

Assessment of Relevant Objectives and Policies

New Zealand Coastal Policy Statement	Comment
Objectives	
Objective 2	
<p>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> • recognising the characteristics and qualities that contribute to natural character, • natural features and landscape values and their location and distribution; • identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and • encouraging restoration of the coastal environment. 	<p>Objective 2 seeks the preservation of the natural character of the coastal environment, and the protection of natural features and landscapes.</p> <p>Lot 4 DP 561055 is a public esplanade reserve that runs along the west and southern boundary of sub-precinct A; and a portion of this is identified by the AUP Outstanding Natural Feature (ONF) 241 Waitomokia foreshore tuff with sedimentary bombs (refer to Figure 1 below).</p> <p>The proposed Plan Change does not implicate the existing mapped ONF as the Plan Change area does encompass the mapped feature. Even so, the Plan Change seeks</p> <p>Even so, the proposed Plan Change requires development within sub-precinct ‘A’ to establish a landscape buffer of between 5m – 10m where it shares a common boundary with the Pā and mapped ONF (refer to standard I1.6.4 Landscaping). This in combination with I1.6.3 Yards is considered to ensure there is sufficient separation between development within the Plan Change site and the mapped ONF and riparian margin of Ōruarangi Stream.</p> <p>The proposed Plan Change is considered to accord with the directions of Objective 2 of the NZCPS.</p>

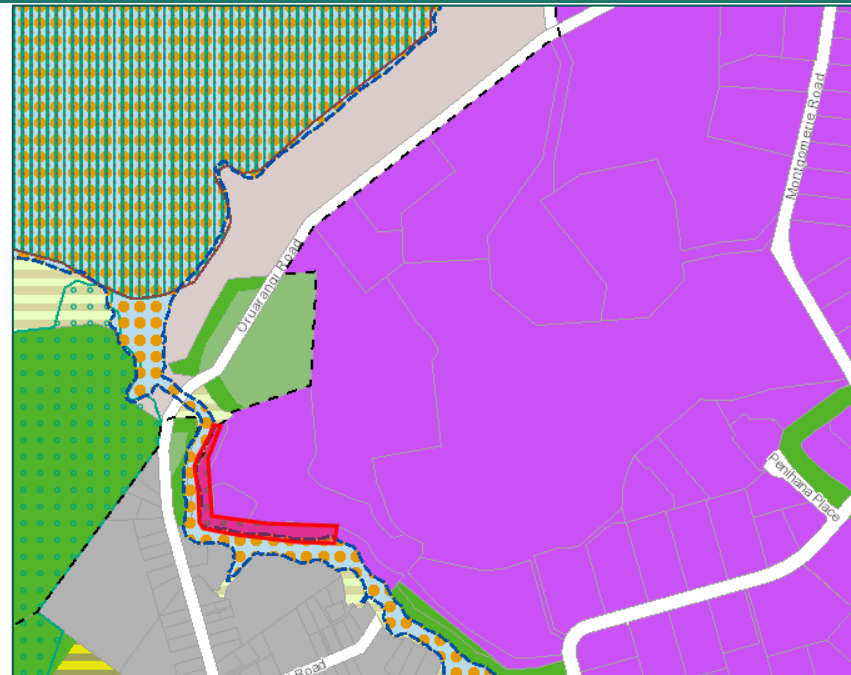


Figure 1: AUP - ONF #241

Objective 3

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;

Objective 3 of the NZCP seeks to take account of the principles of the Treaty of Waitangi by recognising tangata whenua as kaitiaki through the management of the coastal environment. The objective recognises that tangata whenua have an ongoing and enduring relationship with their lands, rohe and resources and by promoting meaningful relationships. Further the objectives provides for the incorporation of mātauranga Māori into sustainable management practices and

New Zealand Coastal Policy Statement	Comment
<ul style="list-style-type: none"> • incorporating mātauranga Māori into sustainable management practices; and • recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua. 	<p>the protection of the coastal environment where there are special tangata whenua values.</p> <p>Currently, the site is zoned Business- Light Industry Zone by the AUP and does not include any statutory layers that recognise or acknowledge the cultural values, relationships or associations of Mana Whenua to Waitomokia.</p> <p>The purpose of the proposed plan change is to enable urban development of the land, which is in line with the intentions of the underlying zone, while recognising the cultural spiritual and historical values of Mana Whenua and their relationship to the land and surrounding waterbodies. Objective 1 of the proposed Plan Change seeks to identify, recognise and where appropriate protect and enhance Mana Whenua cultural, spiritual and historic values to their associated Māori Cultural Landscape and the various values and features within the Plan Change site. Precinct Plan 2 identifies areas and features with high levels of sensitivity within and adjacent to the Plan Change site that contribute to and make up the Waitomokia Cultural Landscape. Objective 3 of the Plan Change provisions seeks to ensure subdivision and development is designed and located to avoid, or otherwise remedy or mitigate adverse effects on these identified features. Furthermore, Objective 4 seeks to recognise and integrate Mana Whenua values, mauri, mātauranga and tikanga Māori associated with Ōruarangi Awa and the Manukau Harbour.</p> <p>In developing this Plan Change, Mana Whenua have identified their cultural values and relationship to the site through their CVA's which formed the basis of the Precinct Plans and Waitomokia Precinct Provisions. These have been developed alongside Mana Whenua, including Te Ahiwaru Waiohua, Ngāti Te Ata</p>

New Zealand Coastal Policy Statement	Comment
	<p>Waiohua, Te Ākitai Waiohua, Te Kawerau ā Maki and Ngaati Whanaunga who have reviewed the precinct plans and plan change provisions.</p> <p>It is considered that the objectives of the Plan Change align and achieve expected outcomes of Objective 3 of the NZCPS.</p>
Policies	
Policy 2: The Treaty of Waitangi, tangata whenua and Māori heritage	
<p>(2) In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</p> <ul style="list-style-type: none"> (a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations; (b) involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori; (c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes; (d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available; 	<p>11 Mana Whenua groups were invited to engage in the development of the Plan Change in early 2022 and only five responded and confirmed their interest. These were Te Ahiwaru Waiohua, Ngāti Te Ata Waiohua, Te Ākitai Waiohua, Te Kawerau ā Maki and Ngaati Whanaunga, who have had direct involvement in the development of this Plan Change. The engagement process with these Mana Whenua groups is described in detail in section 6.1 of the Section 32 Report with a record of consultation provided as Appendix 8 of that report. There were a series of joint mana whenua hui and meetings where mana whenua representatives preferred to 1:1. Engagement took place over a period of approximately 20 months and is considered to following best practice. It involved obtaining Cultural Values Assessments (CVA) from Te Ahiwaru Waiohua, Ngāti Te Ata Waiohua, Te Ākitai Waiohua, Te Kawerau ā Maki and Ngaati Whanaunga which formed basis of the proposed Plan Change provisions and precinct plans. Copies of the CVA's are enclosed as Appendices 2A – 2F to the Section 32 Report.</p> <p>As outlined above, the Plan Change provisions and precinct plans were developed through a series of hui, the purpose of which was to achieve the following:</p>

New Zealand Coastal Policy Statement	Comment
<p>(e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</p> <p>(i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</p> <p>(ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</p> <p>(f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</p> <p>(i) bringing cultural understanding to monitoring of natural resources;</p> <p>(ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</p> <p>(iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non commercial Māori customary fishing; and</p> <p>(g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</p> <p>(i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</p>	<ul style="list-style-type: none"> • To understand the cultural values, relationship and associations of Mana Whenua with Waitomokia; and • To develop an appropriate suite of plan change provisions and plans that responded to the mana whenua cultural values, and appropriately managed use and development that acknowledged and respected the identified Mana Whenua values. <p>Engagement was primarily undertaken kanohi-ki-te-kanohi except where Mana Whenua representatives preferred to meet online. The engagement process was iterative, and allowed for staged development of the Precinct Provisions, ensuring that Mana Whenua had sufficient time to review and provide feedback that could be incorporated into the Plan Change provisions. This engagement approach allowed Mana Whenua to directly input and influence the scope of the plan change, including how mana whenua values were represented on the precinct plans and how these were reflected in the plan change provisions. It has resulted in clear methods to be put in place to avoid development and modification of the crater rim, and identifying other ‘no-build’ and ‘no excavation’ areas; identifying appropriate setbacks from the Pā; landscape buffers along Ōruarangi Awa; inclusion of bespoke stormwater management standards that require a high degree of stormwater treatment; and the incorporation reduced height limits within sub-precinct A.</p> <p>With respect to iwi management plans, Section 5.5.1 of the Section 32 report assesses Te Pou o Kāhu Pōkere – Iwi Management Plan for Ngāti Whātua Ōrakei, Take Taiaomaaurikura and Tai Tumu Tai Pari Tai Ao – Waikato-Tainui Environmental Plan. The proposed Plan Change is considered to align with the directions of these documents.</p>

New Zealand Coastal Policy Statement	Comment
<p>(ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</p>	<p>With respect to development within sub-precinct 'A', it is acknowledged that all Mana Whenua have expressed a preference for 'no development' within sub-precinct 'A' on the outer slopes of Waitomokia to maintain the amenity of the site. However, this would render the land within this site as 'undevelopable' and is not considered practicable. To go some way to address this, the Plan Change has proposed to reduce height limits to 14m, which is 6m lower than that enabled by the Light Industry Zone. This approach has been generally acknowledged by Mana Whenua, who have acknowledged the proposed height strategy within the Plan Change area is an improvement from the status quo and what is otherwise enabled by the current AUP provisions.</p> <p>In summary, it is considered that the Plan Change and engagement approach has followed best practice and where appropriate accords with tikanga Māori and overall achieves the expected outcomes of Policy 2 of the NZCPS.</p>
<p>Policy 15: Natural Features and Landscapes</p>	
<p>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by: (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to: 	<p>As noted above and shown in Figure 8, the AUP identifies ONF Feature: 241 Waitomokia foreshore tuff with sedimentary bombs which is adjacent to the Plan Change area.</p> <p>The proposal is considered to adequately avoid impacts on the ONF, as the feature is not located within the Plan Change boundaries. The Plan Change also includes minimum landscaping requirements along the length of the common boundary with the ONF, ensuring appropriate separation from the feature.</p> <p>By nature that the proposed Plan Change is outside of the identified ONF area, the proposal is considered to accord with the directions of the AUP and thus Policy 15 of the NZCPS.</p>

New Zealand Coastal Policy Statement	Comment
<ul style="list-style-type: none"> (i) natural science factors, including geological, topographical, ecological and dynamic components; (ii) the presence of water including in seas, lakes, rivers and streams; (iii) legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes; (iv) aesthetic values including memorability and naturalness; (v) vegetation (native and exotic); (vi) transient values, including presence of wildlife or other values at certain times of the day or year; (vii) whether the values are shared and recognised; (viii) cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features; (ix) historical and heritage associations; and (x) wild or scenic values; <p>(d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and</p> <p>(e) including the objectives, policies and rules required by (d) in plans.</p>	
Policy 17: Historic heritage identification and protection	
<p>Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:</p> <ul style="list-style-type: none"> (a) identification, assessment and recording of historic heritage, including archaeological sites; 	<p>CFG Heritage were engaged to prepare an Archaeological Assessment to support the Plan Change. In response to the Clause 23 request, an updated assessment was undertaken and is provided as Attachment 2 of the Clause 23 Response. CFG’s Archaeological Assessment identifies and assesses the value of the known and recorded archaeological features within the Plan Change area. CFG</p>

New Zealand Coastal Policy Statement	Comment
<p>(b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;</p> <p>(c) initiating assessment and management of historic heritage in the context of historic landscapes;</p> <p>(d) recognising that heritage to be protected may need conservation;</p> <p>(e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;</p> <p>(f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;</p> <p>(g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;</p> <p>(h) requiring, where practicable, conservation conditions; and</p> <p>(i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.</p>	<p>acknowledge that there is potential for additional archaeological features to be found within the site, particularly on the outer slopes of the Waitomokia Crater Rim. CFG further acknowledge that in preparing their Archaeological Assessment they did not engage with Mana Whenua.</p> <p>In response to this, Precinct Plan 2 of the Plan Change identifies the recorded Archaeological sites to ensure future developers are aware of existing resources. In addition to this, the Plan Change includes a special information requirement, that requires an archaeological assessment and survey to be undertaken and submitted within any application for a resource consent. With respect to Mana Whenua, the Applicant has continues to engage with Mana Whenua and seeks to enter into a MOU or other relationship agreement that includes the development of specific accidental discovery protocols.</p> <p>It is considered that the proposed Plan Change appropriately identifies and assesses potential adverse effects as a result of the Plan Change, and includes appropriate methods to ensure an archaeological survey and assessment is undertake at the prior to any future development or subdivision of the site. On this basis, it is considered that the proposed Plan Change appropriate accords with the directions of Policy 17 of the NZCPS.</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
Chapter B4. Te Tiaki Taonga Tuku Iho – Natural Heritage	
B.4.2.1 Outstanding natural features and landscapes	
<p>B4.2.1. Objectives</p> <p>(1) Outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.</p> <p>(2) The ancestral relationships of Mana Whenua and their culture and traditions with the landscapes and natural features of Auckland are recognised and provided for.</p> <p>(3) The visual and physical integrity and the historic, archaeological and cultural values of Auckland's volcanic features that are of local, regional, national and/or international significance are protected and, where practicable, enhanced.</p>	<p>ONF #241 is located within the public esplanade reserve and separates the Plan Change site from Ōruarangi Awa. It is considered that the Plan Change is consistent with AUP Objectives B4.2.1 in that it recognises Waitomokia as being part of a wider cultural landscape made up of tangible and intangible values and features, both within the Plan Change area and as it connects to the historic cultural narrative of the area. The Plan Change is not considered to impact the mapped ONF, and proposes a yards, planting buffers and reduced height controls that collectively respond to the tangible and intangible Māori cultural values present.</p>
Chapter B5 Ngā rawa tuku iho me te āhua – Historic heritage and special character	
B5.2 Historic Heritage	
<p><u>B5.2.1 Objectives</u></p> <p>(4) Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.</p> <p>(5) Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.</p>	<p>The AUP does not identify any significant historic heritage places or features within the Plan Change area.</p> <p>An Archaeological Assessment to support the Plan Change has been carried out by CFG Heritage and does not recommend any scheduling or specific identification of the existing below ground archaeological sites.</p> <p>Overall, the proposal is considered to accord with the objectives of Chapter B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character of the Regional Policy Statement for Auckland.</p>
<p><u>B5.2.2 Policies</u></p> <p><i>Identification and evaluation of historic heritage places</i></p>	<p>The proposal does not implicate any mapped historic heritage places. There are no physical features, structures or archaeological material that warrant</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(1) Identification and evaluation of historic heritage places Identify and evaluate a place with historic heritage value considering the following criteria:</p> <ul style="list-style-type: none"> (a) historical: the place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people, or with an idea or early period of settlement within New Zealand, the region or locality; (b) social: the place has a strong or special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural value; (c) Mana Whenua: the place has a strong or special association with, or is held in high esteem by, Mana Whenua for its symbolic, spiritual, commemorative, traditional or other cultural value; (d) knowledge: the place has potential to provide knowledge through archaeological or other scientific or scholarly study, or to contribute to an understanding of the cultural or natural history of New Zealand, the region, or locality; (e) technology: the place demonstrates technical accomplishment, innovation or achievement in its structure, construction, components or use of materials; (f) physical attributes: the place is a notable or representative example of: <ul style="list-style-type: none"> (i) a type, design or style; (ii) a method of construction, craftsmanship or use of materials; or (iii) the work of a notable architect, designer, engineer or builder; (g) aesthetic: the place is notable or distinctive for its aesthetic, visual, or landmark qualities; 	<p>assessment against criteria listed in Policy B5.2.2.(1). As such, the proposal is considered to conflict with the directions of this policy.</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(h) context: the place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.</p>	
<p>(2) Define the location and physical extent of a significant historic heritage place, having considered the criteria in Policy B5.2.2 (1) to identify:</p> <ul style="list-style-type: none"> (a) the area that contains the historic heritage values of the place; and (b) where appropriate, any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values. 	<p>The CFG Archaeological Assessment does not conclude or identify any historic heritage values within the Plan Change area that requires scheduling.</p>
<p>(3) Include a place with historic heritage value in Schedule 14.1 Schedule of Historic Heritage if:</p> <ul style="list-style-type: none"> (a) the place has considerable or outstanding value in relation to one or more of the evaluation criteria in Policy B5.2.2 (1); and (b) the place has considerable or outstanding overall significance to the locality or greater geographic area. 	
<p>(4) Classify significant historic heritage places in Schedule 14.1 Schedule of Historic Heritage in one of the following categories:</p> <ul style="list-style-type: none"> (a) Category A: historic heritage places that are of outstanding significance well beyond their immediate environs; (b) Category A*: historic heritage places identified in previous district plans which are yet to be evaluated and assessed for their significance; (c) Category B: historic heritage places that are of considerable significance to a locality or beyond; (d) Historic heritage areas: groupings of interrelated but not necessarily contiguous historic heritage places or features that collectively meet 	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>the criteria for inclusion in Schedule 14.1 Schedule of Historic Heritage in Category A or B and may include both contributing and non-contributing places or features, places individually scheduled as Category A or B, and notable trees.</p>	
<p>(5) Identify the known heritage values, the primary feature or features of historic heritage value and the exclusions from protection of each historic heritage place in the Schedule 14.1 Schedule of Historic Heritage.</p>	<p>As outlined above, the CFG Archaeological Assessment does not identify any Category A or Category B historic heritage features within the Plan Change site and as such avoids any adverse effects on scheduled significant historic heritage places.</p>
<p><i>Protection of scheduled significant historic heritage places</i></p>	
<p>(6) Avoid significant adverse effects on the primary features of significant historic heritage places which have outstanding significance well beyond their immediate environs including:</p> <ul style="list-style-type: none"> (a) the total or substantial demolition or destruction of any of the primary features of such places; (b) the relocation or removal of any of the primary features of such places away from their original site and context. 	
<p>(7) Avoid where practicable significant adverse effects on significant historic heritage places. Where significant adverse effects cannot be avoided, they should be remedied or mitigated so that they no longer constitute a significant adverse effect.</p>	
<p>(8) Encourage new development to have regard to the protection and conservation of the historic heritage values of any adjacent significant historic heritage places.</p>	
<p><i>Use of significant historic heritage places</i></p>	
<p>(9) Provide for the occupation, use, seismic strengthening, development, restoration and adaptation of significant historic heritage places, where this</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>will support the retention of, and will not detract from, the historic heritage values of the place.</p>	
<p>B5.3 Special Character</p>	
<p><u>B5.3.1 Objectives</u></p> <p>(1) [Deleted]</p> <p>(2) The character and amenity values of identified special character areas are maintained and enhanced.</p>	<p>The CFG Report does not identify any special character values or amenity values of relevance to this policy. There are no existing or mapped features that warrant specific protections under this policy.</p>
<p><u>B5.3.2 Policies</u></p> <p>(1) Identify special character areas to maintain and enhance the character and amenity values of places that reflect patterns of settlement, development, building style and/or streetscape quality over time.</p>	
<p>(2) Identify and evaluate special character areas considering the following factors:</p> <ul style="list-style-type: none"> (a) physical and visual qualities: groups of buildings, or the area, collectively reflect important or representative aspects of architecture or design (building types or styles), and/or landscape or streetscape and urban patterns, or are distinctive for their aesthetic quality; and (b) legacy including historical: the area collectively reflects an important aspect, or is representative, of a significant period and pattern of community development within the region or locality. 	
<p>(3) Include an area with special character in Schedule 15 Special Character Schedule, Statements and Maps.</p>	
<p>(4) Maintain and enhance the character and amenity values of identified special character areas by all of the following:</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<ul style="list-style-type: none"> (a) requiring new buildings and additions and modifications to existing buildings to maintain and enhance the special character of the area; (b) restricting the demolition of buildings and destruction of features that define, add to or support the special character of the area; (c) maintaining and enhancing the relationship between the built form, streetscape, vegetation, landscape and open space that define, add to or support the character of the area; and (d) avoiding, remedying or mitigating the cumulative effect of the loss or degradation of identified special character values. 	
Chapter B6 Mana Whenua	
B6.2 Recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation	
<p><u>B6.2.1 Objectives</u></p> <ul style="list-style-type: none"> (1) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga. (2) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised through Mana Whenua participation in resource management processes. (3) The relationship of Mana Whenua with Treaty Settlement Land is provided for, recognising all of the following: <ul style="list-style-type: none"> (a) Treaty settlements provide redress for the grievances arising from the breaches of the principles of Te Tiriti o Waitangi by the Crown; (b) the historical circumstances associated with the loss of land by Mana Whenua and resulting inability to provide for Mana Whenua well-being; 	<p>The purpose of the Plan Change is to recognise and respect the relationships and values of Mana Whenua to the site and surrounding area. As outlined above, the Plan Change has been developed alongside Mana Whenua to recognise the cultural context and landscape of the site and how it connects to the wider cultural landscape of the area. The objectives of the plan change seeks to identify, recognise, and where appropriate, protect and enhance Mana Whenua cultural, spiritual and historical values and their relationship to the site. The engagement process has ensured that a culturally appropriate planning framework has been developed to apply to the Plan Change area to ensure subdivision, use and development is appropriately managed to achieve the objectives sought by the plan change.</p> <p>There are no Treaty Settlement Lands within the Plan Change site. There is a Coastal Statutory Acknowledgement over Oruarangi Awa out to the Manukau Harbour that forms part of Treaty Settlement legislation for Te Kawerau ā Maki,</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(c) the importance of cultural redress lands and interests to Mana Whenua identity, integrity, and rangatiratanga; and</p> <p>(d) the limited extent of commercial redress land available to provide for the economic wellbeing of Mana Whenua.</p>	<p>Ngāi Tai ki Tāmaki and Ngāti Tamaoho. Further, it is recognised that this statutory acknowledgement will also apply to Te Ākitai Waiohū as per their signed deed of settlement.</p>
<p>(4) The development and use of Treaty Settlement Land is enabled in ways that give effect to the outcomes of Treaty settlements recognising that:</p> <p>(a) cultural redress is intended to meet the cultural interests of Mana Whenua; and</p> <p>(b) commercial redress is intended to contribute to the social and economic development of Mana Whenua.</p>	<p>The objectives of the plan change seek to ensure subdivision and development is integrated in a manner than avoids, remedies and mitigates adverse effects on the natural environment and significant ecological areas, particularly as they relate to Ōruarangi and the Manukau Harbour.</p> <p>Waitomokia Plan Change is considered to accord with the directions of Objective B6.2.1.</p>
<p><u>B6.2.2 Policies</u></p> <p>(1) Provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites, wāhi tapu and other taonga in a way that does all of the following:</p> <p>(a) recognises the role of Mana Whenua as kaitiaki and provides for the practical expression of kaitiakitanga;</p> <p>(b) builds and maintains partnerships and relationships with iwi authorities;</p> <p>(c) provides for timely, effective and meaningful engagement with Mana Whenua at appropriate stages in the resource management process, including development of resource management policies and plans;</p> <p>(d) recognises the role of kaumātua and pūkenga;</p>	<p>The Plan Change has been developed with the direct input of Te Ahiwaru Waiohū, Ngāti Te Ata Waiohū, Te Ākitai Waiohū, Te Kawerau ā Maki and Ngaati Whanaunga. The iterative engagement approach has ensured that Mana Whenua could provide input as the Plan Change was developed to ensure their cultural and spiritual values could appropriately captured, understood and recognised. This has ensured that Mana Whenua, as kaitiaki, have had direct input into the proposed Plan Change provisions in a manner that ensures the sustainable management of these resources and enables their ongoing relationship with the Waitomokia.</p> <p>In summary, Waitomokia Plan Change is considered to accord with the directions of policies B6.2.2 (1) – (5).</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(e) recognises Mana Whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga;</p> <p>(f) acknowledges historical circumstances and impacts on resource needs;</p> <p>(g) recognises and provides for mātauranga and tikanga; and</p> <p>(h) recognises the role and rights of whānau and hapū to speak and act on matters that affect them.</p>	
<p>(2) Recognise and provide for all of the following matters in resource management processes, where a proposal affects land or resources subject to Treaty settlement legislation:</p> <p>(a) the historical association of the claimant group with the area, and any historical, cultural or spiritual values associated with the site or area;</p> <p>(b) any relevant memorandum of understanding between the Council and the claimant group;</p> <p>(c) any joint management and co-governance arrangements established under Treaty settlement legislation; and</p> <p>(d) any other specific requirements of Treaty settlement legislation.</p>	
<p>(3) Where Mana Whenua propose an activity on Treaty Settlement Land, the benefits for the wider community and environment provided by any property-specific protection mechanism, such as a covenant, shall be taken into account when considering the effects of the proposal.</p>	
<p>(4) Enable the subdivision, use and development of land acquired as commercial redress for social and economic development.</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
(5) Enable Mana Whenua to access, manage, use and develop cultural redress lands and interests for cultural activities and accessory activities.	
B6.3 Recognising Mana Whenua values	
<u>B6.3.1 Objectives</u>	
(1) Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.	The current planning framework does not reflect or accord sufficient recognition of the rich historic relationship Māori have with Waitomokia. The AUP does not acknowledge or recognise this in any way within the Plan Change are.
(2) The mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, geothermal resources, land, air and coastal resources are enhanced overall.	
(3) The relationship of Mana Whenua and their customs and traditions with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, natural resources or historic heritage values is recognised and provided for.	
<u>B6.3.2 Policies</u>	
(1) Enable Mana Whenua to identify their values associated with all of the following: <ul style="list-style-type: none"> (a) ancestral lands, water, air, sites, wāhi tapu, and other taonga; (b) freshwater, including rivers, streams, aquifers, lakes, wetlands, and associated values; (c) biodiversity; 	The Plan Change recognises the cultural, spiritual and historic relationship of Mana Whenua to Waitomokia, through its objectives, policies, methods and precinct plans. The engagement approach with Mana Whenua has ensured appropriate recognition of these values and their relationship to ensure the sustainable management of the natural and physical resources. In addition, the provisions ensure Mana Whenua and their relationship to Waitomokia is appropriately provided. The Plan Change is considered to align with the directions of objectives (1) – (3) of B6.3.1 of the RPS. The CVA’s prepared by Te Ahiwaru Waiohua, Ngāti Te Ata Waiohua, Te Ākitai Waiohua, Te Kawerau ā Maki and Ngaati Whanaunga outline the relationship their relationship to Waitomokia, and describe the historical significance and values of the Plan Change area as a historical settlement. Further, the CVA’s describe their relationship to Ōruarangi and the Manukau Harbour. The Plan Change is considered to incorporate innovative and long term measures to protect key features within the site, particularly the form of Waitomokia’s crater rim and the Pā on adjacent land. Further, the Plan Change also includes a range

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(d) historic heritage places and areas; and</p> <p>(e) air, geothermal and coastal resources.</p>	<p>of measures to ensure stormwater runoff is appropriately treated and flows managed to manage runoff from the site; these provisions have been devised with the Ōruarangi and Manukau Harbour in mind.</p>
<p>(2) Integrate Mana Whenua values, mātauranga and tikanga:</p> <p>(a) in the management of natural and physical resources within the ancestral rohe of Mana Whenua, including:</p> <p>(i) ancestral lands, water, sites, wāhi tapu and other taonga;</p> <p>(ii) biodiversity; and</p> <p>(iii) historic heritage places and areas.</p> <p>(b) in the management of freshwater and coastal resources, such as the use of rāhui to enhance ecosystem health;</p> <p>(c) in the development of innovative solutions to remedy the long-term adverse effects on historical, cultural and spiritual values from discharges to freshwater and coastal water; and</p> <p>(d) in resource management processes and decisions relating to freshwater, geothermal, land, air and coastal resources.</p>	<p>Refer to Precinct Plans 1 and 2, which identify the key cultural values, resources and relationships. Precinct Plans 3 and 4 identify key protections, mitigation and enhancement measures. The Plan Change provisions include development standards to manage bulk and location of buildings within sub-precinct A and C, access restrictions within sub-precinct B, stormwater management within sub-precinct B, C and D, no build / excavation areas within sub-precinct A and C particularly in relation to the crater rim.</p> <p>It is considered that the Plan Change provisions have appropriately integrated Mana Whenua values, and tikanga and mātauranga Māori to ensure adverse effects are managed to avoid, remedy or mitigate adverse effects of subdivision and development.</p> <p>Overall, the Plan Change is considered to accord with the policies set out in B6.3.2 of the RPS.</p>
<p>(3) Ensure that any assessment of environmental effects for an activity that may affect Mana Whenua values includes an appropriate assessment of adverse effects on those values.</p>	
<p>(4) Provide opportunities for Mana Whenua to be involved in the integrated management of natural and physical resources in ways that do all of the following:</p> <p>(a) recognise the holistic nature of the Mana Whenua world view;</p> <p>(b) recognise any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011; and</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
(c) restore or enhance the mauri of freshwater and coastal ecosystems.	
<p>(5) Integrate Mana Whenua values, mātauranga and tikanga when giving effect to the National Policy Statement on Freshwater Management 2014 in establishing all of the following:</p> <ul style="list-style-type: none"> (a) water quality limits for freshwater, including groundwater; (b) the allocation and use of freshwater resources, including groundwater; and (c) integrated management of the effects of the use and development of land and freshwater on coastal water and the coastal environment. 	
<p>(6) Require resource management decisions to have particular regard to potential impacts on all of the following:</p> <ul style="list-style-type: none"> (a) the holistic nature of the Mana Whenua world view; (b) the exercise of kaitiakitanga; (c) mauri, particularly in relation to freshwater and coastal resources; (d) customary activities, including mahinga kai; (e) sites and areas with significant spiritual or cultural heritage value to Mana Whenua; and (f) any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011. 	
B6.4 Māori economic, social and cultural development	
<u>B6.4.1 Objectives</u>	The Plan Change does not include any Māori Freehold or Treaty Settlement Land.
(1) Māori economic, social and cultural well-being is supported.	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
(2) Mana Whenua occupy, develop and use their land within their ancestral rohe.	
<u>B6.4.2 Policies</u>	
(1) Provide for papakāinga, marae, Māori customary activities and commercial activities across urban and rural Auckland to support Māori economic, social and cultural well-being.	
(2) Enable the integration of mātauranga and tikanga Māori in design and development.	
(3) Enable the occupation, development and use of Māori land for the benefit of its owners, their whānau and their hapū.	
(4) Enable Mana Whenua to occupy, develop and use Māori Land (including for papakāinga, marae and associated developments) with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, natural resources, coastal environment, historic heritage and special character, provided that adverse effects on those resources are avoided, remedied or mitigated.	
B6.5 Protection of Mana Whenua cultural heritage	
<u>B6.5.1 Objectives</u>	
(1) The tangible and intangible values of Mana Whenua cultural heritage are identified, protected and enhanced.	There are no scheduled sites of significance to Mana Whenua within the Plan Change area.
(2) The relationship of Mana Whenua with their cultural heritage is provided for.	The Plan Change acknowledges the Mana Whenua’s tangible and intangible values associated with Waitomokia and identifies a range of spiritual, historical and cultural values of importance to the plan change site. The Plan Change is considered to appropriately identify these, and where appropriate, protect and enhance these values. It is considered that the objectives set out in the proposed
(3) The association of Mana Whenua cultural, spiritual and historical values with local history and whakapapa is recognised, protected and enhanced.	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(4) The knowledge base of Mana Whenua cultural heritage in Auckland continues to be developed, primarily through partnerships between Mana Whenua and the Auckland Council, giving priority to areas where there is a higher level of threat to the loss or degradation of Mana Whenua cultural heritage.</p>	<p>Plan Change ensures that Mana Whenua cultural, historic and spiritual values, as well as their relationship to the wider cultural landscape is identified, recognised, and where appropriate protected and enhanced. Objective 2 and 3 of the proposed Plan Change seeks to manage development and subdivision in a manner that is integrated to manage adverse effects on the natural environment, and manages adverse effects on the tangible and intangible values within the Plan Change area.</p>
<p>(5) Mana Whenua cultural heritage and related sensitive information and resource management approaches are recognised and provided for in resource management processes.</p>	<p>Overall, it is considered that the Plan Change has prepared following best practice engagement and appropriately accords with the directions of the objectives and policies of the objectives in B6.5.1 of the RPS.</p>
<p><u>B6.5.2 Policies</u></p> <p>(1) Protect Mana Whenua cultural and historic heritage sites and areas which are of significance to Mana Whenua.</p> <p>(2) Identify and evaluate Mana Whenua cultural and historic heritage sites, places and areas considering the following factors:</p> <p>(a) Mauri: ko te mauri me te mana o te wāhi, te taonga rānei, e ngākaunuitia ana e te Mana Whenua. The mauri (life force and life-supporting capacity) and mana (integrity) of the place or resource holds special significance to Mana Whenua;</p>	<p>As outlined above, the Plan Change has been promulgated on the basis of the tangible and intangible values of Mana Whenua to the Plan Change site. It is supported by a range of technical inputs, including CVA's prepared by Mana Whenua who have an interest in the Plan Change site. The Plan Change provisions seek to reflect and respect the values of Mana Whenua outlined in their CVA's and as expressed through engagement, while enabling urban development of the Plan Change site in accordance with the AUP zoning of the site.</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(b) Wāhi tapu: ko tērā wāhi, taonga rānei he wāhi tapu, arā, he tino whakahirahira ki ngā tikanga, ki ngā puri mahara, o ngā wairua a te Mana Whenua. The place or resource is a wāhi tapu of special, cultural, historic, metaphysical and or spiritual importance to Mana Whenua;</p> <p>(c) Kōrero Tūturu/historical: ko tērā wāhi e ngākaunuitia ana e te Mana Whenua ki roto i ōna kōrero tūturu. The place has special historical and cultural significance to Mana Whenua;</p> <p>(d) Rawa Tūturu/customary resources: he wāhi tērā e kawea ai ngā rawa tūturu a te Mana Whenua. The place provides important customary resources for Mana Whenua;</p> <p>(e) Hiahiatanga Tūturu/customary needs: he wāhi tērā e eke ai ngā hiahia hinengaro tūturu a te Mana Whenua. The place or resource is a repository for Mana Whenua cultural and spiritual values; and</p> <p>(f) Whakaaronui o te Wa/contemporary esteem: he wāhi rongonui tērā ki ngā Mana Whenua, arā, he whakaahuru, he whakawaihanga, me te tuku mātauranga. The place has special amenity, architectural or educational significance to Mana Whenua.</p>	<p>Policy B6.5.2.2(2) is an identification policy for scheduling sites of significance to mana whenua, and the Plan Change does not seek this.</p> <p>The Plan Change is considered to align with the intentions of the policies outlined in B6.5.2 of the RPS.</p>
<p>(3) Include cultural and historic heritage places and areas identified as significant to Mana Whenua in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule.</p>	
<p>(4) Protect the places and areas listed in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule from adverse effects of subdivision, use and development by avoiding all of the following:</p> <p>(a) the destruction in whole or in part of the site or place and its extent;</p> <p>(b) adverse cumulative effects on the site or place;</p> <p>(c) adverse effects on the location and context of the site or place; and</p>	<p>There are no scheduled places or areas of significance to Mana Whenua, and as such the Plan Change is not considered to conflict with these RPS policies.</p>

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(d) significant adverse effects on the values and associations Mana Whenua have with the site or place;</p> <p>taking into account in such circumstances whether or not any structures, buildings or infrastructure are present and the adverse effects are temporary.</p>	
<p>(5) Protect places and areas in the Schedule 12 Sites and Places of Significance to Mana Whenua Schedule from the adverse effects of subdivision, use and development by all of the following:</p> <ul style="list-style-type: none"> (a) avoiding where practicable, or otherwise remedying or mitigating adverse effects on the values and associations of Mana Whenua with the site, place or area; (b) requiring a protocol to be followed in the event of accidental discovery of kōiwi, archaeology or artefacts of Māori origin; and (c) undertaking appropriate actions in accordance with mātauranga and tikanga Māori. 	
<p>(6) Protect Mana Whenua cultural heritage that is uncovered during subdivision, use and development by all of the following:</p> <ul style="list-style-type: none"> (a) requiring a protocol to be followed in the event of accidental discovery of kōiwi, archaeology or artefacts of Māori origin; (b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and (c) requiring appropriate measures to avoid, remedy or mitigate further adverse effects. 	
<p>(7) Include a Māori cultural assessment in structure planning and plan change process to do all of the following:</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(a) identify Mana Whenua values associated with the landscape;</p> <p>(b) identify sites, places and areas that are appropriate for inclusion in the Schedule 12 Sites and Places of Significance to Mana Whenua Schedule for their Mana Whenua cultural heritage values as part of a future plan change; and</p> <p>(c) reflect Mana Whenua values.</p>	
<p>(8) Encourage appropriate design, materials and techniques for infrastructure in areas of known historic settlement and occupation by the tūpuna of Mana Whenua.</p>	
<p>(9) Protect sensitive information about the values and associations of Mana Whenua in relation to their cultural heritage where disclosure of such information may put a site, place or area at risk of destruction or degradation.</p>	
Chapter B8 Toitū te taiwhenua - Coastal environment	
B8.2 Natural Character	
B8.2.1 Objectives	
<p>(1) Areas of the coastal environment with outstanding and high natural character are preserved and protected from inappropriate subdivision, use and development.</p>	<p>The Plan Change area is not subject to any areas that are mapped by the RPS or AUP as having high or outstanding natural character.</p>
<p>(2) Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.</p>	<p>The Plan Change introduces a precinct, with a range of development standards to manage the adverse effects of development and subdivision on the cultural and natural environment values associated with the Waitomokia. These measures include reduced height limits within sub-precinct A and C, establishing landscape buffers within sub-precinct A, and the management of stormwater runoff. Collectively, the Plan Change objectives and provisions are considered to align with outcomes of these objectives.</p>
<p>(3) Where practicable, in the coastal environment areas with degraded natural character are restored or rehabilitated and areas of high and outstanding natural character are enhanced.</p>	
B8.2.2 Policies	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(1) Identify and evaluate areas of outstanding natural character or high natural character considering the following factors:</p> <ul style="list-style-type: none"> (a) natural elements, processes and patterns; (b) biophysical, ecological, geological and geomorphological aspects; (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; (d) the natural movement of water and sediment; (e) the natural darkness of the night sky; (f) places or areas that are wild or scenic; and (g) experiential attributes, including the sounds and smell of the sea, and their context or setting. 	<p>The Plan Change area is not subject to any outstanding or high natural character areas. As such, the Plan Change is not considered to conflict with the B8.2.2 policies.</p>
<p>(2) Include an area in the coastal environment with outstanding or high natural character in Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule.</p>	
<p>(3) Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by:</p> <ul style="list-style-type: none"> (a) avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and (b) avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment. 	
<p>(4) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>outstanding natural character and high natural character from inappropriate subdivision, use and development.</p>	
<p>(5) Enable land use practices and restoration projects that will restore, rehabilitate or enhance natural character in outstanding natural character and high natural character areas in the coastal environment.</p>	
<p>(6) Provide for the use of transferable development rights to avoid inappropriate subdivision, use and development in or on land adjoining to areas of outstanding natural character and high natural character.</p>	
<p>B10.2 Natural hazards and climate change</p>	
<p><u>B10.2.1. Objectives</u></p>	
<p>(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.</p>	
<p>(4) The effects of climate change on natural hazards, including effects on sea level rise and on the frequency and severity of storm events, is recognised and provided for.</p>	<p>The Plan Change does not seek to change or amend the zoning that applies to the area. While parts of the Plan Change site are subject to potential flood hazards, the Plan Change is not considered to change or increase the potential risk of these existing hazards. A Flood Report has been prepared as part of the updated Stormwater Management Report to support the Plan Change and the findings are enclosed as Attachment 4 to the Clause 23 response.</p>
<p>(5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development.</p>	<p>Overall, it is considered that the Plan Change does not implicate the objectives and policies of</p>
<p>B10.2.2. Policies</p>	
<p><i>Identification and risk assessment</i></p>	
<p>(5) Manage subdivision, use and development of land subject to natural hazards based on all of the following:</p>	
<p>(a) the type and severity of potential events, including the occurrence natural hazard events in combination;</p>	

Auckland Unitary Plan Chapter B Regional Policy Statement	Comment
<p>(b) the vulnerability of the activity to adverse effects, including the health and safety of people and communities, the resilience of property to damage and the effects on the environment; and</p> <p>(c) the cumulative effects of locating activities on land subject to natural hazards and the effects on other activities and resources.</p>	
<p><i>Management approaches</i></p> <p>(7) Avoid or mitigate the effects of activities in areas subject to natural hazards, such as earthworks, changes to natural and built drainage systems, vegetation clearance and new or modified structures, so that the risks of natural hazards are not increased.</p>	

Auckland Unitary Plan Chapter H Zones	Comment
H17 Business – Light Industry Zone	
Chapter H17	
<u>H17.2 Objectives</u>	The Plan Change does not seek to change the underlying Light Industry zoning that applies to the site. The Plan Change seeks to enable urban development of a site that is already zoned for that purpose while managing potential adverse effects of development on the identified mana whenua values proposed as part of the Plan Change.
(1) Light industrial activities locate and function efficiently within the zone.	
(2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.	
(3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.	
(4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.	
<u>H17.3 Policies</u>	

Auckland Unitary Plan Chapter H Zones	Comment
(1) Enable light industrial activities to locate in the zone.	
(2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.	
(3) Avoid activities that do not support the primary function of the zone.	
(4) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.	
(5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height: <ul style="list-style-type: none"> (a) is an efficient use of land; and (b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area. 	
(6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.	
(7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.	
(8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.	