

# Further submission in support of, or in opposition to, submission on notified proposed plan change



## About preparing a further submission on a proposed plan change

### You must use the prescribed form

- [Clause 8](#), Schedule 1 of the Resource Management Act 1991 (RMA) requires further submissions to be on the prescribed form.
- The prescribed form is set out in [Form 6](#), Schedule 1 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- This template is based on Form 6. While you do not have to use this template, your submission must be in accordance with Form 6.

### Certain persons may make further submissions

- Under clause 8, Schedule 1 of the RMA the following persons may make a further submission, in the prescribed form, on a proposed plan to the relevant local authority:
  - any person representing a relevant aspect of the public interest
  - any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has
  - the local authority itself.
- You will need to explain why you meet one of these categories (space is provided in the form for this below).

### Your further submission and contact details will be made publicly available

- [Section 352](#) of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.

### Note to person making the submission

- A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority (Kāpiti Coast District Council).

### Reasons why a further submission may be struck out

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## To Kāpiti Coast District Council

Further Submission in Support of (or Opposition to) a Submission on Proposed Plan Change to the Operative Kapiti Coast District Plan 2021

**Plan Change Number:** Proposed Plan Change 3

**Plan Change Name:** Kārewarewa Urupā

### Further submitter details

<b>Full name of person making further submission:</b> Dr. Mahina-a-rangi Baker, WAI 1945
<b>Contact person (name and designation, if applicable):</b>
<b>Postal address (or alternative method of service under section 352 of the RMA):</b> [REDACTED]
<b>Telephone:</b> 0226981267
<b>Electronic address for service of person making further submission (i.e. email):</b> mahinaarangi@tekonae.co.nz
<b>I would like my address for service to be my email [select box if applicable]</b> <input checked="" type="checkbox"/>
<b>I have selected email as my address for service, and I would also like my postal address withheld from being publicly available [select box if applicable]</b> <input checked="" type="checkbox"/>

### State whether you are [select appropriate box]

a person representing a relevant aspect of the public interest. <input type="checkbox"/>
<i>In this case, also please specify the grounds for saying that you come within this category</i>
a person who has an interest in the proposal that is greater than the interest the general public has. <input checked="" type="checkbox"/>
<i>In this case, also please explain the grounds for saying that you come within this category</i> This submission is on behalf of WAI 1945 claimants. The WAI 1945 claim is over the Kārewarewa Urupā and pertains to the lack of protection provided to it, that lead to its desecration. Decisions on the proposed planning instruments have implications for aspects of redress sought from the Crown by claimants.
the local authority for the relevant area. <input type="checkbox"/>

### Scope of further submission

I support <input checked="" type="checkbox"/> oppose <input type="checkbox"/> the submission of: <u>[select the appropriate wording]</u>
<b>Original Submitter's Name and Address for Service:</b> Ātiawa ki Whakarongotai Charitable Trust
<b>Submission number of original submission:</b> 3

**Particular parts of the submission I support (or oppose) are:**

*Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal. While it is not a requirement, it would be helpful if you could state the submission point number as listed in the summary of decisions requested document.*

This further submission is made on behalf of Ātiawa ki Whakarongotai, by WAI 1945 Treaty of Waitangi Claimants, in support of the submission made by Ātiawa ki Whakarongotai Charitable Trust.

WAI 1945 claimants are descendants of the original landowners and those buried at Kārewarewa urupā. The urupā is a waahi tapu and significant site to all three residing mana whenua iwi on the Kāpiti Coast; Ātiawa ki Whakarongotai, Ngāti Raukawa ki te tonga and Ngāti Toarangatira. As claimants who have worked on restoring adequate protections for the urupā for decades, we can provide insight into the particularly relevant aspects of the history of Kārewarewa and its lack of protection.

We support Proposed Plan Change 3 and the addition of Kārewarewa urupā to Schedule 9 of the District Plan. The proposed scheduling is the appropriate means of recognising and providing for the relationship our three iwi hold in relation to the urupā and waahi tapu. Failure to schedule the site as such will expose the site to a significant level of risk of inappropriate development which would extinguish the ability to maintain our relationship to it in accordance with our culture and tikanga.

The proposed scheduling is a long overdue and necessary first step in turning around decades of successive local governments failing to appropriately manage development in the area. As is detailed in the Waitangi Tribunal Kārewarewa Urupā Report, the cemetery designation for the urupā was removed from the cemetery through a Council decision in 1970 that the Tribunal found was reached partly because the information provided at the hearing was incorrect or ill-informed.

A portion of the urupā was then developed for housing in the 1970s. This has had a traumatic and devastating intergenerational effect on our people. It has extinguished our ability to undertake our cultural practices and tikanga in relation to the site, and impacted those residing on the land. Our iwi can therefore qualify the impacts of failing to prevent further inappropriate development. A Cultural Impact Assessment prepared for the Waikanae Land Company under the direction of claimants and the Ātiawa ki Whakarongotai Charitable Trust sets out the basis for this opposition.

*Continue on a separate sheet if necessary*

**The reasons for my support (or opposition) are:**

[give reasons]

In addition to our own evidence that supports the basis for the Proposed Plan Change, the Waitangi Tribunal has reported on the matter. Their findings are informed by their own independent research and information offered by the Crown. Their report included concessions by the Crown that they failed to intervene in the lifting of the cemetery designation and failed to identify the existence of the urupā, even though 'evidence to support the existence of a burial site would have been relatively easy to come by'. These types of concessions are not made lightly by the Crown in the context of a Tribunal Inquiry. The Tribunal concludes:

"In our view, the traditional, historical, and archaeological evidence is clear that this block was an urupā. We have no doubts on that point."

The Waikanae Land Company (WLC) have been the key actor in alienating the land from our people and removing its protections. After seeking the Māori Trustee sell the land to the WLC on the basis of information that the land to be sold was not the urupā, the WLC applied to the Horowhenua County Council for the plan change to remove the cemetery designation in 1969. The WLC have continued since the 1960s to raise undue questions about whether the land is an urupā as a tactic to shift the focus from decisions about whether they should be permit to develop housing on an urupā, to constructed uncertainty about the status of the land. Notwithstanding the glaring evidence of headstones, graves, and human remains supporting iwi members unchanged knowledge and account of the urupā, it is important to highlight that it is ultimately inconsequential to the WLC and its Director Mr. Maurice Rowe that the land is an urupā and that its development would require the desecration of our ancestors' remains. Speaking at the hearing to remove the designation back in 1969, Mr. Rowe did not consider that an urupā on the land was sufficient to prevent its development suggesting that it was preferable for it to be developed than to stay in its current state. He claimed that it was in the "interests of good town planning" for the land, be it an urupā or not, to be developed.

We believe it is important to counter the narrative that the WLC would somehow be treated unfairly through the scheduling of the land in the proposed manner. The reality is, the WLC has benefited already from the gross injustice of removing the cemetery designation, and it is long overdue that the management of the land be brought back within the realms of decency and respect for our basic humanity as tangata whenua.

*Continue on a separate sheet if necessary*

**I seek that** [select appropriate box]

The whole  or part  of the original submission be allowed  disallowed

[describe precisely which part below]

*Continue on a separate sheet if necessary*

**Hearing Submissions** [select appropriate box]

I wish to be heard in support of my further submission.

I do not wish to be heard in support of my further submission.

*If you wish to be heard, please tick one of the following*

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

If others make a similar submission, I will not consider presenting a joint case with them at a hearing.



Signature of person making a further submission  
(or person authorised to sign on behalf  
of person making further submission)

18 December 2024

Date

*A signature is not required if you make your submission by electronic means.*

Email your further submission to [district.planning@kapiticoast.govt.nz](mailto:district.planning@kapiticoast.govt.nz) or post/deliver to:

Attn: District Planning Team  
Kāpiti Coast District Council  
175 Rimu Road  
Paraparaumu 5032

For office use only

Further submission No:

FS4