

APPENDIX O – RESPONSE TO REQUEST 77

1. The Panel's request 77 is:

77. Mr Langman to provide larger images of those in his table of relief sought through the Council submission, previously provided to the Panel.

2. The larger images are **overleaf**.

Item 56 - Advise how the Council's preparation of Plan Change 14 has taken into account the principles of Te Tiriti of Waitangi / the Treaty of Waitangi

Introduction

1. The Panel has requested that Christchurch City Council (the Council) provide advice on how the preparation of Plan Change 14 (PC14) has taken into account the principles of Te Tiriti of Waitangi / the Treaty of Waitangi.
2. Commissioner Coutts specifically requested advice on how the Council views its responsibilities in terms of housing for Māori and other diverse groups, with a particular focus on urban Māori.

The NPS-UD, the principles of Te Tiriti, and Plan Change 14

3. The NPS-UD is central to PC14 and recognises the national significance of achieving a well-functioning urban environment to enable people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. The NPS-UD specifically requires the principles of Te Tiriti to be taken into account when making planning decisions in respect of urban environments.
4. In particular, Objective 5 of the NPS-UD is that: *Planning decisions relating to urban environments, and [Future Development Strategies], take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*
5. Policy 9 then provides, noting subclause (c) is not relevant to PC14:
Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:
 - a) *involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and*
 - b) *when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and*
 - c) *provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and*
 - d) *operate in a way that is consistent with iwi participation legislation.*

The engagement and consultation process for Plan Change 14

6. The NPS-UD requires the Council to ensure that urban development occurs in a way that takes into account the principles of the Treaty of Waitangi (te Tiriti o Waitangi). Policy 9 makes it clear that engagement with mana whenua on planning processes to implement the NPS-UD is central to that requirement.
7. In preparing PC14, the Council undertook engagement and consultation with the wider public, and specifically with mana whenua.
8. The general public engagement included:
 - early engagement on proposed changes in April 2022; and

- consultation on the notified plan change in March 2023 – May 2023.
9. All members of the community had the opportunity to provide feedback on PC14, including our urban Māori population and other diverse populations. The Council notes all residents were sent letters informing them of the proposed plan change and where and how they could provide feedback.
 10. The Council acknowledges that the time and resource constraints for delivering the proposed plan change meant that undertaking targeted engagement with particular groups or individuals, such as urban Māori, was not practical nor feasible. The statutory and technical nature of this particular plan change, acknowledging that attempts were made to simplify its purpose and content (refer to public consultation document <https://ccc.govt.nz/assets/Documents/Consultation/2023/03-March/WEB-STR5432-Housing-and-Business-Choice-and-Heritage-Consultation-document-1.pdf>), means that certain groups and individuals may have found it difficult to participate in the process.
 11. The Council was reliant on submissions received from the community to understand the views of residents. Of all submissions received from individuals on PC14, 2.66 percent were from those that identify as Māori. This percentage aligns, if not slightly higher, than the level of engagement that we typically see from our urban Māori population on Council engagements.
 12. In addition, specific consultation on the draft plan change was undertaken with Mahaanui Kurataiao Limited on behalf of the papatipu rūnanga of the area. The consultation resulted in agreed changes to better recognise the enablement of papakāinga/kāinga nohoanga within the Strategic Directions Chapter 3 Objectives and specific provisions enabling or managing business and residential development. Refer to s42A report of Ms Sarah Oliver para 5.15 and the s42A report of Mr Ike Kleynbos para 7.1.6 in relation to Riccarton Bush.

The Mahaanui Iwi Management Plan

13. Ms Sarah Oliver in her s42A evidence also comments that ‘regard has been given to the Mahaanui Iwi Management Plan (IMP) which is a mana whenua planning document reflecting the collective efforts of six Papatipu Rūnanga that represent the hapū who hold mana whenua rights over lands and waters within the takiwā’. The plan sets out the takiwā boundaries of each Papatipu Rūnanga according to the Te Rūnanga o Ngāi Tahu (Declaration of Membership Act) Order 2001 (see excerpt Table 1 from the IMP). The geographical scope of PC14 principally impacts the takiwā of Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga and Te Taumutu Rūnanga.

The role of statutory planning and non-statutory planning instruments in delivering for communities

14. The Council notes that there are additional non-statutory planning instruments that play a role in providing for communities and their needs (and to achieve a well-functioning urban form for communities and support their needs).
15. Non-statutory planning approaches, such as spatial planning and neighbourhood planning and housing action plans, are mechanisms used to support and implement well-functioning urban environments for our communities – including the most vulnerable communities. Non-statutory planning documents are often used to set high-level direction for communities and drive change, particularly where the Council can influence. They are also necessary to guide the direction in the Long-Term planning process and where Council investment is focused. The Council consider that these levers, in conjunction with the statutory planning instruments, can help to support and provide for our diverse populations, including our urban Māori.