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To: Hughes Development LTD
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West Melton Plan Change

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 mana whenua over the project's location, as it is within a joint takiwā:

- Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga.

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

Assessment of Proposal

- The applicant has prepared an Outline Development Plan (ODP) for inclusion in the Selwyn District Plan. This application does not seek to introduce any new objectives, policies or rules to the District Plan.

- There are no NZAA Māori sites or sites of cultural significance identified in the planning maps for this area.

- Two lots comprised of a total area of 20.7 ha would be rezoned from Rural Inner Plans to Living West Melton.

- The site is currently used for rural purposes.

- It is proposed to subdivide the site at a density of 10 lots/ha creating approximately 200 new lots.
- Approximately 50,000m³ of excavation will be required to establish building lots and roading.
- There do not appear to be any surface water bodies near the site.
- The applicant states the site has stony loam soils which is therefore not ideal for agriculture.

Evaluation in relation to Mahaanui Iwi Management Plan (MIMP)

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

Wāhi tapu me wāhi taonga

CL3.3 To ensure that local and central government recognise that:

(a) Existing schedules and maps of cultural sites are not comprehensive nor exhaustive;

(b) Many sites and information about sites are held by whānau; and

(c) Protecting wāhi tapu and wāhi taonga requires effective working relationships with Papatipu Rūnanga.

CL3.7 To require appropriate policies and rules in territorial and regional plans to protect sites of cultural significance from inappropriate land use and development, including but not limited to:

(a) Explicit recognition of the relationship of tāngata whenua to wāhi tapu and wāhi taonga;

(b) Processes for engagement with Papatipu Rūnanga with regard to wāhi tapu and wāhi taonga;

(c) Recognition of cultural landscapes as a planning tool to identify and assess sites.

(d) Recognition of silent files; and

(e) Recognition that wāhi tapu and wāhi taonga values may extend beyond the physical boundaries of individual sites;

(f) Setting aside land from development.

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) - See Appendix 3 of the Mahaanui Iwi Management Plan.

Unknown wāhi tapu/wāhi taonga values could be disturbed through excavations, and care must be taken to ensure these are handled with the correct tikanga.

An Accidental Discovery Protocol should be in place during all earthworks to avoid damage to wāhi tapu and wāhi taonga.

Papatuanuku: Subdivision and development

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:

(a) Encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;

(b) Ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision;

(c) Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations;

(d) Ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;

(e) Ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents; and

(f) Requiring that 'add ons' to existing subdivisions are assessed against the policies in this section.

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.

The Ngāi Tahu subdivision and development guidelines are attached below.

Papatuanuku: Stormwater

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:

(a) Education - engaging greater general public awareness of stormwater and its interaction with the natural environment, encouraging them to take steps to protect their local environment and perhaps re-use stormwater where appropriate;

(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 particulars species to absorb water and filter waste.

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.

P7.6 To require higher treatment levels for wastewater: 'we should not have to rely on mixing and dilution of wastewater to mitigate effects'

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;

(c) Are accompanied by regular testing and monitoring of one or all of the following: soil, foliage, groundwater and surface water in the area.

Stormwater from the site will be discharged to ground. Soak holes on the individual sites will be constructed as part of the Building Consent process.

Stormwater generated by the new road will be treated and disposed of through swales or alternative treatment methods.

Efficiency measures including greywater systems and rainwater collection could encouraged by being incentivised or required under the Outline Development Plan to lessen pressure on groundwater resources.

Conclusion

The kaitiaki of both Te Ngāi Tūāhuriri Rūnanga and Taumutu Rūnanga were consulted regarding any concerns they may have around the proposed development and suitability of the site for development.

Residential development must be undertaken within the capacity of the environment to cope with wastewater to prevent adverse effects on cultural values. Development should also be managed to give effect to the principles of Te Mana o Te Wai.

Although the proposed stormwater management via discharge to land is generally consistent with policies within the Mahaanui Iwi Management Plan, care must be taken to avoid the cumulative effects of wastewater discharge on groundwater which ultimately flows into surface water. This is articulated by policy P8.1 where the assimilative capacity of the land must be considered before discharge to land occurs.

Use of ground and surface waters as receiving environments for stormwater runoff that potentially contains contaminants degrades the mauri of these resources. It can also adversely affect other values associated with water, such as mahinga kai.

The kaitiaki raised concerns around water availability for increased demands. Efficiency measures including greywater systems and rainwater collection could be appropriately incentivised or required under the Outline Development Plan to lessen pressure on groundwater resources.

Development can provide an opportunity to enhance cultural landscape values. Incentives or requirements for landscaping with appropriate indigenous vegetation could also be incorporated into the Outline Development Plan.

The Rūnanga recommend the applicant to incorporate the Ngāi Tahu Development Guidelines (attached in Appendix One) in future subdivision design. These guidelines provide a framework by which the adverse effects of development on cultural values may be minimised.

Recommendations

1. A reticulated wastewater treatment system should be established to meet the needs of development under the plan change.

2. The additional pressure on water resources resulting from development under the plan change could be mitigated through incentives or requirements for household efficiency measures such as rainwater collection tanks and greywater systems.

3. All development within the plan change are should be guided to follow an Accidental Discovery Protocol for earthworks, consistent with Appendix 3 of the Mahaanui Iwi Management Plan.

4. Landscaping throughout the plan change area should utilise locally sourced indigenous species, suited to the local environment. Stormwater swales should also be planted with appropriate native species. This provides some mitigation to the cultural effects of contaminant discharge through increasing the capacity of the land to filter contaminants and enhancement of the biological values of the site.

5. The applicant should incorporate the recommendations from the Ngai Tahu Subdivision Development Guidelines in the development, particularly with regards to stormwater controls and indigenous plantings.

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

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Appendix 1: 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 runoff 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.