

TE WHAKAMINENGA O KĀPITI

*“He toa taki tini taku toa,
E hara i te toa taki tahi”
“My strength will only be achieved
Because of the efforts of us all.”*

Rātū 25 Here-turi-kōkā 2015

**Council Chambers, 175 Rimu Road, Paraparaumu
10.00 am**

Committee Membership:

| | |
|--|---|
| Rupene Waaka (Ngā Hapū o Ōtaki) (Chair) | Mahinarangi Hakaraia (Ngā Hapū o Ōtaki) |
| Ann-Maree Ellison (Te Āti Awa ki Whakarongotai – Charitable Trust) | Cherie Seamark (Te Āti Awa ki Whakarongotai – Charitable Trust) |
| Carol Reihana (Ngāti Toa Rangatira) | Hohepa Potini (Ngāti Toa Rangatira) |
| Mayor Ross Church (Kāpiti Coast District Council) | Cr Janet Holborow (Kāpiti Coast District Council) |

| ITEM | ORDER PAPER | (*denotes paper attached) | PAGE |
|-------------|--|----------------------------------|-------------|
| 1 | Karakia | | |
| 2 | Apologies | | |
| 3 | Public Speaking Time | | |
| 4 | Additional agenda items | | |
| 5 | * Confirmation of Minutes – 14 Hongongoi (July) 2015 | | |

Strategic Work Programme

- | | |
|---|--|
| 6 | * Annual Work Plan 2015-2016 |
| 7 | * Formation of a PDP Working Group for the Next Phase of the Proposed District Plan (SP-15-1673) |
| 8 | * August 2015 Update on the Proposed District Plan (SP-15-1661) |

Updates / Other Matters

- | | |
|----|----------------|
| 9 | Iwi updates |
| 10 | Council update |
| 11 | Correspondence |
| 12 | Other Business |

| MINUTES | MEETING HELD ON | TIME |
|--------------------------|------------------------|----------|
| TE WHAKAMINENGA O KĀPITI | RĀTŪ 14 HONGONGOI 2015 | 10.00 AM |

Minutes of a six-weekly meeting of Te Whakaminenga o Kāpiti on Tuesday 14 July 2015, commencing at 10.00am in the Paraparaumu Library Meeting Room, Iver Trask Place, Paraparaumu.

MEMBERS

| | | | |
|-------|-----|----------|-----------------------------|
| Mr | R | Waaka | Ngā Hapū o Ōtaki |
| Ms | A-M | Ellison | Te Āti Awa Charitable Trust |
| Mr | H | Potini | Ngāti Toa Rangatira |
| Ms | J | Smeaton | Ngāti Toad Rangatira |
| Mayor | R | Church | Koromatua |
| Cr | J | Holborow | Mema o te Kaunihera |

IN ATTENDANCE

| | | | |
|----|---|-----------------|--------------------------------|
| Mr | D | Te Maipi | Kaumātua |
| Mr | S | McArthur | Kaihautū Rautaki me te Rangapū |
| Ms | M | Fraser | Kaiwhakahaere Tairangawhenua |
| Ms | S | Hutcheson | Kaitātari Kaupapa Matua |
| Ms | T | Parata | Te Kaitohutohu Toko i te Ora |
| Mr | D | Lew | Te Kaiwhakahaere Mahere Taiao |
| Ms | K | Dorofaeff | Kaiwhakataua Kaupapa Matua |
| Mr | K | Currie | Kaihautū Ratonga Whakaritenga |
| Ms | V | Starbuck-Maffey | Kaiwhakahaere Ratonga Manapori |

APOLOGIES

| | | | |
|----|-----|------------|------------------------------------|
| Ms | C | Reihana | Ngāti Toarangatira (NgātiHaumia) |
| Ms | T P | Paringatai | Te Kaiwhakapakari mo te Hunga Mahi |
| Ms | C | Seamark | Te Āti Awa Charitable Trust |
| Ms | M | Hakaraia | Ngā Hapū o Ōtaki |
| Mr | P | Dougherty | Tumuaki |

The meeting opened with a karakia by Don Te Maipi. The Chair welcomed new Ngāti Toa representative Hohepa Potini.

Te Whakaminenga o Kāpiti 15/07/181

TUKU AROHA/APOLOGIES

MOVED (Mayor /Ellison)

That apologies be accepted from Mahinarangi Hakaraia, Cherie Seamark, Carol Reihana, Te Paea Paringatai, and Pat Dougherty.

CARRIED

Te Whakaminenga o Kāpiti 15/07/182

PUBLIC SPEAKING TIME

There were no public speakers.

Te Whakaminenga o Kāpiti 15/07/183

ADDITIONAL AGENDA ITEMS

Kevin Currie was introduced as the new Group Manager Regulatory Services and he explained the key features of his portfolio.

There were no additional agenda items.

Te Whakaminenga o Kāpiti 15/07/184

CONFIRMATION OF MINUTES – 26 HARATUA (MAY) 2015

A number of points from the minutes were discussed:

The Chair apologised for the late launch of the Maramataka (today) citing technical difficulties.

The Chair referred to the second episode of recent flooding in the District and the Mayor commented on the rapid response.

There was a query regarding discussions on signage for the walkway in Paekākāriki and clarification would be sought as to the right personnel at Greater Wellington Regional Council (GWRC) for future liaison, especially around iwi engagement.

MOVED (Mayor/Ellison)

That the minutes of the meeting of Te Whakaminenga o Kāpiti on 26 May 2015 are confirmed as a true and accurate record of that meeting.

CARRIED

Strategic Work Programme

Te Whakaminenga o Kāpiti 15/07/185

STRATEGIC WORKPLAN

The item was deferred due to staff illness.

Te Whakaminenga o Kāpiti 15/07/186

IWI REPRESENTATION TO THE KĀPITI ECONOMIC DEVELOPMENT LEADERSHIP GROUP (SP-15-1620)

Manager, Programme Design and Delivery Tania Parata spoke to the item which sought approval for an iwi representative on the Leadership Group. The origins of the Leadership Group were explained. It was noted that the proposed member, Russell Spratt was also the Māori representative on Council's Corporate Business Committee.

The Group agreed that Mr Spratt was a very qualified and capable person for the appointment and emphasised that a report that reflected wider consultation with iwi groups on any proposed candidate should be submitted through ART and Te Whakaminenga o Kāpiti first to enhance transparency of the process.

It was noted that ART was undergoing some changes with a focus on improving engagement and connections over the coming months. The Leadership Group would be reporting back to Council on a quarterly basis. The ability to report back to rūnanga and ART would also be helpful.

In the future it was agreed to run a process that would involve calling for expressions of interest from within iwi groups and then running a recruitment process. Ann-Maree Ellison would provide information on the preferred process for future appointments.

MOVED (Smeaton/Mayor)

That Te Whakaminenga o Kāpiti approves the appointment of Russell Spratt as the iwi representative to the Economic Development Leadership Group.

CARRIED

Te Whakaminenga o Kāpiti 15/07/187

2015 REPRESENTATION REVIEW – COUNCIL’S INITIAL PROPOSAL (CORP-15-1622)

Democracy Services Manager Vyvien Starbuck-Maffey spoke to the report which informed Te Whakaminenga o Kāpiti of the Council's Initial Proposal for representation arrangements for the 2016 local body elections. The pre-consultation process had been managed through a Council-appointed Working Party which included an iwi representative Ann-Maree Ellison. Council had decided to maintain the status quo in respect of the number of Councillors, the basis of their election (wards plus districtwide) and the four Community Boards. Council also proposed changing the Ward boundary between Waikanae and Ōtaki so that residents in Huia Street and Reikorangi would be part of the Waikanae Ward as well as the Waikanae Community Board. Members commented that the boundary proposal made sense as from a Māori perspective Reikorangi had always been part of Waikanae. ART wished to prepare a submission. Members also signalled that they would like Council to examine the option of a Māori Ward in the 2016-2019 Triennium.

MOVED (Ellison/Potini)

That Te Whakaminenga o Kāpiti notes Council’s initial proposal as resolved by Council on 18 June 2015, relating to the review of representation and basis of election for the 2016 local body elections.

CARRIED

Te Whakaminenga o Kāpiti 15/07/188

IWI UPDATES

Te Āti Awa

- Discussions were ongoing about the Town Centre project and specifically about the proposed carparking development at the corner of Te Moana Road.
- The Trust’s AGM was scheduled for September

Ngāti Toarangatira

- Hohepa Potini had been appointed as an interim representative, replacing Reina Solomon and a final replacement is being discussed.
- A hui on home ownership had been held with Housing NZ
- Matariki celebration organiSation work – the Chair’s inclusive style of work in this respect was acknowledged
- Halfway through marae programme for young people

Ngā Hapū o Ōtaki

- It had been a very busy period with nothing specific to note.

Te Whakaminenga o Kāpiti 15/07/189

COUNCIL UPDATES

The Mayor provided an update:

- The new Chair of GWRC was Chris Laidlaw
- The Chief Executive Forum had been working on some alternative options for amalgamation for the Mayoral Forum to consider; however, the latter did not favour any option in particular but submitted the work to the Local Government Commission. It was suggested that the LGC engage with all the interested parties in the region, including iwi
- Council had adopted the Long Term Plan (LTP) on 25 June
- The Chair of the Wellington Regional Economic Development Agency (WREDA) Peter Biggs would be presenting to Council on Thursday and it was recommended that an iwi representative be present for this
- The question was asked about Māori representation on WREDA as there appeared to be a gap and WREDA's membership and role were explained. WREDA was appointed by the shareholders eg Wellington City Council and GWRC
- There were 570 submitters to the LTP, and the response letters would all be handsigned by the Mayor
- It was suggested that the Corporate Reporting and Planning Manager Kevin Black come to the next Te Whakaminenga o Kāpiti meeting to talk through the response to the ART submission and this was agreed
- The Council has submitted an application to the Society of Local Government Managers (SOLGM) for best practice engagement in the LTP process
- There were new appointments to the LGC including Sir Wira Gardner as the new Chair and Leigh Auton as a member
- The Submitter Engagement Version of Proposed District Plan (PDP) had been completed and released for consultation over the next six months
- A Local Approved (Psychoactive) Products Policy had also been approved by Council which had been a very difficult decision but not having a policy would have meant that legal highs could be sold anywhere in the district. Council would continue to lobby central government to ban the products outright. The regulations would be released in November but it was possible that the products would not be retailed for another couple of years. More local authorities had adopted policies than not.

Te Whakaminenga o Kāpiti 15/07/190

KĀPITI VISITOR ATTRACTION STRATEGY (SP-15-1621)

Research Planning and Policy Manager Darryl Lew and Senior Policy Advisor Sam Hutcheson spoke to the report and circulated copies of a presentation. They would also provide an update on i-Site matters.

The origins of the work were explained and the process and timeframes explained. There had been meetings with stakeholders, and draft forms of the strategies (Visitor Attraction Strategy, and Events Strategy) would be submitted in due course to Te Whakaminenga o Kāpiti for consideration.

The Visitor Attraction Strategy needed to communicate Kapiti's unique range of attractions widely and a stocktake of all the events that Council supports and/or runs was being undertaken as input to the Events Strategy. It was agreed that it would be beneficial to include data on the Māoriland Film Festival in Ōtaki.

There was discussion around community events like Waitangi Day and how these could be leveraged and promoted. It was recommended that a wider discussion take place with iwi about the role of culture in the Kāpiti story. Reference was made to the Pipi Trail and the Heritage Trail. Assurances were made that nothing that iwi weren't happy with would be included in the strategy.

It was important to note the District's limitations relating to budget for events and a realistic approach was best, and would be tied into the Open for Business programme.

An update on i-Sites was provided; the Ōtaki site had now been officially decommissioned and a digital presence was being pursued. The i-Site at Paraparaumu would be the Kāpiti i-Site and over the coming months discussions would occur about the best location for this. There may be better options elsewhere in the civic precinct or as part of the Town Centre planning.

Pukekaraka should be included as an attraction as it was the oldest Catholic Church in New Zealand. The suggestion was made that more could be done to capture visitors from cruise ships berthing in Wellington but there were transport and marketing issues, as well as competing free attractions in Wellington. The issue was worth revisiting in view of the Expressway impact on reducing travel times between Kāpiti and Wellington. Visitors value cultural attractions.

MOVED (Ellison/Mayor)

That Te Whakaminenga o Kāpiti notes this update on the development of the Kāpiti Visitor Attraction Strategy, and notes that the ART Forum will have on-going input into its development.

CARRIED

Te Whakaminenga o Kāpiti 15/07/191

JULY 2015 UPDATE ON THE PROPOSED DISTRICT PLAN (SP-15-1614)

Principal Policy Planner Katherine Dorafaeff spoke to the report explaining key developments, consultation with submitter groups and internal activities including a recent briefing to Council about the approach to the management of retail activities. The draft Urban Tree Variation was currently being consulted on.

A question was asked about the progress with waahi tapu? All the reports had been completed and were now with iwi for checking. More work would have to be done around the rules. A report would be presented to the next meeting to outline how the partnership with the District's three iwi could continue into the next phase of the PDP have now got all the reports some of them provided to iwi to check. There is a need for more work around the rules to improve the drafting. At the next meeting a report would be presented outlining how the partnership with the three iwi can continue into the next phase of the PDP. Formal hearings were scheduled for end of March next year. Registrations of interest had been invited for the role of iwi commissioner and one registration had already been received from Miria Pomare. Council would be making the final appointment.

MOVED (Smeaton/Mayor)

That the update report SP-15-1614 be received.

CARRIED

Jennie Smeaton gave a brief explanation on the background of Miria Pomare. Miria has been an iwi commissioner for a number of years and has sat on most recently a Board of Inquiry hearing in Taranaki on petroleum exploration permits. She has given evidence on major projects like Transmission Gully, the wind turbines and district planning documents and was a founding member of Te Whakaminenga o Kāpiti. Darryl has searched the iwi submissions and Miria does not appear in those documents as a submitter.

MOVED (Smeaton/Ellison)

That Te Whakaminenga o Kāpiti supports the appointment of Miria Pomare as a Hearing Commissioner on the Proposed District Plan Hearings Panel.

CARRIED

Te Whakaminenga o Kāpiti 15/07/192

CORRESPONDENCE

A letter from Te Rūnanga o Toa Rangatira dated 6 July had been received reconfirming the Ngāti Toa representation to Te Whakaminenga o Kāpiti as Carol Reihana and appointing Hohepa Potini as an interim replacement for Reina Solomon.

MOVED (Waaka/Ellison)

That Te Whakaminenga o Kāpiti reconfirms the Ngāti Toa representative on Te Whakaminenga o Kāpiti as Carol Reihana and appoints Hohepa Potini as an interim Ngāti Toa representative replacing Reina Solomon.

CARRIED

A separate discussion would need to take place concerning Ms Solomon's role as Māori representative on the Environment and Community Development Committee

Te Whakaminenga o Kāpiti 15/07/193

OTHER BUSINESS

Te Whakaminenga o Kāpiti would like to pass on their condolences to Group Manager Tamsin Evans on the recent passing of her partner.

The meeting closed at 12.08pm with a karakia by Don Te Maipi

.....
Chair

.....
Date

Te Whakaminenga o Kāpiti Annual Work Plan 2015-2016

Te Āti Awa ki Whakarongotai

Ngā Hapū o Ōtaki

Ngāti Toa Rangatira

And

The Kāpiti Coast District Council

TWOK 2015/16 LTP Budget

| | Governance and Tāngata Whenua | Total | Description | Timeframe | Status |
|--|--|------------------|--|--|----------------------------------|
| | TWOK MEETING SUPPORT | 7,567 | Committee meetings | July to June | Ongoing |
| | IWI ANNUAL WORK PROGRAMME | | | | |
| | Heritage Trail | 7,392 | Rangiātea signage, Te Āti Awa Park, Pou for Carol, Taumānuka 3F – Ōtaki River Mouth | December to March | Underway |
| | Waahi Tapu | 5,000 | Bus tours for council staff and iwi members – enhance knowledge and understanding of the significance of waahi tapu to iwi | July to March | First scheduled for July |
| | Iwi Management Plan | 10,000 | Ngā Hapū o Ōtaki – review if the Ōtaki Iwi River Management Plan | August to December | |
| | Newsletter | 7,000 | Quarterly newsletter – includes contractor to write and produce printed and website version – July, October, January/ February, May | July, October, January/ February and May | 1 st edition achieved |
| | Maramataka | 7,758 | World War One 2015-2016 | December to June | |
| | Land Info (LINZ) | 3,000 | LINZ search | July to June | |
| | <i>Build Iwi Capacity</i> | | | | |
| | Conference LGNZ | 5,000 | Two members attendance at the Local Government NZ conference | July | Achieved |
| | Resource management | 5,000 | Training requirements in resource management e.g. Commissioner | July to June | |
| | Photographic Record | 2,162 | Conservator work with marae | July to June | |
| | ART Forum | 7,756 | ART Forum meetings | June to July | |
| | Te Reo Māori Week | 1,500 | Support activity to enhance knowledge and understanding | July | |
| | Matariki | 1,500 | Support activity to enhance knowledge and understanding | June | |
| | Rongoā Māori | 1,500 | Support activity to enhance knowledge and understanding | July to March | |
| | Waitangi Day | 1,188 | Supports the development of heritage displays at libraries and museums | December to February | |
| | TOTAL IWI ANNUAL WORK PROGRAMME | 65,756 | | | |
| | MARAE IMPROVEMENTS | | | | |
| | Maintenance programmes of work | 52,836 | Audit of the OPUS reports and projects completed to date. This work will then advise the process for future maintenance programmes of work along with the way that funding will be addressed in the future | July to December | |
| | IWI CONSULTATION - COMMUNICATIONS/EVENTS | | | | |
| | Contractors - General | 54,000 | Build external iwi capacity – contract with each iwi mandated organisation | By September | |
| | COUNCIL CEREMONIES/FUNCTIONS | | | | |
| | Waitangi Day | 12,435 | Annual Waitangi Day event – 2016 co-host will be Te Āti Awa. NB: Council Events Strategy under-review (inclusive of Waitangi Day). The strategy will explore future delivery of events across council | Completes February | |
| | Total Operating Governance and Tāngata Whenua | \$192,594 | | | |

| PROJECT WORKS | Total | Description | Timeframe | Status |
|------------------------------|----------------|--|-----------|-----------|
| DISTRICTWIDE PLANNING | | | | |
| Consultation | 78,000 | Iwi consultation, research, investigations specific to the on-going Proposed District Plan | Ongoing | Underway |
| BUILDING CAPABILITY | | | | |
| Maori Economic Development | 65,000 | MED Strategy review and engagement and implementation | Ongoing | |
| URUPĀ GRANTS | | | | |
| Ruakohatu | 2,852 | Grant for maintenance of hapū managed urupā | August | Completed |
| Takamore | 2,852 | Grant for maintenance of hapū managed urupā | August | Completed |
| Tainui | 2,852 | Grant for maintenance of hapū managed urupā | August | Completed |
| Rangiātea | 2,852 | Grant for maintenance of hapū managed urupā | August | Completed |
| Total Expenditure | 11,408 | | | |
| REGULATORY SERVICES | | | | |
| Iwi Consent Process | 20,000 | Contracts with each mandated organisation | August | Underway |
| Total Project Works | 174,408 | | | |

| CAPITAL PROJECTS | Total | Description | Timeframe | Status |
|--------------------------------|--------------|--|-----------|--------|
| PARKS AND OPEN SPACES | | | | |
| Signage for Rongoā Māori sites | 2,255 | Scheduled to coincide with establishment/ enhancement of rongoā spaces | May/ June | |
| Total Capital Projects | 2,255 | | | |

| INFLUENCING MĀORI WORLD VIEW | Description | Status |
|--|---|--|
| TREATY SETTLEMENTS | Keeping abreast of treaty settlement processes | Ongoing |
| RONGOĀ MĀORI | Advocating and supporting programmes of work in rongoā Māori | Ongoing with Parks and Open Spaces team |
| TE REO MĀORI/ MATARIKI/ WAITANGI DAY | Embedding across council – internal and external customer | On-going through website, te waka and staff building and maintaining relationships with tāngata whenua |
| TE TIRITI O WAITANGI/ ART Confederation | Develop and promote opportunities for staff and councillors to attend workshops on Te Tiriti o Waitangi | Ongoing opportunities provided to staff |
| HOUSING | Keeping abreast of housing issues across the district Explore opportunities to assist whānau/ hapū and iwi to implement papakainga | District plan provisions accommodate papakainga Reviewing resource and building consents process to support development |
| COUNCIL STAFF CAPACITY BUILDING | Programme of work designed to support staff to develop Māori world view | On-going opportunities provided to staff |

Chairperson and Members
TE WHAKAMINENGA O KĀPITI

25 AUGUST 2015

Meeting Status: **Public**

Purpose of Report: For Decision

FORMATION OF A PDP WORKING GROUP FOR THE NEXT PHASE OF THE PROPOSED DISTRICT PLAN

PURPOSE OF REPORT

1. This report seeks to:
 - confirm the establishment of a Proposed District Plan (PDP) working group made of membership of the three iwi within Kāpiti District. The role of the working group would be to:
 - review and provide advice to Council planning staff and consultants throughout the engagement period associated with the Submitter Engagement Version (“SEV”) of the PDP;
 - review and provide advice to Council planning staff and consultants during preparation of the Section 42A reports for the PDP hearings; and
 - potentially act as an expert witness as part of the Council's team at the PDP hearings;
 - disband the current mechanism known as the Tāngata Whenua Working Party (TWWP); and
 - provide an update on a range of matters associated with the PDP and an associated Kāpiti Environmental Accord initiative.

DELEGATION

2. Te Whakaminenga o Kāpiti may consider this matter under the Memorandum of Partnership, Clause 21 sub clause iv) which identifies the following principle: that Council will have particular regard to the rights of tāngata whenua in the management and development of resources by recognising and providing for rangatiratanga.

BACKGROUND

3. The Tāngata Whenua Working Party was established in 2010 as a mechanism for iwi to participate in the review of the District Plan. The mandate for the working party was to review all aspects of the District Plan on behalf of Te Whakaminenga o Kāpiti and recommend to this forum the direction for iwi policy and world view within this process.
4. The outcome has been a forum for creating mutual respect and decision making with regards to the district plan and the establishment of the planning document Te Haerenga Whakamua. This document articulates iwi priorities now and for the future for the management of the district.

5. The working party was actively involved in the development of the PDP up to its notification in November 2012 and has been involved in subsequent meetings with the PDP staff and consultants.
6. Since the PDP was notified the following processes have occurred:
 - Submissions and Further Submissions on the PDP were received in 2013;
 - Council commissioned two independent review reports entitled “Coastal Erosion Hazard Assessments for the Kāpiti Coast: Review of the Science & Assessment Undertaken for the Proposed Kāpiti Coast District Plan 2012” (**Coastal report**) and “Independent Review of the Kāpiti Coast Proposed District Plan” (**Independent report**) and these were received by Council in June 2014;
 - In July 2014 Council resolved to accept the recommendations of the two independent review reports, with key decisions being to withdraw the Coastal Hazard provisions (along with some other provisions) from the PDP and to adopt “Option Four” outlined in the Independent report; i.e. to continue with the processing of the PDP; and
 - In June 2015 Council released the SEV which is a comprehensive re-write of the PDP by Council staff and consultant planners along with a programme of engagement with submitters through the balance of 2015 and up to the hearings phase which is programmed to begin in April 2016.
 - On 11 August 2015, the Council resolved to introduce a variation proposing new rules to protect the most significant indigenous trees in urban areas and permit trimming of protected trees without the need for resource consent. The final decision about the form of the rules to be notified will be made on 27 August, with notification on 4 September. The variation is being advanced now because the existing ‘blanket’ rules in the Operative and Proposed District Plans will cease to have effect on 4 September due to an amendment to the RMA.. As the result of the RMA amendment, the approach in the notified PDP does not meet new legal requirements for protected trees to be identified by property.

ISSUES AND OPTIONS

Issues

7. Council received around 770 submissions to the PDP, along with a number of further submissions. There are a number of submissions received from tāngata whenua groups and individuals. The list below identifies submission number and name, and iwi relationship. Some of these submissions are subject to further submissions from other parties.

025: Sara Velasquez

031: Janey Wilson - Ngā Hapū o Ōtaki

081: Pataka Moore - Ngāti Raukawa

112: Monique Lagan - Ngāti Raukawa

137: Caleb Royal - Ngā Hapū o Ōtaki

150: Te Rūnanga o Toa Rangatira Inc

163: Rupene Waaka - Ngā Hapū o Ōtaki

232: Ngā Hapū o Ōtaki

414: David Moore – Ngāti Raukawa

433: Katihiku X Trust - Ngā Hapū o Ōtaki

435: Mary-Anne Wirihana Te Rei - Ngā Hapū o Ōtaki

438: Ngā Hapū o Ōtaki – Koroki – Ngāti Koroki – part of Ngā Hapū o Ōtaki

445: Miriama Selby-Rickit – Ngāti Raukawa

515: Katihiku Marae Committee - Ngā Hapū o Ōtaki

559: Whakarongotai Marae - Te Āti Awa

8. These groups are submitters to the PDP in their own right and have legal standing to participate in both the upcoming engagement discussions on the SEV and the subsequent hearings in front of Commissioners.
9. Most of the tāngata whenua related submissions are associated with Chapter 10 – Historic Heritage and Waahi Tapu sites in particular and these submissions will enable thorough representation of iwi interests in those matters. However, there are a wide range of other matters which were generally supported by the TWWP in the notified PDP (e.g. coastal issues and natural values issues) and which the Council planning team are reconsidering during the SEV stage and in the preparation of their reports that have no related tāngata whenua submission. Because some of the members of TWWP are now submitters in their own right, there are difficulties in continuing on with the previous TWWP arrangement.
10. The Council planning team would benefit from advice through the engagement period and on into the hearings on how the wider Kaitiakitanga interests of the three Iwi of the district are understood and factored in to their reporting, but because of the legal standing of submitters, this advice needs to be from iwi members who are not submitters, otherwise there would be a conflict of interest.
11. The potential areas of the PDP where the planning team would be seeking iwi input include:
 - Natural landscape
 - Natural character
 - Waahi tapu sites
 - Coastal
 - Urban development
 - Water infrastructure
 - Papakainga housing provisions
 - The Urban Trees Variation.
12. The following three options for addressing wider iwi representation have been identified:

Option 1

Continue with TWWP which has been previously appointed.

13. This option would create a conflict of interest for the Council and iwi as some members of the TWWP are submitters in their own right, or on behalf of their whānau, marae or hapū.

Option 2

For no further advice to be provided on tāngata whenua related issues and interests.

14. This option would not meet the spirit or intent of the Memorandum of Partnership discussed above, or provide the planners with tāngata whenua advice on relevant matters under the RMA.

Option 3

To appoint a new PDP Working Group under the Terms of Reference appended as Attachment 1 to this Report.

15. This option would avoid the legal conflict of interest issue associated with Option 1, would meet the spirit or intent of the Memorandum of Partnership discussed above, and provide a source of advice to the Planners on relevant tāngata whenua matters under the RMA.
16. If this option is selected, it is recommended that a meeting date be set for mid-September. The suggested items for the first meeting are:
- Review of the reports by Dr Des Kahotea on the waahi tapu sites which have received submissions. These reports have been previously circulated to the iwi representatives;
 - Consideration of waahi tapu rules;
 - Other waahi tapu related matters raised in submission; and
 - Setting a timetable for the full review of the SEV by the group.

Dr Kahotea is available during the week of 11 to 17 September, but is otherwise engaged in hearings throughout September.

UPDATE ON IWI HEARING COMMISSIONER

17. The Council has resolved to include an Iwi Commissioner on the Hearing Panel and it is expected that a recommendation to appoint will be made at the October meeting of the Council. At their last meeting, TWoK endorsed Miria Pomare, who is the only applicant for this position.

BRIEFING ON KĀPITI ENVIRONMENTAL ACCORD CONCEPT

18. Staff have been working on the development of a Kāpiti Environmental Accord as a key non-regulatory method which is looking at a co-ordinated “multi-party” approach to delivering the best biodiversity outcomes for the District. A Power Point presentation on this concept will be provided at the meeting.

CONSIDERATIONS

Policy considerations

19. There are no policy considerations that need to be referenced.

Legal considerations

20. There is a conflict of interest if the previously appointed TWWP is maintained as reference group for planners during the engagement period and in the preparation of the Section 42A reports required for the hearings.

Financial considerations

21. Costs are within budget for the 2015/16 financial year.

Implementation plan update

22. The implementation plan is attached as Attachment 1.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

23. The PDP is now in the statutory phase between close of submissions and commencement of hearings. As the PDP process has already been adopted by Council this report has a low degree of significance.

Engagement

24. The PDP implementation plan (refer to Attachment 2) provides for additional submitter engagement and prehearing meetings which are not required under the RMA. The submitter engagement phase is specifically identified in the implementation plan and runs until March 2016. Submitters who wish to provide written feedback to the Submitter Engagement Version are being encouraged to do so by September 2015.

Publicity

25. If the new PDP Working Group is confirmed, this would be included as an item in the next PDP Update newsletter sent to submitters.

RECOMMENDATIONS

26. It is recommended to Te Whakaminenga o Kāpiti that:

1. The Tāngata Whenua Working Party appointed in 2010 be disestablished as some members of the working party are now submitters and there would be a conflict of interest if the working party was providing advice on submissions to the Council planning team;
2. The wider iwi Interests be represented through a new process involving a PDP Working Group as to undertake the functions outlined in the Terms of Reference appended as Attachment 1 to this Report;

3. Staff liaise with the Chair of TWoK to prepare an appropriate acknowledgement to members of the TWWP thanking them for their contribution to date; and
4. The power point presentation regarding the Kāpiti Environmental Accord be received and the proposed Biodiversity Workshop / Symposium suggested in the presentation for October 2015 be endorsed.

Report prepared by**Approved for submission****Approved for submission**

Darryl Lew

**Manager - Research,
Policy & Planning
Kaiwhakahaere Mahere
Taiao**

Kevin Currie

**Group Manager,
Regulatory Services**

Stephen McArthur

**Group Manager,
Strategy & Planning**

ATTACHMENTS

- 1 Terms of Reference for PDP Working Group
- 2 PDP Implementation Plan

ATTACHMENT 1: TERMS OF REFERENCE FOR PDP WORKING GROUP

AUGUST 2015

Background

Obtaining iwi advice in relation to the Purpose and Principles of the Resource Management Act 1991 (Sections 6, 7 and 8) are important considerations for the Planning Team preparing reports for the Commissioners who will hear and decide on submissions to the PDP. With the release of the SEV in June 2015 continued liaison with, and input from the tāngata whenua is important to assist the Planners with their assessment and reporting role as the PDP moves through the pre-hearing engagement period.

As was the case with the TWWP, the PDP Working Group will be part of the Council team.

Skill Set and Endorsement

It is considered that the most effective way of ensuring ongoing engagement of the three iwi through the upcoming SEV engagement period (in a way that recognises and does not cut across the legal submissions which have been made by tāngata whenua groups and individuals) is through the appointment of a “PDP Working Group” comprising one nominated individual from each iwi (i.e. three individuals) with the following general skill sets and endorsement:

The PDP Working Group Members should:

- Not be submitters or further submitters (either as individuals or signatories to group submissions) on the PDP.
- Have good working knowledge of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.¹
- Have an understanding of the Resource Management Act 1991.
- Be nominated and endorsed by their iwi and/or TWoK.

Functions

The functions of the PDP Working Group are to:

- Undertake a review the SEV to familiarise themselves with the directions being recommended by the Council planning team on changes to the PDP based on submissions received.
- Sit as “Iwi observers” at relevant formal facilitated, pre-hearing and mediation meetings (provided none of the submitter parties object) so as to understand the issues and reasons why potential PDP changes are being discussed in these forum.
- Liaise with the PDP Chapter Lead Planners where advice is sought on Iwi issues which need to be considered in their Section 42A (Planning Reports to the Commissioners), in particular relating to the independent reporting on

¹ Refer to Section 6 (e) of the Resource Management Act 1991.

submissions relating to waahi tapu sites being undertaken for Council by Dr Des Kahotea and other relevant matters under Sections 6 (e), 7 (a) and 8 of the RMA.

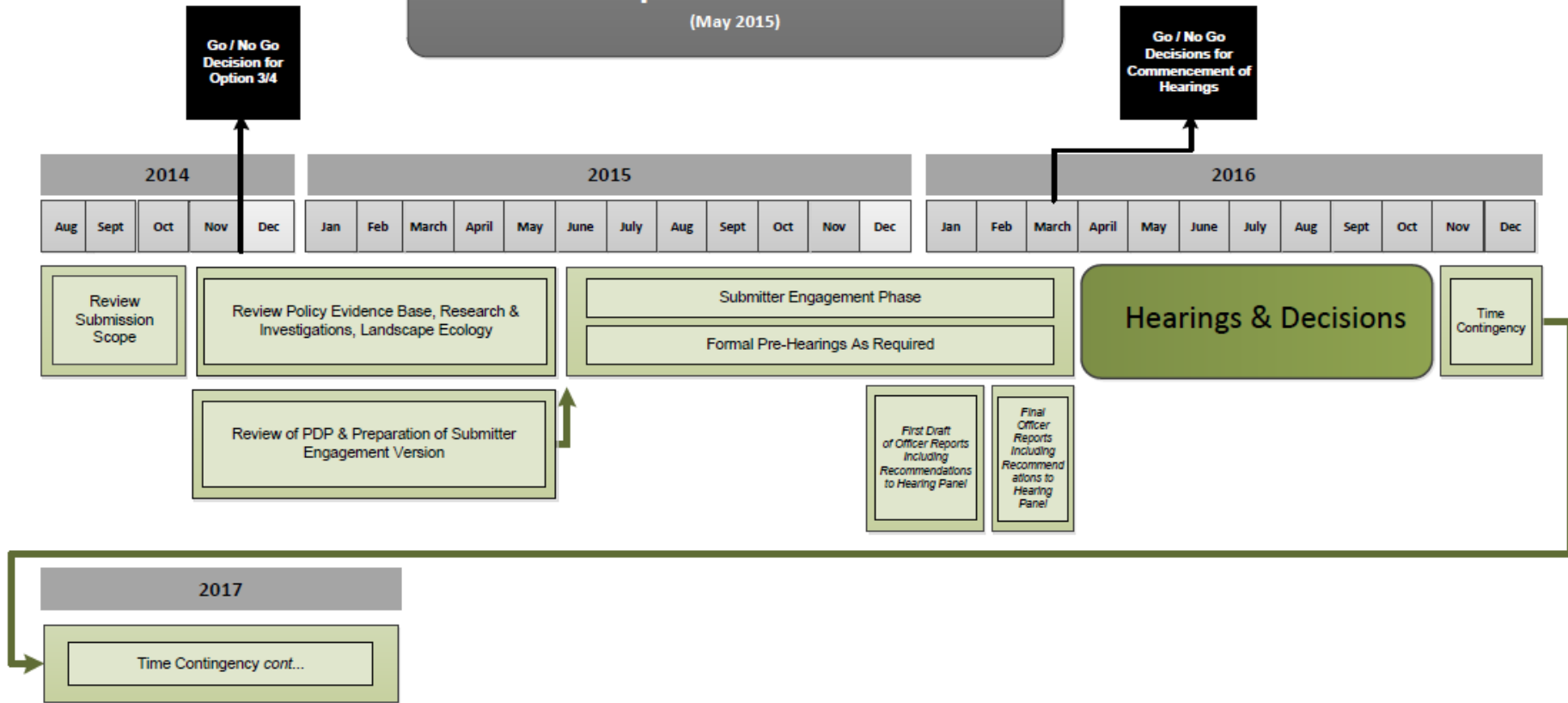
- Input into any variations proposed for the PDP such as the Urban Tree Variation.
- Participate in the development of the Kāpiti Environmental Accord concept and associated non-regulatory initiatives.
- Report back to Te Whakaminenga o Kāpiti with assistance from staff.

Timeframe and Remuneration

- The initial timeframe for the PDP Working Group functions is from the beginning of September to the end of December 2015. It is anticipated that the roles will be part time (approximately 1 week a month – i.e. 160 hours over this four month period).
- Hourly remuneration is proposed commensurate with the Council's other Iwi Engagement Protocols.

PDP Implementation Plan

(May 2015)



23 AUGUST

Meeting Status: **Public**

Purpose of Report: For Decision

AUGUST 2015 UPDATE ON THE PROPOSED DISTRICT PLAN

PURPOSE OF REPORT

- 1 This report summarises activities carried out since the last update provided to Te Whakaminenga o Kāpiti on 14 July 2015.

DELEGATION

- 2 This report is for information purposes and does not seek a decision.

BACKGROUND

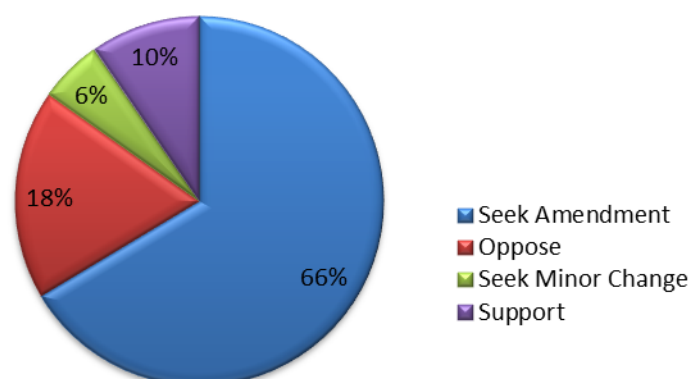
- 3 On 24 July 2014, the Council chose Option 4 recommended by the Independent Review of the Proposed District Plan (PDP). This option is to continue with a modified PDP process which addresses the Plan as a whole using the 'basket of tools' available to the Council.

ANALYSIS OF SUBMISSION POINTS

- 4 The PDP team has completed an analysis of all submission points. This included categorising each point according to 'submitter intent' ie whether the point sought amendment, opposed, sought minor changes, or supported the PDP. Figure 1 below summarises the submitter intent for all remaining submission points. It does not include the submission points that wholly relate to the plan provisions withdrawn on 30 October 2014.
- 5 There are approximately 9000 submission points. Just over 900 of these showed support for an aspect of the PDP.

Figure 1

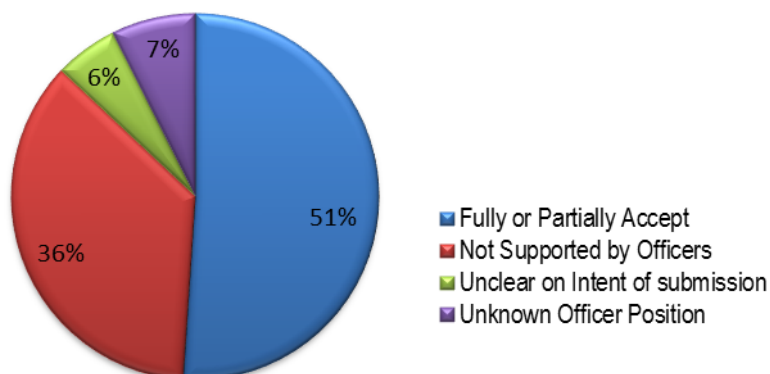
Submitter Intent - All of Plan
as at 15 June 2015



- 6 The analysis also identified the position recommended by Council officers or consultants as at 15 June 2015 (and documented in the SEV) for each submission point. This is summarised in figure 2 below.

Figure 2

Officers Position All of Plan



- 7 As at 15 June and release of the SEV, over 4,500 submission points were proposed to be fully or partially accepted by Council. The Engagement Plan dated 28 May 2015 included Key Performance Indicators(KPI) for the PDP and the first KPI was to "maximise resolution of submissions prior to the pre-hearing stage of the PDP process". As at the 15 June, an "Excellent" outcome rating has been achieved for this KPI. As engagement activities and work continue through to pre-hearings, it is likely that the number of fully and partially accepted submission points will increase.
- 8 The category of 'Unknown Officer Position' in figure 2 indicates that there is ongoing analysis and work to be completed before an officer position can be determined for these submission points. The officer position on some submission points will change over time, as additional information is obtained. This could result from the submitter providing further information or from additional technical work done for the Council. It is anticipated that the analysis of the officers' position will be updated closer to the hearing time.

ENGAGEMENT ACTIVITIES

- 9 The following table lists the external engagement activities that have taken place since the last update which recorded activities up to 26 June 2015.

| Date | Who | Chapter / topic |
|--------|-----------------------------|--|
| 2 July | Paraparaumu Beach Golf Club | 8 - Open space |
| 2 July | Individual submitter | 9 - Hazards |
| 7 July | Rural submitter | 7 - Rural zones |
| 7 July | Rural submitter | 7 - Rural zones |
| 8 July | Individual submitter | 3 & 4 Natural and Coastal environments |

| Date | Who | Chapter / topic |
|-----------|---|--|
| 8 July | Greater Wellington Regional Council | 2 - Objectives & 10 - Historic heritage |
| 9 July | Individual submitter Friends of Te Hapua Dunes | 3 - Natural environment and 9 - Hazards |
| 9 July | Rural submitter | 3 - Natural environment |
| 10 July | Federated Farmers | 3 - Natural environment |
| 13 July | Individual submitter (phone call) | 9 - Hazards |
| 14 July | Maypole Environmental Ltd | 9 - Hazards & 10 - Historic heritage |
| 17 July | Greater Wellington | 9 - Hazards |
| 22 July | Rural submitter | 11 - Infrastructure |
| 22 July | NZ ART (Amateur Radio Transmitters Inc) Kapiti Amateur Radio Society | 12 - General provisions |
| 28 July | Department of Conservation | 2 - Objectives, 8 - Open space, 9 - Hazards |
| 29 July | Greater Wellington Regional Council | Mapping |
| 29 July | Federated Farmers | Non-regulatory methods |
| 3 August | Rural submitter | 3 - Natural environment & 7 - Rural zones |
| 4 August | Rural submitter | 7 - Rural zones |
| 4 August | Rural submitter | 7 - Rural zones |
| 4 August | NZ Heavy Haulage - House movers | 5 - Living zones |
| 4 August | Horticulture NZ | 1- Intro & Interpretation, 2 - Objectives, 3 - Natural environment, 7- Rural zones & 9 - Hazards |
| 5 August | Department of Conservation | 3 & 4 Natural and Coastal environments |
| 6 August | Rural submitter | 7 - Rural zones |
| 6 August | Submitter | 5 - Living zones |
| 7 August | Rural submitter | 3 - Natural environment & 7 - Rural zones |
| 10 August | Submitter | 2 - Objectives, 5 - Living zones |

- 10 Figure 3 below shows the number of submitter meetings per chapter that have occurred, or are scheduled to occur, since the release of the SEV on 15 June 2015. Some meetings cover more than one chapter.

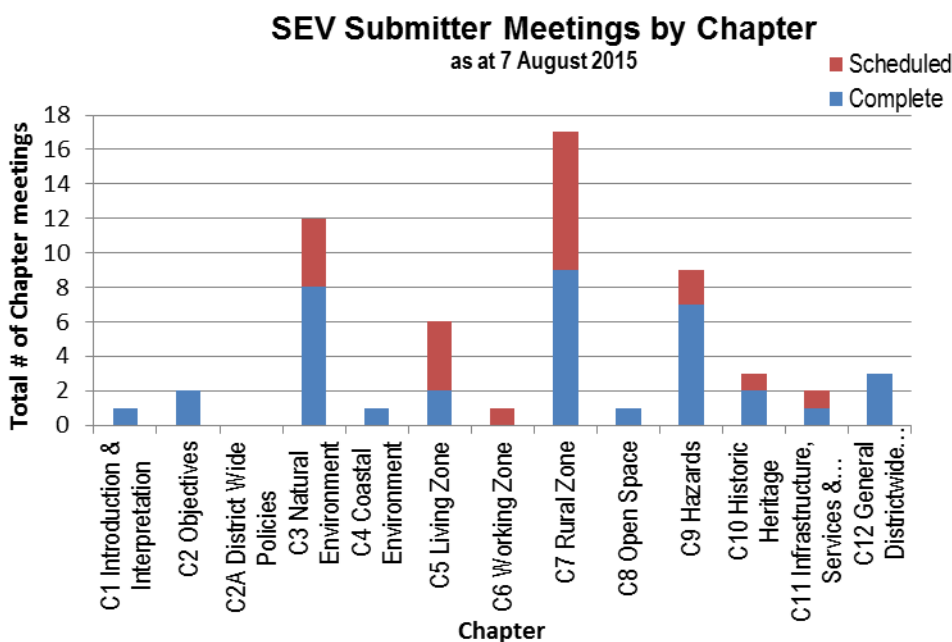


Figure 3

11 Figure 4 below shows the total number of submitter meetings that have occurred per month since the release of the SEV.

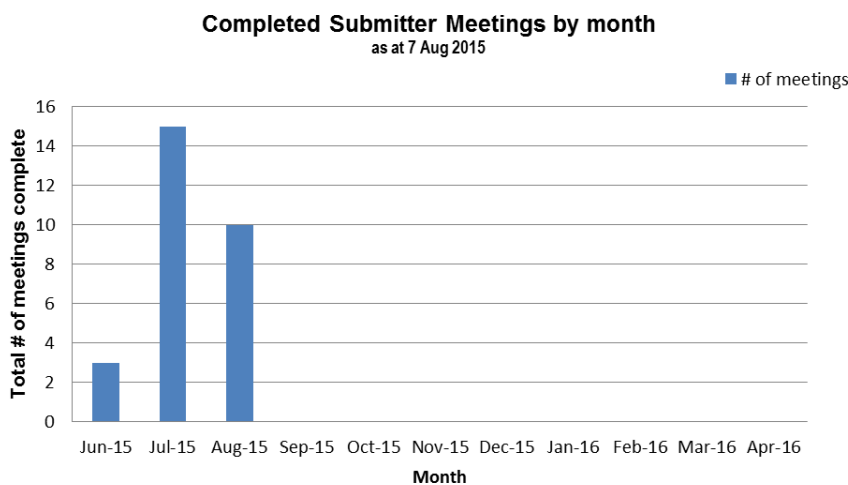


Figure 4

12 Feedback given by submitters at these meetings is that they are dissatisfied with the length of time and process of the PDP until the 15 June. However, submitters are acknowledging that the SEV is generally an improvement. Most submitters who have met with Chapter Leads to date have been satisfied with the meeting process and discussion.

13 The PDP team has also been receiving public feedback in response to the early engagement on a possible Urban Trees Variation.

OTHER ACTIVITIES

14 Other activities undertaken by the PDP team since the last update include:

- Report to the Environment and Community Development Committee recommending lodgement of a Council submission to the proposed National Environment Standard on plantation forestry. Lodgement of the submission.
- Report to Council meeting of 11 August on issues and options for a potential urban tree variation.
- Start of review of the Proposed Natural Resources Plan notified 31 July, and closing for submission on 25 September. A briefing to councillors is programmed for 3 September. This will be followed by an officer's report recommending matters which could be supported or opposed in a Council submission.

CONSIDERATIONS

Policy considerations

15 There are no policy considerations that need to be referenced.

Legal considerations

16 There are no legal considerations that need to be referenced. Simpson Grierson provided legal input into the preparation of the Submitter Engagement Version of the PDP and will continue to do so as required.

Financial considerations

17 Costs are within budget for the 2015/16 financial year.

Implementation plan update

18 The implementation plan is attached as Attachment 1.

Tāngata whenua considerations

19 There are no specific tāngata whenua considerations in this update report.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

20 The PDP is now in the statutory phase between the close of submissions and the commencement of hearings. As the PDP process has already been adopted by the Council this report has a low degree of significance.

Engagement

21 The PDP implementation plan (refer to Attachment 1) provides for additional submitter engagement and prehearing meetings which are not required under the RMA. The submitter engagement phase is specifically identified in the implementation plan and runs until March 2016. Submitters who wish to provide written feedback to the Submitter Engagement Version are being encouraged to do so by the end of September 2015.

Publicity and communications

22 There is a Communications Plan for the PDP. In line with this, a brief PDP Update Newsletter was provided to submitters in late July. The update summarised the key messages about the submitter engagement process from the previous update and noted that submitters needed to get back to Council with written comments on the SEV by the end of September.

RECOMMENDATIONS

23 That Te Whakaminenga O Kāpiti notes report SP-15-1661.

| Report prepared by | Approved for submission | Approved for submission |
|--|---|---|
| Katherine Dorofaeff Principal Policy Planner | Kevin Currie Group Manager, Regulatory Services | Stephen McArthur Group Manager, Strategy & Planning |

ATTACHMENTS

1 PDP Implementation Plan

