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Draft Unitary Plan Māori Purpose Zone Review Report

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1.0 Introduction

The following report has been prepared in accordance with the Peer Review of Māori Purposes Zones Contract between Auckland Council and Design Tribe Ltd, signed 10 June 2013, Contract Reference: ACPN_11429.

This report accompanies and provides discussion on the suggested amendments included in the tracked changes word document supplied to Auckland Council on 5th July 2013.

The following key issues identified within the tracked changes word document are here further explored with a view to providing greater context to the proposed additions and amendments to the draft provisions.

2.0 Key Issues

The Draft Unitary Plan Māori Purpose Zone provisions in general provide a culturally supportive and flexible planning framework for the development of both Māori and General land blocks covered by this zone. While this report focuses on proposed amendments and additions the author strongly supports the overall content and direction of the Draft Auckland Unitary Plan Māori Purpose Zone provisions.

2.1 Objectives

Under the Objectives section it is important that Māori owned General Title land is included alongside Māori Title land acknowledging that Treaty settlement lands will often remain in General Title as part of Iwi economic development approaches.

Where the term 'Tikanga Māori' is used in the Objectives section it is important that the application of *generic* tikanga Māori is *not* implied. In this regard the addition of 'local' or 'appropriate' descriptors may help to avoid this implication. Mātauranga and Tikanga issues are further discussed later in this report.

2.2 Policies

The provision of **alternative site access** as well as alternative infrastructure provision is important insofar as owners of landlocked coastal Māori land blocks have been and are still discriminated against by district plans (including land owned by the author in the Whāngarei District Council) which require that owners prove that they have legal road access to proposed development sites.

Obtaining legal and physical road access to such sites is often cost and / or legally prohibitive. Such blocks have often been accessed by sea for hundreds of years and should continue to be able to be accessed in this manner if deemed appropriate by the owners. This also has implications for Māori owned land located on the gulf and other islands in the Auckland Council region.

2.3 Activities

Marae complexes with greater than 700m² GFA are suggested as being Restricted Discretionary activities. This GFA has been chosen to allow for small to medium size whanau / hapu marae to sit outside this criteria as permitted activities. Larger scale marae which seek to sleep 200 plus and dine 350 plus (in one sitting) will typically have GFA of well over 700m².

With Kohanga reo / Puna Reo licenses generally being for 40 – 50 tamariki, extending the **Educational Centres** provision from 200m² to 250m² GFA will be important in supporting the development of mid sized early childhood centres which are both responsive to reo recovery needs and the sustainability of the centres themselves.

Specifically excluding **Marae style accommodation** from the Discretionary Visitor accommodation activity by inclusion within the Part 5 exclusionary list will be important for clarity and will allow Marae to continue to offer their facilities for hire or koha as they have always done.

The inclusion of **Pekerangi / Taiapa** or palisade style fencing up to 3.5m in height to front or marae ātea boundaries is important to allow for this traditional threshold treatment without Marae having to apply for specific resource consents.

2.4 Mātauranga and Tikanga

The inclusion of Mātauranga and Tikanga as key policies and assessment criteria are important components of the draft document insofar as they encourage the applicants to explore, develop and apply their own unique Māori / Mana whenua cultural landscape traditions to the design of their built environments.

The inclusion of these policies and assessment criteria needs to be carefully introduced and worded to allow for the diverse expression of Mātauranga and Tikanga and acknowledgement that these dimensions are continually evolving as part of living Māori / Mana whenua cultural, social, economic and environmental realities.

It is also important that applicants don't feel that they will be judged on the application of their own Mātauranga and Tikanga, but rather are being encouraged to draw upon it in their design processes.

It is noted that the Auckland Design Manual (ADM) Te Aranga Māori Design Principles, currently being refined with Mana Whenua, will provide useful guidance for the application of unique Mātauranga and Tikanga to design processes.

With the ADM being an organic document, these principles can continue to be refined with the Unitary Plan able to refer / link to the ADM with up to date Māori / Mana whenua case study developments. In this regard it is not recommended that the Te Aranga principles themselves are included in the Unitary Plan Māori Purpose Zone provisions but are strongly linked via the ADM url.

2.5 Public Realm Provisions

In accepting that Māori / Mana whenua development aspirations will often differ considerably from existing neighbouring developments, it is recommended that the provisions relating to addressing the public realm are worded to focus on the positive use of Māori / Mana whenua design principles as distinct from the western urban design requirement or norm to respond to (read blend with) the existing local character.

In this way the development unique Māori / Mana whenua cultural environments is not constrained (or recolonised) by either rural or urban existing Eurocentric land uses, building traditions and design styles.

3.0 Mixed housing zone Development Controls

While many of the mixed housing zone development controls have been appropriately included within the Māori Purposes Zone provisions, several could be amended to better cater for Māori development aspirations as follows:

3.1 Building height

It may be important to note that **Pou haki** (Flag poles) are excluded from these height controls.

It may be appropriate to allow for non-marae buildings of 8m – 12m in height on sites of over 1ha to be considered on a restricted discretionary basis. For urban sites in particular this will enable developments such as educational facilities of up to 3 storeys allowing for efficient use of valuable land. Urban marae sites like Ngā Whare Wātea in Māngere would benefit from this control.

3.2 Outdoor living space

To enhance design outcomes I think it is important to specify that outdoor living areas and terraces have 'an easterly, northerly or westerly aspect.' This will prevent the

development of south facing outdoor living areas which will be cold and poorly utilised.

4.0 Assessment criteria

The proposed Assessment criteria are generally supported with the following additional points:

4.1 Intensity and scale

The intensity and scale of the activity, in particular the number of people involved and traffic generated by the activity, size and location of buildings and associated parking should be *sensitive to* as opposed to compatible with the character and amenity of the surrounding neighbourhood. Again this point acknowledges that that Māori purpose zone activities may not always be compatible with neighbouring environments but can be designed to be sensitive to them.

4.2 Traffic

It is important that Traffic assessment criteria acknowledges that Māori purposes zones will be accessed off a variety of roads and be surrounded by a variety of neighbouring uses. In this regard it may be appropriate to delete provisions which could be discriminatory to developments on ancestral land that occur as infill to already developed areas, or exist away from main arterial routes. Perhaps insert the following: Where marae are located on busy arterial roads the use of traffic management plans for large events including tangihanga – are encouraged to help with safety during such events.

4.3 Groundwater

It is important to add 'Puna' in the groundwater assessment criteria as an encouragement for applicants to research, identify, protect and or enhance ancestral puna within their development sites. Such puna have the potential to act as landscape features as well as sources of wai Māori / Wai ora high quality water for drinking and or blessing uses.

4.4 Noise, lighting and hours of operation

While advice to ensure play areas are generally located away from residential boundaries is reasonable, it is noted that noise associated with exuberant children's play is very hard to regulate while such centres tend to only operate from 9.00am - 3pm so are not generally noisy after school hours.

4.5 Development Design

Where possible buildings should facilitate a **grounded connection to the site** to encourage indoor / outdoor flow and engagement with the whenua, awaawa, moana, mara kai and ngahere.

Where buildings are of two or more storeys pursue opportunities to connect upper levels to the existing land contours.

Having the latter specific design advice included in the zone provisions will be helpful to achieve high quality results, particularly for papakāinga developments.

4.6 Earthworks and retaining

As opposed to discouraging the use of **retaining walls**, earthworks should be 'carefully considered to enhance the usefulness of the site and to encourage ease of indoor / outdoor flow.' Sometimes retaining walls may be the best means of making sites useful for living platforms, mara kai and papa takaro.

Encouraging the use of **planted batters** as opposed to retaining walls will help to ensure the resulting land form doesn't result in overshadowing. This approach also references the formation of pa tu watawata terracing (such as seen on the volcanic cones of Tāmaki) which was primarily achieved through 30-45 degree battering.

4.7 Natural features and landscaping

Site landscaping should also be located and designed to provide a **positive Māori / Mana whenua cultural landscape contribution** to the streetscape and/or any adjacent public open space.

Having **communal open space at ground or lower levels** be designed to be overlooked by the principal living rooms as well as the kitchen and or balconies of dwellings is important in acknowledging that single parents will often be cooking while their tamariki are playing outside. Here viewing these areas from the kitchen relieves stress on the cook and eases supervision.

The inclusion of **Outdoor dining areas** in this section is seen as important acknowledging that wharekai are a modern phenomenon having really only become common place on Marae from the 1930s and that outdoor dining is both a customary practise as well as helping to maintain connections to the whenua and outdoor environment. This may include hāngi and BBQ shelters, gazebos and the like.

Inclusion of communal **mara kai** may also be important as both an enabler of and encouragement for health activity and eating.

4.8 Building height

As noted previously, the form of Papkāinga dwellings may differ considerably from neighbouring dwellings and this should be encouraged with a view to meeting the cultural and social needs of whānau as well as promoting the visibility of Māori / Mana whenua cultural landscapes.