



TO: ENVIRONMENTAL PROTECTION AGENCY

RE: ŌHOKA RESIDENTIAL SUBDIVISION – FTAA-2606-1253

SUBSTANTIVE APPLICATION UNDER THE FAST-TRACK APPROVALS ACT 2024

RESPONSE TO INVITATION FOR WRITTEN COMMENTS

DATE: 12 OCTOBER 2026

INTRODUCTION

On 9 September 2026, the Expert Panel for the Ōhoka Residential Subdivision Project (Project) invited written comments from relevant parties under section 53 of the Fast-Track Approvals Act 2025 (the Act). Te Ngāi Tūāhuriri Rūnanga and Whitiora Centre Ltd (Whitiora) are identified as invited parties.

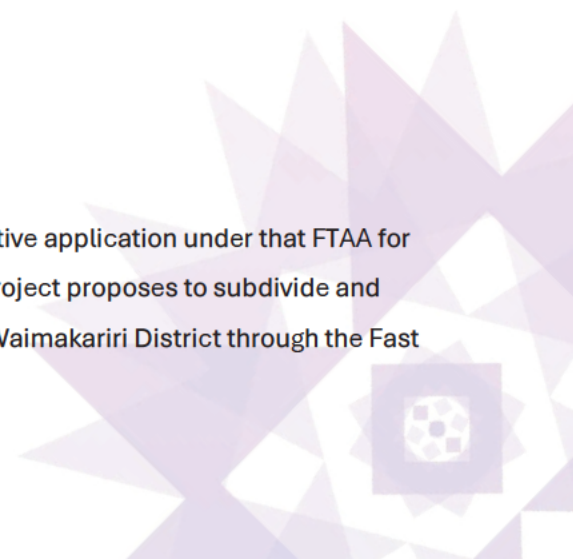
Ngāi Tūāhuriri is a principal hapū of Ngāi Tahu, acknowledged in Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 (Settlement Act). The takiwā of the hapū is centered at Tuahiwi, and extends from Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide. This is articulated in, and discernible from, the Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001 (formerly Schedule 1 of the Te Rūnanga o Ngāi Tahu Act 1996). Within this area, Ngāi Tūāhuriri has maintained noho tūturu (ahi kā), meaning the tribe's 'fires' have been kept burning and that they actively exercise rangatiratanga.

Whitiora is mandated by Ngāi Tūāhuriri Rūnanga to provide advice on its behalf in respect of all projects involving land use, water and development being processed under the Resource Management Act 1991 and the Fast-track Approvals Act 2025. Accordingly, all comments made in this document can be read as from both Whitiora and Ngāi Tūāhuriri Rūnanga.

Please find set out below our comments.

BACKGROUND

Carter Group Limited (the Applicant) has submitted a substantive application under that FTAA for the Ōhoka Residential Subdivision Project (the Project). The Project proposes to subdivide and develop ~154ha of land adjoining the Ōhoka township in the Waimakariri District through the Fast





Track process. Whitiōra refers to, and relies on the description of the proposed development, including its layout, landscape treatment, infrastructure and mitigation as set out in the Applicant's substantive application.

Whitiōra notes that the approvals being sought include:

- Subdivision and land use consents under the Partially Operative Waimakariri District Plan.
- Land use consents, discharge and water permits under the Canterbury Regional Land and Water Plan.
- Section 42(4)(h) for a wildlife approval which is an authority for an act or omission that would otherwise be an offence under various sections of the Wildlife Act 1953 (Wildlife Act).
- Section 42(4)(i) for an archaeological authority

SCOPE OF OUR WRITTEN COMMENTS

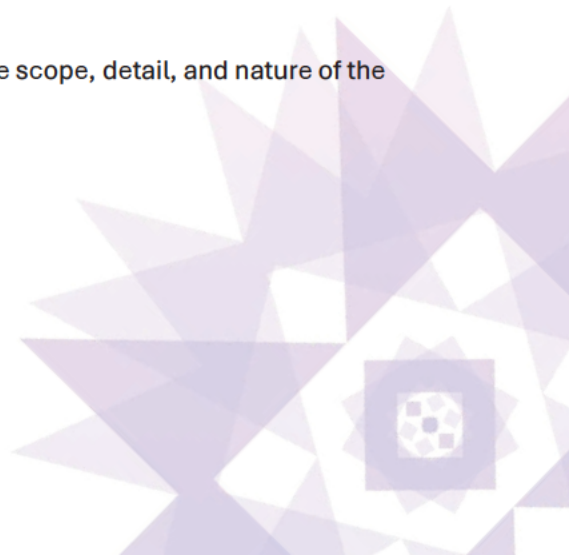
Our written comments will address interests in relation to;

- Matters arising from the Ngāi Tahu Claim
- Matters concerning the layout of the subdivision
- Matters concerning infrastructure
- Matters for conditions including:
 - Correct identification of Ngāi Tūāhuriri Rūnanga
 - Monitoring conditions
- The content of the Ecological Management Plan and engagement with Ngāi Tūāhuriri Rūnanga

MATTERS RELATING TO SETTLEMENT

The Ngāi Tahu Claims Settlement Act 1998 (NTCSA) records the scope, detail, and nature of the Crown's settlement with Ngāi Tahu. These included:

- An apology
- The return of Aoraki to Ngāi Tahu
- A wide range of mechanisms for economic redress
- A wide range of mechanisms for recognition of mana





- Recognition of, and provision for mahinga kai

The Apology

The Crown's apology recognised its repeated breaches of the principles of the Treaty of Waitangi in its purchases of Ngāi Tahu land. This included acknowledgement that the Crown had failed to preserve and protect Ngāi Tahu's use and ownership of such land and valued possessions they wished to retain; as well as "past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries."¹

Within the apology, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui. The apology concludes with a commitment to enter a new age of co-operation with Ngāi Tahu.

Special Association with Taonga Species

The NTCSA acknowledges the cultural, spiritual, historic, and traditional association of Ngāi Tahu with taonga species which are identified in Schedule 97 of the Act.

Our primary interest in the proposed subdivision with respect to matters arising from the Ngāi Tahu Settlement concerns:

- a. The protection of identified taonga species within the development.
- b. Where appropriate, to integrate and provide for taonga species within the development, including as part of landscape treatment and within water races, habitat for native fish.

In particular, we note that Pūtangitangi/Paradise shelduck are present on the site, but there are no conditions of consent providing for their protection. Tuna/eel were also identified on the site. We expect the stream works and ecological management plans to include appropriate protection measures for tuna and other taonga species, and that these measures are subject to conditions of consent for implementation and monitoring.

¹ S6 Ngāi Tahu Claims Settlement Act 1998





MATTERS RELATING TO LAYOUT OF THE SUBDIVISION

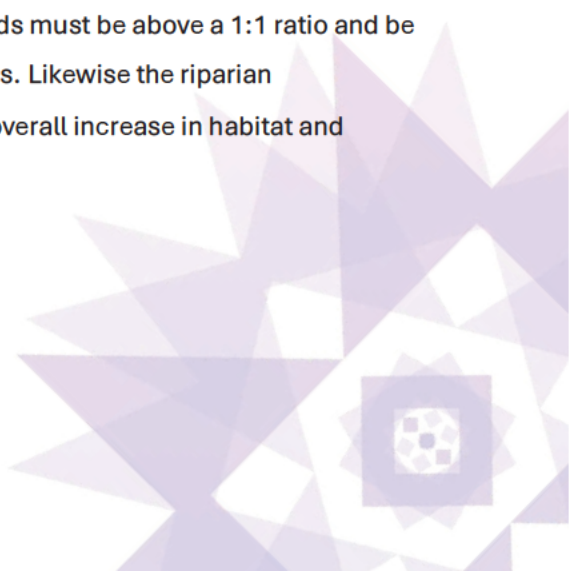
The integrity and health of all water bodies, including springs and wetlands, and their associated aquatic ecosystems is a matter of the highest cultural concern for Ngāi Tūāhuriri. We note that the site contains spring heads, wetlands and is traversed by the Ōhoka Stream which is a tributary to the Waimakariri River.

This waterway is identified as a Ngā Wai in the Partially Operative Waimakariri District Plan. Ngā Wai are important waterways and waterbodies, considered integral to tribal identity and Wāhi Taonga. Ngā Wai are a source of mahinga kai as well as being places of significant events, occupation, historic access and travel routes.

Having regard to this identification in the District Plan, Ngāi Tūāhuriri expects that the subdivision will include the widest setback legally possible from the stream, to provide space for natural processes associated with the flow of water and the integration of riparian planting. Examination of the Scheme Plan shows that this has been achieved except in relation to the Commercial Hub.

Ngāi Tūāhuriri requests that the plans are amended to show continuation of the esplanade reserve for the full length of the waterway within the property, taking in the Commercial Hub. Ngāi Tūāhuriri does not support the encroachment of hard surfacing, structures or buildings within the waterway setback. If this is not able to be achieved, the applicant needs to engage with Ngāi Tūāhuriri to agree appropriate offsetting or mitigation of adverse effects on the waterway in this location.

Ngāi Tūāhuriri also has a strong position opposing the reclamation of wetlands and modification to waterways. The proposed channel modifications and loss of wetland are therefore of high concern, and we wish to be assured that the proposed 'offset' works are based on a robust assessment of qualitative and quantitative values. The creation of new wetlands must be above a 1:1 ratio and be subject to comprehensive management and maintenance plans. Likewise the riparian enhancement works must be substantial enough to create an overall increase in habitat and vegetation coverage on the site.





MATTERS RELATING TO INFRASTRUCTURE

We note that the Project sits outside of identified urban growth plans as shown in the Partially Operative Waimakariri District Plan, and the Greater Christchurch Spatial Plan. Ngāi Tūāhuriri is concerned at the impacts of unplanned developments on infrastructure planning for communities within its takiwā, including infrastructure for water related services and transport networks. We express concern that Council Long-Term Plans will need to be reviewed, and in the context of rates capping, the delivery of new, or up-grading of existing infrastructure may need to be re-prioritised. This impacts existing communities wellbeing, and potentially delays improvements to ageing infrastructure that is impacting the environment. Accordingly, we consider it is essential for the Waimakariri District Council to be satisfied on the feasibility and costs of infrastructure services for the Project.

MATTERS FOR CONDITIONS

Identification of Relevant Entity

All references to 'rūnanga' or 'mana whenua' in the approvals and conditions should be changed to Ngāi Tūāhuriri Rūnanga, with Whitiora being the designated point of contact. This means that any management plans, reports, notifications etc. are sent directly to Whitiora, who will review and respond on behalf of Te Ngāi Tūāhuriri Rūnanga.

With respect to the Wildlife Permit, Whitiora requests that condition 4.1 is amended to remove reference Mahaanui Kurataiao. This project lies solely within the takiwā of Ngāi Tūāhuriri and therefore Whitiora is the appropriate mandated entity.

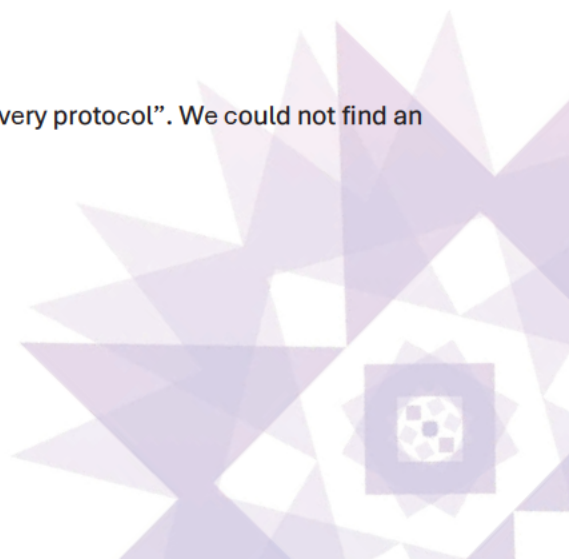
REGIONAL CONSENT CONDITIONS

We make the following requests in respect of the Proposed Regional Consent conditions:

Part 2 – Construction Administration

- Condition 21 d. refers to an “attached accidental discovery protocol”. We could not find an attachment.

Works in Waterways (s13 land use)





- Condition 7 requires the development of a Streamworks Management Plan to be prepared by a Freshwater Ecologist and Landscape Architect. This Management Plan is of high interest to Ngāi Tūāhuriri Rūnanga. We request that the condition requires a similar process to that proposed in Condition 13 for the Ecological Management Plan for engagement with Ngāi Tūāhuriri Rūnanga. That condition requires the Consent Holder to provide a copy of the Management Plan to Ngāi Tūāhuriri Rūnanga for comment prior to lodging with CRC. We request a preferred timeframe of 20 working days to provide for review, engagement with the Consent Holder and sufficient time to prepare any written advice.
- Condition 13 requires the Consent Holder to provide a copy of the Ecological Management Plan to Ngāi Tūāhuriri no less than 10 days prior to lodging with CRC. We request that the timeframe is amended to 20 working days prior to lodging in order to provide sufficient time for review, engagement with the Consent Holder to discuss any matters and to prepare written advice if required.
- Conditions 15 & 16 provide for Ecological Monitoring. We request an additional clause be added to Conditions 15 and 16 requiring the Consent Holder to invite Ngāi Tūāhuriri to accompany persons performing the ecological monitoring.
- Condition 17 – we request that Ngāi Tūāhuriri is also provided a copy of the monitoring report.

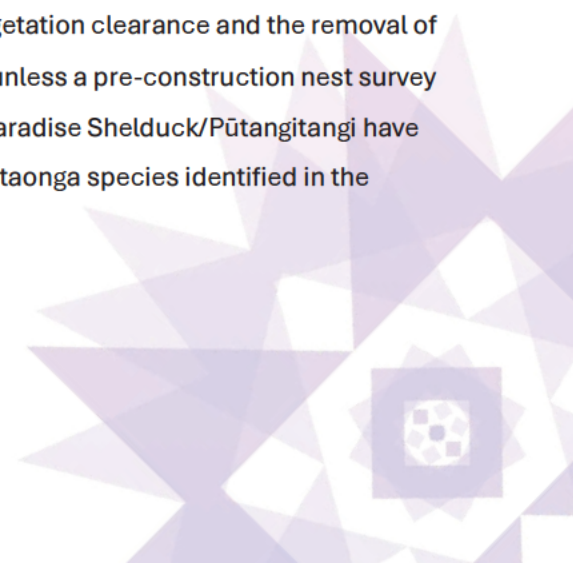
Stormwater Discharge Into Surface Water (s15 discharge permit)

- Condition 36c – we request that Ngāi Tūāhuriri is also provided with a copy of the monitoring results.

New Conditions

Avifauna

We note that the Avifauna Survey Memo recommends that vegetation clearance and the removal of farm buildings occurs outside the main bird breeding season unless a pre-construction nest survey is undertaken by a suitably qualified ecologist. We note that Paradise Shelduck/Pūtangitangi have been recorded in high abundance on the site and that this is a taonga species identified in the NTCSA. We request that a condition is added to this effect.





Fencing

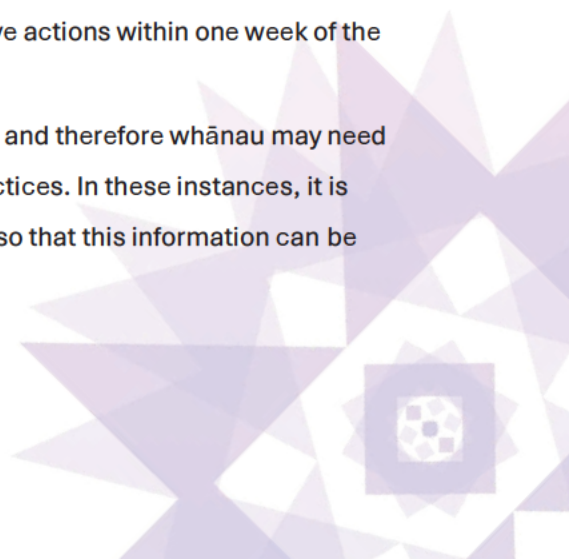
The AEE (paragraph 580) advises that streams, springs and wetlands which are to be retained would be fenced for protection from bulk earthworks. We assume that this detail will be included in the Erosion and Sediment Control Plan – but would like the certainty that this will occur with the addition of a new condition of consent added to the CRC consent for earthworks (s9 land use consent).

Management Plans

The proposed conditions require a suite of management plans to be developed.

The following notification protocol should be included – as a condition of consent - in the following management plans in respect of any significant environmental incident:

- Erosion and Sediment Control Plan
 - Site Management Plan
 - Chemical Management Plan
 - Groundwater and Spring Flow Monitoring Plan
 - Stream works Management Plan
 - Ecological Management Plan
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- Notification to be sent via email to consents@whitiora.org.nz
 - The email must clearly state:
 - Location of incident
 - Date and time (including start and end if applicable)
 - Brief description of incident
 - A significant event that has the potential to cause harm or death to people and/or wildlife should be followed up with a phone call.
 - Whitiora must be updated on the incident and corrective actions within one week of the incident.
 - Note: a significant discharge could impact mahinga kai and therefore whānau may need to be told to avoid or change customary harvesting practices. In these instances, it is important that Whitiora is advised as soon as possible so that this information can be disseminated.





Maintenance of Following Conditions

In the event that the Panel makes changes to the conditions, Whitiora wishes to be assured that conditions for the following matters are not reduced in scope or effect; and that conditions for monitoring are rigorous and enforceable:

- Conditions enforcing the comprehensive management of earthworks, including separation from, and protection of waterbodies from the effects of earthworks and the management of dust;
- Conditions for stabilisation and revegetation of earth-worked sites;
- Conditions concerning the management and removal of contaminated materials
- Conditions concerning the maintenance and/or reinstatement of the geomorphology of surface water bodies to a natural state;
- Conditions for the retention, creation and enhancement of wetlands;
- Conditions for the provision of fish passage;
- Conditions for the protection of fish to prevent stranding and mortality;
- Conditions for monitoring water quality within wetlands and surface water bodies and groundwater;
- Conditions enforcing the implementation in full of all proposed planting; and the monitoring of the success of the planting;
- Conditions enforcing the following of an Accidental Discovery Protocol

CONTACT DETAILS

Whitiora Centre Limited

351 Lincoln Road, Addington, Christchurch 8024

Email: consents@whitiora.org.nz

Phone: [REDACTED]

