



ĀTIAWA KI WHAKARONGOTAI

Outstanding matters re: KCDC hearing on PC2: Urban Intensification

25 April 2023

Tēnā koutou ko John Maassen, ko Rauru Kirikiri, ko Jane Black.

Thank you for inviting Te Ātiawa ki Whakarongotai to provide you with a summary of the outstanding matters from our submissions on the Kapiti Coast District Council Plan Change 2 and for directing the KCDC staff to continue to work with us on those matters.

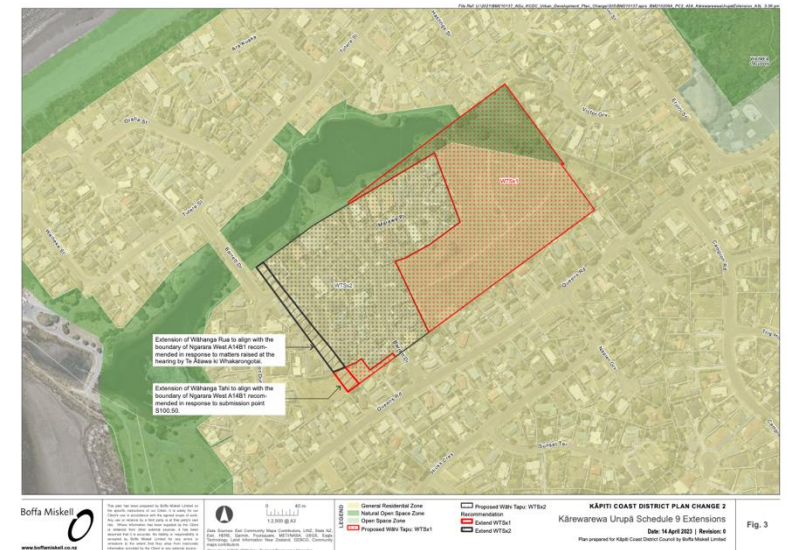
Below is a summary of those outstanding matters and the position we reached in working with KCDC staff.

Ngā mihi
Te Ātiawa ki Whakarongotai

Kārewarewa Urupā:

KCDC have redrawn the boundary line of the Kārewarewa urupā wahi tapu site, including the relevant areas in Wahanga 1 and Wahanga 2.

The boundaries are now consistent with the area previously known as Ngarara West A14B1. We support the inclusion of this wahi tapu listing, through PC2, into the KCDC District Plan.



Marae Takiwā Precinct

KCDC have proposed renaming the Marae Takiwā Precinct as "Whakarongotai Takiwā Precinct". Ātiawa do not object to the proposed renaming.

Ātiawa sought to have the Precinct extended to include Frater Place, Ruakohatu urupā and surrounds.

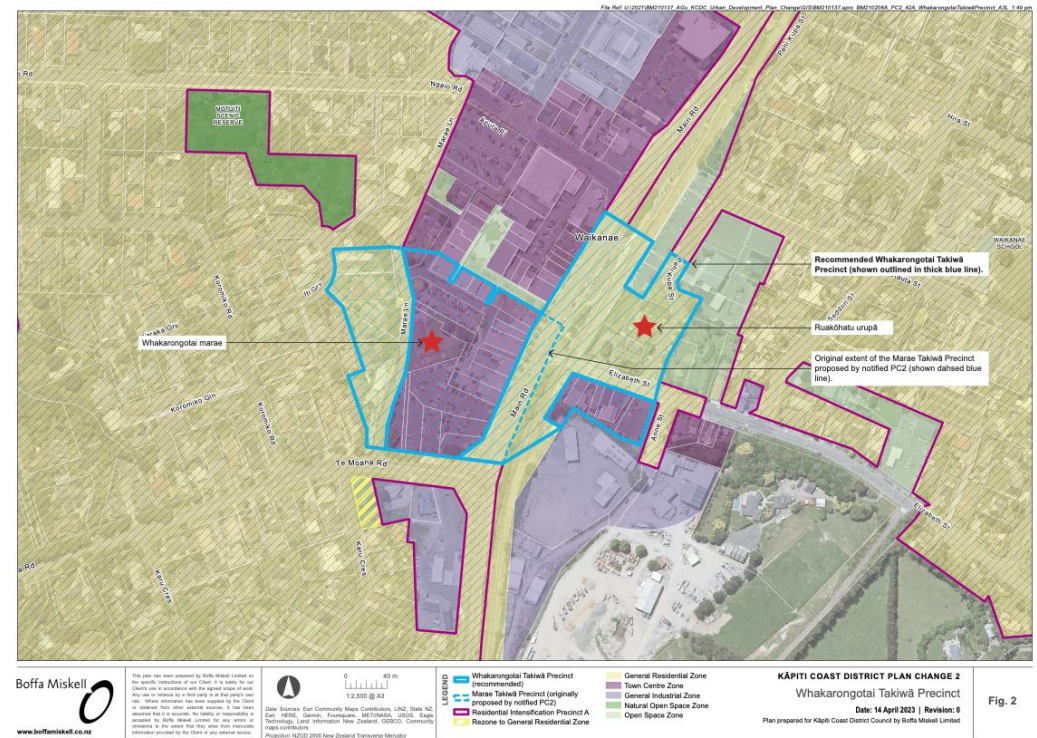
Ātiawa support the redrawn Precinct in so far as it is enabled by PC2.

Ātiawa are aware that KCDC is recommending the inclusion of an additional height in relation to boundary control surrounding Whakarongotai Marae. While we have not seen the details for that rule, we support its inclusion in principle.

Outstanding matters:

Ātiawa seek the extension of the Precinct to include the areas to the north and east of Ruakohatu urupā. That includes the railway parking and the community gardens and playground.

Ātiawa continues to seek a commitment from council that the council owned land, including the carpark, adjacent to Whakarongotai Marae be restricted to the currently developed height. **(Submission points 100.53 & 100.56)**



Papakāinga

100.20 & 100.40 - Ātiawa sought for papakāinga to be enabled in the Metropolitan, Local Centres and Mixed Use Zones. KCDC support the inclusion in Metropolitan and Mixed Use Zones. They do not support their inclusion in Local Centres. Their rationale is that the spatial extent of each local centre is very small so its conversion to papakāinga would be a big impact on the community. However, the original submission point still stands: Ātiawa have not finalised our Treaty of Waitangi Settlement with the Crown it is therefore inappropriate to exclude potential papakāinga locations from our rohe. Further, our relationship with our lands and waters is not limited by zoning boundaries. Therefore, in line with the purpose of this Chapter, which includes a range of activities including commercial activity, it is appropriate to enable papakāinga in all Zones. **Outstanding matter: Local Centres must provide for papakāinga**

100.23 - KCDC have linked the provisions for 'community facilities' to the Papakāinga provisions. This is inappropriate. The intent of the Papakāinga Chapter recognises that papakāinga is inherently different from other development within the District. Papakāinga are for mana whenua, not for the community. We do want provision for collective spaces and manaakitanga as part of papakāinga. This could be provided for as part of the structure planning process already required by the papakāinga provisions.

(Note, the definition of community facility: means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.)

Outstanding matter: Provide for collective spaces and manaakitanga as part of papakāinga in a way that does not rely on the 'community facilities' provisions

100.29 - We have requested that Te Ture Whenua Māori Land is classed as a sensitive activity in relation to intensive farming. This would require a 300m setback of intensive farming from that Land. This is a future proofing request in anticipation that papakāinga may be developed there. KCDC acknowledge that established papakāinga would be a sensitive activity once developed but cannot see a sufficient reason to require that intensive farming is set back from such land. **Outstanding matter: Te Ture Whenua Māori Land must be protected from inappropriate adjacent development including intensive farming.**

100.30 - We have requested the removal of the required setback of 500m from the inland edge of the beach. The policy relates to the natural character of the coastal environment and does not recognise the relationship of Ātiawa with its waters. This should be a matter for discussion with KCDC as part of the papakāinga Design Guides and Development Plans rather than triggering the need for a resource consent. **Outstanding matter: Remove the required 500m setback from the inland edge of the beach as it relates to papakāinga.**

100.33 - The TCZ requires a 4m setback of all development from the Residential Zone. This requirement has been applied to Papakāinga. For Papakāinga in the Residential Zone, the Residential Zone setback of 1m applies. We are therefore seeking that Papakāinga in the TCZ also has a 1m setback from the Residential Zone as no further negative effects will be generated.

Outstanding matter: Within the Whakarongotai Marae Takiwā Precinct, Papakāinga should be enabled to the level of the underlying TCZ.

Outstanding matter: For Papakāinga in the TCZ, reduce the 4m setback from the Residential Zone to 1m.

Infrastructure, Urban form, Housing supply and Intensification

100.02 & 100.04 The assessment of sufficient infrastructure under the HBA does not adequately address the rangatiratanga of hapū and iwi in relation to their land and waterways, and how this can be exercised to better manage the sustainable use of these resources. Ātiawa do not have confidence that the LTP and Infrastructure Strategy is adequately funded and agile enough to deliver sufficient and appropriate infrastructure. **Outstanding matter: Ātiawa seek the inclusion of Infrastructure as a new Qualifying Matter.**

100.03 Ātiawa disagree with the interpretation in the s42A report that environment cannot be provided for in the objectives. The MfE guidance on the MDRS states that:

"District plans must include the objectives and policies provided in Schedule 3A of the RMA-EHS. This supports the MDRS rules and helps ensure more consistent territorial authority decisions on resource consent applications for development that exceeds the MDRS. **Additional objectives and policies may be included to allow for matters of discretion**, or to link any density standards that are modified to enable a greater level of development than the MDRS."

Outstanding matter: Ātiawa seek that the environment is provided for under DO-Ox1

Character and Amenity Values

100.07 - 100.14 Cultural values go beyond specifically protected/scheduled sites as provided for under s6. Cultural values encompass all aspects of our rohe. The change in reference related to amenity (cultural) values undermines the protections afforded by s7(c). Changes include - from "maintain, and where practicable, enhance" to "in a manner that has regard to", or "encouraging"; and from "avoided, remedied or mitigated" to "consideration to the effects of subdivision and development on character and amenity values, where these are provided for in the District Plan"

Outstanding matter: Cultural values must be provided for beyond specifically protected/scheduled sites.

100.15 & 100.16 & 100.49 The Financial Contributions Chapter states "The natural environment values, and historical and cultural values, and open space and recreation chapters of this plan provide further direction on where financial contributions may be payable." As there is no cultural values chapter this provides a lack of clarity and provision for cultural values. As land may be identified as a Financial Contribution to be provided to Council, this is a significant policy in the opportunity it provides for land to shift from private to public ownership. In our role as kaitiaki it thus provides the opportunity to enable our reconnection with sites or areas of significance.

Outstanding matter: The Financial Contributions chapter should provide for financial contributions in relation to the avoiding, remedying and mitigating of effects on cultural values.

Outstanding matter: Ātiawa seek to be consulted (not "seek the advice of" tangata whenua) in relation to the location and area of land identified as financial contribution.

Design Guidance - Residential and Town Centre

100.69 Ātiawa seek to develop and include design criteria for our rohe that reflect our values. This includes the establishment of a design panel with tāngata whenua representation to adequately assess the design of development.