

Under the Resource Management Act 1991

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

Evidence of Brendon Scott Liggett on behalf of Kāinga Ora – Homes and Communities

19 November 2021

Hearing Stream 3 – Wednesday 8 December at 1.30pm

**MEREDITH
CONNELL**

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1 Introduction

1.1 My name is Brendon Scott Liggett. I hold the position of Manager Development Planning at Kāinga Ora – Homes and Communities. I hold a Bachelor of Planning from the University of Auckland. I have held roles in the planning profession for the past 19 years and have been involved in advising on issues regarding the RMA and District Plans.

1.2 My experience includes four years in various planning roles within local government. For the past 15 years I have been employed by Kāinga Ora (formerly as Housing New Zealand).

1.3 I have been providing development planning expertise within Kāinga Ora (as Housing New Zealand) since 2006. In this role I have:

- (a) Undertaken assessment and identification of redevelopment land within the portfolio.
- (b) Provided input into Kāinga Ora’s strategic land planning, including the Asset Management Strategy, various investment and land use frameworks, and various structure plan processes.
- (c) Provided advice on, and management of, the regulatory planning processes associated with Kāinga Ora’s residential development projects.
- (d) Managed engagement with local authorities, local communities and other agencies on matters relating to regulatory policy frameworks associated with residential development.
- (e) Provided advice on, and management of, Kāinga Ora’s input into strategic planning activities including plan changes and plan review processes throughout the country, including technical lead and project management of Kāinga Ora’s submissions to the Proposed Auckland Unitary Plan and Christchurch District Plan review, as well as more recent plan review processes throughout the country.

2 Scope of evidence

- 2.1 Because this is my first statement of evidence in the Porirua District Plan process, I first provide some high level information about Kāinga Ora and its interest in the Porirua District Plan process. In the future Hearing Stream or process that addresses residential zoning and housing matters, I will provide more detailed information on those issues. I then provide evidence supporting Kāinga Ora's position on the treatment of flood hazard mapping within the Plan.

3 Background to Kāinga Ora

- 3.1 Kāinga Ora was formed in 2019 as a statutory entity established under the Kāinga Ora-Homes and Communities Act 2019, and brings together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Kāinga Ora is a Crown entity under the Crown Entities Act 2004 and is required to give effect to Government policy.
- 3.2 The first Government Policy Statement on Housing and Urban Development ("GPS-HUD") was published on 28 September 2021 and is intended to provide a shared vision and direction across housing and urban development and to guide and inform the actions of all those who contribute. It sets out how Government and other parts of the housing and urban development system will work together to realise this vision. The GPS-HUD will shape future government policy, investment and will direct Kāinga Ora's work programme.
- 3.3 Kāinga Ora is the Government's delivery agency for housing and urban development. Kāinga Ora therefore works across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:
- (a) being a world class public housing landlord; and
 - (b) leading and coordinating urban development projects.
- 3.4 Kāinga Ora's statutory objective requires it to contribute to sustainable, inclusive, and thriving communities that:

- (a) provide people with good quality, affordable housing choices that meet diverse needs;
- (b) support good access to jobs, amenities, and services; and
- (c) otherwise sustain or enhance the overall economic, social, environmental, and cultural wellbeing of current and future generations.

3.5 Kāinga Ora owns or manages approximately 68,100 properties throughout New Zealand.¹ This includes its Community Group and Transitional Housing.

4 Porirua City's Proposed District Plan

4.1 Kāinga Ora has lodged a comprehensive submission on the Proposed District Plan. The submission is not limited to furthering the operational and development needs of Kāinga Ora, but also seeks to enable urban development outcomes more generally across Porirua that contribute to a well-functioning urban environment. In regard to Kāinga Ora's operational and development needs, submission points focus on those provisions whose amendment will facilitate Kāinga Ora to economically and socially manage and reconfigure its housing portfolio to enable provision of warm, dry, and healthy homes that are in the right location, right condition, of the right type, and supported by the right infrastructure to meet the current and future needs of those people requiring public housing assistance. A broad range of submission points further seek to enable the development of affordable housing more generally in Porirua, provide for intensification in areas of high accessibility and amenity, and ensure the planning framework of the Proposed Plan efficiently enables the use of urban land over the period in which this Plan will be operative.

4.2 Porirua City is a priority area for Kāinga Ora. Kāinga Ora has a general interest in increasing housing supply in the City to assist in alleviating the region's housing crisis. Within Porirua, Kāinga Ora owns a portfolio of approximately 2,600 dwellings.

4.3 As a large residential landowner in Porirua, Kāinga Ora recognises the importance of the District Plan in setting the planning framework for enabling

¹ Annual Report 2020-2021, Kāinga Ora – Homes and Communities.

and managing future development as well as achieving sustainable development of Porirua's natural and physical resources.

- 4.4 The creation of a planning framework that provides for efficient, adaptable, and flexible use of residential land will allow for the evolution of urban environments with greater social and cultural vitality, thereby reducing deprivation in low socio-economic communities.
- 4.5 Relevantly to this hearing stream, Kāinga Ora's approach is to seek to ensure that planning frameworks set up in the Proposed Plan are as efficient and effective as possible.

5 Flood hazard mapping

- 5.1 Flood hazard mapping is an area in which Kāinga Ora does not consider the notified Plan is as efficient and effective as it could be.
- 5.2 Kāinga Ora's position is stated in its submission as follows:

Including Flood Hazard overlays in the PDP ignores the dynamic nature of flood hazards and will create unnecessary additional cost and uncertainty for landowners and land developers. Kāinga Ora accepts that it is appropriate to include rules in relation to flood hazards but seeks that the rules are not linked to static maps...

- 5.3 As part of the Eastern Porirua Regeneration Project ("EPRP")², Kāinga Ora undertakes a substantial amount of work reducing the impact of overland flow paths. As part of the EPRP, Kāinga Ora with Porirua City Council and Wellington Water undertook an assessment and developed a stormwater infrastructure plan for the Eastern Porirua catchment, which broadly covers Porirua East, Cannons Creek, Waitangirua and Ascot Park. Based on this, Kāinga Ora will be undertaking a number of projects for the management of stormwater in Eastern Porirua. These projects will mitigate the flood hazard risks to public safety and property damage, improve the quality of water, improve public amenity, and improve the community's connection with waterways. A large stormwater diversion is currently being undertaken as part of a Kāinga Ora development on Esk Place in Cannons Creek. This will alleviate flooding along Calliope Crescent by diverting flows to Cannons Creek Park where it can be managed and treated

² The Eastern Porirua Regeneration Programme ("EPRP") is a 25-year programme of work being undertaken in partnership between Kāinga Ora, the Council and Ngāti Toa Rangatira within Eastern Porirua.

through a wetland and discharged to Kenepuru Stream. This work reduces risk not only to properties owned by Kāinga Ora but also significant numbers of neighbouring properties.

- 5.4 The upshot is that by the time the project is concluded the District Plan maps would no longer depict accurately the flood risks in that area. However, as proposed by the Council, the notified rules of the natural hazard section will continue to apply to the site when in fact the overland flow path and any associated flood hazard ponding (inundation) no longer would actually exist on the properties identified in the planning maps.
- 5.5 Kāinga Ora is not the only party undertaking this kind of work.
- 5.6 It is incongruous that having invested significantly in mitigating stormwater hazards in Eastern Porirua that Kāinga Ora would have to undertake a Schedule 1 process to have this recognised in planning maps or wait for Porirua City Council to undertake a plan change. There is unnecessary cost, time and resources expended undertaking numerous plan changes under a Schedule 1 process of the RMA to amend planning maps in the District Plan every time projects such as the one described above reduce or resolve a number of the overland flow paths and flood ponding issues across Porirua. This also will impact the resource consenting process when Council is processing resource consents – the applicant and the Council processing planner will still need to do an assessment and show evidence that the flood hazards no longer apply.
- 5.7 Kāinga Ora is of the view that the approach it is seeking will also assist the Council to better manage flood hazards where the risk increases due to works elsewhere in the catchment or simply because of climate change. The increased risk area will not be depicted in the Plan’s maps until a Schedule 1 process is undertaken. Land use activities may have been undertaken without a due consideration of the flood risk profile of the activity.
- 5.8 Kāinga Ora understands that the s 42A report writer considers that including flood hazard overlays in a plan is “national best practice”. Kāinga Ora does accept that the s42A has recorded what is the “traditional” approach, but this is not, or no longer, “national best practice”. In fact, a range of approaches are taken, and the trend is moving away from the inclusion of flood hazard maps (spatial overlays) in a plan. Auckland Council, for example, has in the Auckland

Unitary Plan taken the approach Kāinga Ora is suggesting and recently Tauranga City Council has taken a similar approach in its City Plan.

- 5.9 The benefits of this approach include quick and easy updating of flood hazard information, including spatial mapping of the most accurate information. Kāinga Ora does not consider or agree that its suggested approach produces uncertainty for plan users or raises natural justice concerns.

6 Conclusion

- 6.1 The position suggested by Kāinga Ora would result in more flexible and adaptable flood hazard planning. This improves the Council's ability to manage flood hazards, rather than hindering its ability to do so.

Date: 19 November

2021

A handwritten signature in black ink, appearing to be 'BSL', written over a horizontal dotted line.

Brendon Scott Liggett