

**Under** the Resource Management Act 1991

**In the matter** of Hearing of Submissions and Further Submissions on the Proposed  
Porirua District Plan

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## **Submissions of Kāinga Ora – Homes and Communities**

**15 October 2021**

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**Hearing Stream 2 – Tuesday 2 November at 3.15pm (if required)**

**MEREDITH  
CONNELL**

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# Submissions of Kāinga Ora – Homes and Communities

## 1 Introduction

### 1.1 Kāinga Ora’s presentation in Hearing Stream 2:

- (a) Confirms Kāinga Ora’s position in relation to “avoid” statements in various chapters; and
- (b) Addresses the plan’s limitation of papakāinga as a permitted activity to land held under Te Ture Whenua Māori Act 1993.

### 1.2 Kāinga Ora does not intend to provide any further evidence or submission on the other submission points addressed in the five s 42A reports.

### 1.3 Kāinga Ora has secured a 15 minute slot in Hearing Stream 2 in case the Panel has questions about its position. However, in light of the submissions below, if the Panel has no questions Kāinga Ora would be happy for that submission time to be let go.

## 2 “Avoid” statements

### 2.1 Kāinga Ora’s legal submissions for Hearing Stream 1 reserved its position on the use of “avoid” in future hearing streams.<sup>1</sup> The Hearing Stream 2 s 42A reports that address Kāinga Ora’s submissions about particular “avoid” statements note this approach.<sup>2</sup>

### 2.2 Kāinga Ora has considered the reasons expressed by the reporting officers for the Natural Character and Public Access Chapters, and the Natural Features and Landscapes Chapter. It is content to accept the reasoning and does not intend to present a contrary viewpoint at the hearing.

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<sup>1</sup> Kāinga Ora’s submissions dated [insert] at [4.6].

<sup>2</sup> See for example “Officer’s Report: Natural Character Chapter and Public Access Chapter” at [50].

### 3 Papakāinga

3.1 GRZ-R10 and MRZ-R12 of the PDP limit papakāinga as a permitted activity to land held under Te Ture Whenua Māori Act 1993:

Activity status: **Permitted**

Where:

- a. The site is held under Te Ture Whenua Māori Act 1993;
- b. The gross floor area of all commercial activities does not exceed 100m<sup>2</sup> per site; and
- c. The gross floor area of all community facilities does not exceed 200m<sup>2</sup> per site.

3.2 As recorded in its submission, Kāinga Ora supports enabling papakāinga through a permitted activity rule. Kāinga Ora recognises that papakāinga has a wide range of social and cultural benefits. It provides affordable housing while also supporting connection between people and their whenua.

3.3 Underlying Kāinga Ora's submission is a view that papakāinga should be enabled to the fullest extent possible. It considers that removing clause 1(a) of both GRZ-R10 and MRZ-R12 would better recognise the benefits of papakāinga.

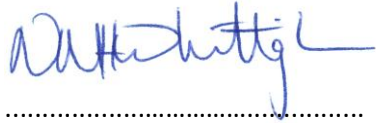
3.4 Kāinga Ora understood that its position was supported by the further submissions of Te Rūnanga o Toa Rangatira to the following effect:

TROTR supports the notion that papakāinga should not be limited only to land held under Te Ture Whenua Māori Act 1993 because papakāinga extends to a collective form of Māori living, not necessarily the land which Māori live on. We want to build papakāinga throughout Porirua, including on land that might not be held under Te Ture Whenua Māori Act 1993 because it's about the collective community living together.

3.5 However, Kāinga Ora now understands that these further submissions have been withdrawn. Kāinga Ora does not necessarily accept the reporting officer's opinion that liberalising these provisions in order to further enable papakāinga would "undermine" the special relationship Ngāti Toa has with the whenua (or

create administrative difficulties in relation to building consent applications).  
But it is content to defer to the position of Te Rūnanga o Toa Rangatira, the  
expert on papakāinga in the Porirua context.

Date: 15 October 2021



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Nick Whittington  
Counsel for Kāinga Ora – Homes and Communities