

# Background Report

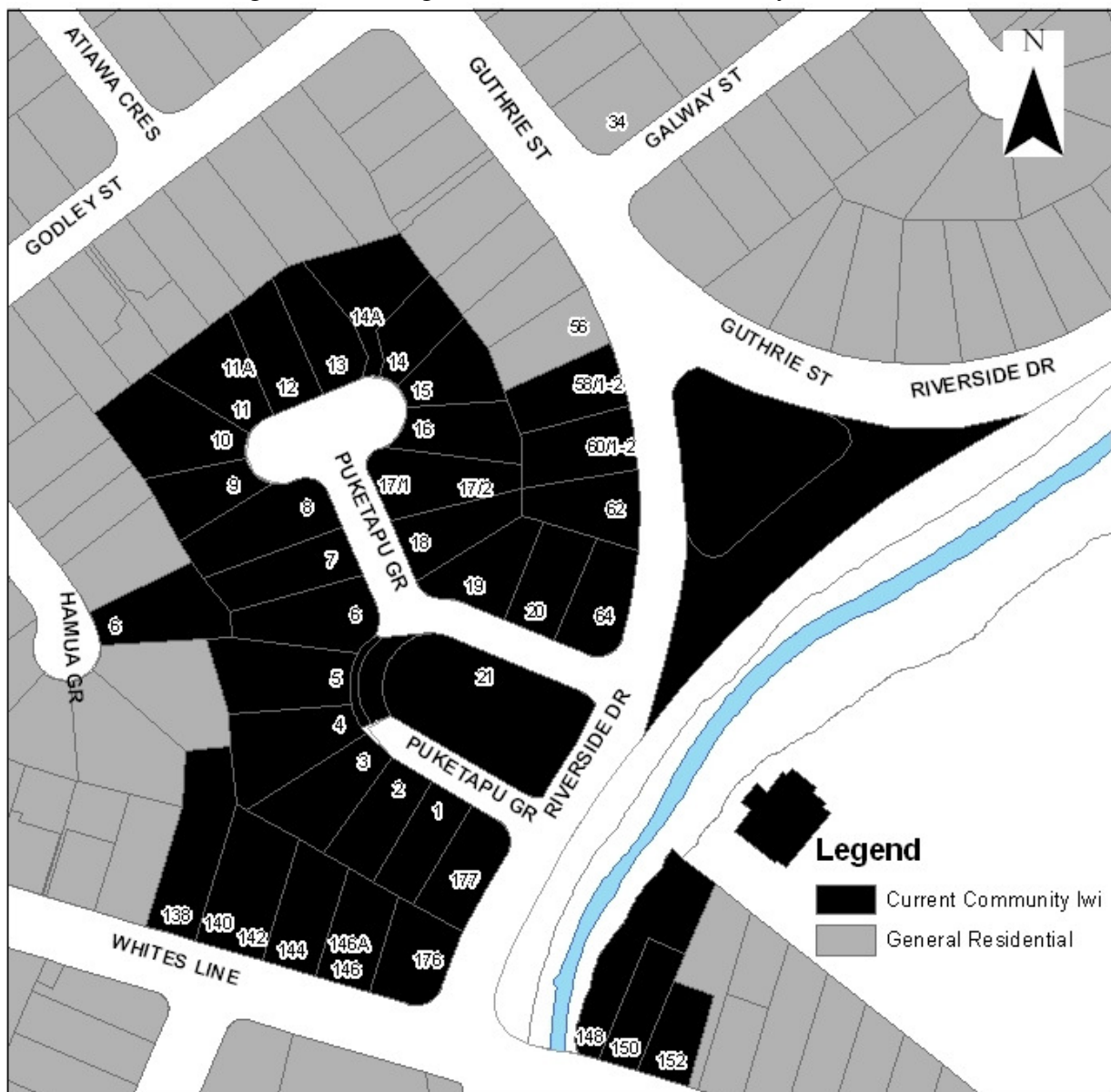
## Current Situation

When the District Plan was first being prepared in the early 1990's it was determined that a Community Iwi Activity Area would be included to acknowledge those locations and activities of significance to the Tangata whenua and to recognise that the Tangata whenua have a particular association with their land.

The submissions made on the Proposed District Plan never commented on the boundaries of the Community Iwi Activity Area; it was only the provisions of the activity area that were the subject of submissions.

The area around the Waiwhetu Marae contains a number of residential properties within Community Iwi. Figure 1 shows the extent of the current Community Iwi activity area around Waiwhetu Marae.

Figure 1: Existing Waiwhetu Marae Community Iwi area.



Sourced from Land Information New Zealand data. Crown Copyright Reserved.

All of the General Residential permitted activity conditions apply in the Community Iwi area around Waiwhetu Marae. The difference between General Residential and the Community Iwi areas are that within Community Iwi Marae, Health Clinics, and Kokiri Centres are also permitted activities and a cultural centre is a restricted discretionary activity.

It is only within the Waiwhetu Marae area that Community Iwi contains residential properties. At the other Community Iwi sites around the City it is only the site of the actual Marae, Urupa, or Kokiri Centre that is included within Community Iwi.

### **Changes Requested**

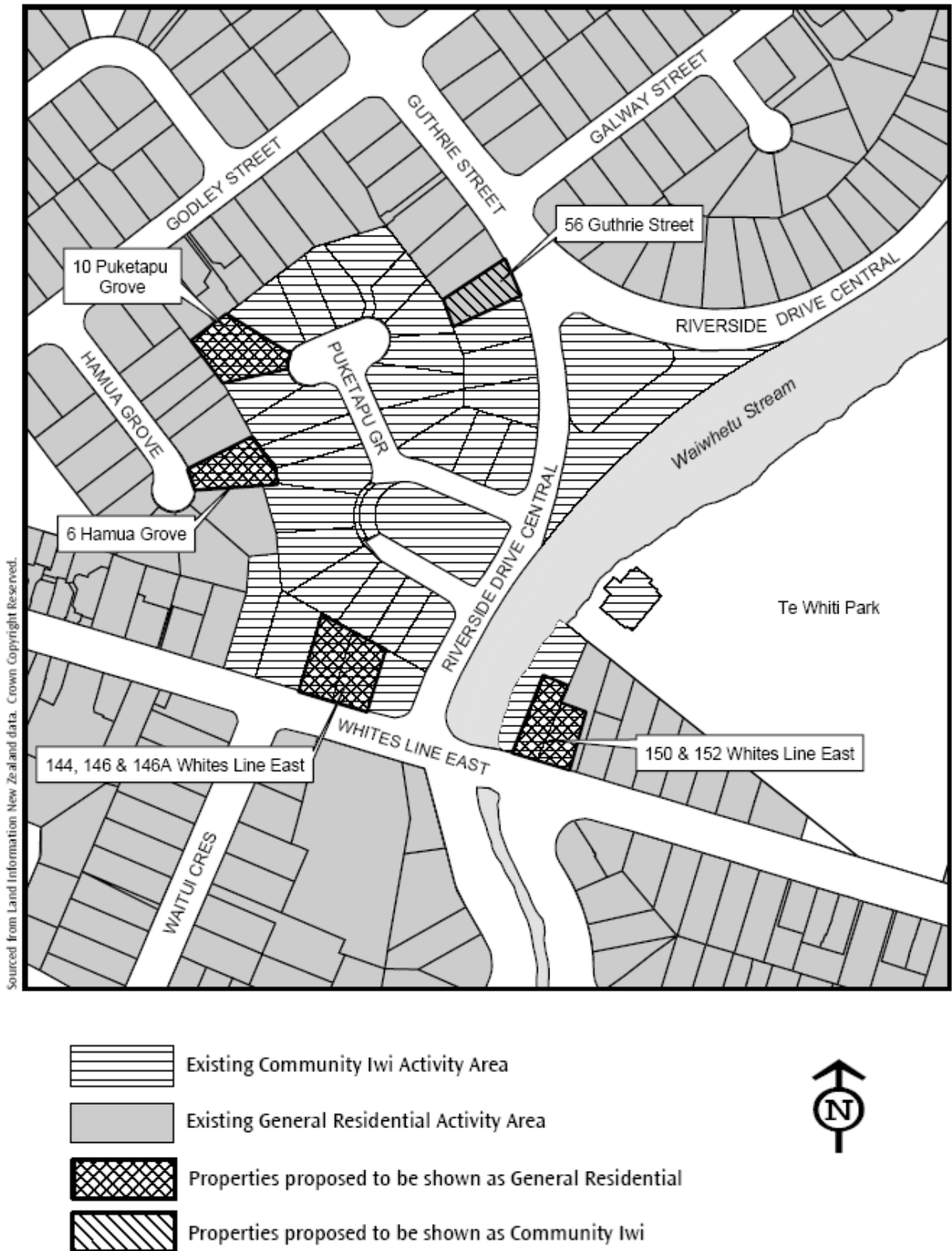
As a result of requests received from some property owners to have their sites removed from Community Iwi and included within General Residential all of the property owners within the Waiwhetu Marae Community Iwi area were contacted and a public meeting was held at the Waiwhetu Marae. Further requests for changes were received and the plan change was based on all the requests that had been received at that time. The plan change was promulgated proposing the changes listed in table 1.

Table 1

<b>Address and Legal Description</b>	<b>Current Activity Area</b>	<b>Proposed Activity Area</b>
10 Puketapu Grove Lot 102 DP 15345	Community Iwi Activity Area	General Residential Activity Area
150 Whites Line East Lot 1 DP 24329	Community Iwi Activity Area	General Residential Activity Area
152 Whites Line East Lot 1 DP 15536	Community Iwi Activity Area	General Residential Activity Area
6 Hamua Grove Lot 3 DP 24420	Community Iwi Activity Area	General Residential Activity Area
144 Whites Line East Lot 88 DP 15345	Community Iwi Activity Area	General Residential Activity Area
146 Whites Line East Lot 89 DP 15345, Flat 1 DP 81944	Community Iwi Activity Area	General Residential Activity Area
146A Whites Line East Lot 89 DP 15345, Flat 2 DP 81944	Community Iwi Activity Area	General Residential Activity Area
56 Guthrie Street Lot 117 DP 15345	General Residential Activity Area	Community Iwi Activity Area

The promulgated plan change included the map shown in figure 2 to show what changes were proposed to the Community Iwi Activity Area around Waiwhetu Marae.

Figure 2 Map of Proposed Changes



The submissions on the proposed plan change sought changes that were not previously identified. Table 2 is a summary of the decisions sought from the submissions. The table shows the current activity area status of the submitters address and the proposed activity area sought in

the submission. Where there has been a generic submission such as ‘confirm the proposed plan change’ the change in activity area has been based on the address of the submission.

**Table 2**

<b>Address (address referred to in submission if different)</b>	<b>Current Activity Area</b>	<b>Proposed Activity Area</b>	<b>Summary of Submission</b>
144 Whites Line East	Community Iwi Activity Area	General Residential Activity Area	Please confirm the proposal to amend the boundaries ...
1 Puketapu Gr	Community Iwi Activity Area	General Residential Activity Area	Oppose change to Comm Iwi, keep as Gen Residential
8 Puketapu Gr	Community Iwi Activity Area	Community Iwi Activity Area	I support it
15 Puketapu Gr	Community Iwi Activity Area	Community Iwi Activity Area	15 Puketapu Gr as part of Community Iwi
17 Puketapu Gr <sup>1</sup>	Community Iwi Activity Area	Community Iwi Activity Area	Extend boundary in 10 years I support the plan
7 Puketapu Gr	Community Iwi Activity Area	Community Iwi Activity Area	7 Puketapu Gr as Comm Iwi
18 Puketapu Gr	Community Iwi Activity Area	General Residential Activity Area	18 Puketapu Gr as Gen Residential
16 Puketapu Gr	Community Iwi Activity Area	General Residential Activity Area	16 Puketapu Gr to be Gen Residential
17a Puketapu Gr <sup>1</sup>	Community Iwi Activity Area	General Residential Activity Area	17a Puketapu Gr to be Gen Residential
69 Godley St (18 Puketapu Gr)	Community Iwi Activity Area	General Residential Activity Area	18 Puketapu Gr as Gen Residential
2 Puketapu Gr	Community Iwi Activity Area	Community Iwi Activity Area	2 Puketapu Gr be Comm Iwi & boundary be extended to all of Waiwhetu & Gracefield
5 Puketapu Gr (34 Galway Street)	General Residential Activity Area	Community Iwi Activity Area	34 Galway St be included in Community Iwi
19 Brasell St (5 Puketapu Gr)	Community Iwi Activity Area	Community Iwi Activity Area	5 Puketapu Gr Remain in Community Iwi
14a Puketapu Gr	Community Iwi Activity Area	Community Iwi Activity Area	Support the Plan Change 3
140 Randwick Rd	n/a	n/a	Take Noise control/ insulation into account

There were fifteen submissions in total with four requesting that the plan change to be confirmed. Nine submissions were only related to specific properties and one submission sought that noise and insulation be taken into account. One submission requested that Community Iwi be extended to cover all of Gracefield and Waiwhetu. There were no further submissions received for Plan Change 3.

<sup>1</sup> Council records show 17 Puketapu Grove as 17/1 and 17a as 17/2 Puketapu Grove.

Four submissions seek to have properties retained within Community Iwi; they do not want the activity area within the District Plan changed for the properties mentioned in the submissions. These properties are: numbers 2, 5, 7, and 15 Puketapu Grove. The plan change proposed to leave these properties within Community Iwi.

It is considered that the submissions received which seek to remove or add additional properties to the Community Iwi Activity Area are outside the scope of the plan change. The proposed plan change is limited to the changes identified in table 1. The eight properties identified in the plan change are all on the fringes of the Waiwhetu Marae Community Iwi area.

In addition it is considered that submissions which seek to remove and add properties to the Community Iwi area could seriously affect the integrity of the Waiwhetu Marae Community Iwi area. Some of the properties that the submissions seek to have removed from Community Iwi form an integral part of the area. Following the public meeting held at Waiwhetu Marae a change such as this was never considered as part of the proposed plan change.

Where properties that were not part of the plan change have been identified in the submissions, they can not be included as part of this plan change. There was a submission seeking to have 34 Galway Street included within Community Iwi. Submissions also sought to have Numbers 1, 16, 17a, and 18 Puketapu Grove changed from Community Iwi to General Residential. The decisions sought in these submissions are all outside the scope of the plan change. Council is working on a review of all the residential provisions in the District Plan. The residential review work includes an investigation into whether the boundaries of the residential activity areas are appropriate. The requests that are outside the scope of this plan change will be included in the work on the residential review.

### **Recommendations**

It is recommended that all the changes that were proposed in the plan change when it was promulgated are made. These changes are included in table 1 and shown on map 2. The only submission that opposed the listed properties being removed from Community Iwi was the submission that sought to have that all of Waiwhetu and Gracefield included within Community Iwi. The properties being removed from Community Iwi have all contacted Council and requested that they be removed from Community Iwi. It was these requests that the proposed plan change was based on.

The properties being removed from Community Iwi and included in General Residential all contain dwelling houses on the properties. The permitted activity conditions for the sites will not change as the General Residential permitted activity conditions apply within Community Iwi as well. It is unlikely that there will be any adverse effects from the Changes.

The property at 56 Guthrie Street also contains a dwelling house. The main difference in changing this property from General Residential to Community Iwi is that a health clinic or Kokiri Centre can be established as a permitted activity. However, any permitted activity under Community Iwi must still adhere to the permitted activity conditions of General Residential.

A map similar to the one in figure 3 will replace the existing Waiwhetu Marae (Puketapu Grove) map in Appendix Community Iwi 1. Map D5 will also be amended to reflect the changes. The map reflects the addition of 56 Guthrie Street to Community Iwi and the removal

of 10 Puketapu Grove, 6 Hamua Grove and numbers 144, 146, 146A, 150, and 152 Whites Line East from Community Iwi to General Residential.

Figure 3 Amended Waiwhetu Marae Community Iwi Area



## Submissions

---

### DPC03/01 D1 - Stephen Hudson

#### **Request of Submitter**

Confirm the proposal to amend the boundaries of Community Iwi and General Residential Activity Areas.

#### **Specific Comments**

The submission supports the proposed plan change. As mentioned in the background report there is not likely to be any adverse effects from changing the properties between Community Iwi and General Residential as the General Residential permitted activity conditions apply around the Waiwhetu Marae in both activity areas.

#### **Officer's Recommendation**

That the submission lodged by Stephen Hudson, seeking to confirm the proposal to amend the boundaries, is **ACCEPTED**. The changes shown in Table 1 and Figure 3 of the background report are made to the District Plan.

### DPC03/02 D1 - David Tutahi

#### **Request of Submitter**

1 Puketapu Grove, Waiwhetu to be changed from Community Iwi to General Residential.

#### **Specific Comments**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone properties at the fringes of the Waiwhetu Marae Community Iwi area. The rezoning of this and other properties plan as sought by submission may affect the integrity of the Community Iwi Activity Area.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

#### **Officer's Recommendation**

That the submission lodged by David Tutahi, seeking to have 1 Puketapu Grove changed from Community Iwi to General Residential, is **REJECTED** to the extent that the 1 Puketapu Grove will remain within Community Iwi. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/03 D1 - Submitter John Walker

### **Request of Submitter**

Confirm the proposal to amend the boundaries of Community Iwi and General Residential Activity Areas.

### **Specific Comments**

The submission supports the proposed plan change. As mentioned in the background report there is not likely to be any adverse effects from changing the properties between Community Iwi and General Residential as the General Residential permitted activity conditions apply around the Waiwhetu Marae in both activity areas.

### **Officer's Recommendation**

That the submission lodged by John Walker, seeking to confirm the change, is **ACCEPTED**. The changes shown in Table 1 and Figure 3 of the background report are made to the District Plan.

## DPC03/04 D1 - James (Hēmi) Edmonds

### **Request of Submitter**

15 Puketapu Grove, Waiwhetu to remain as Community Iwi.

### **Specific Comments**

As mentioned in the background report 15 Puketapu Grove is one of the properties where the submission supported the plan change in that neither the submission nor the plan change sought to change the Community Iwi status of the property.

### **Officer's Recommendation**

That the submission lodged by James (Hēmi) Edmonds, seeking that 15 Puketapu Grove remains as Community Iwi is **ACCEPTED**. There will be no change made to the activity area status of 15 Puketapu Grove; it will remain within Community Iwi.

## DPC03/05 D1 - Hemi Pakia Rangiwhetu

### **Request of Submitter**

Confirm change

### **Specific Comments**

The submission supports the proposed plan change. As mentioned in the background report there is not likely to be any adverse effects from changing the properties between Community Iwi and General Residential as the General Residential permitted activity conditions apply around the Waiwhetu Marae in both activity areas.

The submitter also commented on having the boundary extended in ten years. It is a requirement of the Resource Management Act 1991 that the District Plan be reviewed ten years after becoming operative. The possible extension of the Community Iwi boundary can be raised at that time.



### **Officer's Recommendation**

That the submission lodged by Hemi Pakia Rangiwhetu, seeking to confirm the change, is **ACCEPTED**. The changes shown in Table 1 and Figure 3 of the background report are made to the District Plan.

## **DPC03/06 D1 - Maria Raimapana Enoka**

### **Request of Submitter**

7 Puketapu Grove, Waiwhetu to remain as Community Iwi.

### **Specific Comments**

As mentioned in the background report 7 Puketapu Grove is one of the properties where the submission supported the plan change in that neither the submission nor the plan change sought to change the Community Iwi status of the property.

### **Officer's Recommendation**

That the submission lodged by Maria Raimapana Enoka, seeking that 7 Puketapu Grove remains as Community Iwi is **ACCEPTED**. There will be no change made to the activity area status of 7 Puketapu Grove; it will remain within Community Iwi.

## **DPC03/07 D1 - David Rawiri Iripeta Rangiwhetu**

### **Request of Submitter**

18 Puketapu Grove, Waiwhetu to be changed from Community Iwi to General Residential.

### **Reason**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone properties at the fringes of the Waiwhetu Marae Community Iwi area. The rezoning of this and other properties plan as sought by submission may affect the integrity of the Community Iwi Activity Area.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

### **Officer's Recommendation**

That the submission lodged by David Rawiri Iripeta Rangiwhetu, seeking to have 18 Puketapu Grove changed from Community Iwi to General Residential, is **REJECTED** to the extent that the 18 Puketapu Grove will remain within Community Iwi. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/08 D1 - Submitter: Sonia Ailaomai

### **Request of Submitter**

16 Puketapu Grove, Waiwhetu to be changed from Community Iwi to General Residential.

### **Specific Comments**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone properties at the fringes of the Waiwhetu Marae Community Iwi area. The rezoning of this and other properties plan as sought by submission may affect the integrity of the Community Iwi Activity Area.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

### **Officer's Recommendation**

That the submission lodged by Sonia Ailaomai, seeking to have 16 Puketapu Grove changed from Community Iwi to General Residential, is **REJECTED** to the extent that the 16 Puketapu Grove will remain within Community Iwi. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/09 D1 - Alysia Laban

### **Request of Submitter**

17a Puketapu Grove, Waiwhetu to be changed from Community Iwi to General Residential.

### **Specific Comment**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone properties at the fringes of the Waiwhetu Marae Community Iwi area. The rezoning of this and other properties plan as sought by submission may affect the integrity of the Community Iwi Activity Area.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

### **Officer's Recommendation**

That the submission lodged by Alysia Laban, seeking to have 17a Puketapu Grove changed from Community Iwi to General Residential, is **REJECTED** to the extent that the 17a Puketapu Grove will remain within Community Iwi. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/10 D1 - Ina Rangiwhetu

### **Request of Submitter**

*Decision Sought*

18 Puketapu Grove, Waiwhetu to be changed from Community Iwi to General Residential.

### **Specific Comments**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone properties at the fringes of the Waiwhetu Marae Community Iwi area. The rezoning of this and other properties plan as sought by submission may affect the integrity of the Community Iwi Activity Area.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

### **Officer's Recommendation**

That the submission lodged by Ina Rangiwhetu, seeking to have 18 Puketapu Grove changed from Community Iwi to General Residential, is **REJECTED** to the extent that the 18 Puketapu Grove will remain within Community Iwi. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/11 D1 - Mahinarangi Susan Gilbert

### **Request of Submitter**

2 Puketapu Grove, Waiwhetu to remain as Community Iwi and that the Community Iwi boundary be extended to all of Waiwhetu and Gracefield.

### **Specific Comments**

As mentioned in the background report 2 Puketapu Grove is one of the properties where the submission supported the plan change in that neither the submission nor the plan change sought to change the Community Iwi status of the property.

The consultation process has shown that there is not wide spread support for the Community Iwi Activity Area within the existing area. It is not appropriate to extent the Community Iwi boundary to cover the Waiwhetu area when there is not the support of the community. The lack of support has been shown through the number of requests to have properties removed from Community Iwi.

### **Officer's Recommendation**

That the submission lodged by Mahinarangi Susan Gilbert, seeking that 2 Puketapu Grove remains as Community Iwi and that the Community Iwi boundary be extended to all of Waiwhetu and Gracefield is **PARTIALLY ACCEPTED** to the extent that the 2 Puketapu Grove will remain within Community Iwi. The boundary of the Community Iwi boundary will not be extended over all of Waiwhetu and Gracefield.

## DPC03/12 D1 - Martha Gilbert

### **Request of Submitter**

34 Galway Street, Waiwhetu to be changed from General Residential to Community Iwi Activity Area.

### **Reason**

This is one of the submissions mentioned in the background report where it is considered that the decision sought was outside the scope of the plan change. The change only proposed to rezone eight properties at the fringes of the Waiwhetu Marae Community Iwi area. In this case the property is physically separated from the properties within the Community Iwi area. It is inappropriate to include this property within Community Iwi at this stage.

Council is working on a review of the residential provisions of the District Plan. A review of the boundaries of the residential activity areas is being carried out as part of the residential review. The decision sought in this submission will be included in the work being undertaken as part of the residential review.

### **Officer's Recommendation**

That the submission lodged by Martha Gilbert, seeking that 34 Galway Street be included in the Community Iwi zone, is **REJECTED** to the extent that 34 Galway Street will remain in General Residential. The decision sought will be included in the review of the residential activity area boundaries being carried as part of the review of the residential provisions of the District Plan.

## DPC03/13 D1 - Hera Gilbert

### **Request of Submitter**

5 Puketapu Grove, Waiwhetu to remain as Community Iwi.

### **Specific Comments**

As mentioned in the background report 5 Puketapu Grove is one of the properties where the submission supported the plan change in that neither the submission nor the plan change sought to change the Community Iwi status of the property.

### **Officer's Recommendation**

That the submission lodged by Hera Gilbert, seeking that 5 Puketapu Grove remains as Community Iwi is **ACCEPTED**. There will be no change made to the activity area status of 5 Puketapu Grove; it will remain within Community Iwi.

## DPC03/14 D1- Laura Taepa

### **Request of Submitter**

Confirm change.

### **Specific Comments**

The submission supports the proposed plan change. As mentioned in the background report there is not likely to be any adverse effects from changing the properties between Community Iwi and General Residential as the General Residential permitted activity conditions apply around the Waiwhetu Marae in both activity areas.

### **Officer's Recommendation:**

That the submission lodged by Laura Taepa, seeking that the proposed plan change is confirmed, is **ACCEPTED**. The changes shown in Table 1 and Figure 3 of the background report are made to the District Plan.

## DPC03/15 D1 - Submitter: Sherry Phipps

### **Request of Submitter**

Ensure noise control and insulation is taken into account.

### **Specific Comments**

The permitted activity conditions, including noise provisions, are the same regardless if the properties are within Community Iwi or General Residential. All permitted activities within Community Iwi have to adhere to the permitted activity conditions of General Residential. The noise standards for the Waiwhetu Marae Community Iwi area are the residential noise standards for the area (Noise Area 3).

### **Officer's Recommendation**

That the submission lodged by Sherry Phipps, seeking that noise control and insulation is taken into account, be **ACCEPTED**. To the extent that there will be no change to the noise provisions of the District Plan for this area.