Mahaanui Kurataiao Ltd

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Two Chain Road – Private Plan Change 80

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 joint manawhenua over the project's location, as it is within their takiwā:

- Te Ngāi Tūāhuriri and Taumutu 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

- Two Chain Road Ltd seek a change of the operative plan by rezoning 98ha of Rural land in Rolleston to Business 2a Zone.
- This will enable an industrial zone to be established in this area.
- The site neighbours the Rolleston Industrial Zone and Inland Port Business Parks.
- The existing artificial water race that runs through the site will be retained. The water race has been naturalised further downstream.
- The aquatic ecology report states that the waterway has potential for improvements through installation of a native riparian area and hydraulic variation.

- There are two small areas of identified contamination from pesticide storage, waste disposal to land and spray race operations.
- The subdivision consent will incorporate conditions of consent addressing requirements for indigenous vegetation and mitigation against earthworks.

Evaluation in relation to Mahaanui Iwi Management Plan (MIMP)

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

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.

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 guidelines have been attached as Appendix 1.

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);

(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.

P6.2 To oppose the use of existing natural waterways and wetlands, and drains, for the treatment and discharge of stormwater in both urban and rural environments.

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.

WM12.4 All waterways in the urban and built environment must have indigenous vegetated healthy, functioning riparian margins.

WM12.5 To require that all waterways in the urban and built environment have buffers or set back areas from residential, commercial or other urban activity that are:

(a) At least 10 metres, and up to 30 metres.

A minimum 10m setback between development and the waterway must be maintained and enhanced.

IH6.4 To recognise and progressively restore the natural ability of waterways in the catchment to provide flood protection, filtration and other ecosystem services, by:

(a) Establishment of native riparian vegetation along waterways;

(b) Restoration of wetlands and springs;

(c) Restoration of natural form and function of the floodplain system, including providing for its dynamic characteristics; and

(d) Naturalisation of the existing drainage network.

WM6.16 To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.

P10.1 The management of contaminated land must recognise and provide for specific cultural issues, including:

(a) The location of contaminated sites;

(b) The nature of the contamination;

(c) The potential for leaching and run-off;

(d) Proposed land use changes; and

(e) Proposed remediation or mitigation work.

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.

(b) High risk to sites:

(i) Cultural Impact Assessment (CIA);

(ii) Site visit;

(iii) Archaeological assessment, by a person nominated by the Papatipu Rūnanga;

(iv) Cultural monitoring to oversee excavation activity, record sites or information that may be revealed, and direct tikanga for handling cultural materials;

(v) Inductions for contractors undertaking earthworks;

(vi) Accidental discovery protocol agreements (ADP); and/or

(vii) Archaeological Authority from the New Zealand Historic Places Trust.

An Accidental Discovery Protocol will be sufficient to protect any wāhi tapu and wāhi taonga values of the area.

Conclusion

The kaitiaki of both Te Ngāi Tūāhuriri and Taumutu Rūnanga were approached for feedback regarding this plan change as the site is within an area of shared takiwā.

- There are no identified NZAA sites or overlays denoting cultural significance within the plan change area. An ADP has been offered as a condition of consent at the time of site development. This is considered to be sufficient to protect any wāhi tapu or wāhi taonga that may be present on site.

- The existing waterway should be naturalised and a minimum 10m setback should be provided which includes a 5m planted buffer.

- The waterway cannot be used as a receiving environment for stormwater discharge.

- The existing proposal to discharge to ground via soak pits once the site is developed is not considered sufficient for stormwater treatment and retention.

- The applicant to refer to the Ngāi Tahu subdivision and development guidelines, particularly the policies around stormwater management. See below. In addition;
    - Stormwater management must provide filtration of hydrocarbons.
    - Heavy metal traps must be utilised.
- The species used in the road frontage planting should be indigenous and locally sourced.
- Contaminated sites must be remediated. Material must either be disposed of at an appropriate facility or, where contaminants are low level, reused on site. Contaminant laden stormwater must be detained and treated on site.

Recommendations

Recommendation 1:

For any excavation required on site the ADP should be worded in accordance with Appendix 3 of the Mahaanui Iwi Management Plan and all contractors made aware of this.

Should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies, including Heritage New Zealand Pouhere Taonga and the Mana Whenua, shall be contacted immediately, in accordance with the Accidental Discovery Protocol set out in Appendix 3 of the Mahaanui Iwi Management Plan:

http://www.mkt.co.nz/wp-content/uploads/2016/05/Mahaanui-IMP-web_Part32.pdf

Recommendation 2:

That a minimum 10m setback must be provided along both sides of the onsite waterway to improve biodiversity outcomes and provide for fish passage and habitat linkage.

- A 5m planted buffer should be provided. All riparian vegetation must consist of locally sourced indigenous species.

Recommendation 3:

The applicant to have regard to the Ngai Tahu Subdivision and Development Guidelines for future development. This is particularly pertinent in regard to stormwater management. The guidelines have been attached below.

- The existing waterway must not be used for stormwater disposal.

Recommendation 5:

Contaminated soils must be either disposed of in an appropriate facility or utilised on site where there is no risk of leaching into ground or surface water. If reused on site, contaminated soils must be placed well away from riparian areas.

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

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 runoff 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 to 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 wellbeing, 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).