

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson (Chair)

David McMahon

Mark St Clair

Julia Williams

SUBJECT:

Proposed Porirua District Plan: Hongoeka Zone

PREPARED BY:

Torrey James McDonnell

REPORT DATED:

14 April 2022

DATE OF HEARING:

16 to 27 May 2022

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant provisions of the Proposed Porirua District Plan (PDP) as they apply to this Chapter. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on this Chapter. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
 - a. Enabling residential units;
 - b. Providing for community corrections facilities;
 - c. Amendments sought to the wording of objectives;
 - d. Amendments sought to policies, including enabling additional activities;
 - e. Amendments sought to rules to increase GFA for permitted activities, and to amend the activity status of various activities; and
 - f. Amendments to standards to enable cultural elements.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. This Chapter is also subject to consequential amendments arising from Hearing Stream 2 where an advice note is recommended to be added to this chapter to provide users with a cross reference from MPZ-O5 to related provisions in the PDP.
5. I have recommended some changes to the PDP provisions to address matters raised in submissions and these are summarised below:
 - a. Adding community corrections facilities as a discretionary activity;
 - b. Amendments to MPZ-O1 and MPZ-O4;
 - c. Amendments to MPZ-P2 and MPZ-P3; and
 - d. Amendments to MPZ-S1 to exempt cultural elements such as pou and tekoteko from the minimum permitted height standard.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
7. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
 - a. achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - b. achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

| Abbreviation | Means |
|------------------------|---|
| the Act / the RMA | Resource Management Act 1991 |
| the Council | Porirua City Council |
| the Operative Plan/ODP | Operative Porirua District Plan 1999 |
| the Proposed Plan/PDP | Proposed Porirua District Plan 2020 |
| GWRC | Greater Wellington Regional Council |
| NES | National Environmental Standard |
| NES-AQ | National Environmental Standards for Air Quality 2004 |
| NES-CS | National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 |
| NES-ETA | National Environmental Standards for Electricity Transmission Activities 2009 |
| NES-FW | National Environmental Standards for Freshwater 2020 |
| NES-MA | National Environmental Standards for Marine Aquaculture 2020 |
| NES-PF | National Environmental Standards for Plantation Forestry 2017 |
| NES-SDW | National Environmental Standards for Sources of Drinking Water 2007 |
| NES-TF | National Environmental Standards for Telecommunication Facilities 2016 |
| NPS | National Policy Statement |
| NPS-ET | National Policy Statement on Electricity Transmission 2008 |
| NPS-FM | National Policy Statement for Freshwater Management 2020 |
| NPS-UD | National Policy Statement on Urban Development 2020 |
| NPS-REG | National Policy Statement for Renewable Electricity Generation 2011 |
| NZCPS | New Zealand Coastal Policy Statement 2010 |
| PNRP | Proposed Wellington Natural Resources Plan (Decisions Version) 2019 |
| RPS | Wellington Regional Policy Statement 2013 |

Table 2: Abbreviations of Submitters' Names

| Abbreviation | Means |
|--------------------------|---|
| Dept of Corrections | Ara Poutama Aotearoa the Department of Corrections |
| DOC | Department of Conservation Te Papa Atawhai |
| FENZ | Fire and Emergency New Zealand |
| Foodstuffs | Foodstuffs North Island Limited |
| Forest and Bird | Royal Forest and Bird Protection Society |
| GWRC | Greater Wellington Regional Council |
| Harvey Norman | Harvey Norman Properties (N.Z.) Limited |
| Heritage NZ | Heritage New Zealand Pouhere Taonga |
| House Movers Association | House Movers section of the New Zealand Heavy Haulage Association Inc |
| Kāinga Ora | Kāinga Ora – Homes and Communities |
| KiwiRail | KiwiRail Holdings Limited |

| | |
|-----------------|---|
| NZDF | New Zealand Defence Force |
| Oranga Tamariki | Oranga Tamariki – Ministry of Children |
| QEII | Queen Elizabeth the Second National Trust |
| RNZ | Radio New Zealand |
| Survey+Spatial | Survey+Spatial New Zealand (Wellington Branch) |
| Telco | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited |
| Transpower | Transpower New Zealand Ltd |
| TROTR | Te Rūnanga o Toa Rangatira |
| Waka Kotahi | Waka Kotahi NZ Transport Agency |
| WE | Wellington Electricity Lines Limited |
| Woolworths | Woolworths New Zealand Limited |

In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this Chapter and to recommend possible amendments to the PDP in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant strategic objectives, objectives, policies, rules, definitions, appendices and maps as they apply to this Chapter. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
12. In preparing this report the author has had regard to recommendations made in other related s42A reports.
13. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

1.2 Author

15. My name is Torrey James McDonnell. My qualifications and experience are set out in Appendix C of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for: Hongoeka and Papakāinga; Open Space and Recreation Zones; Rural Zones; Special Purpose Zone (BRANZ) and Hospital Zone; and the Overview to s32 Evaluation.
18. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to this topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.

21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

22. No expert evidence, literature, legal cases or other material is relevant to this topic.

1.4 Key Issues in Contention

23. A number of submissions were received on the provisions in this Chapter.
24. I consider the following to be the key issues in contention in the Chapter:
 - a. Enabling residential units;
 - b. Providing for community corrections activities;
 - c. Amendments sought to the wording of objectives;
 - d. Amendments sought to policies, including enabling additional activities;
 - e. Amendments sought to rules to increase GFA for permitted activities, and to amend the activity status of various activities; and
 - f. Amendments to standards to enable cultural elements.
25. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

26. At the time of writing this report there hasn't been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this Chapter.
27. This Chapter was developed in partnership with TROTR and the Hongoeka community through the Hongoeka Marae Committee. I have relied on their knowledge of the whenua, and the whānau that whakapapa to Hongoeka.

2 Statutory Considerations

2.1 Resource Management Act 1991

28. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- section 74 Matters to be considered by territorial authority; and
 - section 75 Contents of district plans.
29. As set out in Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Hongoeka and Papakāinga¹. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPSUD and NPSFM. This is also discussed in the Officer's Report: Part A.

2.2 Section 32AA

30. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

¹ Note that submissions relating to Papakāinga were addressed in Section 42A Report - Part B Tangata Whenua Strategic Objectives and Papakāinga, and these were heard at Hearing Stream 2

31. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this Chapter is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

2.3 Trade Competition

32. Trade competition is not considered relevant to this Chapter.
33. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

34. There were 49 original submissions points received on this topic, and no further submissions.

3.1.1 Report Structure

35. Submissions on this Chapter raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
36. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
37. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission point are contained in Appendix B.
38. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submissions table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.
39. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

40. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
- Matters raised by submitters;
 - Assessment;
 - Summary of recommendations; and
 - Section 32AA evaluation.
41. The recommended amendments to the relevant chapter are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.

42. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

3.2 Enabling residential units

3.2.1 Matters raised by submitters

43. Ema Pomare [219.11] seeks the council give primacy in its district plan to the owners' ability to utilise lands in the Māori Purpose Zone at Hongoeka for housing, where natural hazard zones permit, and:

are not rendered similarly unobtainable by giving preference to 'Coastal High Natural Character Areas' e.g. newly regenerated bush, limiting the number of dwellings per block or other such impediments

44. Te Whānau Horomona [249.16] seeks that MPZ – R7 1(a) be deleted. The submitter gives the following reason in their submission:

Limiting the number of residential units to a maximum of three significantly limits the ability for papakāinga development - particularly on Māori land which is typically both a) of a large size, and b) owned by more than three people. It is also unusual for a papakāinga-style development to have only three (or less) dwellings within it.

We consider the number of residential units on a site to be more appropriately managed by the carrying capacity of each site, including adherence to the existing development standards within the MPZ chapter. These restrictions, specifically the building height, height in relation to boundary, and wastewater provisions will restrict development to a level that ensures over-development of a site does not occur.

3.2.2 Assessment

45. I consider that the limit of three units for residential activity is appropriate. This was consulted on with the Hongoeka community and TROTR, where it was agreed that not having a limit on residential units for residential activity may result in unintended outcomes if the land is sold on the open market.
46. The papakāinga provisions provide a way to develop land without restriction on units provided it remains in Māori ownership in the long term. This chapter applies to all of Ngāti Toa's ancestral land in Porirua, including Hongoeka.
47. While the Zone takes an enabling approach, the PDP takes a balanced approach towards nationally significant matters, including those outlined in section 6 of the RMA and in national direction. Coastal High Natural Character areas have been identified and protected in accordance with the RPS and NZCPS. This is outlined in the Section 32 Evaluation for the Coastal Environment.

3.2.3 Summary of recommendations

48. I recommend that the submission from Ema Pomare [219.11] be **accepted in part**.
49. I recommend that the submission from Te Whānau Horomona [249.16] be **rejected**.

3.3 Providing for community corrections facilities

3.3.1 Matters raised by submitters

50. The Department of Corrections [135.18] seeks that community corrections activities are a discretionary activity in this zone.

3.3.2 Assessment

51. This requested amendment has been discussed with representatives of the Hongoeka Marae Committee. In their opinion, this change is appropriate as these types of activities could be appropriate if they were undertaken by a Government department in consultation with the Marae Committee.

3.3.3 Summary of recommendations

52. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Add** Community Corrections Facilities to the Hongoeka Zone as a Discretionary Activity as outlined below and in Appendix A.

| | |
|----------------|---|
| MPZ-R26 | Community Corrections Facilities |
|----------------|---|

| | |
|--|--|
| | 1. Activity status: Discretionary⁶ |
|--|--|

53. I recommend that the submission from the Department of Corrections [135.18] be **accepted**.

3.3.4 Section 32AA evaluation

54. In my opinion, the amendments to the Chapter are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:
- a. They will provide a clear consenting pathway for an activity that could occur at Hongoeka that could potentially provide social and cultural benefits to the community provided the effects are appropriately managed.
 - b. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.
 - c. Consequently, they are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.4 MPZ-O1 - Purpose of the Māori Purpose Zone (Hongoeka)

3.4.1 Matters raised by submitters

55. TROTR [264.111] seeks the addition of "waahi tapu and taonga" at the end of the objective.
56. Ema Pomare [219.2] seeks the objective be amended to refer to "legal owners" being able to "establish and maintain" an ongoing relationship with their land.

3.4.2 Assessment

57. I agree that the additional words suggested by TROTR would further clarify the purpose of the zone.
58. I agree with Ema Pomare that the addition of the term "establish" is appropriate, as ownership is multi-generational and future generations will want to establish a relationship with the whenua.
59. However, I consider that the addition of "legal owners" is not necessary as ownership or the permission of owners is necessary to subdivide, use and develop land.

3.4.3 Summary of recommendations

60. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** MPZ-O1 as outlined below and in Appendix A:

MPZ-O1 Purpose of the Māori Purpose Zone (Hongoeka)

The Māori Purpose Zone (Hongoeka) provides for a range of activities that specifically meet Māori cultural needs, including social, cultural and economic development, and allows Hongoeka whānau to **establish and²** maintain an ongoing relationship with their ancestral land, **waahi tapu and taonga³**.

61. I recommend that the submission from TROTR [264.111] be **accepted**.
62. I recommend that the submission from Ema Pomare [249.9] be **accepted in part**.

3.4.4 Section 32AA evaluation

63. In my opinion, for the reasons provided in my evaluation, the amendments to MPZ-O1 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, as explained in my evaluation, I consider that the amendments will better articulate the purpose of the Zone. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

3.5 MPZ-O2 - Character and amenity values of the Māori Purpose Zone (Hongoeka)

MPZ-O2 Character and amenity values of the Māori Purpose Zone (Hongoeka)

The Māori Purpose Zone (Hongoeka) is a place where:

1. Tangata whenua are able to exercise kaitiakitanga and tikanga Māori;
2. The Marae and Whareniui are the cultural and spiritual centre of the community;
3. The whenua is managed in accordance with mātauranga Māori;
4. The natural environment flourishes; and
5. There is a village character which is less serviced by urban infrastructure such as footpaths and street lights.

3.5.1 Matters raised by submitters

64. Te Whānau Horomona [249.10] seek a fairly substantial rewording of MPZ-O2 as follows:

The Māori Purpose Zone (Hongoeka) is a place where:

1. Tangata whenua values, mātauranga, and intergenerational wellbeing are priorities in all decision-making processes relating to development within this zone
2. The natural environment flourishes alongside development that supports the physical, cultural, social, spiritual, and economic wellbeing of tangata whenua
3. Urban infrastructure exists at a level appropriate for a small residential community, with a focus on equity
4. Places and spaces of cultural and spiritual significance to
We are central to this place's identity and amenity value

65. The reasons given by the submitter are:

- *We assert that tangata whenua should be able to exercise their kaitiaki responsibilities and practice tikanga Māori across the entirety of their takiwā – not just within MPZs. This objective infers that their rights as mana whenua are only applicable within the confines of the MPZ – which we strongly oppose*
- *The terms marae and whareniui are both misspelt and used incorrectly contextually.*
- *We aspire to manage the entirety of our takiwā – not just the MPZ in accordance with mātauranga Māori. This objective infers that our rights as mana whenua are only applicable within the confines of the MPZ – which we strongly oppose.*
- *We consider that, as equal ratepayers, they should be afforded the same level of infrastructure as other residential and mixed-use developments. For this reason, we strongly oppose this objective and its suggestion that the MPZ should be afforded a lower level of infrastructure such as footpaths and streetlights*

66. Ema Pomare [219.3] opposes the fifth criterion in MPZ-O5: "There is a village character which is less serviced by urban infrastructure such as footpaths and street lights." They oppose this as:

Concerned that this particular characterization of the MPZ may lead to systematic under-resourcing of amenities/services to this community, and may too heavily

preclude what is deemed a permitted or inappropriate activity. Opposes the inclusion of this article. Particularly important that the MPZ Amenity Values are widely agreed upon by the community and are not able to be misconstrued/misinterpreted - as all activities, permitted or not, are categorized as such under their auspices.

3.5.2 Assessment

67. This objective was drafted to be consistent with the Hongoeka village plan (page 9), as well as to reflect the current and desired character of the Village. It was consulted on with the Marae Committee and community before the PDP was notified.
68. However, in further consultation with the Hongoeka Marae Committee, I consider that some of these changes sought could better reflect the character of the Zone while still being consistent with the 2012 Hongoeka Village Plan².
69. I do not agree with the submitter that the wording of MPZ-O2-1 limits the exercise of mana whenua to this Zone. The Tangata Whenua Chapter and Strategic Objectives make it clear that Ngāti Toa exercises its mana whenua across the entire City. However, I consider that criterion 1 should be amended to incorporate the concept of “intergenerational wellbeing” in addition to kaitiakitanga and tikanga Māori. The concept of mātauranga Māori is already provided for in criterion 3 so I do not consider this needs to be added to criterion 1.
70. I agree with adding the wording to criterion 4 to balance the natural environment with the wellbeing of tangata whenua, although I consider that the term ‘wellbeing’ sufficiently encompasses the list outlined by the submitter: “physical, cultural, social, spiritual, and economic”.
71. I also agree that criterion 5 should be reworded. Hongoeka is a village kāinga and is semi-urban in character. The community wishes to retain this unique character rather than becoming like any other suburb of Porirua. The intent of criterion 5 was not to aim for a low-level of servicing, but rather to reflect the semi-urban nature of the village. The Marae Committee in fact seeks improvements to infrastructure including storm and wastewater infrastructure, communications, and roading. I have recommended some amendments to make this point more concisely.

3.5.3 Summary of recommendations

72. I recommend for the reasons given in the assessment, that the Hearings Panel:
 - a. **Amend** MPZ-O2 as outlined below and in Appendix A.

² Hongoeka Marae Committee (2012) Hongoeka Community Plan. Website:
https://porirua.govt.nz/documents/490/Village_Planning_-_Hongoeka_Community_Plan_2012.pdf

MPZ-O2 Character and amenity values of the Māori Purpose Zone (Hongoeka)

The Māori Purpose Zone (Hongoeka) is a place where:

1. Tangata whenua are able to exercise kaitiakitanga, intergenerational wellbeing⁵, and tikanga Māori;
2. The Marae and Wharenui are the cultural and spiritual centre of the community;
3. The whenua is managed in accordance with mātauranga Māori;
4. The natural environment flourishes alongside development that supports the wellbeing of tangata whenua⁶; and
5. There is a village character which is less-serviced by urban semi-urban in nature, including infrastructure such as footpaths and street lights.⁷

73. I recommend that the submissions from Ema Pomare [219.3] and Te Whānau Horomona [249.10] be **accepted in part**.

3.5.4 Section 32AA evaluation

74. In my opinion, for the reasons provided in my evaluation, the amendments to MPZ-O2 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, as explained in my evaluation, I consider that the amendments will better articulate the character of the Zone. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

3.6 MPZ-O4 - Use and development

3.6.1 Matters raised by submitters

75. Te Whānau Horomona [249.11] and TROTR [264.112] both seek alternative wording to the phrase “maintains the values of the natural environment”.
76. Te Whānau Horomona [249.11] seeks that the objective is reworded to ensure use and development of land is undertaken in a way that:

upholds the mana of the natural environment. This includes strengthening the relationship between tangata whenua and their whenua through development of papakāinga-style settlements.

77. While TROTR [264.112] seeks that the objective is reworded to ensure use and development of land is undertaken:

“in a way that respects the unique history of Hongoeka and is consistent with tikanga māori” rather than “maintains the values of the natural environment”.

3.6.2 Assessment

78. I agree with TROTR that use and development should be undertaken in the Zone in a way that respects the unique history of Hongoeka and is consistent with tikanga Māori. However, I do

not consider that the reference to the natural environment should be removed as this is a part of the character of the area as outlined in MPZ-O2.

79. I consider that the changes sought by Te Whānau Horomona are unnecessary as they are already comprehensively covered by other objectives. The relationship of tangata whenua and their ancestral land is covered by MPZ-O1 and TW-O3. The development of papakāinga is covered by TW-O3 and PK-O1.

3.6.3 Summary of recommendations

80. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** MPZ-O4 as outlined below and in Appendix A:

| MPZ-O4 | Use and development |
|--------|---------------------|
|--------|---------------------|

Use and development of land is undertaken in a way that maintains the values of the natural environment, respects the unique history of Hongoeka, and is consistent with tikanga Māori.⁸

81. I recommend that the submissions from Te Whānau Horomona [249.11] and TROTR [264.112] be **accepted in part**.

3.6.4 Section 32AA evaluation

82. In my opinion, for the reasons provided in my evaluation, the amendments to MPZ-O4 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, as explained in my evaluation, I consider that the amendments will better articulate what use and development of land would be appropriate in this Zone. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

3.7 MPZ-O5 - Recognition of natural environmental overlays

3.7.1 Matters raised by submitters

83. TROTR [264.113] seeks "natural environmental overlays" in the heading be replaced with "kaitiakitanga", as well as the:

Wording of the objective to be replaced with "recognise and provide for the exercise of kaitiakitanga by Hongoeka whanau to protect ecological values and indigenous biodiversity, while enabling appropriate use and development of the Zone for cultural purposes, including papakainga."

3.7.2 Assessment

84. I consider that this would be a significant change in policy settings and would be inconsistent with related provisions throughout the PDP. My view is that the amendments sought refocus

the objective too much on s6(e) and seek to elevate it above other s6 matters. The objective as notified balances 6(e) with 6(a), 6(b) and 6(c) which I consider is appropriate.

85. I consider the approach to balancing section 6 matters is appropriate as outlined in Section 9 of the s32 Evaluation for Hongoeka and Papakāinga, as well as s32 evaluation reports for Ecosystems and Indigenous Biodiversity (section 5.2.3 and 8.4) and Natural Features and Landscapes (section 7.4).

3.7.3 Summary of recommendations

86. I recommend that the submission from TROTR [264.113] be **rejected**.

3.8 MPZ-P2 - Buildings and structures

3.8.1 Matters raised by submitters

87. Te Whānau Horomona [249.13] seeks the following amendment:

Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, ~~pou~~ cultural markers (such as pou), Māori-medium educational facilities, small-scale social, commercial, and community facilities, marae and accessory buildings.

88. Te Whānau Horomona [249.13] give the following reason for their requested amendment:

Consider that this policy should be widened to incorporate the full scope of land uses within a papakāinga. This includes social and community facilities such as health clinics or sports facilities (i.e. rec centre), small-scale commercial activities such as a corner dairy, and Māori medium education facilities such as kōhanga reo. These types of buildings and structures are key elements of a sustainable Māori community, and reflect the types of land uses permitted in MPZs in other parts of the country.

3.8.2 Assessment

89. I agree with the submitter that specifying small scale commercial, educational and community facilities in the policy is appropriate. I consider that this gives a better policy "line of sight" to relevant permitted activities for these rules.
90. I also agree that pou are just one form of cultural marker, there are others such as tekoteko which should be a permitted activity. I therefore agree with the submitter that this term should be broadened.
91. However, do not think the qualifier "Māori-medium" is needed if the policy refers to educational facilities more broadly.

3.8.3 Summary of recommendations

92. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** MPZ-P2 as outlined below and in Appendix A:

| MPZ-P2 | Buildings and structures |
|--------|--------------------------|
|--------|--------------------------|

Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, ~~pou~~ cultural markers (such as pou), small-scale commercial, community and educational facilities⁹, marae and accessory buildings.

93. I recommend that the submission from Te Whānau Horomona [249.13] be **accepted in part**.

3.8.4 Section 32AA evaluation

94. In my opinion, the amendments recommended to MPZ-P2 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

95. For the reasons provided in my evaluation, I consider that the amendments better reflect the range of activities already intended to be enabled as permitted activities in the notified provisions, and therefore better provide for cultural and social outcomes. Therefore the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.9 MPZ-P3 - Potentially inappropriate activities

3.9.1 Matters raised by submitters

96. Ema Pomare [219.10] opposes MPZ-P3. While not seeking a specific decision, the submitter states that they oppose this policy because “the wording of this provision is confusing, counter-intuitive and is therefore open to misinterpretation”.

97. Te Whānau Horomona [249.14] seek a number of amendments to MPZ-P3:

Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka), where it can be demonstrated that they are appropriate, having regard to:

1. The benefits, such as intergenerational wellbeing for tangata whenua, the planting and fencing of erosion-prone land and the protection of areas of cultural or spiritual significance to tangata whenua, indigenous vegetation, wetlands and riparian areas;

2. Whether there is adequate infrastructure and services available to service the activity, including onsite servicing where reticulated services are not available

3. The management of the natural environment in accordance with tangata whenua values and mātauranga

4. The site design, layout and scale of the activity;

~~5. The retention of areas of indigenous vegetation where practicable;~~

6. Avoiding constraints on the establishment of activities otherwise anticipated within the Māori Purpose Zone (Hongoeka); and

7. Any measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone, including sensitive activities.

98. The submitter gives the following reason for this relief sought:

Consider this policy to be prioritising the natural environment over the purpose of the MPZ –that is, to enable tangata whenua to strengthen their connection with their whakapapa through returning to live on their ancestral whenua. The proposed amendments rebalance this focus, and better enable the purpose of this zone to be met

3.9.2 Assessment

99. I agree with the changes sought by Te Whānau Horomona, but not necessarily for the reasons stated by the submitter. I do not consider that the policy prioritises the natural environment over the purpose of the Zone. However, I consider that their changes better align this policy with the recommend amendments to MPZ-O2. I consider that the focus on the “management of the natural environment in accordance with tangata whenua values and mātauranga” is more in line with the objectives of this Zone than “retaining indigenous vegetation where practicable”. The protection of natural environment values is also addressed through the s6 overlays.
100. In regard to the submission from Ema Pomare, I consider that this policy is consistent with similar policies across the Plan that provide decision makers with a range of matters to consider when assessing potentially inappropriate activities. I do not agree that the policy is “confusing, counter-intuitive and is therefore open to interpretation”. While I acknowledge that there will be some interpretation required on the part of the plan user as it relates to a particular activity or site, I consider that the matters are clearly articulated subject to the recommended amendments below.

3.9.3 Summary of recommendations

101. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** MPZ-P3 as outlined below and in Appendix A:

MPZ-P3 Potentially inappropriate activities

Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka), where it can be demonstrated that they are appropriate, having regard to:

1. The site design, layout and scale of the activity;
2. Whether there is adequate infrastructure and services available to service the activity, including on-site servicing where reticulated services are not available;
3. ~~The retention of areas of indigenous vegetation where practicable;~~ The management of the natural environment in accordance with tangata whenua values and mātauranga;
4. The benefits, such as intergenerational wellbeing for tangata whenua the planting and fencing of erosion-prone land and the protection of areas of cultural or spiritual significance to tangata whenua,¹⁰ indigenous vegetation, wetlands and riparian areas;
5. Avoiding constraints on the establishment of activities otherwise anticipated within the Māori Purpose Zone (Hongoeka); and
6. Any measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone, including sensitive activities.

102. I recommend that the submission from Te Whānau Horomona [249.14] be **accepted**.

103. I recommend that the submission from Ema Pomare [219.10] be **rejected**.

3.9.4 Section 32AA evaluation

104. In my opinion, the amendments recommended to MPZ-P3 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

105. For the reasons provided in my evaluation, I consider that the amendments better align this policy with the recommend amendments to MPZ-O2, and better provide for the cultural and social outcomes sought. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.10 Rules**3.10.1 MPZ-R18 - Papakāinga****3.10.2 Matters raised by submitters**

106. Te Whānau Horomona [249.22] seeks additional wording to the end of criteria (b) and (c):

...or 12% of the total site GFA (whichever is larger).

107. The submitter gives the following reason in their submission:

Consider the conditions within this rule to be restrictive and overly arbitrary in relation to the mixed-use character of a self-sustaining papakāinga development. MPZ – R18(a), (b), and (c) do not consider the various needs of a community who aspire to thrive upon their whenua. It also does not take into consideration the varying size of land blocks.

For this reason, agree that the predominant land use within a papakāinga development should be residential. Therefore, agree that a site percentage be used alongside a site coverage metric to retain this character. This will allow papakāinga to develop at a scale appropriate to the size of their site (and the associated community they serve).

3.10.3 Assessment

108. I consider that this would be inconsistent with the threshold set through community consultation. Further, the threshold requested could result in potentially unintended outcomes on the larger blocks. For example, a 30ha block could have a 3.6ha building as a permitted activity. I consider that there is an insufficient evidence base to support a permitted threshold of this size.

3.10.4 Summary of recommendations

109. I recommend that the submission from Te Whānau Horomona [249.22] be **rejected**.

3.10.5 MPZ-R19 - Commercial service activity & MPZ-R23 - Retail activity

3.10.6 Matters raised by submitters

110. Te Whānau Horomona [249.23, 249.24] seeks commercial service and retail activities be permitted, subject to a 200m² permitted activity threshold.
111. The submitter gives the following reason in their submission:

Consider this activity status to be restrictive in relation to the mixed-use character of a self-sustaining papakāinga development. Consider it more appropriate to treat commercial service activity in the same way other land uses, such as office, food and beverage activity, and entertainment facilities in the MPZ have been treated

3.10.7 Assessment

112. Having discussed this matter with the Hongoeka Marae Committee, I share their view that giving these activities permitted activity status would be inconsistent with the character and purpose of the Zone. I consider that this relief sought would be inconsistent with the activity status set through community consultation.
113. I consider that a discretionary activity status is appropriate due to the potential effects from these activities on the role, function and character of the Zone as outlined in Appendix 2 of the Section 32 Evaluation.

3.10.8 Summary of recommendations

114. I recommend that the submission from Te Whānau Horomona [249.23, 249.24] be **rejected**.

3.10.9 MPZ-R28 - Industrial activity & MPZ-R30 - Intensive indoor primary production**3.10.10 Matters raised by submitters**

115. Ema Pomare [219.7, 219.9] seeks that industrial activity and intensive indoor primary production be discretionary.

116. The submitter gives the following reason in their submission:

Instead of a blanket non-compliance on Industrial Activity the community would be better served by a Discretionary approach here. Hongoeka is uniquely suited to aquaculture ventures, e.g. seaweed farming, that could be beneficial both to the community and environment.

and

A discretionary approach would serve the community better. Intensive indoor horticultural production, or snail farming for example should be permissible. There are many Intensive Indoor Primary production activities that do not cause negative environmental impacts.

3.10.11 Assessment

117. Having discussed this matter with the Hongoeka Marae Committee, I share their view that making these activities discretionary would be inconsistent with the character and purpose of the Zone. I consider that this relief sought would be inconsistent with the activity status set through community consultation.

118. I consider that a non-complying activity status is appropriate due to the potentially significant effects from these activities on the role, function and character of the Zone as outlined in Appendix 2 of the Section 32 Evaluation.

3.10.12 Summary of recommendations

119. I recommend that the submission from Ema Pomare [219.7, 219.9] be **rejected**.

3.10.13 MPZ-R29 - Large format retail activity**3.10.14 Matters raised by submitters**

120. Ema Pomare [219.8] seeks "clarification of classification of bulk retail and retirement villages."

121. While no specific relief is sought in terms of the provisions of the PDP, the submitter says that they agree that Hongoeka is unsuited to Large Format Retail activities e.g. shopping malls, but activities such as bulk retail need clarification as to their classification, as does retirement villages.

3.10.15 Assessment

122. By way of clarification:

- Bulk retail activities such as shopping malls would likely be considered a Large Format Retail Activity under the definitions. It is likely that a shopping mall would have a GFA in excess of 450m² and would therefore be a non-complying activity under MPZ-R29. Otherwise it would be a Retail Activity and would be a discretionary activity under MPZ-R23.
- Retirement villages are a discretionary activity under MPZ-R24.

123. I consider that these activity statuses are appropriate to manage the potential effects from these activities on the role, function and character of the Zone as outlined in Appendix 2 of the Section 32 Evaluation.

3.10.16 Summary of recommendations

124. I recommend that the submission from Te Whānau Horomona [249.23] be **accepted**.

3.11 Standards

3.11.1 MPZ-S1 - Height

3.11.2 Matters raised by submitters

125. Te Whānau Horomona [249.25] seek that cultural elements such as pou and tekoteko be excluded from the minimum permitted height standard MPZ-S1. The reason outlined by submitter that this exemption would ensure that artistic and other traditional expressions of tangata whenua relationships with their whenua are not inadvertently restricted by planning provisions.

3.11.3 Assessment

126. I agree with the reason provided by the submitter and consider that cultural markers such as pou and tekoteko have cultural reasons to exceed the permitted building and structure height. However, I consider that the term "cultural structures" would be more appropriate than "cultural elements" as the standard relates to buildings and structures, and the term "structure" has a definition in the PDP. I consider that the terms pou and tekoteko should be added to the Te Reo Glossary as a consequential change.

3.11.4 Summary of recommendations

127. I recommend that the submission from Te Whānau Horomona [249.25] be **accepted**.

3.11.5 Section 32AA evaluation

128. In my opinion, the amendments recommended to MPZ-P2 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
129. For the reasons provided in my evaluation, I consider that the amendments better reflect the range of activities already intended to be enabled as permitted activities in the notified provisions, and therefore better provide for cultural and social outcomes. Therefore the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.12 Minor Errors

130. No minor errors have been identified that need to be addressed under clause 16 of Schedule 1.

4 Conclusions


131. Submissions have been received in support of, and in opposition to the PDP.
132. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
133. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - b. achieve the relevant objectives of the PDP, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

| Name and Title | | Signature |
|----------------|--|---|
| Report Author | Torrey McDonnell Principal Policy Planner, Porirua City Council |  |

Appendix A. Recommended Amendments to Chapter

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.

Other notes

- An advice note is recommended to be added to this chapter in the Council Reply on Ecosystems and Indigenous Biodiversity - Hearing Stream 2. This advice note will provide users with a cross-referencing from MPZ-O5 to related provisions in the PDP.

MPZ - Māori Purpose Zone (Hongoeka)

Hongoeka is situated at the northern, coastal end of Plimmerton. It consists of a residential area, including the marae and wharenuī, surrounded by six large land blocks, with the area extending from the urupā boundary at the end of Moana Road, to Haukōpua (commonly known as Big Bay). The residential area is situated in Hongoeka Bay itself, in an area of flat land and lower hillsides. It is bordered by bush-clad hills and farmland, and looks out over a broad sweep of rugged coastline towards landmarks Whitireia and Mana Island.

Hongoeka is the last remnant of 10,000 acres (approximately 4,000ha) of native land set aside as a reserve for Ngāti Toa's perpetual benefit by Governor Grey in 1846, while holding Te Rauparaha to ransom. Hongoeka is mostly made up of Māori land blocks with some general land ownership. Many whānau members still live in the area but others have aspirations to come back and live as a whānau unit.

Hongoeka is unique, not only in its history and environment, but also because it is one of the very few places where tangata whenua - the home people - are able to live on their land in close proximity to their home marae. It is also the largest area of Māori owned land in Porirua.

Objectives

Note: provisions relating to MPZ-O5 are:

- NFL-P12 - Māori Purpose Zone (Hongoeka) and Takapūwāhia Precinct
- NFL-P13 - Earthworks, vegetation removal and buildings and structures in the Māori Purpose Zone (Hongoeka) and Takapūwāhia Precinct
- NFL-R5 - Earthworks or land disturbance associated with the development of papakāinga within a Special Amenity Landscape and residential development within the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct
- NFL-R6 - Indigenous vegetation removal associated with the development of papakāinga within a Special Amenity Landscape and residential development in the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct
- NFL-R7 - Buildings and structures for papakāinga development in a Special Amenity Landscape and residential development in the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct
- ECO-P10 - Māori Purpose Zone (Hongoeka) and Takapūwāhia Precinct

| | |
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| <ul style="list-style-type: none"> • ECO-R6 - Removal of indigenous vegetation within a Significant Natural Area within the Māori Purpose Zone (Hongoeka) and the General Residential Zone within the Takapuwhia precinct³ | |
| MPZ-O1 | Purpose of the Māori Purpose Zone (Hongoeka) |
| <p>The Māori Purpose Zone (Hongoeka) provides for a range of activities that specifically meet Māori cultural needs, including social, cultural and economic development, and allows Hongoeka whānau to establish and⁴ maintain an ongoing relationship with their ancestral land, waahi tapu and taonga⁵.</p> | |
| MPZ-O2 | Character and amenity values of the Māori Purpose Zone (Hongoeka) |
| <p>The Māori Purpose Zone (Hongoeka) is a place where:</p> <ol style="list-style-type: none"> 1. Tangata whenua are able to exercise kaitiakitanga, intergenerational wellbeing⁶, and tikanga Māori; 2. The Marae and Whareniui are the cultural and spiritual centre of the community; 3. The whenua is managed in accordance with mātauranga Māori; 4. The natural environment flourishes alongside development that supports the wellbeing of tangata whenua⁷; and 5. There is a village character which is less serviced by urban semi-urban in nature, including infrastructure such as footpaths and street lights.⁸ | |
| MPZ-O3 | Hongoeka is a unique kāinga |
| <p>Hongoeka retains its unique character as the largest area of Māori-owned land in the City where tangata whenua are able to live in close proximity to their home Marae.</p> | |
| MPZ-O4 | Use and development |
| <p>Use and development of land is undertaken in a way that maintains the values of the natural environment, respects the unique history of Hongoeka, and is consistent with tikanga Māori.⁹</p> | |
| MPZ-O5 | Recognition of natural environmental overlays |
| <p>The significant coverage of identified natural environmental overlays across the Māori Purpose Zone (Hongoeka) and the contribution their values make to the wider community is recognised, and the appropriate use and development of the Zone, including papakāinga, is provided for.</p> | |
| Policies | |
| MPZ-P1 | Appropriate activities |

³ Clause 16 minor amendment (consequential amendment - refer Appendix 5, page 1 of Council Reply on Ecosystems and Indigenous Biodiversity - Hearing Stream 2 - Torrey James McDonnell on behalf of Porirua City Council)

⁴ Ema Pomare [219.2]

⁵ TROTR [264.111]

⁶ Te Whānau Horomona [249.10]

⁷ Te Whānau Horomona [249.10]

⁸ Ema Pomare [219.3] and Te Whānau Horomona [249.10]

⁹ TROTR [264.112]

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| Enable activities that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka). | |
| MPZ-P2 | Buildings and structures |
| Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, pou <u>cultural markers (such as pou), small-scale commercial, community and educational facilities¹⁰</u> , marae and accessory buildings. | |
| MPZ-P3 | Potentially inappropriate activities |
| Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka), where it can be demonstrated that they are appropriate, having regard to: <ol style="list-style-type: none"> 1. The site design, layout and scale of the activity; 2. Whether there is adequate infrastructure and services available to service the activity, including on-site servicing where reticulated services are not available; 3. The retention of areas of indigenous vegetation where practicable; <u>The management of the natural environment in accordance with tangata whenua values and mātauranga;</u> 4. The benefits, such as <u>intergenerational wellbeing for tangata whenua</u> the planting and fencing of erosion-prone land and the protection of areas of <u>cultural or spiritual significance to tangata whenua,¹¹</u> indigenous vegetation, wetlands and riparian areas; 5. Avoiding constraints on the establishment of activities otherwise anticipated within the Māori Purpose Zone (Hongoeka); and 6. Any measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone, including sensitive activities. | |
| MPZ-P4 | Avoiding inappropriate activities |
| Avoid activities which are incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka). | |
| Rules | |
| <p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p> <p>Wastewater:</p> <ul style="list-style-type: none"> • All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This | |

¹⁰ Te Whānau Horomona [249.13]

¹¹ Te Whānau Horomona [249.14]

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| <p>Bylaw requires that all on-site wastewater systems within Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.</p> <ul style="list-style-type: none"> Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways. | |
| MPZ-R1 Buildings and structures, including additions and alterations, excluding fences and standalone walls | |
| | <p>1. Activity status: Permitted</p> <p>Where</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. MPZ-S1; ii. MPZ-S2; iii. MPZ-S3; iv. MPZ-S4; and v. MPZ-S5. <p>Except that this rule does not apply to fences and standalone walls which are subject to MPZ-R3.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-S1, MPZ-S2 or MPZ-S3.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| | <p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance not achieved with MPZ-S4 and MPZ-S5.</p> <p>Notification:</p> <ul style="list-style-type: none"> An application under this rule where compliance is not achieved with MPZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA. An application under this rule where compliance is not achieved with MPZ-S4 is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to non-compliance with MPZ-S4 for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Fire and Emergency New Zealand. |
| MPZ-R2 Rainwater tanks | |
| | <p>1. Activity status: Permitted</p> |

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| MPZ-R3 Fences and standalone walls | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with MPZ-S6.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-S6.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the infringed standard.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| MPZ-R4 Construction activity | |
| | <p>1. Activity status: Permitted</p> |
| MPZ-R5 Customary activity | |
| | <p>1. Activity status: Permitted</p> |
| MPZ-R6 Conservation activity | |
| | <p>1. Activity status: Permitted</p> |
| MPZ-R7 Residential activity and residential unit | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. There are no more than three residential units per site.</p> |
| | <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R7-1.a</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| MPZ-R8 Home business | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The home business is undertaken within a residential unit or accessory building;</p> <p>b. There is no more than one staff member who lives off-site; and</p> |

| | |
|-------------------------------------|---|
| | <p>c. No more than 100m² of total gross floor area per site is used for the home business.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R8-1.a, MPZ-R8-1.b or MPZ-R8-1.c.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MPZ-P3.</p> |
| MPZ-R9 Visitor accommodation | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum number of all guests per night does not exceed ten people; and</p> <p>b. The gross floor area per activity does not exceed 200m² per site.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R9-1.a or MPZ-R9-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MPZ-P3.</p> |
| MPZ-R10 Community facility | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per activity does not exceed 200m² per site.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R10-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MPZ-P3.</p> |
| MPZ-R11 Healthcare activity | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per activity does not exceed 200m² per site.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R11-1.a.</p> <p>Matters of discretion are restricted to:</p> |

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| | 1. The matters in MPZ-P3. |
| MPZ-R12 Educational facility | |
| | 1. Activity status: Permitted Where: a. The gross floor area per activity does not exceed 200m ² per site. |
| | 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MPZ-R12-1.a. Matters of discretion are restricted to: 1. The matters in MPZ-P3. |
| MPZ-R13 Entertainment facility | |
| | 1. Activity status: Permitted Where: a. The gross floor area per activity does not exceed 200m ² per site. |
| | 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MPZ-R13-1.a. Matters of discretion are restricted to: a. The matters in MPZ-P3. |
| MPZ-R14 Food and beverage activity | |
| | 1. Activity status: Permitted Where: 1. The gross floor area per activity does not exceed 200m ² per site. |
| | 2. Activity status: Restricted discretionary Where: • Compliance is not achieved with MPZ-R14-1.a. Matters of discretion are restricted to: 1. The matters in MPZ-P3. |
| MPZ-R15 Office | |
| | 1. Activity status: Permitted Where: a. The gross floor area per activity does not exceed 200m ² per site. |
| | 2. Activity status: Restricted discretionary |

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| | <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R15-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MPZ-P3.</p> |
| MPZ-R16 Primary production, excluding quarrying activities, mining, intensive indoor primary production and rural industry | |
| | 1. Activity status: Permitted |
| MPZ-R17 Rural activities other than primary production | |
| | 1. Activity status: Permitted |
| MPZ-R18 Papakāinga | |
| | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The site is held under Te Ture Whenua Māori Act 1993;</p> <p>b. The gross floor area of all commercial activities does not exceed 100m² per site; and</p> <p>c. The gross floor area of all community facilities does not exceed 200m² per site.</p> |
| | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R18-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in PK-P2.</p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| | <p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R18-1.b or MPZ-R18-1.c.</p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| MPZ-R19 Commercial service activity | |
| | 1. Activity status: Discretionary |
| MPZ-R20 Emergency service facility | |
| | 1. Activity status: Discretionary |
| MPZ-R21 Hospital | |
| | 1. Activity status: Discretionary |

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| MPZ-R22 | Pet animal boarding and breeding |
| | 1. Activity status: Discretionary |
| MPZ-R23 | Retail activity |
| | 1. Activity status: Discretionary |
| MPZ-R24 | Retirement village |
| | 1. Activity status: Discretionary |
| MPZ-R25 | Rural industry |
| | 1. Activity status: Discretionary |
| <u>MPZ-R26</u> | <u>Community Corrections Facilities</u> |
| | <u>1. Activity status: Discretionary¹²</u> |
| <u>MPZ-R2627</u> | Any activity not provided for as a permitted, discretionary or non-complying activity |
| | 1. Activity status: Discretionary |
| <u>MPZ-R2728</u> | Drive-through activity |
| | 1. Activity status: Non-complying |
| <u>MPZ-R2829</u> | Industrial activity |
| | 1. Activity status: Non-complying |
| <u>MPZ-R2930</u> | Large format retail activity |
| | 1. Activity status: Non-complying |
| <u>MPZ-R3031</u> | Intensive indoor primary production |
| | 1. Activity status: Non-complying |
| <u>MPZ-R3132</u> | Quarrying activities and mining |
| | 1. Activity status: Non-complying |
| Standards | |
| MPZ-S1 | Height |
| <p>1. All buildings and structures must comply with a maximum height above ground level of 8m, except that:</p> <p>a. An additional 1m can be added to the maximum height of any building with a roof pitch of between 15° and 45°, which rises to a ridge that is centered or within the middle third</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; |

¹² Department of Corrections [135.18]

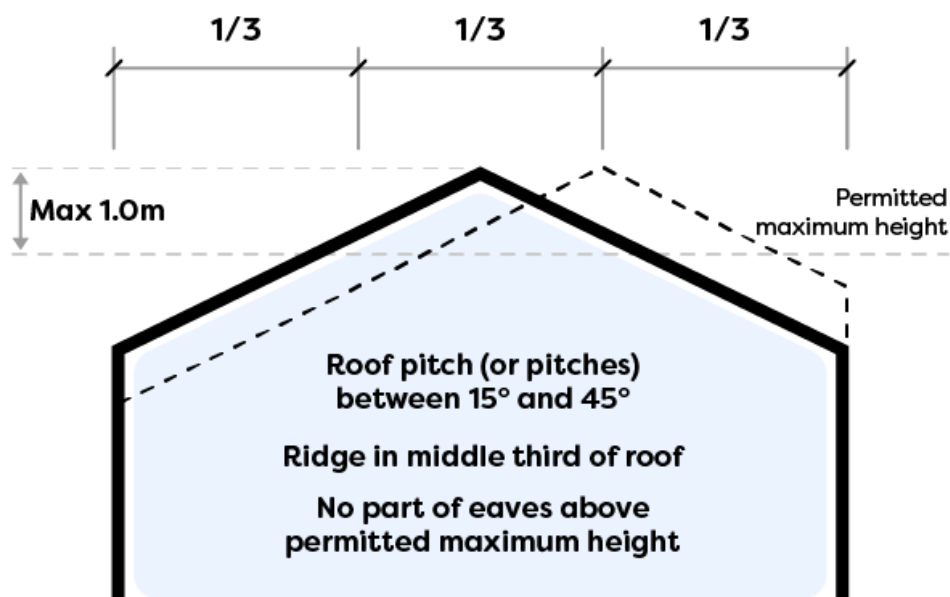
of the building footprint, as illustrated in MPZ-Figure 1 below.

This standard does not apply to:

- [Cultural structures \(such as pou and tekoteko\)](#)¹³
- Solar water heating components provided these do not exceed the height by more than 500mm;
- Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
- Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or
- Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.

4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and
5. Whether topographical or other site constraints make compliance with the standard impractical.

MPZ-Figure1 Diagram showing additional height allowance



MPZ-S2 Height in relation to boundary

1. All buildings and structures must be contained within a line of 45° measured from any point 3m vertically above ground level along site boundaries.

Matters of discretion are restricted to:

- a. Design and siting of the building or structure;
- b. Any shading of, or loss of privacy for, residential units on adjacent sites;

¹³ Te Whānau Horomona [249.25]

| | |
|--|---|
| <p>Exemptions:</p> <ul style="list-style-type: none"> Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side. | <ul style="list-style-type: none"> c. Screening, planting, and landscaping of the building or structure; d. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; and e. Whether topographical or other site constraints make compliance with the standard impractical. |
| MPZ-S3 Setback of buildings and structures | |
| <p>1. Buildings and structures must not be located within 1m from a side boundary.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Fences and standalone walls; Buildings and structures that are no more than 2m² and 2m in height above ground level; or Eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm. | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Design and siting of the building or structure; Any shading of, or loss of privacy for, residential units on adjacent sites; Screening, planting, and landscaping of the building or structure; and Whether topographical or other site constraints make compliance with the standard impractical. |
| MPZ-S4 Firefighting water supply and access | |
| <p>1. All new buildings must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</p> | <p>There are no matters of discretion for this standard.</p> |
| MPZ-S5 On-site services | |
| <p>1. Where a connection to Council's reticulated <u>water and/or</u>¹⁴ wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to</p> | <p>There are no matters of discretion for this standard.</p> |

¹⁴ Porirua City Council [11.68

ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.

MPZ-S6 Fences and standalone walls

1. All fences and standalone walls must not exceed a maximum height above ground level of 2m.

Matters of discretion are restricted to:

1. Design and siting of the fence or standalone wall;
2. Any shading of, or loss of privacy for, residential units on adjacent sites where the fence or stand-alone wall is located on their boundary; and
3. Whether topographical or other site constraints make compliance with the standard impractical.

NFL - Natural Features and Landscapes

NFL-R5 Earthworks or land disturbance associated with the development of papakāinga within a Special Amenity Landscape and residential development within the Māori Purpose Zone (Hongoeka) and the¹⁵ Takapūwāhia Precinct

Māori Purpose Zone (Hongoeka)

General Residential Zone within the Takapūwāhia Precinct

1. Activity status: **Controlled**

Where:

- a. The earthworks are directly required for;
 - i. The development of papakāinga within a Special Amenity Landscape; or
 - ii. For a residential development within a Special Amenity Landscape within the Takapūwāhia Precinct;
- b. The earthworks are outside an identified Coastal High Natural Character area or and Outstanding Natural Feature and Landscape;
- c. The maximum area of earthworks for any development must not exceed a 3000m² area within a Special Amenity Landscape per existing title that existed at 26 August 2020; and
- d. The maximum height of any cut or fill above ground level does not exceed 3.0m.

Matters of control are limited to:

1. The matters in NFL-P12.

¹⁵ Clause 16 minor amendment (minor and technical change to rule title as rule clearly applies to the MPZ)

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| | <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Special Amenity Landscape. |
| <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance is not achieved with NFL-R5-1.c or NFL-R5-1.d; and The maximum area of earthworks directly required for the development of papakāinga does not exceed 1ha in area per existing title that existed at 26 August 2020. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in NFL-P5; The matters in NFL-P11; and The matters in NFL-P12. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Special Amenity Landscape. |
| <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>3. Activity status: Non-complying</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance is not achieved with NFL-R5-1.a, NFL-R5-1.b or NFL-R5-2.b. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Outstanding Natural Feature and Landscape, Coastal High Natural Character Area or Special Amenity Landscape. |
| <p>NFL-R6</p> | <p>Indigenous vegetation removal associated with the development of papakāinga within a Special Amenity Landscape and residential development in the <u>Māori Purpose Zone (Hongoeka) and the</u>¹⁶ Takapūwāhia Precinct</p> |

¹⁶ Clause 16 minor amendment (minor and technical change to rule title as rule clearly applies to the MPZ)

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| | <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. The removal of vegetation is directly required for; <ol style="list-style-type: none"> i. The development of papakāinga within a Special Amenity Landscape; or ii. For a residential development within a Special Amenity Landscape within the Takapūwāhia Precinct; b. The removal of vegetation is outside an identified Coastal High Natural Character Area or Outstanding Natural Feature and Landscape; and c. The maximum area of indigenous vegetation removed for any development must not exceed 3000m² per existing title that existed at 26 August 2020. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in NFL-P13. |
| | <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with NFL-R6-1.a or NFL-R6-1.c <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in NFL-P3; 2. The matters in NFL-P12; and 3. The matters in NFL-P13. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Special Amenity Landscape. |
| | <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>2. Activity status: Non-complying</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with NFL-R6-1.b. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Coastal High Natural Character Area or Outstanding Natural Feature and Landscape or Special Amenity Landscape. |

| NFL-R7 | Buildings and structures for papakāinga development in a Special Amenity Landscape and residential development in the Māori Purpose Zone (Hongoeka) and the¹⁷ Takapūwāhia Precinct | |
|--|--|--|
| <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The buildings and structures are for;</p> <p>i. The development of papakāinga within a Special Amenity Landscape; or</p> <p>ii. For a residential development within a Special Amenity Landscape within the Takapūwāhia Precinct;</p> <p>b. The buildings and structures are outside an identified Coastal High Natural Character Area or Outstanding Natural Feature and Landscape; and</p> <p>c. Compliance is achieved with NFL-S4.</p> <p>Matters of control are limited to:</p> <p>1. The matters in NFL-P13.</p> | |
| <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the Takapūwāhia Precinct</p> | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NFL-R7-1.a or NFL-R7-1.c;</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NFL-P3;</p> <p>2. The matters in NFL-P12; and</p> <p>3. The matters in NFL-P13.</p> <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the characteristics and values of the Special Amenity Landscape. | |
| <p>Māori Purpose Zone (Hongoeka)</p> <p>General Residential Zone within the</p> | <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with NFL-R7-1.b.</p> <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> | |

¹⁷ Clause 16 minor amendment (minor and technical change to rule title as rule clearly applies to the MPZ)

**Takapūwāhia
Precinct**

- An assessment by a suitably qualified landscape architect to assess the proposal against the identified characteristics and values of the Outstanding Natural Feature and Landscape, Coastal High Natural Character Area or Special Amenity Landscape.

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Sought | Section of this Report | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|---|-------------------------------|---|---|------------------------|--------------------------|---|--------------------------------|
| General submissions | | | | | | | |
| 81.860 | Kāinga Ora | General | Retain as notified. | N/A | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 264.71 | TROTR | General | Retain as notified subject to the amendments in other submission points. | N/A | Accept | Agree with submitter | No |
| Enabling residential units | | | | | | | |
| 219.11 | Ema Pomare | General | Seeks the council give primacy in its district plan to the owners' ability to utilise lands in the Māori Purpose Zone at Hongoeka for housing, where natural hazard zones permit. For many the land is all they have. As the cost of housing and land becomes increasingly out of reach it is important that all avenues for settlement remain open and are not rendered similarly unobtainable by giving preference to 'Coastal High Natural Character Areas' e.g. newly regenerated bush, limiting the number of dwellings per block or other such impediments. Makes submissions that support, oppose and offer amendments to the Proposed District Plan. [Refer to original submission for full decision requested, including attachments] | 3.2 | Accept in part | See body of report | No |
| 249.16 | Te Whānau Horomona | MPZ-R7 | Delete MPZ – R7 1(a). | 3.2 | Reject | See body of report | No |
| Providing for community corrections facilities | | | | | | | |
| 119.1 | FENZ | Providing for fire stations | Seeks amendments to sections, as outlined in the Table contained in Appendix A to the submission. While no specific decision sought, the submitter raised the following matter(s): Submitter acknowledges that in special zones such as the Maori Special Purpose Zone, the activity status is discretionary which is seen as appropriate given the zone. | N/A | Accept | Agree with submitter | No |
| 119.2 | FENZ | Providing for firefighter training activities | Seeks that the PPDP clearly provides for firefighter training activities throughout the district. | N/A | Accept | Agree with submitter | No |
| 135.18 | Dept of Corrections | Community corrections activities activity status | Amend the rules to include community corrections activities as a Discretionary Activity in all zones other than City Centre, Mixed Use, Local Centre and General Industrial zones. | 3.3 | Accept | See body of report | Yes |
| Introduction | | | | | | | |
| 64.22 | Latoya Flutey | Introduction; Hongoeka is the last remnant of 10,000 acres [...] | Support. | N/A | Accept | Agree with submitter | No |
| 64.15 | Latoya Flutey | Introduction; Hongoeka is unique, not only in its history and environment, but also [...] | Support. | N/A | Accept | Agree with submitter | No |
| MPZ-O1 | | | | | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Sought | Section of this Report | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|---------------|-------------------------------|-----------|---|------------------------|--------------------------|---|--------------------------------|
| 64.13 | Latoya Flutey | MPZ-O1 | Support. | N/A | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 219.2 | Ema Pomare | MPZ-O1 | Amend objective as follows: ...allowing <u>legal owners</u> to <u>establish and</u> maintain an ongoing relationship with their land. | 3.4 | Accept in part | See body of report | Yes |
| 249.9 | Te Whānau Horomona | MPZ-O1 | Retain as drafted. | N/A | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 264.111 | TROTR | MPZ-O1 | Amend MPZ-O1 as follows: After " ... their ancestral land" add the words "waahi tapu and taonga" at the end of the sentence. | 3.4 | Accept | See body of report | Yes |
| MPZ-O2 | | | | | | | |
| 64.9 | Latoya Flutey | MPZ-O2 | Support. | 3.5 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 249.10 | Te Whānau Horomona | MPZ-O2 | Amend: The Māori Purpose Zone (Hongoeka) is a place where: 1. <u>Tangata whenua values, mātauranga, and intergenerational wellbeing are priorities in all decision-making processes relating to development within this zone</u> 2. <u>The natural environment flourishes alongside development that supports the physical, cultural, social, spiritual, and economic wellbeing of tangata whenua</u> 3. <u>Urban infrastructure exists at a level appropriate for a small residential community, with a focus on equity</u> 4. <u>Places and spaces of cultural and spiritual significance to</u> <u>We are central to this place's identity and amenity value</u> | 3.5 | Accept in part | See body of report | Yes |
| 219.3 | Ema Pomare | MPZ-O2 | Oppose inclusion of article 5 of MPZ-O2. | 3.5 | Accept in part | See body of report | Yes |
| MPZ-O3 | | | | | | | |
| 64.12 | Latoya Flutey | MPZ-O3 | Support. | N/A | Accept | Agree with submitter | No |
| MPZ-O4 | | | | | | | |
| 219.4 | Ema Pomare | MPZ-O4 | Support. | 3.6 | Accept | Accept, subject to amendments made in response to other submissions | No |
| 249.11 | Te Whānau Horomona | MPZ-O4 | Amend: Use and development of land is undertaken in a way that that maintains the values of the natural environment. <u>upholds the mana of the natural environment. This includes strengthening the relationship between tangata whenua and their whenua through development of papakāinga-style settlements.</u> | 3.6 | Reject | See body of report | No |
| 264.112 | TROTR | MPZ-O4 | Amend MPZ-O4 as follows: use and development of the land is undertaken "in a way that respects the unique history of Hongoeka and is consistent with tikanga māori" rather than "maintains the values of the natural environment" | 3.6 | Accept in part | See body of report | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Sought | Section of this Report | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|---------------|-------------------------------|-----------|---|------------------------|--------------------------|---|--------------------------------|
| MPZ-O5 | | | | | | | |
| 64.14 | Latoya Flutey | MPZ-O5 | Support. | N/A | Accept | Agree with submitter | No |
| 219.5 | Ema Pomare | MPZ-O5 | Support. | N/A | Accept | Agree with submitter | No |
| 249.12 | Te Whānau Horomona | MPZ-O5 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 264.113 | TROTR | MPZ-O5 | Amend MPZ-O5 as follows: <ul style="list-style-type: none"> Delete reference to "natural environmental overlays" in the heading and replace with "kaitiakitanga". <p>Wording of the objective to be replaced with "recognise and provide for the exercise of kaitiakitanga by Hongoeka whanau to protect ecological values and indigenous biodiversity, while enabling appropriate use and development of the Zone for cultural purposes, including papakainga."</p> | 3.7 | Reject | See body of report | No |
| MPZ-P2 | | | | | | | |
| 64.10 | Latoya Flutey | MPZ-P2 | Support. | N/A | Accept | Accept, subject to amendments made in response to other submissions | No |
| 249.13 | Te Whānau Horomona | MPZ-P2 | Amend: <p>Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, pou cultural markers (such as pou), Māori-medium educational facilities, small-scale social, commercial, and community facilities, marae and accessory buildings.</p> | 3.8 | Accept in part | See body of report | Yes |
| MPZ-P3 | | | | | | | |
| 219.10 | Ema Pomare | MPZ-P3 | Oppose. | 3.9 | Reject | See body of report | No |
| 249.14 | Te Whānau Horomona | MPZ-P3 | Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka), where it can be demonstrated that they are appropriate, having regard to: <ol style="list-style-type: none"> The benefits, such as <u>intergenerational wellbeing for tangata whenua</u>, the planting and fencing of erosion-prone land and the protection of areas of <u>cultural or spiritual significance to tangata whenua</u>, indigenous vegetation, wetlands and riparian areas; Whether there is adequate infrastructure and services available to service the activity, including onsite servicing where reticulated services are not available <u>The management of the natural environment in accordance with tangata whenua values and mātauranga</u> The site design, layout and scale of the activity; The retention of areas of indigenous vegetation where practicable; Avoiding constraints on the establishment of activities otherwise anticipated within the Māori Purpose Zone (Hongoeka); and Any measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone, including sensitive activities. | 3.9 | Accept in part | See body of report | Yes |
| MPZ-P4 | | | | | | | |
| 249.15 | Te Whānau Horomona | MPZ-P4 | Retain as drafted. | N/A | Accept | Agree with submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Sought | Section of this Report | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|--------------|-------------------------------|---|--|------------------------|--------------------------|----------------------------|--------------------------------|
| Rules | | | | | | | |
| 64.18 | Latoya Flutey | Note: There may be a number of provisions that apply to an activity, building [...] | Support. | N/A | Accept | Agree with submitter | No |
| 64.11 | Latoya Flutey | MPZ-R2 | Support. | N/A | Accept | Agree with submitter | No |
| 249.17 | Te Whānau Horomona | MPZ-R10 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 249.18 | Te Whānau Horomona | MPZ-R11 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 249.19 | Te Whānau Horomona | MPZ-R12 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 134.36 | Ministry of Education | MPZ-R12 | Retain as proposed. | N/A | Accept | Agree with submitter | No |
| 249.20 | Te Whānau Horomona | MPZ-R13 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 249.21 | Te Whānau Horomona | MPZ-R15 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 249.22 | Te Whānau Horomona | MPZ-R18 | Amend: 1. 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 ² per site, <u>or 12% of the total site GFA (whichever is larger); and</u> c. The gross floor area of all community facilities does not exceed 200m ² per site, <u>or 12% of the total site GFA (whichever is larger).</u> | 3.10 | Reject | See body of report | No |
| 64.8 | Latoya Flutey | MPZ-R18 | Support. | N/A | Accept | Agree with submitter | No |
| 249.23 | Te Whānau Horomona | MPZ-R19 | Amend to: 1. Activity status: <u>Permitted</u> Where: a. The gross floor area per activity does not exceed 200m ² per site. | 3.10 | Reject | See body of report | No |
| 119.75 | FENZ | MPZ-R20 | [Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Does not currently operate a station within this zone. Given the cultural significance of this site, it is unlikely that FENZ will develop a station here in future. Generally seeks all fire stations to be a restricted discretionary activity. Discretionary status at this site is considered reasonable. | N/A | Accept | Agree with submitter | No |
| 249.24 | Te Whānau Horomona | MPZ-R23 | Amend to: | 3.10 | Reject | See body of report | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Sought | Section of this Report | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------|-------------------------------|-----------|---|------------------------|--------------------------|----------------------------|--------------------------------|
| | | | 1. Activity status: <u>Permitted</u> Where: a. The gross floor area per activity does not exceed 200m ² per site. | | | | |
| 219.6 | Ema Pomare | MPZ-R27 | Support. | N/A | Accept | Agree with submitter | No |
| 219.7 | Ema Pomare | MPZ-R28 | Amend to Discretionary. | 3.10 | Reject | See body of report | No |
| 219.8 | Ema Pomare | MPZ-R29 | Seeks clarification of classification of bulk retail and retirement villages. | 3.10 | Accept | See body of report | No |
| 219.9 | Ema Pomare | MPZ-R30 | Amend to Discretionary. | 3.10 | Reject | See body of report | No |
| Standards | | | | | | | |
| 249.25 | Te Whānau Horomona | MPZ-S1 | Amend: This standard does not apply to: - <u>Cultural elements (such as pou and tekoteko)</u> - Solar water heating components provided these do not exceed the height by more than 500mm; - Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m; - Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or - Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m. | 3.11 | Accept | See body of report | Yes |
| 249.26 | Te Whānau Horomona | MPZ-S3 | Retain as drafted. | N/A | Accept | Agree with submitter | No |
| 11.68 | Porirua City Council | MPZ-S5 | Amend the standard as follows: On-site services 1. Where a connection to Council's reticulated <u>water and/or</u> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019. | N/A | Accept | Agree with submitter | Yes |

Appendix C. Report Author's Qualifications and Experience

Torrey McDonnell – Principal Policy Planner, Porirua City Council

I hold the following qualifications:

- Bachelor of Science (Majoring in Geography), Otago University
- Master of Planning, Otago University
- New Zealand Certificate in Te Reo Māori (Level 4), Te Wānanga o Aotearoa

I have 12 years' experience working as a planner for local and central government organisations.

My work experience includes working as a planner for the Transit New Zealand Otago/Southland regional office (consent processing and plan advocacy), and as a Senior Analyst for the Ministry for the Environment (developing national direction under the RMA).

I have been employed by the Porirua City Council since May 2017 as a Principal Policy Planner within the Environment and City Planning Team.

I am a full member of the New Zealand Planning Institute.