater being less than 6 metres. Under this process, to provide further protection of the groundwater from contamination, Te Taumutu Rūnanga seek that Policy WM6.10 of the Mahaanui Iwi Management Plan - 2013 be given effect to:

WM6.10 To require that the regional council classify the following discharge activities as prohibited due to significant effects on water quality:

- (a) Activities that may result in the discharge of sewage (treated or untreated), stormwater, industrial waste, animal effluent or other contaminants to water, or onto land where contaminants may enter water.*

Furthermore, Te Taumutu Rūnanga would also require that the following consent conditions under Mahaanui Iwi Management Plan - 2013 Policy WM6.11 for the discharge consent be adhered to so as to protect the groundwater and any downstream surface water. The policy is as follows:

WM6.11 Consented discharge to land activities must be subject to appropriate consent conditions to protect ground and surface water, including but not limited to:

- (a) Application rates that avoid over saturation and nutrient loading;*

- (b) *Set backs or buffers from waterways, wetlands and springs;*
- (c) *Use of native plant species to absorb and filter contaminants; including riparian and wetland establishment and the use of planted swales; and*
- d) *Monitoring requirements to enable assessment of the effects of the activity.*

Water supply and water efficiency

The application states that there is no reticulated water supply in Hamptons Road and Birches Road on the site but that Selwyn District Council has confirmed that there is sufficient capacity to service the proposed subdivision for both water supply and firefighting. While Te Taumutu Rūnanga are agreeable to this, they would require, as a condition of the proposed consent, confirmation from Selwyn District Council that the current water supply capacity is sufficient to adequately supply the proposed development so as to protect the quantity of the groundwater supply that is under increasing pressure with current and future developments. The area of the proposed development is in a 'red zone', which means that the water allocation exceeds the allocation limit as illustrated in the *Canterbury Water Management Strategy* (see Figure 2: Groundwater allocation zones in Canterbury'). Te Taumutu Rūnanga is concerned about the detrimental effects of abstraction of groundwater in the general Selwyn district area. As stated in the *Canterbury Water Management Strategy - strategic framework 2009*, 'this uncoordinated granting of water consents is damaging the ecosystems of the surface rivers and streams, and water quality in the aquifers' and has resulted 'in a significant decline in groundwater levels and to reduced flows in spring-fed streams'.

In light of these critical water allocation issues, water efficiency is critical to protecting the quantity, quality and mauri of the resource.

It is noted that there is a lack of any 'green' water efficiency technology for the proposed houses and gardens. Te Taumutu Rūnanga submits that any new developments in this catchment should be required to include water efficiency measures such as collecting rainwater for watering the garden; water flow minimization taps; recycling greywater; water efficient appliances; planting species that require less watering etc. These measures would help address the over allocated water situation. They are also very practical and achievable steps towards a sustainable approach to water use and contribute greatly to the protection of the waters, and therefore the important tangata whenua values associated with it.

Wastewater

Te Taumutu Rūnanga understand that there is currently no wastewater reticulation servicing the site and that the existing dwellings are connected to septic tanks. While the applicants propose a 'low –pressure on-site system pumping to communal pressure mains' as a solution to the situation, Te Taumutu Rūnanga are concerned about the granting of consents for subdivisions without the appropriate infrastructure to support the development and the potential adverse effects on the environment. This includes the potential of wastewater contaminating the groundwater, soil and the nearby surface waterways. Therefore, Te Taumutu Rūnanga request that more detailed information on the design, operation and maintenance of the system and assessments that show how it will avoid contaminating the groundwater, soil and surface water are required.

Earthworks

Te Taumutu Rūnanga are concerned about the potential adverse effects of earthworks during construction phases on the groundwater and drain/water race which flows along Hamptons Road adjacent to the site. Te Taumutu Rūnanga submits that if the activity was to proceed, then the appropriate consent (landuse, subdivision or earthworks) would need to include a condition that ensures that the earthworks from the development adequately protects water quality and quantity of the water race/drain and the groundwater. This includes measures to ensure that the area of land cleared and left bare at any time during development should be kept to a minimum to reduce erosion, minimise stormwater runoff and protect waterways from sedimentation. Appropriate erosion and sediment control guidelines will also need to be applied to ensure this can be achieved.

Landscaping

The Outline Development Plan fails to include any details regarding planting in the proposed public open space and street landscaping etc. To recognize and provide for cultural values that relate to biodiversity and mahinga kai values, Te Taumutu Rūnanga require that it is imperative that any new development in their takiwā include the planting of native species (preferably locally sourced species) and include Ngāi Tahu taonga species. An effective tool to achieve this is to ensure that the ODPs include landscaping planting of native/indigenous species.

The importance of restoration of indigenous species in the Selwyn District cannot be understated. The Canterbury Plains once contained rich mahinga kai areas, that have been significantly degraded due to the agricultural and settlement practices, past and present. This is a key component of the Mahaanui Iwi Management Plan.

The restoration of indigenous species is also outlined the Canterbury Water Management Strategy target area for *‘enhanced indigenous biodiversity across the Zone’* in the Selwyn Waihora - Zone Implementation Programme’, of which Te Taumutu Rūnanga have been an integral part during its development. The target specifically requires that *‘Indigenous biodiversity corridors are created across the plains including waterway corridors’* (p.11).

Section 6(e) of the RMA, recognizes and provides for the relationship of Te Taumutu Rūnanga, as the tangata whenua with the ancestral relationships with the lands and waters of this area, and their culture and traditions with their native fauna and flora and indigenous biodiversity (a significant taonga to Te Taumutu Rūnanga). The restoration and enhancement of this taonga is critical in an area where the native fauna and flora has been severely degraded, and this approach is now a standard matter that Te Taumutu are requesting for any new development proposals in their takiwā.

Protection of waterways (races and drains)

The application states that there is a drain that runs along Hamptons Road and is classified as a ‘water race’. The application, then states that ‘once the site is developed the water race will still receive overland flow in extreme events as it currently does’ (page 23). Most drains or races in the Te Waihora catchment were once natural waterways that fed into Te Waihora and are as such remain highly valued by Te Taumutu Rūnanga as waterways and important taonga. Protection of the water quality and quantity of these waterways is needed as good water quality in these races/drains is needed to contribute to the restoration of the cultural health of the natural waterways, and Te Waihora at the end of the catchment. Policy WM14.1 in the Mahaanui Iwi Management Plan requires that drains are managed as natural waterways and are subject to the same policies, objectives, rules and

methods that protect Ngāi Tahu values associated with freshwater, including the protection and planting of riparian margins. The Mahaanui Iwi Management Plan also identifies that stock water races are also considered as waterways. There is case law which considers the status of drains in regard to the provisions of the RMA for protection of natural waterways including Environment Court Decision No.C83/Z002 and this should be considered for this application.

The value of drains is also identified in Selwyn Waihora - Zone Implementation Programme. Under 3.2, priority outcomes in the Canterbury Water Management Strategy, the target area for: the protection of waterways states that: *'These drains include some important areas of lowland habitat and provide an opportunity to improve lowland and wetland biodiversity and habitat, while still ensuring their primary function'* (p.9). Furthermore, drains or stockwater races are also identified as providing a biodiversity aquatic corridor in the Selwyn Waihora - Zone Implementation Programme. As such, discussions of the Canterbury Water Management Strategy Selwyn Waihora zone committee have identified that all waterways – drains, races, streams and rivers are to have riparian planting. In addition, it is understood that the race/drain adjoining the site flows into the Huritini/Halswell River and then into Te Waihora. Te Waihora is a highly significant taonga to Ngāi Tahu and Te Taumutu Rūnanga, and Ngāi Tahu and Environment Canterbury have committed to a significant programme of work to restore the values of Te Waihora, including water quality.

Therefore, Te Taumutu Rūnanga submit that riparian planting along the water race on the property side to protect the water quality and quantity of the waterway, and a setback from structures and buildings, preferably through the provision of an esplanade strip or reserve is required to offset the potential adverse affects that may result on the water race as a result the proposal. This is supported in in Policy WM12.4 that requires all waterways in the urban and built environment to have indigenous vegetated healthy, functioning riparian margins. The planting of low and medium high native species would allow the Council machines to still be able to clean the drain/race. For example, this could be 2-4 rows of Carex and harakeke (flax).

Te Taumutu Rūnanga state that this measure is also an opportunity to enhance the biodiversity of the property and surrounding area as a way of mitigating the adverse visual effects of the development. It would provide a positive action to offset the negative visual effects of the built environment in a rural area.

Earthworks and an Accident Discovery Protocol

Te Taumutu Rūnanga wish to ensure that in the event of the properties containing as yet undiscovered wāhi taonga or wāhi tapu, that an Accident Discovery Protocol be required as a condition of any consent for earthworks or land use. The wording needs to be based on that in Appendix 3: Accidental Discovery Protocol the Mahaanui Iwi Management Plan which gives Te Taumutu Rūnanga cultural monitors a key role in determining the appropriate actions for any discovered cultural materials.

Low impact building design

Although not part of the plan change application, Te Taumutu submit that consideration is required to determine how any new development can 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 the position of houses to maximise

passive solar gain, rainwater collection and greywater recycling, low energy and water use appliances, insulation and double glazing; and use of solar energy generation for hot water. It is expected that developers demonstrate how they would provide incentives for homeowners to adopt sustainability and self sufficient solutions. In addition, 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. The Ngāi Tahu subdivision and development guidelines in the Mahaanui Iwi Management Plan (see page 107) provide further guidance on these issues.

6.0 Conclusion

Te Taumutu Rūnanga has assessed the proposed plan change to identify adverse effects their relationship to the location and their taonga. Of particular importance are the concerns regarding stormwater, water supply, earthworks and riparian planting along the drain. These issues require specific measures to ensure that Te Taumutu Rūnanga's values of protecting the water quality and quantity of the groundwater and surface waterways as a wāhi taonga are provided for. Other concerns such as landscaping are seen as an opportunity to provide for biodiversity and mahinga kai values. Until these concerns are addressed Te Taumutu Rūnanga oppose this application.

7.0 Hearing

Te Taumutu Rūnanga wish to be heard at any hearing for Plan Change 36: Hampton Road, Prebbleton.

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