



RĀRANGI TAKE AGENDA

Rautaki, Whakahaere, me te Ahumoni | Strategy, Operations and Finance Committee Meeting

I hereby give notice that a Meeting of the Rautaki, Whakahaere, me te Ahumoni | Strategy, Operations and Finance Committee will be held on:

Te Rā | Date: Thursday, 12 September 2024

Te Wā | Time: 9.30am

**Te Wāhi | Location: Council Chamber
Ground Floor, 175 Rimu Road
Paraparaumu**

**Kris Pervan
Group Manager Strategy & Growth**

Kāpiti Coast District Council

Notice is hereby given that a meeting of the Rautaki, Whakahaere, me te Ahumoni | Strategy, Operations and Finance Committee will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 12 September 2024, 9.30am.

Rautaki, Whakahaere, me te Ahumoni | Strategy, Operations and Finance Committee Members

Cr Sophie Handford	Chair
Cr Liz Koh	Deputy
Mayor Janet Holborow	Member
Deputy Mayor Lawrence Kirby	Member
Cr Glen Cooper	Member
Cr Martin Halliday	Member
Cr Rob Kofoed	Member
Cr Jocelyn Prvanov	Member
Cr Shelly Warwick	Member
Cr Nigel Wilson	Member
Cr Kathy Spiers	Member
Ms Kim Tahiwī	Member
Mr Huriwai Paki	Member
Ātiawa ki Whakarongotai Representative	Member

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1 NAU MAI | WELCOME

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro *As we deliberate on the issues before us,*

E pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hapori e mahi nei mātou. *We trust that we will reflect positively on the communities we serve.*

Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, *Let us all seek to be effective and just,*

Ā, mā te māia, te tiro whakamua me te hihiri *So that with courage, vision and energy,*

Ka taea te arahi i roto i te kotahitanga me te aroha. *We provide positive leadership in a spirit of harmony and compassion.*

3 WHAKAPĀHA | APOLOGIES

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

6 NGĀ TEPUTEIHANA | DEPUTATIONS

Nil

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence

(b) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

8 HE KŌRERO HOU | UPDATES

Nil

9 PŪRONGO | REPORTS

9.1 DECISIONS ON OMNIBUS PLAN CHANGES 1D, 1F, 1K, AND 1L TO THE OPERATIVE KAPITI COAST DISTRICT PLAN

Kaituhi | Author: **Jason Holland, District Planning Manager**

Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth**

TE PŪTAKE | PURPOSE

- 1 To seek the Committee's decision to approve (make operative) four omnibus plan changes to the Operative Kapiti Coast District Plan 2021 (District Plan / the Plan), under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 This report seeks further decisions from the Strategy, Operations and Finance Committee ("the Committee") in relation to four proposed plan changes:
 - 2.1 Plan Change 1D (Reclassification of Arawhata Road, Tutanekai Street, and Ventnor Drive)
 - 2.2 Plan Change 1F (Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List)
 - 2.3 Plan Change 1K (Electoral Signage); and
 - 2.4 Plan Change 1L (Council Site Rezoning) to the District Plan.
- 3 The further decisions sought are to approve the plan changes. Once these decisions are made and subsequent steps are taken by staff under delegated authority, these four plan changes will be formally completed.

TE TUKU HAEPAPA | DELEGATION

- 4 Clause 17 of Schedule 1 of the RMA requires a local authority to complete the plan change process by "approving" a proposed plan change, once the preceding steps of the process are completed. It states:
 - (1) *A local authority shall approve a proposed policy statement or plan (other than a regional coastal plan) once it has made amendments under clause 16 or variations under clause 16A (if any).*
 - (2) *A local authority may approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of.*
 - (3) *Every approval under this clause shall be effected by affixing the seal of the local authority to the proposed policy statement or plan.*
- 5 The Committee has delegated authority to consider these matters.

TAUNAKITANGA | RECOMMENDATIONS

That the Strategy, Operations and Finance Committee:

- A. Approves the following plan changes under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA):
 - A.1 Proposed Plan Change 1D (Reclassification of Arawhata Road, Tutanekai Street, and Ventnor Drive), as set out in Attachment 1.

- A.2 Proposed Plan Change 1F (Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List), as set out in Attachment 2.
- A.3 Proposed Plan Change 1K (Electoral Signage), as set out in Attachment 3.
- A.4 Proposed Plan Change 1L (Council Site Rezoning), as set out in Attachment 4.

TŪĀPAPA | BACKGROUND

- 6 The four plan changes that are the subject of this report address specific resource management issues:
 - 6.1 **Proposed Plan Change 1D (Reclassification of Arawhata Road, Tutanekai Street and Ventnor Drive)** corrects existing errors in the District Plan Maps, and in particular the classifications on the Transport Network hierarchy of Arawhata Road, Tutanekai Street, and Ventnor Drive.
 - 6.2 **Proposed Plan Change 1F (Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List)** amends rule ECO-R6 in response to an implementation issue that had resulted in unintended adverse effects on indigenous vegetation; it also introduced coastal kānuka to ECO-Table 1 (Key Indigenous Tree Species by Size) enabling its protection under the rules in the District Plan.
 - 6.3 **Proposed Plan Change 1K (Electoral Signage)** amends the electoral signage rule (SIGN-R2) in the District Plan to align with the Electoral (Advertisements of a Special Kind) Regulations 2005 requirements.
 - 6.4 **Proposed Plan Change 1L (Council Site Rezoning)** rezones a number of council-owned sites to better reflect and provide for their community use.
- 7 The four plan changes began as part of a wider “omnibus” package of plan changes.¹ Following public consultation on a draft of these plan changes, the four plan changes progressed together as a package through the key stages of the statutory plan change process, which included:
 - 7.1 Public notification on 14 July 2022 of the opportunity to submit on the plan changes (following a Council decision approving notification on 30 June 2022)²
 - 7.2 Public notification on 21 September 2022 of the opportunity to make further submissions³
 - 7.3 Public notification on 10 July 2024 of Council’s decisions on these plan changes (these decisions were made at Strategy, Operations and Finance Committee on 4 July 2024).⁴
- 8 As explained in the staff report to Strategy, Operations and Finance Committee on 4 July 2024, a hearing was not required for any of these plan changes as no submitter wished to be heard in support of their submission. However, the Resource Management Act 1991 allows for the possibility of any submitter to appeal Council’s decision on provisions and matters raised in submissions – including where a submission expresses support of a plan change, and where a submitter has stated they do not wish to be heard. Accordingly, where any

¹ See 21 October 2021 Strategy and Operations Committee agenda and minutes, available at: https://kapiticoast.infocouncil.biz/Open/2021/10/SAOCC_20211021_AGN_2321_AT_WEB.htm.

² This public notice is available at: <https://www.kapiticoast.govt.nz/council/have-your-say/public-notices/?noticeid=16#C16G24c1c1e0>. For the Council decision associated with this notice, see 30 June 2022 Council agenda and minutes, available at: https://kapiticoast.infocouncil.biz/Open/2022/06/CO_20220630_AGN_2425_AT_WEB.htm.

³ This public notice is available at: <https://www.kapiticoast.govt.nz/council/have-your-say/public-notices/?noticeid=8#C8Gc0d58f76>.

⁴ This public notice is available at: <https://www.kapiticoast.govt.nz/council/have-your-say/public-notices/?noticeid=146#C146Gc0d58f76>. For the Council decision associated with this notice, see 4 July 2024 Strategy, Operations and Finance Committee agenda and minutes, available at: https://kapiticoast.infocouncil.biz/Open/2024/07/SOF_20240704_AGN_2623_AT_WEB.htm.

submission is made on a plan change, it is necessary for a Council to separate its decisions on the provisions of that plan change from its final decision to give approval to the plan change.

- 9 The closing date for appeals on Council decisions on the provisions of a plan change is 30 working days after public notification of that decision. This period expired on 21 August 2024.⁵ No appeals were lodged with the Court on any of the plan changes.

Final steps

- 10 All necessary statutory process steps for these four plan changes have now been completed to enable Council to approve each of them under clause 17 of Schedule 1 of the RMA. Following this, staff will then exercise their delegated authority to complete the remaining steps required for these plan changes to be formally incorporated into the District Plan.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 11 No issues have been identified. All four plan changes have been subject to considerable due diligence through the plan change process, including several opportunities for public feedback. Council has previously made its substantive decisions on these plan changes, leaving only this final procedural step (a decision to approve the plan changes under clause 17 of Schedule 1) to complete them.

Ngā kōwhiringa | Options

- 12 While Council was required to publicly notify its decisions on provisions and matters raised in submissions within two years of publicly notifying these plan changes, there is no statutory timeframe within which it must give final approval under clause 17 of Schedule 1 of the RMA. This provides Council (and this Committee) with some discretion about when to make this decision.
- 13 When considering the timing of making this decision, the Committee should be aware of the general requirement under section 21 of the RMA which requires that all persons exercising functions, duties and powers must act promptly to avoid unreasonable delays. Staff are also unaware of any reason why this decision should be delayed.
- 14 It is therefore recommended that the Committee approves Plan Changes 1D, 1F, 1K, and 1L under clause 17 of Schedule 1 of the RMA.

Mana whenua

- 15 The recent Strategy, Operations and Finance Committee's report of 4 July 2024 which sought decisions on provisions and matters raised in submissions for Plan Changes 1D, 1F, 1K, and 1L, noted that the District Planning team engaged with mana whenua on these plan changes, and that iwi did not lodge any submission.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 16 The completion of the plan changes covered by this report are anticipated to have minor climate change and environmental benefits, particularly as Proposed Plan Change 1F (Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List) manages some risks to indigenous vegetation.

⁵ Now that the time for lodging appeals has passed, please note that under section 86F of the RMA (When rules in proposed plans must be treated as operative), the rules in Plan Change 1F (ECO-R6) and 1K (SIGN-R2) must be treated as operative, and the previous versions of those rules as inoperative.

Ahumoni me ngā rawa | Financial and resourcing

- 17 The operational implications of the decisions being sought are very limited. In accordance with clause 17(2) of Schedule 1 of the RMA, staff will prepare common seals to be incorporated into the District Plan. Under clause 20 of the same schedule, staff will prepare and arrange for the publication of a public notice specifying the date that these plan changes will become operative. The resourcing to complete these statutory requirements will come from within baseline operating expenses for the District Planning.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 18 All necessary procedural steps required for the Committee to make the requested decisions have been satisfied.

Ngā pānga ki ngā kaupapa here | Policy impact

- 19 The policy impact of the four plan changes covered in this report is limited. Each plan change addresses a relatively discrete matter, and none of the plan changes fundamentally amend the District Plan's intended outcomes or its strategic direction.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 20 An engagement plan is not required for these decisions.

Whakatairanga | Publicity

- 21 The Committee's decisions to approve these plan changes will be publicly notified in accordance with requirements set out in clause 20 of Schedule 1 of the RMA. Those requirements include that the public notice must specify the date from which the plan changes will become operative.
- 22 The decision to issue the public notice and set this date rests with staff with delegated authority. However, as it may be of interest to the Committee, please note that the operative date for these plan changes (subject to the Committee giving the approval being sought at this meeting) is likely to be 1 October 2024.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Plan Change 1D (Reclassification of Arawhata Road, Tutanekai Street, and Ventnor Drive) [↓](#)
2. Plan Change 1F (Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List) [↓](#)
3. Plan Change 1K (Electoral Signage) [↓](#)
4. Plan Change 1L (Council Site Rezoning) [↓](#)

Proposed Plan Change 1D – Reclassification of Arawhata Road, Tutanekai Street, and Ventnor Drive

The following text is provided for explanatory purposes only, and does not form part of Plan Change 1D.

Plan Change 1D proposes to amend the transport network hierarchy classification of the following streets on District Plan maps:

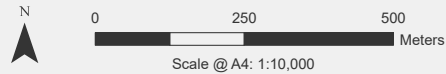
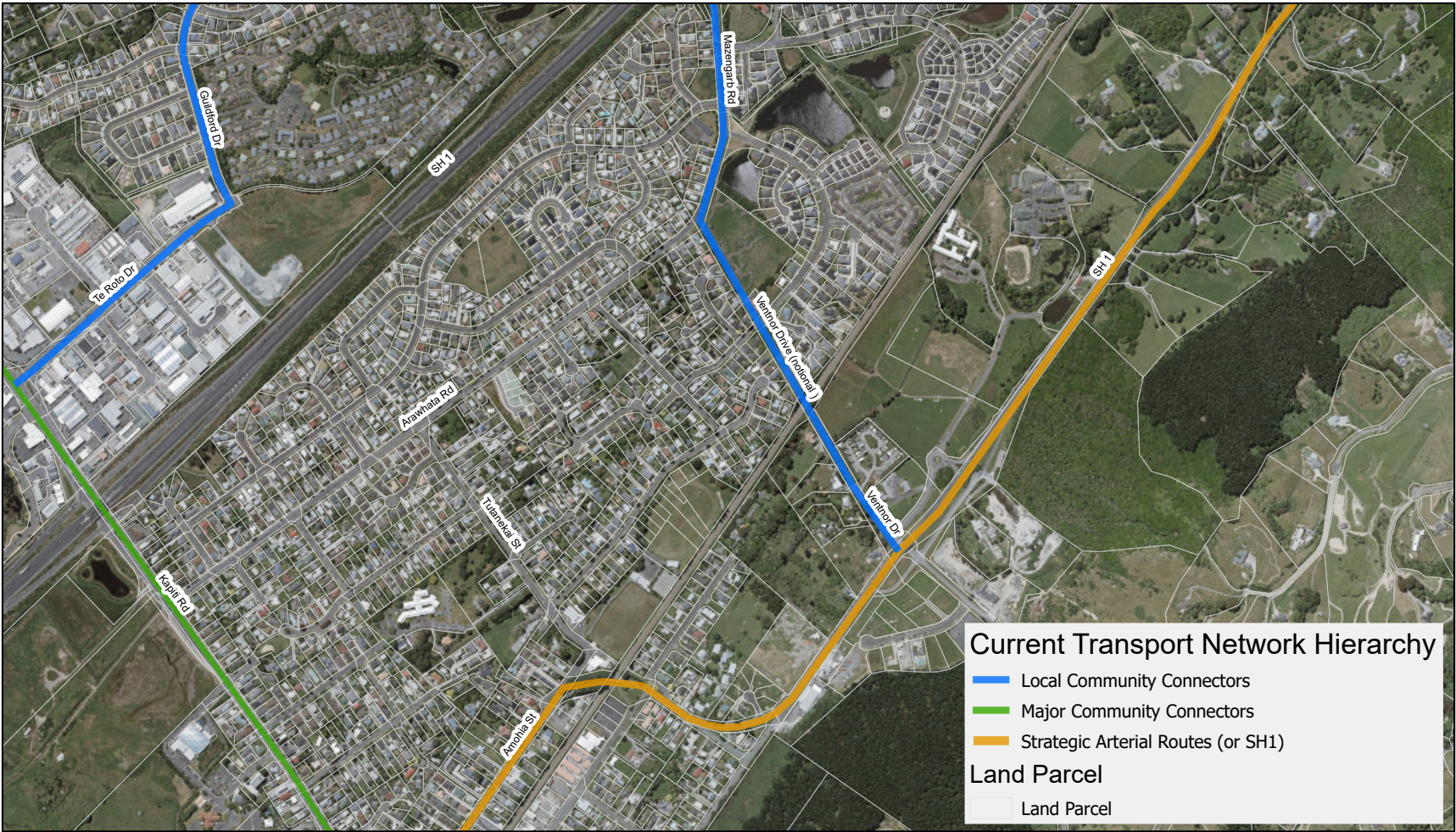
- Arawhata Road from Neighbourhood Access Route to Local Community Connector Route
- Tutanekai Street from Neighbourhood Access Route to Local Community Connector Route
- Ventnor Drive from Local Community Connector Route to Neighbourhood Access Route

The current District Plan map is shown in Annex 1. Annex 2 shows the change proposed to the District Plan maps by Plan Change 1D.

For the avoidance of doubt, please note:

1. Neighbourhood Access Routes are not shown on the District Plan maps.
2. Plan Change 1D does not propose any changes to the District Plan's objectives, policies, or rules.

Annex 1 - Current District Plan Map



Date Printed: April 7, 2022

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Annex 2 - Map showing proposed District Plan changes



0 250 500 Meters
Scale @ A4: 1:10,000

Date Printed: May 31, 2022

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Proposed Plan Change 1F – Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List

Notes:

1. Deletion is shown as strike-through (~~example~~)
2. Addition is shown as underlined (example)

Note:

In accordance with section 86B(3)(b) and (c) the following proposed changes to the Kapiti Coast District Plan have had immediate legal effect on and from the date on which this plan change was publicly notified under clause 5 of Schedule 1 of the Resource Management Act 1991. This note is for explanatory purposes and does not form part of the plan change.

Amend rule ECO-R6 as follows:

ECO-R6	<p>The <i>modification of any indigenous vegetation</i>, that is:</p> <ol style="list-style-type: none">1. located within an <i>ecological site</i> listed in Schedule 1 excluding trees on an urban environment allotment that are not listed in Schedule 2; or2. a <i>key indigenous tree species</i> listed in ECO-Table 1 and exceeds either of the maximum size criteria diameter or <i>height</i> (excluding <i>trees</i> planted by humans; and excluding trees on an urban environment allotment that are not listed in Schedule 2); or3. a <i>key indigenous tree</i> listed in Schedule 2; or4. a <i>rare and threatened vegetation species</i> listed in Schedule 3; or5. in or within 20 metres of a <i>waterbody</i> or the coastal marine area where it is not within the <i>urban environment</i> (excluding planted vegetation); <p>is a <i>controlled activity</i> within the following <i>zones</i> and precincts:</p> <ul style="list-style-type: none">• General Residential Zone• High Density Residential Zone• Ngārara Development Area• Waikanae North Development Area• Airport Zone• Town Centre Zone• Metropolitan Centre Zone• Hospital Zone• General Industrial Zone• Local Centre Zone• Mixed Use Zone• Rural Lifestyle Zone• Rural Eco-Hamlet Precinct• Future Urban Zone• Open Space Zone
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Controlled Activity	Standards	Matters of Control
	<ol style="list-style-type: none"> 1. The <i>modification of indigenous vegetation</i> must be limited to: <ol style="list-style-type: none"> a. <u>up to a maximum of two <i>indigenous vegetation trees</i> within a five year period on an allotment; and</u> b. <u><i>modification of vegetation trees</i> that is <u>are</u> damaged, dead or dying; or have <u>has</u> sustained storm damage; or is <u>are</u> fatally diseased</u> such that: <ol style="list-style-type: none"> i. <u>the indigenous vegetation is no longer independently viable or <i>the tree(s)</i> presents a demonstrable imminent risk of serious harm to people or property building(s) or risks significantly damaging surrounding protected vegetation; and</u> ii. <u><i>the demonstrable imminent risk of serious harm to people or buildings</i> cannot be addressed via <i>trimming</i> under rule ECO-R3; and</u> iii. <u>an arborist who has attained the New Zealand Qualifications Authority National Certificate New Zealand Diploma in Arboriculture Level 4–6 or equivalent qualification has certified in writing that Conditions (i) <u>and</u> (ii) above is <u>are</u> met; or</u> c. <u><i>modification of planted indigenous vegetation</i> where the applicant can demonstrate that it was not <u>legally required to be planted</u> for ecological restoration or enhancement purposes or as a <i>biodiversity offset</i>.</u> 	<ol style="list-style-type: none"> 1. The <u>necessity, extent and method of the proposed <i>vegetation removal</i> modification of indigenous trees to address the imminent demonstrated risk.</u> 2. The <u>species, size, location, and timing of planting of any <i>plant species replacement indigenous vegetation</i> to compensate remedy for the loss of <i>indigenous tree(s)</i> vegetation.</u> 3. Any remedial work necessary to restore the site after the <i>modification</i> activity is complete. 4. Public safety. 5. Measures to avoid, remedy or mitigate <i>effects</i> on <i>tāngata whenua</i> values. 6. <u>Methods and activities to ensure the maintenance of indigenous biodiversity.</u> 7. <u>Methods and activities to ensure positive ecological contributions of the modified <i>trees</i> on the application <i>property</i>.</u>

Note: For *notable trees* listed in [Schedule 8](#) see [TREE-R2](#), [TREE- R3](#), and [TREE-R4](#).

Criteria for notification

The written approval of persons will not be required and applications under this rule will not be served on any person or notified.

Amend ECO-Table 1 as follows:

Common Name	Species	Māori Name	Dimensions That Relate to Rules	
			Diameter (circumference in cm)	Height (m)
White tea tree	Kunzea robusta or Kunzea amathicola	Kānuka	15.0 (47)	3
<u>Coastal kānuka</u>	<u>Kunzea amathicola</u>	<u>Rawiritoa, kānuka</u>	<u>5.0 (15)</u>	<u>1</u>
<u>Kānuka</u>	<u>Kunzea robusta</u>	<u>Rawirinui, kānuka</u>	<u>15.0 (47)</u>	<u>3</u>

Proposed Plan Change 1K – Electoral Signage

Notes:

1. Deletion is shown as strike-through (~~example~~)
2. Addition is shown as underlined (example)

Note:

In accordance with section 86B (1) of the Resource Management Act 1991 (RMA), the proposed amendment to the rule SIGN-R2 under this plan change to the Kapiti Coast District Plan have had immediate legal effect once decisions on submissions were made and publicly notified under clause 10(4) of Schedule 1 of the RMA. This note is for explanatory purposes and does not form part of the plan change.

Amend permitted activity rule SIGN-R2 as follows:

SIGN-R2	Election <i>signs</i> (local body/ national) in all zones.
Permitted Activity	<p>Standards</p> <ol style="list-style-type: none">1. The total area of election signage per person or party (whichever is the lesser) on an approved <i>subject site</i> or on private property must not exceed <u>23.0m²</u>. <p>Note: A list of approved <i>subject sites</i> is included in the Council's Candidate Information Handbook a copy of which is available from the Council's Service Centres or on the Council's website.</p> <ol style="list-style-type: none">2. Election <i>signs</i> must be single faced i.e. one display face only, not 'V' or other multi-faced <i>signs</i>.3. Election <i>signs</i> must not exceed 1.8 metres in <i>height</i> (above <i>original ground level</i>).4. Elections <i>signs</i> must meet the requirements of the Electoral (Advertisements of a Specified Kind) Regulations 2005.5. Election <i>signs</i> must only be erected and displayed during the period beginning 2 months before polling day and ending with the close of the day before polling day. <p>Note: This rule only applies outside the timeframes specified in Section 221B (1) of the Electoral Act 1993 and Regulation 4 of the Electoral (Advertisements of a Special Kind) Regulations 2005.</p>

Proposed Plan Change 1L – Council Site Rezoning

The following text is provided for explanatory purposes only, and does not form part of Plan Change 1L.

Plan Change 1L seeks to:

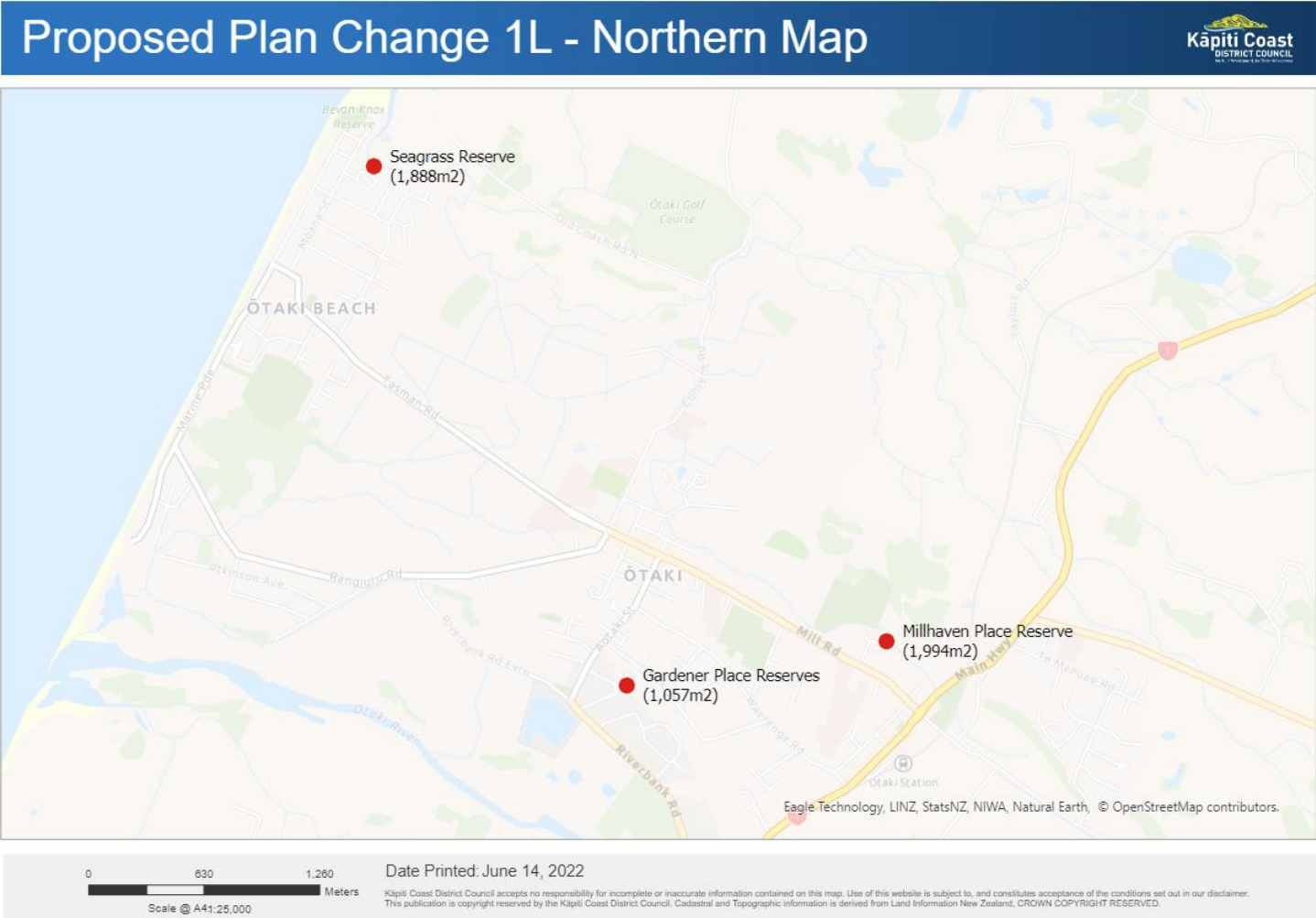
- Update the zoning of a number of Council-owned sites from General Residential Zone to Open Space Zone (and either to a Local Parks Precinct or a Recreation Precinct as appropriate) or to Natural Open Space Zone, and
- Reassign one¹ of the Council-owned sites from Natural Open Space Zone to Open Space Zone (Recreation Precinct).

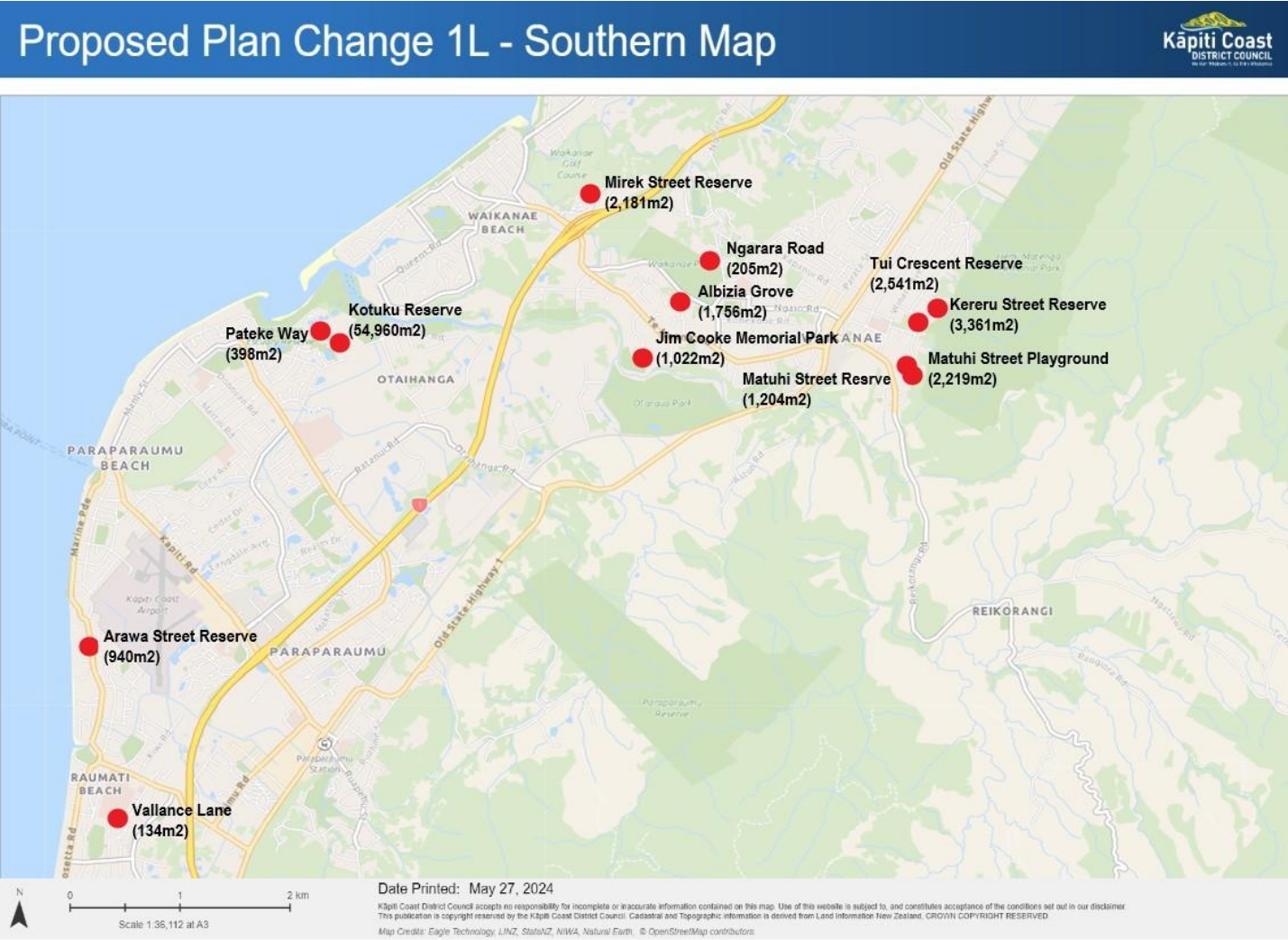
The first two maps are provided for information purposes only. The remaining maps mark the specific areas proposed to be rezoned as “Proposed Zones” (see map legends).

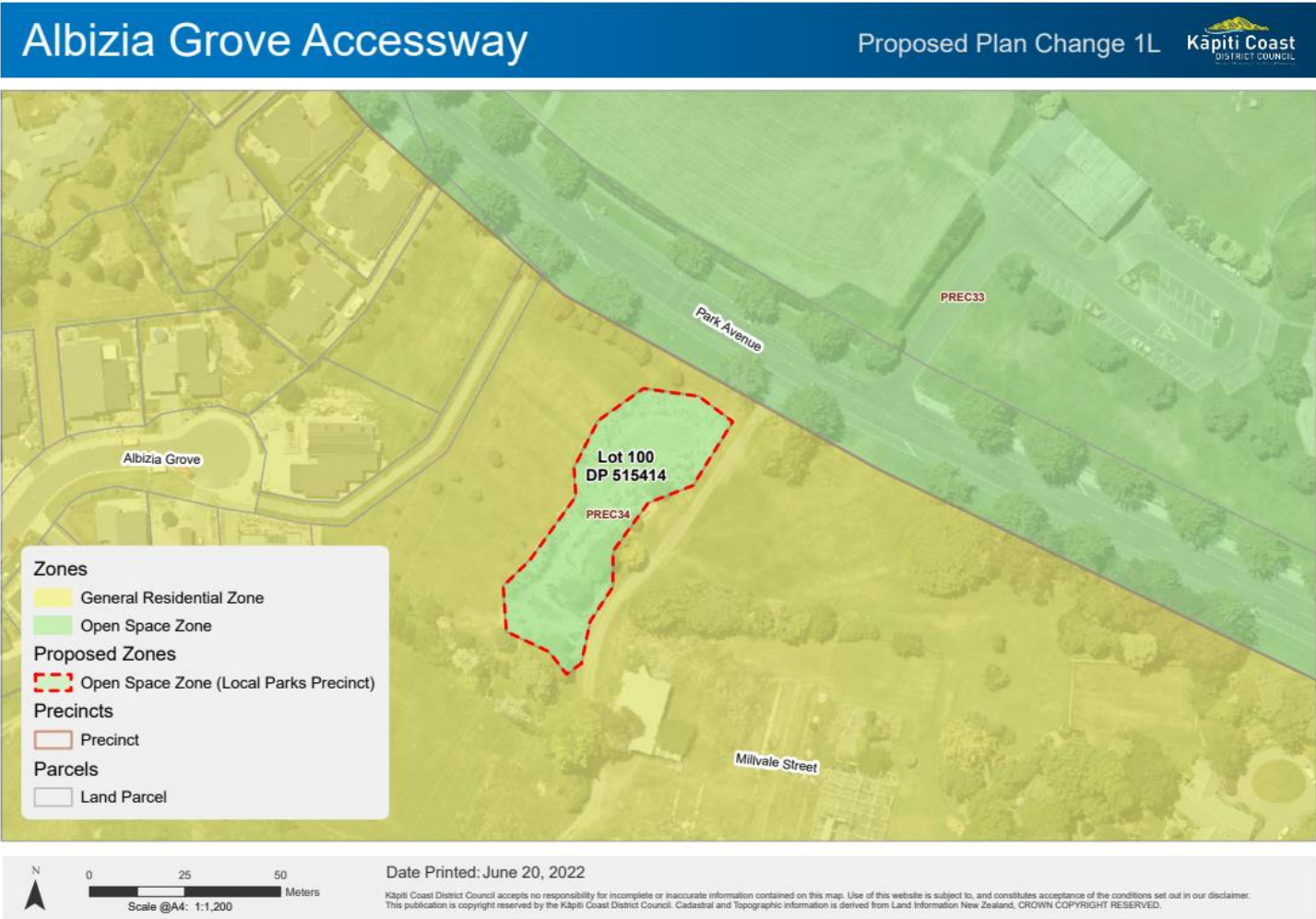
For the avoidance of doubt please note:

1. Plan Change 1L does not propose any changes to the District Plan’s objectives, policies, or rules.

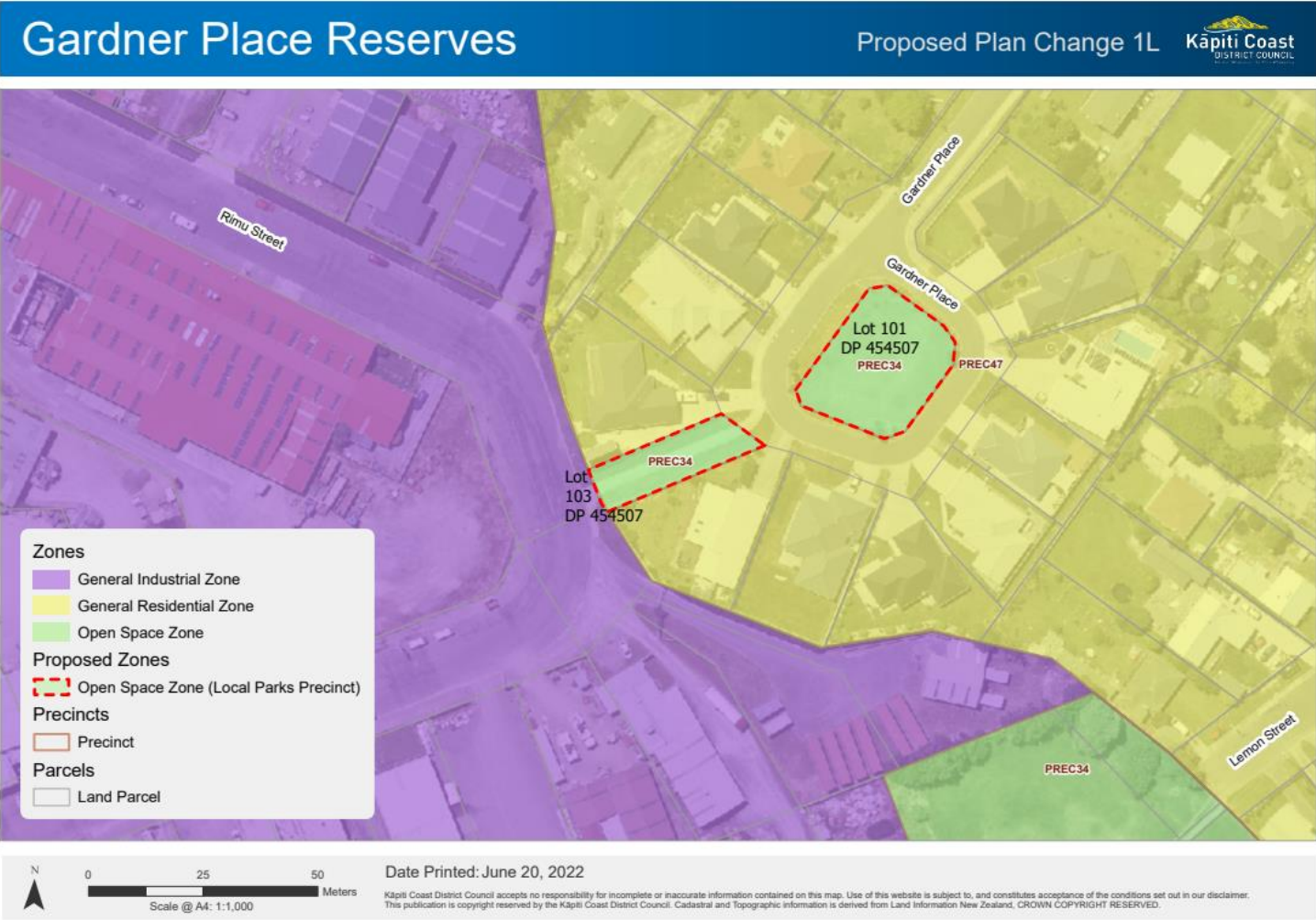
¹ Following Council decisions on 4 July 2024, the proposed Maclean Park rezoning was formally withdrawn from PC-1L.

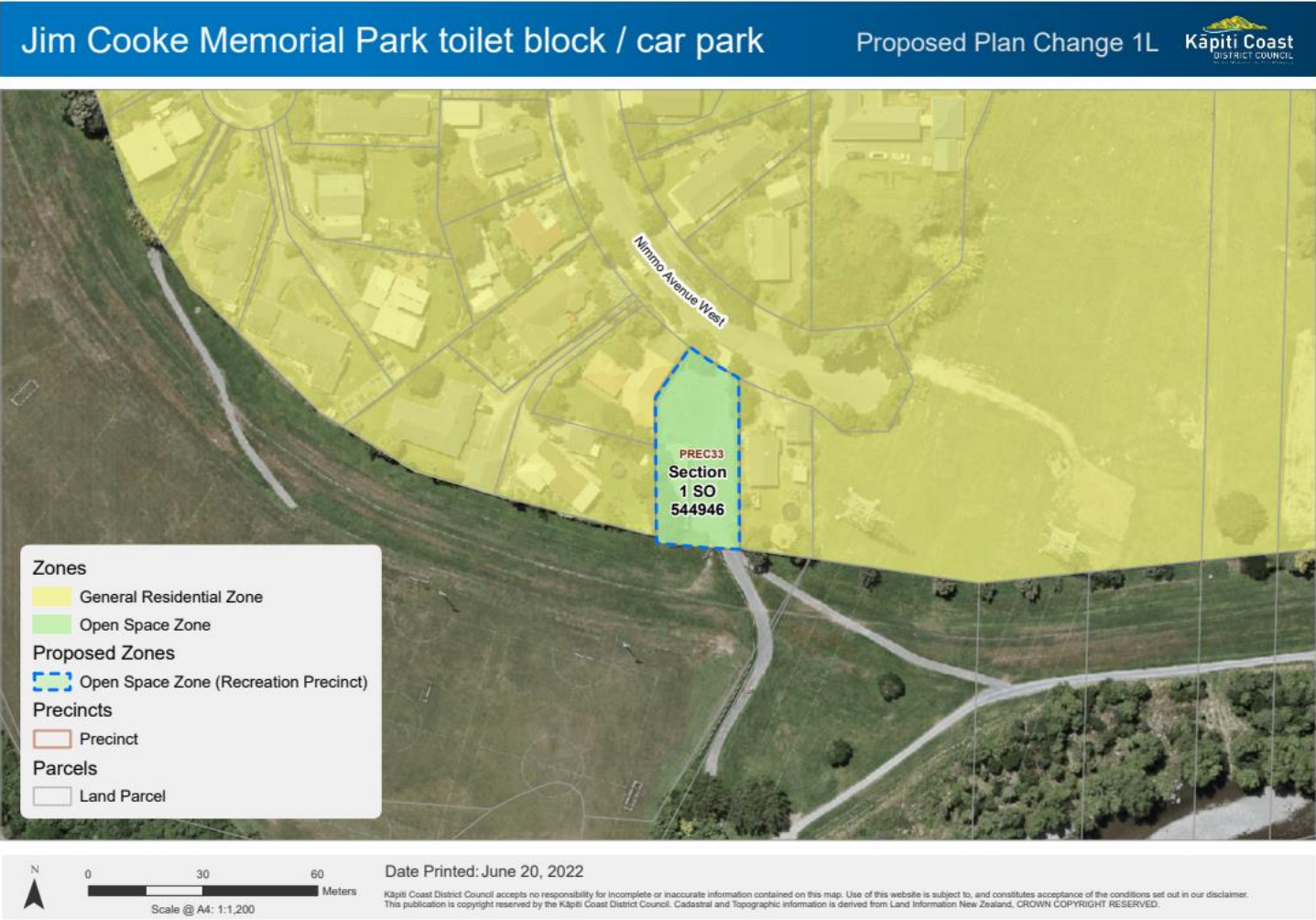




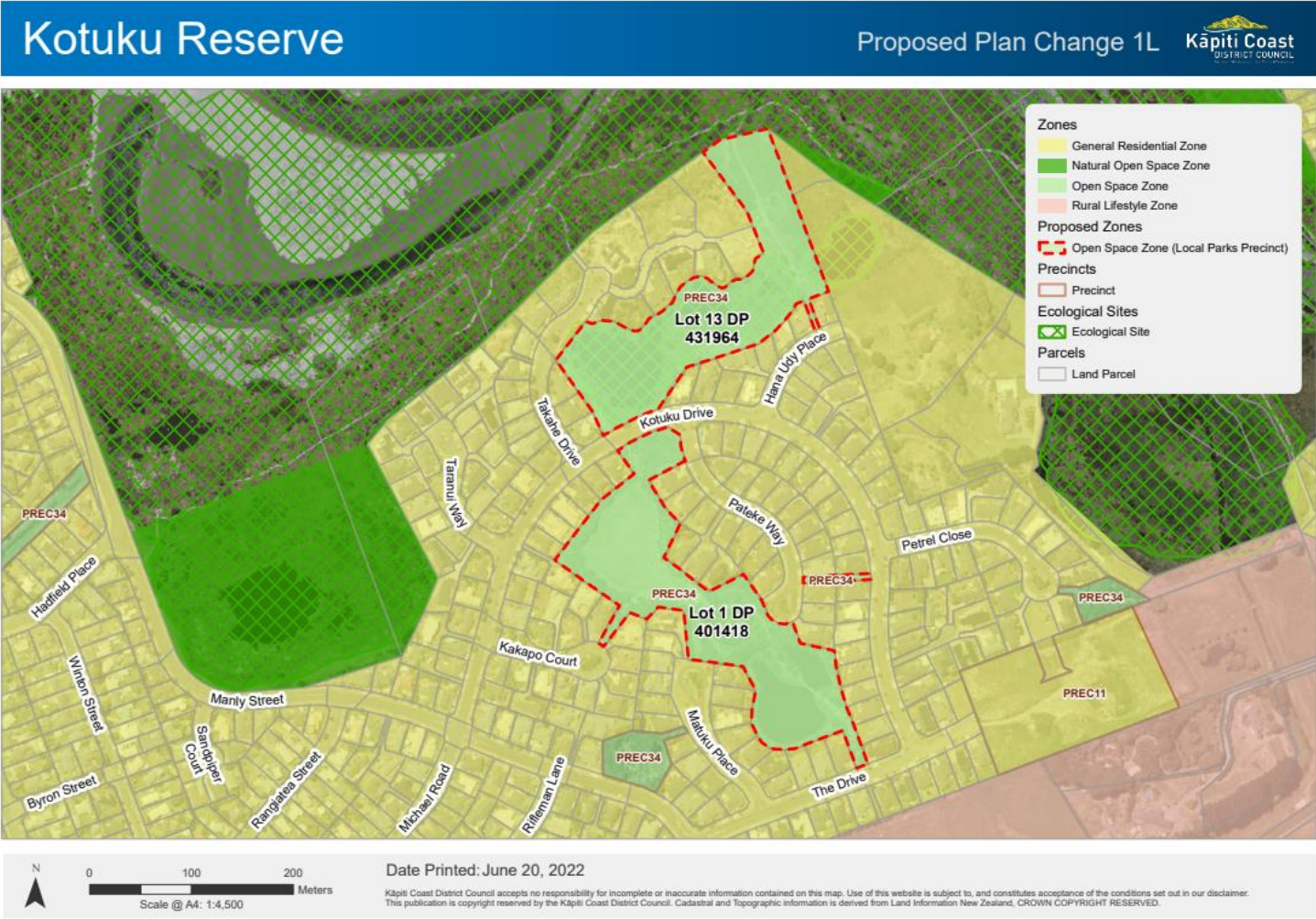










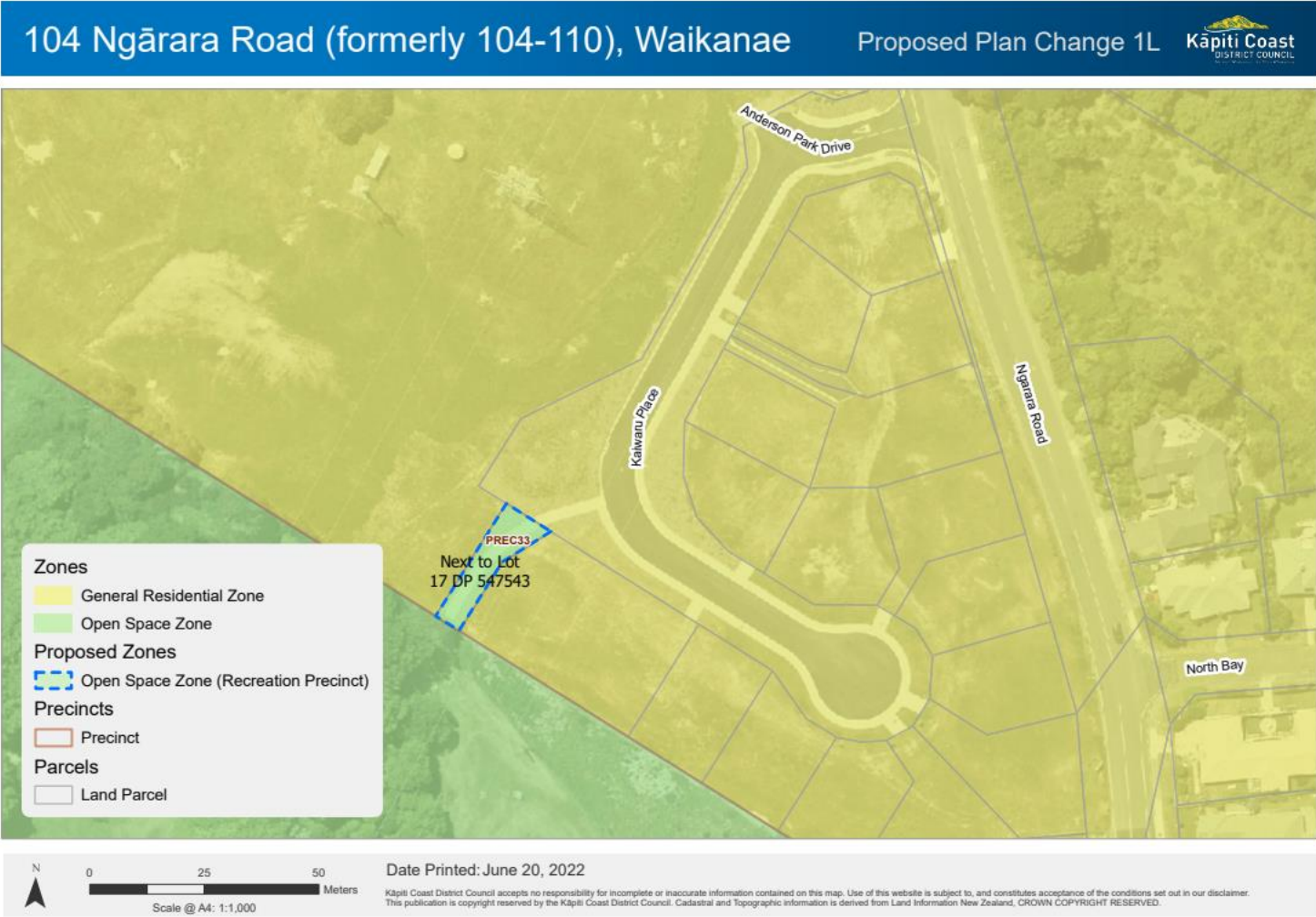


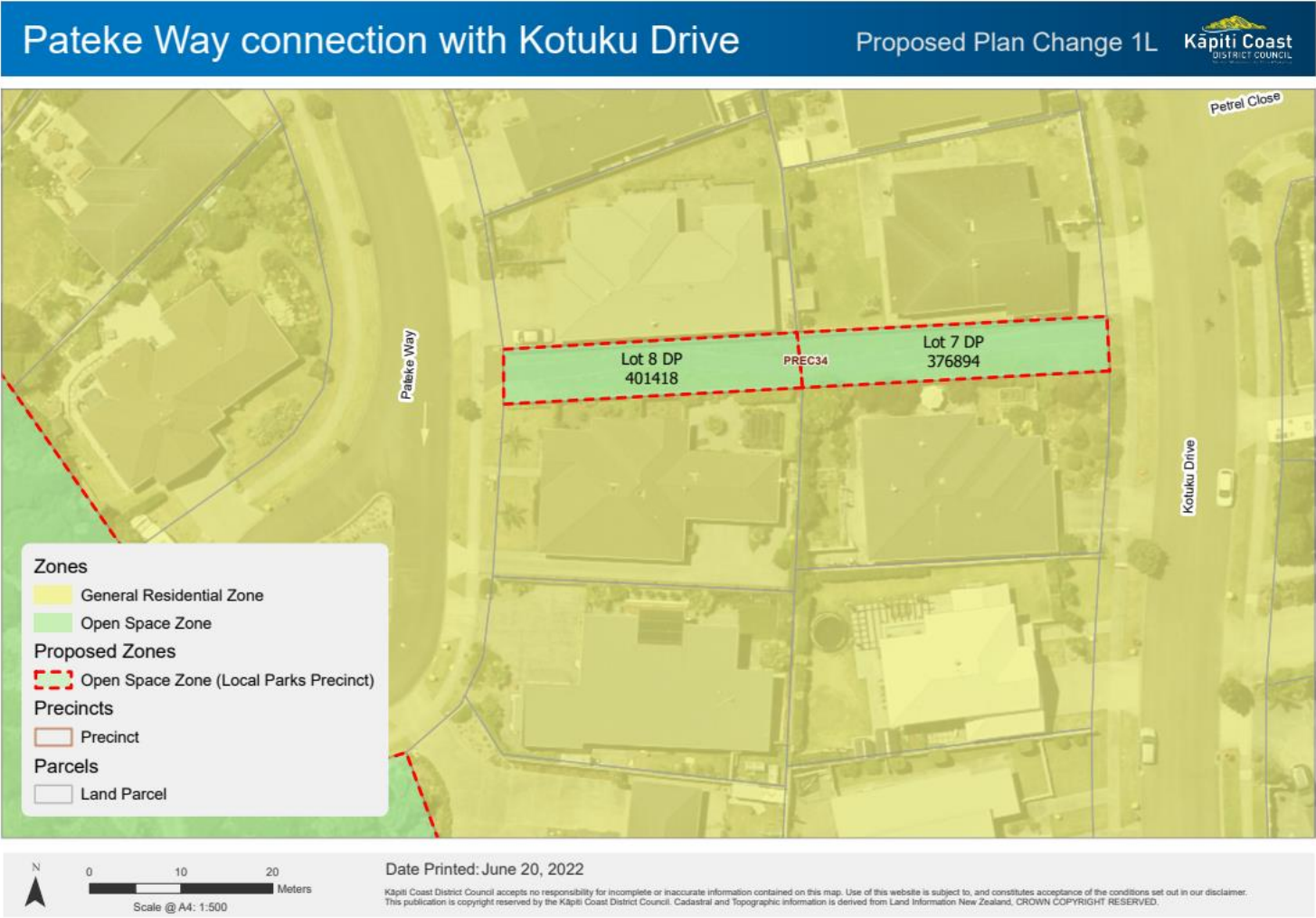


















9.2 DANGEROUS, AFFECTED, AND INSANITARY BUILDINGS POLICY - STATEMENT OF PROPOSAL AND APPROVAL TO CONSULT

Kaituhi | Author: **Chris Worth, Principal Policy Advisor**

Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth**

TE PŪTAKE | PURPOSE

- 1 This report seeks the Committee's approval to consult on the Proposed Dangerous, Affected and Insanitary Buildings Policy 2024.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

TE TUKU HAEPAHA | DELEGATION

- 3 Under the Local Government Act 2002 (LGA) and consistent with Council's Governance Structure and Delegations Te Hanganga me ngā Kanohi Kāwanatanga for the 2022-2025 Triennium, the Committee is delegated authority to approve draft policy for consultation.

TAUNAKITANGA | RECOMMENDATIONS

That the Strategy, Operations and Finance Committee:

- A. Approve the Statement of Proposal and proposed Dangerous, Affected, and Insanitary Buildings Policy 2024 for public consultation from 18 September to 18 October 2024 (refer to Attachment 1 and 2).
- B. Delegate authority to the Mayor and Chief Executive to approve any minor and technical editing changes to the consultation documents.

TŪĀPAPA | BACKGROUND

- 4 The Kāpiti Coast District Council has an existing Dangerous, Affected, and Insanitary Buildings Policy (2018). This policy must be reviewed every five years. The Council's policy is now up for review, as it was last reviewed and adopted in 2018.
- 5 Committee members were briefed on the background and proposed approach to review the current Policy (2018) on 15 August 2024. Of note:
 - 5.1 Section 131 of the Building Act 2004 (Act) requires territorial authorities, to develop and maintain a policy for administering dangerous, affected and insanitary buildings.
 - 5.2 A Dangerous, Affected, and Insanitary Buildings Policy provides clarity and guidance to council officers, stakeholders and the public as to how Council will implement the Building Act's requirements for managing dangerous, affected, and insanitary buildings within the Kāpiti Coast District.
 - 5.3 The Dangerous and Insanitary Buildings Policy 2018 (current) Policy's objective is reflected in the purpose of section 3 of the Building Act 2004, which states:
 - 5.3.1 people who use buildings can do so safely and without endangering their health, and
 - 5.3.2 buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them, and
 - 5.3.3 people who use a building can escape from the building if it is on fire.

- 5.4 The current Policy (2018) does not cover Dams and Earthquake-prone buildings. The management of earthquake-prone buildings is addressed under separate requirements in the Act introduced in 2017 following the government's response to the Christchurch and Kaikoura earthquakes.
- 5.5 An internal review of the current Policy (2018) was undertaken in 2023. This was followed by a review of Council's current Policy on Dangerous, Affected, and Insanitary Buildings function by the Ministry of Business, Innovation and Employment (MBIE).
- 6 MBIE advised that additional changes would need to be made to the current Policy (2018) to:
 - 6.1 Link decision making to Council's wider social, economic, and heritage/cultural policy context.
 - 6.2 Provide more explicit linking of process to the requirements of the Act, and some best practice inclusions to the policy.
 - 6.3 Incorporate the "affected" buildings, as a result of recent changes to the Act.

HE KŌRERORERO | DISCUSSION

He take | Issues

Policy considerations and approach

- 7 In reviewing the current Policy (2018), consideration was given to:
 - 7.1 Ensuring buildings are safe and can perform their functions.
 - 7.2 Providing clarity and guidance to Council officers, building owners and users, and the public, on the process and criteria to be used in an assessment.
 - 7.3 Council's approach to heritage buildings.
 - 7.4 Applying a pragmatic balanced risk-based assessment approach to safeguard buildings as structurally sound, and not posing health risks.

Key changes to meet regulatory requirements

- 8 The 2024 Statement of Proposal and proposed Dangerous, Affected, and Insanitary Buildings Policy 2024 are attached for your consideration in Attachment 1 and 2, respectively. Of note:
 - 8.1 A definition for Dangerous, Affected, and Insanitary Buildings is set out in the Policy.
 - 8.2 The review identified that the current Policy approach remains fit-for-purpose and this has been carried forward into the proposed new Policy.
 - 8.3 The proposed new Policy also reflects recommendations made by MBIE, including a widened consideration of social, economic, and heritage/cultural matters alongside safety to balance considerations.
 - 8.4 Better reflects regulatory requirements through inclusion of the additional 'affected' buildings category, policy recommendations from MBIE, and the greater detail outlining the process and criteria to be used in assessment.
- 9 The proposed new Policy continues to take a pragmatic approach that:
 - 9.1 Applies a pragmatic risk assessment approach based on the likelihood of harm occurring and the degree of that harm if it did occur. In practice this includes investigating buildings only when information of concern is received.
 - 9.2 Uses a balanced assessment that includes considering the building age, structural integrity, moisture ingress/tightness, specified systems, building functions, and life, balanced against the wider social, economic, heritage, and cultural impacts of determining the building as dangerous, affected, or insanitary.

- 9.3 Ensures targeted investigation optimises Council resource whilst balancing risk to the community when compared to more risk averse approaches (for example, if systematic districtwide surveys/audits were set in place, a higher level of resource would be needed).
- 9.4 Results in Council issuing a *section 124 Notice*⁶ if a building is determined to be dangerous, affected or insanitary, which requires work to be done on the building to make it safe.

Ngā kōwhiringa | Options

- 10 No options are set out.

Mana whenua

- 11 As well as a general interest in the Policy as it applies to buildings, Mana whenua may have a specific interest in relation to buildings of high heritage/cultural value which are built to traditional techniques and may therefore be of higher risk to safety.
- 12 Our iwi partners have been informed that the current Policy (2018) is being reviewed through discussions with the Iwi Partnerships Team, and we will notify iwi partners on the proposed Policy as part of the consultation process.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 13 While the main impact of this policy is to limit and mitigate potential impact and harm of dangerous and insanitary buildings on people, the policy also enables any potential impacts from dangerous and insanitary buildings on the environment to be mitigated.

Ahumoni me ngā rawa | Financial and resourcing

- 14 There are no additional financial and resourcing costs associated with this Policy review. However, administering the regulatory requirements of the Policy is a core function of Council's Building team and is funded within baseline.
- 15 Should a natural hazard event occur where a significant number of buildings are affected the team will require additional resourcing or reprioritisation of resources in order to meet its functions and responsibilities under the Act and this Policy. In an extreme event, resources from outside the District may be called on, as when Council's Building team has provided additional resources to other Councils.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 16 Managing the dangerous, affected, and insanitary building requirements under the Act and this Policy present some legal and organisational risks for Council to manage. There are two main risks associated with the proposed new Policy:
- 16.1 There is inherent underlying risk that a dangerous, affected, or insanitary building exists, is not reported, and fails in some way causing harm to people or damage to other buildings. This potential risk is mitigated by:
- Monitoring of data which indicates that the overall frequency of dangerous, affected, and insanitary buildings in the District is very low, with only two complaints being reported in last 10 years (with neither upheld).
 - Council being proactive in conditions where building failures are possible and/or likely (eg natural hazard event).

⁶ Council last issued a s.124 notice in 2010, and in the period 1 September 2020 to 1 September 2023 has received only two complaints and/or notifications for potentially dangerous, affected or insanitary buildings (one for dangerous and one for insanitary).

16.2 Council could also be subject to legal and financial risk should Council's determination that a building is dangerous, affected, or insanitary be contested through a determination from the Chief Executive of MBIE (s.177(30(f))). This risk is managed and mitigated through Council:

- Following the Act's requirements and having clear criteria for assessing potential risk posed by buildings.
- Being thorough in its processes and seeking independent expert advice where required. For example, Council officers would seek advice from legal counsel where a building is high-profile, or a situation has greater risk to public safety (see s. 2.1.3 of proposed Policy).

Ngā pānga ki ngā kaupapa here | Policy impact

17 This review ensures that Council is compliant with the Building Act 2004 (Act). It also provides assurance that Kāpiti District's building stock is fit-for-purpose, an objective of Council's Housing Strategy.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 18 Officers have identified a range of stakeholders that may have an interest greater than the general public in this Policy. They will be contacted directly or targeted with specific invitations to engage where not represented by an industry organisation.
- 19 The Statement of Proposal will form the basis of our Special Consultative Procedure. A consultation period of one month from 18 September to 18 October 2024 is proposed.

Whakatairanga | Publicity

20 A communications plan has been developed to inform the community and key stakeholders on the review process and consultation on the proposed Policy. Advertising and publicity will occur through Council's advertising and publicity channels. The Consultation will have its own 'Have your say' page where the Statement of Proposal, proposed Policy and Submission form will be available. Submissions will be received online, by email, through the post, and by drop-box at Council's service Centres.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Statement of Proposal - Proposed Dangerous, Affected, and Insanitary Buildings Policy 2024 [↓](#)
2. Proposed Dangerous, Affected, and Insanitary Buildings Policy 2024 [↓](#)

Statement of Proposal

Proposed KAPITI COAST DISTRICT COUNCIL DANGEROUS, AFFECTED, AND INSANITARY BUILDINGS POLICY

September 2024

Have your say

The Council invites your views on the proposed *Kapiti Coast District Council* ***DANGEROUS, AFFECTED, AND INSANITARY BUILDINGS POLICY 2024***

The formal consultation period will last for one month, from Monday 18 September to Wednesday 18 October 2024.

Submissions can be made either online via the submission portal [\[LINK\]](#) or in writing - you can complete the attached submission form and either:

- email it to haveyoursay@kapiticoast.govt.nz
- drop it off at the Council offices or a Council Service Centre, or
- post it to: Kāpiti Coast District Council, Private Bag 60601, Paraparaumu 5254: Attn: Dangerous and Insanitary Buildings Policy

Hard copies of the proposal and submission forms are also available from Kāpiti Coast District Council offices, or Council service centres at our libraries.

Submissions close 5pm Wednesday 18th October 2024.

[If submitters request a hearing, these will be held on: 31 October 2024](#)

Persons who wish to be heard by Council will be given the opportunity to do so. If you wish to make an oral submission to Councillors, please indicate YES on the submission form and ensure you have included your contact details. We will contact you to arrange a time for you to speak.

[What happens to your feedback?](#)

Your submission, and those of other submitters, will help inform Councillors as we finalise the *Kapiti Coast District Council Dangerous, Affected, and Insanitary Buildings Policy 2024*.

[Your Privacy](#)

All submissions are public information and will be published on Council's website. This supports our drive to be as transparent as possible, but, if there are any personal details you don't want made public, please let us know.

[Want to know more?](#)

If you have any questions, or would like a little more information, please email haveyoursay@kapiticoast.govt.nz or call 04 296 4700.

Introduction and Background

The Kapiti Coast District Council (the Council) is undertaking a statutory review of the [Kapiti Coast District Council Dangerous and Insanitary Buildings Policy 2018](#).

This **Statement of Proposal** relates to Council's consultation on a proposed **Dangerous, Affected, and Insanitary Buildings Policy 2024** (the Policy).

Under section 131¹ of the Building Act 2004 (Act) a territorial authority (Council) must have a policy on Dangerous, Affected, and Insanitary Buildings.

Section 132 of the Act states the policy must include the following:

- the approach that the territorial authority will take in performing its functions under [sub-part 6](#) of the Act, and
- the territorial authority's priorities in performing those functions, and
- how the policy will apply to heritage buildings.

Requirements for review

The Dangerous and Insanitary Buildings Policy was last reviewed in 2018 and must be reviewed every five years under section 132 of the Act.

In reviewing the Policy, Council is required to undertake the special consultative procedure from the Local Government Act 2002 (s.83). This Statement of Proposal is in accordance with that requirement, and is intended to:

- help the community understand the Council's responsibilities,
- explain the review process to date,
- explain the areas of analysis we have undertaken and why we are proposing changes, and
- invite the community to make submissions on the proposed Kapiti Coast District Council Dangerous, Affected, and Insanitary Buildings Policy 2024.

¹ Unless otherwise stated all references to legislation are to the Building Act 2004

What this Policy covers

The Dangerous, Affected, and Insanitary Buildings Policy will cover the Council's response to, and management of, dangerous, affected and insanitary buildings within the Kapiti Coast District.

The need for the Policy to now also include and address affected buildings under section 132A was introduced by government to respond to issues arising over the management of buildings in proximity to damaged and dangerous buildings that arose from the Christchurch earthquakes.²

This Policy does not cover Dams and Earthquake-prone buildings. The management of earthquake-prone buildings is addressed under separate requirements in the Act introduced in 2017 following government's response to the Christchurch and Kaikoura earthquakes³.

A building that is a Dam or any part of a building that is a dam, is also not covered by this Policy (s.133). Dams have their own provisions under the Act.

What are dangerous, affected or insanitary buildings

Generally, dangerous, affected, and insanitary buildings can be described as:

- **Dangerous Building:** a building that is likely to fail structurally, or is hazardous in the event of fire, and is likely to cause death or injury to a person in it, or near it, or cause damage to other buildings/property (s.121(1)),
- **Affected building:** a building that is adjacent to, adjoining, or nearby a dangerous building, which could be at risk should the dangerous building fail (s.121A),
- **Insanitary Building:** a building that:
 - is offensive or injurious to health because of its situation or construction,
 - lacks a potable water supply or adequate sanitary facilities (s.123).

More detailed information and definitions covered by the policy can be found in the proposed Policy in Appendix 1.

Why is building safety important

It is important that people who use buildings can do so safely and without endangering their health. A balanced and risk-based approach will be taken to ensure that buildings in Kāpiti district are structurally sound, do not pose health risks and perform their function without putting the health of building users, residents and visitors at risk. These objectives reflect the Purpose of the Building Act.

The Policy supports this purpose and gives priority by resolving the matters that make a building dangerous, affected, or insanitary. Buildings may become dangerous or insanitary through structural failure, instability of ground or exposure to natural hazards, through moisture ingress, failure of critical systems (eg sprinklers, lifts) or insufficient access to potable water or sanitary facilities. Resolving the issue may be through requiring work to be done on the building and limiting/restricting access and use in the meantime.

² Section 132A: inserted, on 28 November 2013, by [section 36](#) of the Building Amendment Act 2013 (2013 No 100).

³ Building Act 2004, Sub-part 6A

In taking a balanced approach, Council will, in assessing buildings that are potentially dangerous, affected or insanitary, endeavour to account for wider socio-economic matters. These might include whether the cost of short-term disruption arising from the evacuation or restriction on use of a building is greater than the long-term danger. For example, this consideration might include the impacts on tenants in light of local housing pressures and need, or the economic impact on communities and businesses.

Review Considerations and Policy Approach

In reviewing the Dangerous and Insanitary Buildings Policy 2018, consideration was given to:

- ensuring buildings can perform their functions without putting building users, residents, visitors or those using surrounding buildings or adjacent areas at risk,
- providing clarity and guidance to Council officers, building owners and users, and the public, on the process and criteria Council will use in managing dangerous, affected, and insanitary buildings,
- outlining Council's approach to heritage buildings that are deemed dangerous, affected or insanitary buildings, and
- applying a pragmatic balanced risk-based assessment approach to safeguard buildings as:
 - structurally sound, and
 - not posing health risks.

Policy approach

In reviewing the 2018 Policy, the overall policy approach is considered to remain fit-for-purpose and has been carried forward into the proposed 2024 Policy.

A pragmatic, risk-based approach

The proposed policy takes a pragmatic approach that uses complaints and information received about a building's safety from users of the building, adjacent buildings or areas, and passers-by, to identify any potential concerns. These concerns would then be investigated. For example, during the period 1 September 2020 to 1 September 2023, Council received a total of two complaints and/or notifications for potential dangerous, insanitary or affected buildings (one for dangerous and one for insanitary), from which no Notices to Fix and/or infringement notices were issued.

This approach would not discount Council from identifying and assessing buildings that it considers might be affected by natural hazards/disaster events and become potentially dangerous and/or insanitary.

Taking this approach is in preference to the alternative more active approach, whereby Council would undertake a systematic survey or audit of building stock to identify and assess potential non-compliant buildings to then further assess to see if they are dangerous or insanitary. This would require Council to effectively survey every building in the district, as under the right conditions, any building can become dangerous, or insanitary. This would not be an efficient use of Council resources.

A complaints/information-based approach allows Council to ensure buildings of concern are identified for investigation without tying Council resources up with district-wide surveys/audits.

Determining the safety of a building

In determining the safety of a building, Council will use the same approach as the current 2018 Policy. This approach applies a risk model based on the likelihood of harm occurring and the degree of that harm if it did occur. This informs the scale of Council's enforcement response to any dangerous, affected and insanitary buildings. In this assessment, Council will use the risk model in its [Compliance and Enforcement Policy 2024](#).

Where a building may be identified as possibly dangerous, affected, or insanitary, a risk-based assessment allows for consideration of the seriousness of the non-compliance and need for immediate remedial action, or for action over time (There is a six-month maximum timeframe for action to make good the building).

In determining action Council will consider criteria such as building age, structural integrity, moisture ingress/tightness, specified systems, building functions, and life, against the wider social, economic, heritage, and cultural impacts of determining the building as dangerous, affected, or insanitary.

In this consideration, Council will also look at wider socio/economic and heritage matters, such as the impacts of decisions relating to housing on tenants in light of local housing pressures and need, or the economic impact on communities and businesses where commercial or civic building are involved. Considerations may include whether the cost of short-term disruption arising from the evacuation or restriction on use, of a building, is greater than the long-term danger posed. Where a building is determined as having heritage values these are covered by the Policy and must be explicitly considered.

If a building is determined to be dangerous, affected or insanitary, Council will issue a section 124 Notice requiring work to be done on the building to make it safe. Council last issued a s.124 notice in 2010, and in the period 1 September 2020 to 1 September 2023, has received only two complaints and/or notifications for potentially dangerous, affected or insanitary buildings (one for dangerous and one for insanitary).

If the building is deemed to be a heritage building, and the risk the building presents is minor and full compliance would result in significant negative impacts to heritage values, alternative ways of addressing the risk will be considered. Through these alternatives Council will (in consultation with Heritage New Zealand Pouhere Taonga) ensure, as far as reasonably practicable, that any work carried out will maintain the heritage values of the building. Property owners must also take all reasonable steps to ensure that this objective is achieved, while risk is mitigated as far as practicable.

Review processes to date and areas of analysis.

An internal review of the Dangerous and Insanitary Buildings Policy 2018 was undertaken in 2023. This followed a review of Council's current Policy and Dangerous, Affected, and Insanitary Buildings function by the Ministry of Business, Innovation and Employment (MBIE). MBIE suggested changes to the Policy to link decision making to Council's wider social, economic, and heritage/cultural policy context, more explicit linking of process to the requirements of the Act, and some best practice inclusions to the policy.

The new policy must also now include "Affected" buildings. With these amendments, Council is now ready to consult on a proposed Dangerous, Affected, and Insanitary Building Policy 2024.

Specific changes arising from this analysis are outlined below in the Summary of proposed changes and Table 1.

Assessment process criteria and management

The process for assessing a building as dangerous, affected, and insanitary is outlined in Figure 1 below. A detailed account of the assessment process is set out sections 2 and 3 of the proposed policy at Attachment 1.

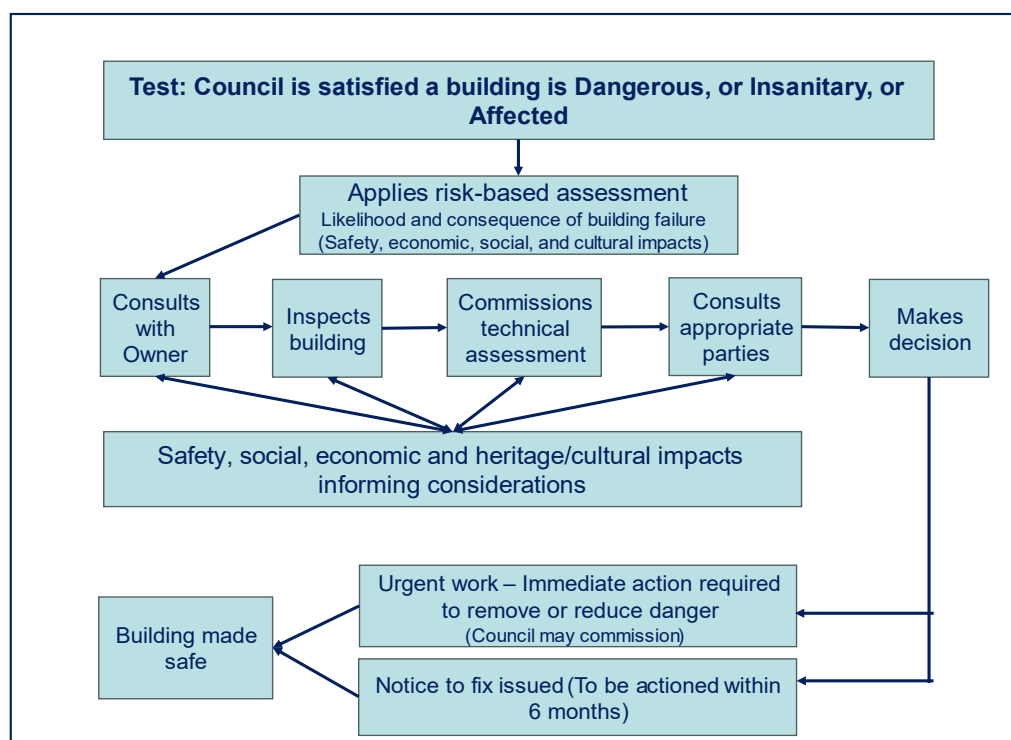


Figure 1: Determination and assessment process.

Summary of proposed changes

Both the 2018 policy and the new proposed Policy closely reflect the requirements of sub-part 6 of the Building Act.

The proposed Policy will better reflect regulatory requirements through inclusion of the additional 'Affected' buildings category, policy recommendations from MBIE, and greater detail outlining the process and criteria to be used in assessment.

Changes include providing context for the policy within Council's wider policy interests (eg housing supply, economic development), sets out more clearly the steps and criteria to be used in assessing and determining that a building is dangerous, affected, or insanitary, and elaborates on how heritage buildings will be managed.

Table 1 provides a comparison of key changes between the 2018 Policy and the proposed Policy.

Comparison by Sections			
Section	2018 Policy	Section	Proposed Policy
	Introduction and Background: <ul style="list-style-type: none"> Notes requirement for Policy Notes exemption of earthquake building from the Policy's coverage Provides Definition of terms as per Act 		Information included in body of Policy
1	Policy approach: <ul style="list-style-type: none"> Outlines Council's obligations to have a Policy 	1	Policy approach: <ul style="list-style-type: none"> States reason for Policy Has a general statement of Policy approach taken in Policy Provides Strategy and Policy context of Policy
2	Determining if a Building is Dangerous or Insanitary <ul style="list-style-type: none"> Outlines process Provides criteria used in assessment Decision for action: <ul style="list-style-type: none"> Urgent work – Immediate action by Council Notice to Fix	New 2	Provides Definition of terms as per Act
3	Council may take action <ul style="list-style-type: none"> Council may take action if property owner fails to remedy within time specified Charging owner costs of work	New 3	Determining dangerous and affected buildings. Outlined in greater detail and covers: <ul style="list-style-type: none"> Assessment criteria Taking action <ul style="list-style-type: none"> Notice to fix Undertaking work Charging owner costs of work Urgent work Recording dangerous and affected buildings Approach to Dangerous and Affected Heritage Buildings

		New 4	Insanitary Buildings (split out from Dangerous and Affected Buildings, outlined in greater detail and covers: <ul style="list-style-type: none">• Identification• Assessment criteria• Taking action:<ul style="list-style-type: none">○ Notice to fix○ Undertaking work○ Charging owner of costs of work• Urgent work• Recording Insanitary Buildings• Approach to Insanitary Heritage Buildings
4	Heritage Buildings:	N/A	Included under previous sections

We are consulting on the proposed Dangerous, Affected, and Insanitary Buildings Policy

Based on the above considerations we are consulting on the proposed **Kapiti District Council Dangerous, Affected, and Insanitary Buildings Policy 2024**.

The timeline for this review is:

Action	Timeframe
Approval of Statement of Proposal & proposed Policy for consultation	12 September 2024
Consultation period	18 September – 18 October 2024
Hearings (if needed)	31 October 2024
Adoption of Policy	28 November 2024
Policy finalised and in place	December 2024

Attachments

Attachment 1: Proposed Kapiti Coast District Council Dangerous, Affected, and Insanitary Buildings Policy 2024

Attachment 2: Submission Form

Attachment 1:

Attachment 2:



KĀPITI COAST DISTRICT COUNCIL

PROPOSED

DANGEROUS, AFFECTED, & INSANITARY BUILDINGS POLICY 2024

XX 2024

Version Control

Version	Policy title	Policy date	Reason for change
1.0	Earthquake-prone, dangerous and insanitary building policy 2006	May 2006	Review due and requirement to remove earthquake-prone building from policy.
2.0	Dangerous and Insanitary Buildings Policy 2018	May 2018	Review due and requirement to add-in 'affected buildings' to policy.
3.0	Dangerous, Affected, and Insanitary Buildings Policy 2024	XX 2024	Review due by XX 2029

DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY 2024

1 Policy Approach

- 1.1 It is important that people who use buildings can do so safely and without endangering their health. A balanced and risk-based approach will be taken to ensure that buildings are structurally sound, do not pose health risks and perform their function without putting the health of any building users, residents and visitors at risk.
- 1.2 The Council will take a pragmatic approach to administering the Act with investigations being complaint driven, rather than the Council proactively seeking out these buildings. The Council will implement this policy in a fair and reasonable way. The Council seeks to strike a balance between the risks posed by dangerous, affected and insanitary buildings alongside the wider social, heritage and economic impacts. The aim is to balance socio-economic outcomes alongside the protections necessary to safeguard against danger and negative health outcomes that can be posed by buildings.
- 1.3 This policy sits within Council's broader social and economic policy context, where considerations of cost and benefit of action are balanced between threats to safety and wider cost to the community of removing a building or taking it out of active use, or if housing, the impact on housing supply and affordability.

2 Definitions

Act

Unless otherwise specified, reference to the Act is reference to the Building Act 2004, and any reference to a section is reference to a section of that Act.

Affected building

The meaning of affected building is set out in [section 121A](#) of the Act:

A building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby—

- (a) a dangerous building as defined in section 121; or*
- (b) a dangerous dam within the meaning of section 153.*

Dangerous building

The definition of a dangerous building is set out in [section 121\(1\)](#) of the Act:

A building is dangerous for the purposes of this Act if, -

- (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause-*
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or*
 - (ii) damage to other property; or*
- (b) in the event of fire, injury or death to any person in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.*

Insanitary building

The meaning of insanitary building is set out in [section 123](#) of the Act:

A building is insanitary for the purposes of this Act if the building—

- (a) is offensive or likely to be injurious to health because—*
 - (i) of how it is situated or constructed; or*
 - (ii) it is in a state of disrepair; or*
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or*
- (c) does not have a supply of potable water that is adequate for its intended use;*
or
- (d) does not have sanitary facilities that are adequate for its intended use.*

Heritage building

Heritage building means,—

(a) in [subpart 6B](#) of Part 2,—

- (i) *a building that is included on the New Zealand Heritage List/Rārangi Kōrero maintained under [section 65](#) of the Heritage New Zealand Pouhere Taonga Act 2014; or*
- (ii) *a building that is included on the National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu list maintained under [section 81](#) of the Heritage New Zealand Pouhere Taonga Act 2014; or*
- (iii) *a place, or part of a place, that is subject to a heritage covenant under [section 39](#) of the Heritage New Zealand Pouhere Taonga Act 2014 and is registered under [section 41](#) of that Act; or*
- (iv) *a place, or part of a place, that is subject to a heritage order within the meaning of [section 187](#) of the Resource Management Act 1991; or*
- (v) *a place, or part of a place, that is included in a schedule of a district plan because of its heritage value;*

(b) *elsewhere in this Act, a building referred to in paragraph (a)(i) or (ii)*

3 Determining dangerous and affected buildings

3.1 Assessment criteria – dangerous and affected buildings

- 3.1.1 The Council must first be satisfied that the building in question is dangerous or affected.
- 3.1.2 Whether a building is considered 'dangerous' or 'affected' under the Act will depend on the individual circumstances of each case. The Council will consider each case and determine the appropriate course of action based on the particular set of circumstances that exist.
- 3.1.3 On receiving a complaint or information expressing concern that the building is dangerous or affected, the Council:
 - will consult the owner of the building where time permits,
 - will inspect the building and site (following the procedure documented in the Council's Quality Assurance System),
 - may obtain advice of relevant technical experts (e.g. structural, fire and geotechnical engineers) to establish the validity of any potential s124 notice,
 - may obtain written advice from Fire and Emergency New Zealand,

- may liaise with legal counsel for high-profile buildings or situations with a greater risk to public safety.

3.1.4 Following the inspection and taking into account any advice or recommendations of Fire and Emergency New Zealand, the Council will determine whether the building is dangerous or affected. In making this decision the Council will take into account the provisions of sections 121 and 121A of the Act.

3.1.5 In forming its view as to the work or action that is required to be carried out on the building to prevent it from remaining dangerous or affected, the Council will take the following matters into account:

- a. The size of the building;
- b. The complexity of the building;
- c. The location of the building in relation to other buildings, public places, and natural hazards;
- d. The life of the building;
- e. How often people visit the building;
- f. How many people spend time in or in the vicinity of the building;
- g. The current or likely future use of the building, including any special traditional and cultural aspects of the current or likely future use;
- h. The expected useful life of the building and any prolongation of that life;
- i. The reasonable practicality of any work concerned;
- j. Any special historical or cultural value of the building; and
- k. Any other matters that the Council considers may be relevant, taking into account the particular set of circumstances.

3.1.6 The Council will then decide whether immediate action should be taken to reduce or remove the danger pursuant to the provisions of s129 of the Act.

3.2 *Taking action - dangerous and affected buildings*

3.2.1 If the Council decides that immediate action is not required, then the Council will issue a notice under s124 of the Act requiring the owner to carry out the necessary work, and to obtain a building consent for that work and to commence work.

3.2.2 Nothing in this policy overrides other consent requirements of the Act, i.e. alterations to existing buildings (s112-113) and change of use, extension of life or subdivision of buildings (s114-116A).

3.2.3 A notice will be attached to the building and will specify a timeframe for carrying out the necessary works not being less than 10 days, to reduce or remove the danger.

3.2.4 A timeframe will be given to obtain a building consent and to commence remediation work. The timeframe will depend on the circumstances, but shall not exceed 6 months from the time notice was served on the

owner(s). Completion of the work for which a building consent has been issued shall depend on the circumstances of each case but shall not exceed a period of six months from the time the building consent was issued.

- 3.2.5 The Council will give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as Heritage New Zealand Pouhere Taonga (if the building is listed or pre-1900).
- 3.2.6 The Council will contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- 3.2.7 If the notice requirements are not met, the Council may pursue enforcement action under the Act and in accordance with the Council's compliance and enforcement policy.
- 3.2.8 Where a property owner has failed to carry out the work within the time specified, the Council may apply to the District Court for an order authorising it to carry out the work pursuant to s130 of the Act. The full costs of carrying out such works will be recovered from the property owner. Affected building owners will be advised of the action(s) taken by the Council.

3.3 *Urgent works - dangerous and affected buildings*

- 3.3.1 If the building is considered immediately dangerous, the Council will:
 - a. take any action necessary to remove the danger (this may include prohibiting persons using or occupying the building, or demolition of all or part of the building); and
 - b. take action to recover costs from the owner(s) if the Council must undertake works to remove the danger; and
 - c. inform the owner(s) of:
 - i. the action that the Council will take;
 - ii. when the Council will take action; and
 - iii. the amount recoverable by the Council that will become a charge on the land on which the building is situated.
- 3.3.2 Building owners may appeal the Council's decision by lodging an application for a determination with the Chief Executive Officer of the Ministry of Business, Innovation and Employment in accordance with s177(3)(f) of the Act.

3.4 *Recording - dangerous and affected buildings*

- 3.4.1 Where a building is identified as dangerous, the Council will place a requisition on the relevant property file. This requisition will remain until the danger is remedied.
- 3.4.2 In addition, the following information will be placed on the LIM for the land and/or PIM (if any proposed building work is affected), a copy of:

- a. the notice issued informing the owner that the building is dangerous;
- b. a copy of the letter to owner, occupier and any other affected parties that the building is dangerous;
- c. any notice of the requirement to evacuate;
- d. a copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger.

3.4.3 The Council will maintain a register of dangerous and affected buildings. The Council will conform to the requirements of the Local Government Official Information and Meeting Act 1987 and the Local Government Act 2002 regarding access to information concerning dangerous and affected buildings.

3.5 *Heritage buildings – dangerous and affected buildings*

3.5.1 Heritage buildings will not be given automatic dispensation under this policy.

3.5.2 Dispensation will be considered when a heritage building is a dangerous or affected building, but the risk is minor and full compliance would result in significantly negative impacts on the heritage values.

3.5.3 The Council will seek (in consultation with Heritage New Zealand Pouhere Taonga) to ensure, as far as reasonably practicable, that any work carried out will maintain the heritage values of the building. Property owners must take all reasonable steps to ensure that this objective is achieved, and that risk is mitigated as far as practicable.

3.5.4 If full-compliance with the Building Act would detract from recognised heritage values then a case-by-case consideration of any dispensations will be considered by delegated Council officers.

4 **Insanitary buildings**

The provisions of the Act reflects the Government's concern with the health and safety of people occupying buildings that may endanger their health.

4.1 *Identification - insanitary buildings*

4.1.1 The Council will:

- a. investigate complaints that are received and determine whether a building is insanitary.
- b. inform owners of any actions needed to rectify the situation.
- c. liaise with the Health New Zealand (Te Whatu Ora) where occupants may be neglected or infirm.
- d. work with other agencies where required to assist occupants to be relocated, if necessary.
- e. may liaise with legal counsel for high-profile buildings or situations with a greater risk to public health.

4.2 *Assessment criteria – insanitary buildings*

4.2.1 The Council will assess insanitary buildings in accordance with:

- a. [s123](#) of the Building Act
- b. case law
- c. advice from a Medical Officer of Health
- d. the Building Code, following clauses are relevant:
 - i. E1 (Surface Water)
 - ii. E2 (External Moisture)
 - iii. E3 (Internal Moisture)
 - iv. G1 (Personal Hygiene)
 - v. G3 (Food Preparation)
 - vi. G4 (Ventilation)
 - vii. G12 (Water Supplies)
 - viii. G13 (Foul Water)

4.2.2 The Council will consider:

- a. the use of the building
- b. whether the insanitary conditions reasonably pose a risk to the health of any occupants
- c. if the building is occupied, the following will be considered:
 - i. adequacy of available sanitary facilities
 - ii. adequacy and availability of drinking water
 - iii. ventilation
 - iv. separation of kitchen and other sanitary facilities
 - v. potential for moisture penetration taking into account construction materials and any defects in roof and walls; and
 - vi. the extent to which the building is offensive to adjacent and nearby properties.

4.3 *Taking action - insanitary buildings*

4.3.1 If a building is found to be insanitary, the Council will:

- a. advise and work with the owner(s) of the building
- b. attach a written notice to the building. The notice will state:
 - i. work to be carried out to remedy the insanitary issue
 - ii. timeframe for work to be undertaken (not less than 10 working days)
 - iii. give copies of the notice to building owner(s), occupier(s) and every person who has an interest in the land and, if a heritage building, a copy to Heritage New Zealand Pouhere Taonga.
 - iv. where the insanitary conditions are the result of non-consented work, issue a [Notice to Fix](#).

4.4 *Urgent works – insanitary buildings*

4.4.1 If immediate works are required to address insanitary conditions, the Council will:

- a. take any action necessary to fix the insanitary conditions; and
- b. recover the costs from the owner(s) of any works to remedy the insanitary conditions.

- c. inform the owner(s) of the amount recoverable by the Council that will become a charge on the land on which the building is situated.
- d. under [s41](#) of the Act, the Council may decide that a building consent is not required for any immediately necessary building work. This will be discussed with the owner(s) and will require an agreed scope of works.

4.4.2 Building owners may appeal the Council's decision through the determination process overseen by the Ministry of Business Innovation and Employment.

4.4.3 The Council may also use powers under the Health Act 1956 to deal with nuisance conditions associated with housing (such as overcrowding, insanitary conditions likely to cause injury to the health of persons, or a dwelling that is otherwise unfit for human habitation).

4.5 *Recording - insanitary buildings*

4.5.1 If a building is identified as insanitary, the Council will place information on the relevant property file to identify this. The information will remain on the file until the insanitary issue is resolved.

4.5.2 This information will be placed on any LIM for the relevant land and/or PIM (if any proposed building work is affected) and will include a copy of:

- a. the notice informing the owner(s) that the building is insanitary
- b. the letter to all relevant parties advising that the building is insanitary.
- c. any notice requiring evacuation of the building.
- d. the notice that identifies the work required to be carried out on the building to resolve the issue and the timeframes given for the work to be carried out.
- e. any report that describes work that has been undertaken to remedy the insanitary conditions.

4.5.3 The Council will maintain a register of insanitary buildings. The Council will conform to the requirements of the Local Government Official Information and Meeting Act 1987 and the Local Government Act 2002 regarding access to information concerning insanitary buildings.

4.6 *Heritage buildings – insanitary buildings*

3.6.1 Heritage buildings will not be given automatic dispensation under this policy.

3.6.2 Where the non-compliance is minor and correction would involve the destruction of identified heritage values, then dispensation may be considered.

9.3 SEEKING APPROVAL FOR PUBLIC NOTIFICATION OF PROPOSED DISTRICT PLAN CHANGE 3Kaituhi | Author: **Jason Holland, District Planning Manager**Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth****TE PŪTAKE | PURPOSE**

- 1 To seek the Committee's approval to publicly notify Proposed Plan Change 3 ('PC3' or 'the Plan Change') to the Kapiti Coast District Plan 2021 ('the District Plan') under clause 5 of Schedule 1 of the Resource Management Act 1991 ('RMA' or 'the Act').

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 The purpose of PC3 is to recognise and provide for Kārewarewa urupā as a site of significance to Māori within the District Plan. Kārewarewa urupā is located to the east of the confluence of the Waikanae River and the Waimeha Stream. It is a place of significant spiritual, cultural, and historic heritage value to tangata whenua, including Te Ātiawa ki Whakarongotai. It has been used as an urupā from the mid-19th century and is regarded by Te Ātiawa as wāhi tapu.
- 3 PC3 has been prepared in response to a decision by the High Court to quash the recognition of Kārewarewa urupā in the District Plan as part of Plan Change 2 ('PC2')⁷. The Court found that PC2 could not be used to incorporate Kārewarewa urupā into the District Plan because it was an 'Intensification Planning Instrument'. This decision means that the urupā, and the values associated with it, are vulnerable to further development enabled by the MDRS.
- 4 The Court's decision was not about the merits of scheduling the urupā in the District Plan, rather it was about whether the Council had the legal power to this as part of PC2. An outcome of the Court's decision is that protection of the urupā in the District Plan requires a separate 'ordinary' plan change under Part 1 of Schedule 1 to the RMA.
- 5 PC3 achieves this purpose and will have immediate legal effect. This means that subdivision, land use, and development at Kārewarewa urupā will be managed by the District Plan, and resource consent would be required for further development at the urupā, from the date that PC3 is publicly notified.
- 6 PC3 has been prepared with urgency in recognition of vulnerability of Kārewarewa urupā to further development enabled by the MDRS. While it is not required by Schedule 1 to the RMA, Council's recent practice has been to consult with the public on draft versions of plan changes prior to public notification. Because of the urgent need to protect Kārewarewa urupā, the Council has not consulted with the public on a draft of PC3. Recognising this, an extended public submissions period of 30 working days is proposed (rather than the usual 20 working days), alongside direct notification of all landowners in the area.
- 7 In accordance with the requirements of Schedule 1 to the RMA, the Council has consulted with the district's iwi authorities as part of preparing PC3 and has received support for the proposal from Te Rūnanga o Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust.
- 8 Should the Committee approve public notification of this plan change, the recommended notification date is 18 September 2024. The subsequent steps of public submissions, further submissions, hearings, and notification of a decision on submissions by the Council must all be completed within 2 years of the notification date.

⁷ *Kāpiti Coast District Council v Waikanae Land Company Ltd* [2024] NZHC 1654. See: <https://www.courtsofnz.govt.nz/assets/cases/2024/2024-NZHC-1654.pdf>

TE TUKU HAEPAPA | DELEGATION

- 9 Section 73(1A) of the RMA provides that a district plan may be changed in the manner set out in the relevant part of Schedule 1 to the RMA.
- 10 Clause 5(1)(b)(i) of Schedule 1 to the RMA requires that if a local authority decides to proceed with a proposed plan change then it must publicly notify the proposed plan change.
- 11 The Committee has delegated authority to consider this under Section B.1 of the 2022 – 2025 Triennium Governance Structure and Delegations ‘Preparation of the District Plan and Plan Changes’.

TAUNAKITANGA | RECOMMENDATIONS

The Strategy, Operations and Finance Committee:

- A. Agrees to proceed with Option A, to ‘recognise and provide for Kārewarewa urupā by incorporating the urupā into Schedule 9 of the District Plan (Sites and Areas of Significance to Māori)’.
- B. Endorses the content of the Section 32 Evaluation Report for Proposed Plan Change 3 (Attachments 2 to 6).
- C. Agrees to proceed with Proposed Plan Change 3 (Attachment 1), and subject to the correction of any minor errors, approves public notification of the proposed plan change in accordance with Clause 5 of Schedule 1, on 18 September 2024.
- D. Directs staff to serve public notice of Proposed Plan Change 3 on:
 - D.1 Iwi authorities in the district; and
 - D.2 All landowners within the area identified as Kārewarewa urupā as part of Proposed Plan Change 3.
- E. Agrees the date for the close of submissions on Proposed Plan Change 3 is 30 working days after the date that it is publicly notified.

TŪĀPAPA | BACKGROUND

- 12 PC3 has been developed following the High Court’s recent judicial review decision to quash (or cancel) the incorporation of Kārewarewa urupā into the District Plan as part of PC2⁸.
- 13 The following paragraphs briefly summarise the steps that have led to the preparation of PC3.

Kārewarewa urupā

- 14 Kārewarewa urupā is located to the east of the confluence of the Waikanae River and the Waimeha Stream (see *Figure*). The history of the urupā and its significance are described in the Waitangi Tribunal’s Kārewarewa Urupā Report. This report is contained in Appendix A to the Section 32 Evaluation Report (which is Attachment 3 to this report).

⁸ *Kāpiti Coast District Council v Waikanae Land Company Ltd* [2024] NZHC 1654. See: <https://www.courtsofnz.govt.nz/assets/cases/2024/2024-NZHC-1654.pdf>



Figure 1: the extent of Kārewarewa urupā proposed to be incorporated into Schedule 9 of the District Plan. The area shown in red is proposed to be subject to the District Plan's 'wāhanga tahī' provisions. The area shown in grey is proposed to be subject to the District Plan's 'wāhanga rua' provisions.

- 15 Kārewarewa urupā is a place of significant spiritual and cultural value to tangata whenua. In 1839, the historically important battle of Kuititanga occurred in the Waikanae district, and many of those who died in this battle were buried at the urupā. Te Ātiawa have described Kārewarewa urupā in the following terms:

*The area was then no longer appropriate for occupation or food cultivation and was thus abandoned and deemed waahi tapu. From the mid-19th century the site has been used as an urupā. Several very significant tūpuna of Te Ātiawa are recorded as being buried there, as well as Pākehā that had some connection to Te Ātiawa. Te Kārewarewa is still regarded as an urupā and waahi tapu.*⁹

- 16 In 1919, the block of land containing the urupā was partitioned off from a larger block of Māori freehold land. In 1969, the block of land was acquired by a developer and partially developed for housing as part of the development of the wider area. To enable development, the developer successfully applied to the Horowhenua County Council to have the 'Maori Cemetery' that applied to the site removed from the Horowhenua County District Scheme (the 'Maori Cemetery' is shown in Figure).
- 17 Since this time approximately half of the land has been subject to residential urban development, around Te Ropata Place, Barrett Drive and Marewa Place. 45 residential properties have been subdivided and developed in this area, alongside the road network comprising Barrett Drive, Marewa Place, Te Ropata Place, and Tamati Place. The remainder of the land (a large block of land located on Tamati Drive, a portion of the reserve accessed

⁹ Waitangi Tribunal. (2020). *The Kārewarewa Urupā Report*, p.5.

from the corner of Barret Drive and Marewa Place, and a smaller block of land at 6 Barrett Drive) has remained largely undeveloped.

- 18 Kōiwi/human remains were discovered during development works in 2000. No further development has occurred since this time.

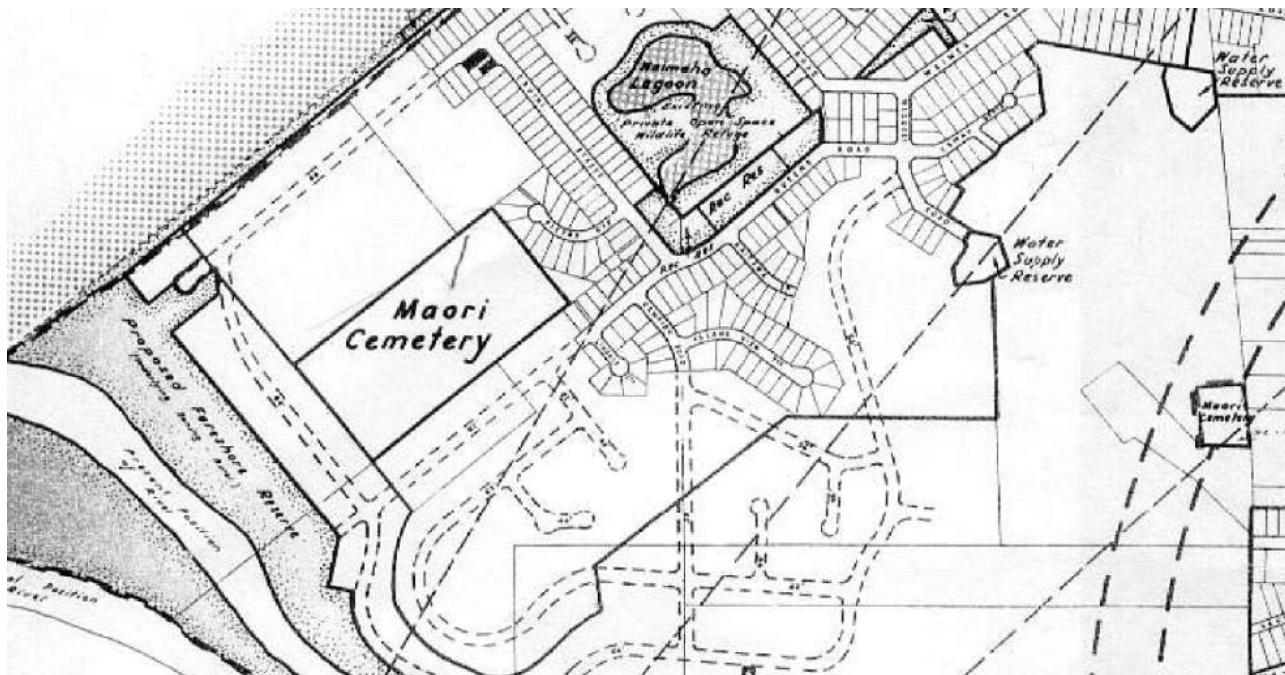


Figure 1: Horowhenua County District Scheme map, showing the 'Maori Cemetery' designation. Source: Waitangi Tribunal (2020), p.26.

Plan Change 2

- 19 Plan Change 2 was publicly notified by the Council in August 2022. PC2 was the Council's 'Intensification Planning Instrument'¹⁰, which was required by the government as part of its direction to Councils to incorporate the Medium Density Residential Standards ('MDRS') into their District Plans.
- 20 To protect Kārewarewa urupā from further development enabled by the MDRS, the Council proposed to recognise and provide for Kārewarewa urupā by incorporating it into Schedule 9 of the District Plan as a 'qualifying matter'¹¹. The effect of doing this would be to introduce restrictions on further development at the urupā, including by introducing a requirement to obtain a resource consent prior to undertaking any of a range of activities at the urupā (such as land disturbance, additions and alterations to existing buildings, new buildings, and subdivision). The Council's reasons for incorporating the urupā into the District Plan as part of PC2 are described in the Council's Section 32 Evaluation Report for PC2¹².
- 21 In March and April 2023, an Independent Hearings Panel (the Panel) conducted a hearing of submissions on PC2. This included hearing submissions on Kārewarewa urupā. On 20 June 2023, the Panel provided a report to the Council setting out its recommendations on PC2¹³. The Panel's findings on the values of the urupā are summarised at paragraph [159](a) and (b) of their report:

¹⁰ The definition of 'Intensification Planning Instrument' is set out in section 80E of the RMA.

¹¹ Qualifying matters are defined under section 77I of the RMA and include wāhi tapu sites. The Council may make the District Plan less enabling of development than otherwise required by the MDRS in order to accommodate a qualifying matter.

¹² Refer in particular to sections 6.1.4 and 8.3.3 of the Section 32 Evaluation Report for PC2. See: https://www.kapiticoast.govt.nz/media/xmzfukmb/pc2_s32.pdf

¹³ Independent Hearings Panel on PC2. (2023). *Report of the Independent Hearings Panel on PC2*. See Attachment 5, Appendix C.

The Kārewarewa Urupā Block values are historical, spiritual and cultural associated with the occupation of Te Ātiawa and events associated with that land. These are not solely burial values as an urupā but importantly include those values. That includes the remains of esteemed ancestors that engage the highest obligations for protection and care following Te Ātiawa's tikanga.

The Kārewarewa Urupā Block was demarcated and deemed sacred by Te Ātiawa elders since at least 1839 onwards as wāhi tapu.

- 22 The Panel recommended that the Council incorporate Kārewarewa urupā into Schedule 9 of the District Plan. At its meeting on 10 August 2023, the Council accepted the Panel's recommendations, and on 1 September 2023, the incorporation of Kārewarewa urupā into the District Plan became operative.

Judicial review of Plan Change 2

- 23 In 2024, the Council's decision to incorporate Kārewarewa urupā into the District Plan as part of PC2 was judicially reviewed by the High Court. The judicial review was brought by the Waikanae Land Company, the owner of the undeveloped land within the urupā area.
- 24 The judicial review was not about the merits of incorporating Kārewarewa urupā into Schedule 9 of the District Plan. Rather, the Court was asked to determine whether the Council had the legal power to do so as part of PC2. This is because PC2 was a unique 'one-off' plan change required by the government as part of its direction to councils across New Zealand to incorporate the MDRS into their district plans. As an Intensification Planning Instrument, PC2 was subject to limitations on its scope set out in the RMA¹⁴. The Court was asked to determine whether incorporating Kārewarewa urupā into Schedule 9 breached these limits.
- 25 The Court delivered its decision on 21 June 2024¹⁵. The Court found that the Council did not have the power to incorporate Kārewarewa urupā into the District Plan as part of PC2 in the manner that it did, because it was outside the scope of what could be included in an Intensification Planning Instrument under the RMA. As a result, the Court quashed (or cancelled) the scheduling of the urupā¹⁶.
- 26 However, the Court also recognised that the Council could incorporate Kārewarewa urupā into the District Plan through an 'ordinary' plan change under Part 1 of Schedule 1 to the RMA¹⁷. PC3 achieves that purpose.

HE KŌRERORERO | DISCUSSION

He take | Issues

Higher-order planning direction

- 27 Under the RMA, the District Plan must recognise and provide for, or give effect to, a range of higher order planning direction including Part 2 of the RMA, National Policy Statements and the New Zealand Coastal Policy Statement, and the Regional Policy Statement.
- 28 Recognising and providing for Kārewarewa urupā within the District Plan, as proposed by PC3, is consistent with the Council's duty to recognise and provide for, or give effect to, higher order planning direction including (but not limited to):

¹⁴ Under section 80E of the RMA.

¹⁵ *Kāpiti Coast District Council v Waikanae Land Company Ltd* [2024] NZHC 1654. See: <https://www.courtsofnz.govt.nz/assets/cases/2024/2024-NZHC-1654.pdf>

¹⁶ *Kāpiti Coast District Council v Waikanae Land Company Ltd* at para [68].

¹⁷ *Kāpiti Coast District Council v Waikanae Land Company Ltd* at para [64](b).

- 28.1 Section 6(e) of the RMA, which requires that the Council recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
 - 28.2 Section 6(f) of the RMA, which requires that the Council recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development;
 - 28.3 Objectives 3 and 6, and Policy 2, of the New Zealand Coastal Policy Statement 2010 ('NZCPS'), which provides for the recognition of sites of significance to Māori within the coastal environment;
 - 28.4 Objectives 1 and 5, and Policy 9, of the National Policy Statement on Urban Development 2020 ('NPS-UD'), which provides that the District's urban environments enable all people and communities to provide for their social, economic, and cultural wellbeing, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and take into account the values and aspirations of hapu and iwi;
 - 28.5 Objective 15 and policies 21 and 22 of the Regional Policy Statement for the Wellington Region ('RPS'), which provides that the District Plan identify and protect places with significant historic heritage values, including sites of significance to Māori;
 - 28.6 Objective 28 and policy 49, which provide that the District Plan recognise and provide for matters of significance to tangata whenua.
- 29 The higher order planning direction and other relevant statutory and policy direction considered during preparation of PC3 is set out in Section 2 of the Section 32 Evaluation Report.¹⁸

Information on Kārewarewa urupā

- 30 There is now a significant body of information available to the Council about the history of Kārewarewa urupā, the circumstances surrounding its development, and its significance to tangata whenua, including Te Ātiawa ki Whakarongotai. This information is set out in Section 3.2 of the Section 32 Evaluation Report, and includes:
- 30.1 The Kārewarewa Urupā Report, published by the Waitangi Tribunal in 2020¹⁹;
 - 30.2 Information from PC2 relevant to Kārewarewa urupā²⁰, including:
 - 30.2.1 Feedback from the public and iwi authorities on draft PC2;
 - 30.2.2 The parts of the Section 32 Evaluation Report for PC2 that relate to Kārewarewa urupā;
 - 30.2.3 Submissions and further submissions on PC2 that relate to Kārewarewa urupā
 - 30.2.4 Written and oral statements and evidence relevant to Kārewarewa urupā presented by submitters at the hearing on PC2;
 - 30.2.5 Council officer evidence and recommendations on Kārewarewa urupā presented at the hearing on PC2.
 - 30.3 The report of the Independent Hearings Panel on PC2²¹, specifically the parts of the report that relate to Kārewarewa urupā.
- 31 Collectively, this body of information provides sufficient certainty about the location of Kārewarewa urupā, and the significance of the tangible and intangible cultural, spiritual, and

¹⁸ The Section 32 Evaluation Report is Attachment 2.

¹⁹ Refer to Appendix A of the Section 32 Evaluation Report for PC3, contained in Attachment 3.

²⁰ Refer to Appendix B of the Section 32 Evaluation Report for PC3, contained in Attachment 4.

²¹ Refer to Appendix C of the Section 32 Evaluation Report for PC3, contained in Attachment 5. Refer to paragraph [9] and Section 6 of the Panel's report for matters related to Kārewarewa urupā.

historic heritage values associated with the urupā, to justify the management of subdivision, land use, and development in relation to the urupā through the District Plan.

Effect of incorporating Kārewarewa urupā into the District Plan

- 32 PC3 proposes to incorporate Kārewarewa urupā into Schedule 9 of the District Plan. Schedule 9 is the District Plan's schedule of Sites and Areas of Significance to Māori. Schedule 9 contains a range of types of sites, including urupā, pā, papakāinga, and marae. The spatial extent of Kārewarewa urupā proposed by PC3, and the District Plan provisions that would apply to it, are the same as those recommended by the Independent Hearings Panel on PC2.
- 33 Sites identified in Schedule 9 are subject to the objectives, policies, and rules set out in the Sites and Areas of Significance to Māori ('SASM') chapter of the District Plan. The SASM chapter classifies sites into one of five "wāhanga", each associated with a set of rules that manages subdivision, land use and development to various degrees depending on the sensitivity of the values present. These rules apply as an overlay, meaning that the rules in the SASM chapter apply to sites identified in Schedule 9 in addition to the rules of the underlying zone.
- 34 PC3 proposes to apply two different overlays to Kārewarewa urupā:
- 34.1 The *wāhanga tahi* overlay is proposed to apply to the parts of Kārewarewa urupā that have not yet been developed for housing. These provisions are intended to provide a high degree of protection to largely undeveloped sites of significance.
- 34.2 The *wāhanga rua* overlay is proposed to apply to the parts of Kārewarewa urupā that have already been developed for housing. These provisions are intended to provide a moderate degree of protection while also recognising that the land is currently occupied by residents by allowing a reasonable level of modification.
- 35 The parts of the site subject to the wāhanga tahi and wāhanga rua overlays are shown in *Figure* .
- 36 The following table summarises the general approach taken by the District Plan to the management of subdivision and development within these areas:

Activity	Wāhanga tahi overlay	Wāhanga rua overlay
Land disturbance/ earthworks	<ul style="list-style-type: none">Permitted land disturbance is limited to fencing of the site perimeter.All other land disturbance and earthworks requires a resource consent as a 'restricted discretionary activity'.	<ul style="list-style-type: none">Up to 10m³ of land disturbance or earthworks is permitted per year, subject to an accidental discovery protocol.All other land disturbance and earthworks requires a resource consent as a 'restricted discretionary activity'.
Additions/ alterations of existing lawfully established buildings	<ul style="list-style-type: none">Additions and alterations require resource consent as a 'restricted discretionary activity'.	<ul style="list-style-type: none">Additions and alterations are permitted, subject to not including a basement or in-ground swimming pool.
Construction of new buildings	<ul style="list-style-type: none">New buildings require resource consent as a 'non-complying activity'.	<ul style="list-style-type: none">New buildings ancillary to existing activities are permitted, subject to not including a basement or in-ground swimming pool.

Activity	Wāhanga tahi overlay	Wāhanga rua overlay
		<ul style="list-style-type: none">Other new buildings require resource consent as a 'restricted-discretionary activity'.
Subdivision	<ul style="list-style-type: none">Subdivision that increases the number of allotments within which the site of significance is located requires resource consent as a 'discretionary activity'.	

- 37 These rules will enable the Council to consider the actual or potential effects of subdivision, land use, and development on the values associated with Kārewarewa urupā when deciding whether or not to notify any resource consent application and when deciding whether to grant or decline the consent. The Council will also be required to consider whether the application must be publicly notified, or whether affected persons (including tangata whenua) must be given limited notification of the application.
- 38 Section 86B(3) provides that rules that protect historic heritage have immediate legal effect. This means that the rules that apply to Kārewarewa urupā as set out in PC3 will have immediate legal effect from the date that PC3 is publicly notified.

Consultation

- 39 Clauses 3(1) and 4A of Schedule 1 to the RMA requires the Council to undertake mandatory consultation with certain parties prior to the public notification of a plan change. In the case of PC3, this included seeking feedback on a draft version of PC3 from iwi authorities, and seeking feedback from the Minister for the Environment, the Minister for Housing, and the Minister for Māori Crown Relations: Te Arawhiti. The Council received feedback from iwi authorities, which is discussed in the Mana Whenua section of this report. No feedback was received from the Ministers.
- 40 On top of RMA process requirements, Council's recent practice has been to consult with the public on draft versions of plan changes prior to public notification. However, because of the urgent need to protect Kārewarewa urupā from further development enabled by the MDRS, the Council has not consulted with the public on a pre-notification draft of PC3. Recognising this, an extended public submissions period of 30 working days is proposed, alongside direct notification of all landowners in the area.
- 41 Notwithstanding this, the Council received feedback from the public on the proposal to incorporate Kārewarewa urupā into the District Plan as part of PC2, and this continues to be relevant to PC3²².

Next steps

- 42 A decision by the Committee to publicly notify PC3 will initiate the plan change process set out under Part 1 of Schedule 1 to the RMA. This includes the following next steps:

Step	Timeframe
Step 1: Public notification. Council staff will prepare and publish a public notice of proposed PC3. The public notice will set out how submissions can be made, and the closing date for submissions. PC3 will have immediate legal effect from the date of public notification.	There is no statutory timeframe by when notification must occur after Council's decision, but it is recommended to occur on 18 September 2024.

²² Refer to Appendix B of the Section 32 Evaluation Report for PC3, contained in Attachment 4.

Step	Timeframe
Step 2: Public submissions. Once the plan change is notified, the public may make submissions on the plan change under clause 6 of Schedule 1 of the RMA.	The minimum (and typical) period for submissions is 20 working days after public notification, ²³ but 30 working days is recommended for this plan change.
Step 3: Summary of decisions requested. Following the closing date for submissions, the Council must summarise the decisions requested by submitters and then publicly notify the summary.	There is no statutory timeframe for preparing the summary document and notifying it. The amount of time required will depend on the quantity and complexity of submissions.
Step 4: Further submissions. Some people or groups (including the Council) can make further submissions on the plan change.	The period for further submissions is 10 working days after the public notification of the summary of decisions requested. ²⁴
Step 5: Hearing. Following any pre-hearing dispute resolution that may occur, the Council must conduct a hearing on submissions. The Council may choose to delegate this task to an Independent Hearings Panel.	There is no statutory timeframe for completing the hearing. The amount of time required will also be influenced by the quantity and complexity of submissions.
Step 6: Council decision on submissions. Following the hearing, the Council must decide on the matters raised in submissions. If the Council has delegated the hearing to an Independent Hearings Panel, its decision may be on the recommendations of the Panel. The Council must publicly notify its decision.	Public notification of the Council's decision must occur no later than 2 years after the plan change was publicly notified under Step 1. ²⁵
Step 7: Appeals to the Environment Court (if any). Once the Council has publicly notified its decision, those who submitted on the plan change may lodge an appeal on the decision with the Environment Court.	Appeals must be lodged within 30 working days of the public notice of Council's decision on submissions under Step 6. ²⁶
Step 8: Council approves plan change. The Council approves the plan change once decisions have been made on submissions and appeals (if any) have been resolved. Once the Council has approved the plan change, it becomes operative.	No statutory timeframe.

²³ See clause 5(3)(b) of Schedule 1 to the RMA.

²⁴ See clause 7(1)(c) of Schedule 1 to the RMA.

²⁵ See clause 10(4)(a) of Schedule 1 to the RMA.

²⁶ See clause 14(4) of Schedule 1 to the RMA.

Ngā kōwhiringa | Options

- 43 Two broad options have been considered (see Table 1):
- 43.1 Option A: **act** by recognising and providing for Kārewarewa urupā by incorporating the urupā into Schedule 9 of the District Plan (Sites and Areas of Significance to Māori).
- 43.2 Option B: **do not act**. Maintain the status quo and do not recognise and provide for Kārewarewa urupā in the District Plan.
- 44 Option A is recommended on the basis that this is the only option that provides for the Council to meet its obligations under Part 2 of the RMA to provide for the sustainable management of natural and physical resources in relation to Kārewarewa urupā. The matters in Part 2 of the RMA that are particularly relevant include:
- 44.1 Section 6(e) of the RMA, which requires that the Council recognise and provide for the relationship between Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
- 44.2 Section 6(f) of the RMA, which requires that the Council protect historic heritage²⁷ from inappropriate subdivision, use, and development.
- 45 As part of implementing Option A, a range of reasonably practical alternatives have been evaluated consistent with the requirements of section 32 of the RMA. The evaluation is set out under section 7.0 of the Section 32 Evaluation Report for PC3 (Attachment 2).

Table 1: Options

Kōwhiringa Options	Hua Benefits	Tūraru Risks
Option A: act (recommended) <ul style="list-style-type: none"> Recognise and provide for Kārewarewa urupā by incorporating the urupā into Schedule 9 of the District Plan (Sites and Areas of Significance to Māori). 	<ul style="list-style-type: none"> Protection of tangible and intangible cultural, spiritual, and heritage values for past, present and future generations. Contributes to restoring the relationship between Te Ātiawa ki Whakarongotai and their ancestral land, sites, and wāhi tapu. Provides certainty for present and future generations of landowners about the status of Kārewarewa urupā as a wāhi tapu and as a site of significance to Te Ātiawa ki Whakarongotai. Enables the Council to meet its obligations under Part 2 of the RMA. 	<ul style="list-style-type: none"> Reduction in theoretical plan-enabled residential development capacity (estimated at 318 residential units), although the District Plan will continue to provide for sufficient development capacity over the short, medium and long terms (the operative District Plan enables a surplus of 18,785 residential units). Opportunity costs associated with reduced development potential (although it is difficult to determine whether these costs are a result of the land being an urupā, or a result of the District Plan recognising that the land is an urupā).
Option B: do not act (not recommended). <ul style="list-style-type: none"> Maintain the status quo and do not recognise or provide for Kārewarewa urupā in the District Plan. 	<ul style="list-style-type: none"> Land may be able to be developed for housing (although this may be frustrated by other regulatory regimes, including the need to obtain an archaeological authority under the Heritage 	<ul style="list-style-type: none"> Risk of further irreversible damage to the cultural, spiritual, and heritage values associated with the urupā.

²⁷ The definition of 'historic heritage' under section 2 of the RMA includes wāhi tapu.

Kōwhiringa Options	Hua Benefits	Tūraru Risks
	New Zealand Pouhere Taonga Act).	<ul style="list-style-type: none">• Risk of further damage to the relationship between Te Ātiawa ki Whakarongotai and Kārewarewa urupā.• Risk of damage to the relationship between Council and iwi partners.• Ongoing regulatory uncertainty for current and future landowners.• Council would not be meeting its obligations under Part 2 of the RMA.

Mana whenua

- 46 Kārewarewa urupā is a place of significant spiritual, cultural, and historic heritage value to tangata whenua. The purpose of PC3 is to recognise and provide for these values within the District Plan.
- 47 In accordance with the requirements of Schedule 1 to the RMA, the Council has consulted with Te Rūnanga O Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust as part of the preparation of PC3, by providing each iwi authority with a draft version of the plan change. The Council has received written feedback in support of PC3 from all iwi authorities. This feedback is contained in Attachment 6.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 48 PC3 does not directly relate to issues associated with climate change mitigation or adaptation.

Ahumoni me ngā rawa | Financial and resourcing

- 49 Financing and resourcing for PC3 will be provided for within the Districtwide Planning baseline. The level of cost associated with PC3 may vary depending on a range of factors, including the number and complexity of submissions, hearing related costs (including the appointment of hearing commissioners), preparing expert evidence, and costs associated with appeals to the Environment Court (if any).

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 50 The High Court confirmed that the Council could include the provisions set out in PC3 in a plan change under Part 1 of Schedule 1 to the RMA²⁸.
- 51 The principal legal risk associated with PC3 is that the Council's decisions on submissions can be appealed to the Environment Court. A right of appeal to the Environment Court is available to all submitters on any plan change undertaken under Part 1 of Schedule 1 to the RMA.

Ngā pānga ki ngā kaupapa here | Policy impact

- 52 PC3 is consistent with the strategic direction set out in the Council's Long-term Plan, which provides that the Council will work in partnership with mana whenua, and address and prioritise issues of importance to the Council's iwi partners.

²⁸ *Kāpiti Coast District Council v Waikanae Land Company Ltd* [2024] NZHC 1654, at para [64](b).

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 53 Once PC3 is publicly notified, engagement with tangata whenua and the community on PC3 will be subject to the requirements of Part 1 of Schedule 1 to the RMA. This includes:
- 53.1 Inviting submissions from the public on the Plan Change. A period of 30 working days is proposed for the public submissions period. Council staff will be available to undertake further engagement with the public during the public submissions period.
 - 53.2 Once the Council has received submissions, and summarised the decisions requested in submissions, the Council will publish a summary of the decisions requested along with the submissions received. The Council will then invite further submissions on the Plan Change from certain parties prescribed in Schedule 1 of the RMA, which include:
 - (1) any person representing a relevant aspect of the public interest;
 - (2) any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has (which may include landowners and tangata whenua);
 - (3) the Council.
 - 53.3 A hearing will be held if submitters have requested to be heard. The timing and duration of any hearing will depend on the quantity and complexity of submissions received.

Whakatairanga | Publicity

- 54 There are minimum requirements for the publicity of a plan change under the RMA. These include:
- 54.1 Preparing public notice of the proposed plan change in accordance with the prescribed form for public notices;
 - 54.2 Publishing the public notice on the Council's website, and publishing a short summary of the public notice in the Kāpiti News;
 - 54.3 Sending a copy of the public notice to all ratepayers or any other person that is likely to be directly affected by the plan change (which in this case includes all landowners within the area proposed to be scheduled as Kārewarewa urupā);
 - 54.4 Providing a copy of the plan change to:
 - 54.4.1 The Minister for the Environment;
 - 54.4.2 The regional council and adjacent territorial authorities (which, for simplicity, will include all territorial authorities in the Wellington region, and Horowhenua District Council);
 - 54.4.3 Tangata whenua, through iwi authorities.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Proposed Plan Change 3 (Kārewarewa Urupā) (under separate cover) ➡
2. Section 32 Evaluation Report (under separate cover) ➡
3. Section 32 Evaluation Report - Appendix A - Waitangi Tribunal Report (under separate cover) ➡
4. Section 32 Evaluation Report - Appendix B - Relevant Information from PC2 (under separate cover) ➡
5. Section 32 Evaluation Report - Appendix C - PC2 Independent Hearing Panel's Report (under separate cover) ➡
6. Section 32 Evaluation Report - Appendix D - Iwi Feedback on Draft PC3 (under separate cover) ➡

10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

10.1 CONFIRMATION OF MINUTES

Author: Jessica Mackman, Senior Advisor Governance

Authoriser: Kris Pervan, Group Manager Strategy & Growth

TAUNAKITANGA | RECOMMENDATIONS

That the minutes of the Strategy, Operations and Finance Committee meeting of 8 August 2024 be accepted as a true and correct record.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Minutes of Strategy, Operations and Finance Committee Meeting of 8 August 2024 [↓](#)

STRATEGY, OPERATIONS AND FINANCE COMMITTEE MEETING
MINUTES

8 AUGUST 2024

MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
STRATEGY, OPERATIONS AND FINANCE COMMITTEE MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 8 AUGUST 2024 AT 9.36AM

PRESENT: Cr Sophie Handford, Cr Liz Koh, Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Glen Cooper, Cr Martin Halliday, Cr Rob Kofoed, Cr Jocelyn Prvanov, Cr Shelly Warwick, Cr Nigel Wilson, Cr Kathy Spiers, Ms Kim Tahiwī

IN ATTENDANCE: Ms Tarn Sheerin, Mr Karl Webber, Mr Cam Butler, Mr Simon Black, Ms Jackie Elliott, Mr Darren Edwards, Mr Sean Mallon, Ms Kris Pervan, Mr James Jefferson, Mr Brendan Owens, Ms Maria Cameron, Ms Anna Smith, Mr Evan Dubisky, Ms Bronte Higgs, Mr Darryn Grant, Mr George Hickling, Mr Stephen Cross, Ms Yvonna Chrzanowska

WHAKAPĀHA | APOLOGIES: Nil

LEAVE OF ABSENCE: Nil

1 NAU MAI | WELCOME

The Chair, Cr Sophie Handford, welcomed everyone to the meeting.

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

Ms Kim Tahiwī opened the meeting with karakia.

3 WHAKAPĀHA | APOLOGIES

There were no apologies for this meeting.

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

There were no declarations of interest made for this meeting.

Cr Glen Cooper left the meeting at 9:39am and returned at 9:40am.

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Mike Johnson spoke to the Update on development and implementation of the Kāpiti Destination Story report and answered questions from elected members.

The meeting adjourned at 9:48am to allow for public forum on non-agenda items to take place.

Members of the Ōtaki Community Board spoke to the Strategy, Operations and Finance Committee during public forum regarding combatting anti-social driving.

The meeting resumed at 10:10am.

STRATEGY, OPERATIONS AND FINANCE COMMITTEE MEETING
MINUTES

8 AUGUST 2024

6 NGĀ TEPUTEIHANA | DEPUTATIONS

There were no deputations at this meeting.

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) There were no leaves of absence requested at this meeting.
- (b) The Chair was not advised of any matters of an urgent nature prior to the commencement of the meeting.

8 HE KŌRERO HOU | UPDATES

There were no updates at this meeting.

9 PŪRONGO | REPORTS**9.1 IMPLEMENTATION OF THE HOUSING STRATEGY AND PROPOSAL FOR A COMMUNITY AND AFFORDABLE HOUSING SEED FUND**

Kris Pervan, Group Manager Strategy and Growth took the report as read. Mr Stephen Cross, Programme Manager Housing, Ms Yvonna Chrzanowska, Contractor, Strategy and Growth, and Ms Kris Pervan answered questions from members.

COMMITTEE RESOLUTION SOF2024/30

Moved: Deputy Mayor Lawrence Kirby
Seconder: Mayor Janet Holborow

That the Strategy Operations and Finance Committee:

- A. Note** that on 1 August 2024 the Social Sustainability Subcommittee considered and acknowledged the good work progressed to date:
 - A.1 In implementing the Kāpiti Coast District Council Housing Strategy, and ongoing need to continue efforts to support efforts to bring more affordable, and social, housing to this District.
 - A.2 On developing the proposal for a one-off contestable Community and Affordable Housing Seed Fund, supported by Better Off Funding and its contribution to the delivery of actions identified in the Housing Strategy.
- B. Approve** the establishment of the Community and Affordable Housing Seed Fund and proposed intent and objectives of the Community and Affordable Housing Seed fund (as outlined in paragraph 26 of this paper).
- C. Note** that the Government has released intentions to seek applications for funding for a new \$1 billion housing incentives fund ("Build-for-Growth fund"), and that the Community and Affordable Housing Seed Fund will ensure the housing sector in Kapiti can begin preparation on opportunities which could apply for this funding.
- D. Agree** to delegate the financial authority for the fund to the Social Sustainability Subcommittee, including final decision making and award allocation of the fund.
- E. Agree** to appoint the nominated representative of the Social Sustainability Subcommittee, Cr Martin Halliday, to the Independent Assessment Panel for the Community and Affordable Housing Seed Fund.

CARRIED

STRATEGY, OPERATIONS AND FINANCE COMMITTEE MEETING
MINUTES

8 AUGUST 2024

Deputy Mayor Lawrence Kirby left the meeting at 11:03am and returned at 11:05am.
The meeting adjourned at 11:15am and resumed at 11:33am.

**9.2 UPDATE ON DEVELOPMENT AND IMPLEMENTATION OF THE KĀPITI
DESTINATION STORY**

Kris Pervan, Group Manager Strategy and Growth, introduced the report and George Hickling of Kāpiti Coast Tourism Advisory Board spoke to the background of the initiative. Mr Darryn Grant, Strategic Development Director and Ms Bronte Higgs, Manager Tourism Development and Marketing, spoke to the implementation of the strategy and ongoing work programme. They answered questions from members. The Committee revised Recommendation A within Item 9.2.

COMMITTEE RESOLUTION SOF2024/31

Moved: Cr Liz Koh

Seconder: Deputy Mayor Lawrence Kirby

That the Strategy, Operations and Finance Committee:

- A. Notes the progress on Kāpiti Destination Story as developed with the Kāpiti Coast Tourism Advisory Board (KCTAB), and approved by the Economic Development Kotahitanga Board (EDKB).
- B. Note the engagements with key partners, stakeholders and industry to support the work to date and that further engagement will occur.
- C. Note the next steps to launch and implement the Kāpiti Destination Story using key assets developed as part of this project including the delivery of two new websites which will be instrumental in telling the Kāpiti Destination Story; Business Kāpiti and Visit Kāpiti.

For: Crs Sophie Handford, Liz Koh, Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Crs Martin Halliday, Rob Kofoed, Jocelyn Prvanov, Shelly Warwick, Kathy Spiers and Ms Kim Tahiwī

Against: Crs Glen Cooper and Nigel Wilson

CARRIED 10/2

9.3 CONTRACTS UNDER DELEGATED AUTHORITY

Sean Mallon, Group Manager Infrastructure and Asset Management, took the report as read and answered questions from members.

COMMITTEE RESOLUTION SOF2024/32

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mayor Janet Holborow

- A. That the Strategy, Operations and Finance Committee notes there were eight contracts accepted under delegated authority over \$250,000 for the period 1 April to 30 June 2024.

CARRIED

STRATEGY, OPERATIONS AND FINANCE COMMITTEE MEETING
MINUTES

8 AUGUST 2024

10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

10.1 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION SOF2024/33

Moved: Cr Nigel Wilson

Seconder: Deputy Mayor Lawrence Kirby

That the minutes of the Strategy, Operations and Finance Committee meeting of 4 July 2024 be accepted as a true and correct record.

CARRIED

11 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

Ms Kim Tahiwi closed the meeting with karakia.

The Rautaki, Whakahaere, me te Ahumoni | Strategy, Operations and Finance Committee meeting closed at 12:20pm.

.....
HEAMANA | CHAIRPERSON

11 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

Kia tau ngā manaakitanga ki runga i a tātou katoa,	<i>May blessings be upon us all,</i>
Kia hua ai te mākihikihi, e kī ana	<i>And our business be successful.</i>
Kia toi te kupu	<i>So that our words endure,</i>
Kia toi te reo	<i>And our language endures,</i>
Kia toi te wairua	<i>May the spirit be strong,</i>
Kia tau te mauri	<i>May mauri be settled and in balance,</i>
Ki roto i a mātou mahi katoa i tēnei rā	<i>Among the activities we will do today</i>
Haumi e! Hui e! Taiki e!	<i>Join, gather, and unite! Forward together!</i>