RMA FORM 5

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Submission on publicly notified Proposed Porirua District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Porirua City Counci	I
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1. Submitter details:

Full Name	Last Horomona		First Te Whānau				
Company/Organisation							
if applicable							
Contact Person	Te Raukura Solomor Reina Solomon	1					
if different							
Email Address for Service	Reinasolomon18@gmail.com; teraukura.solomon@gmail.com						
Address	18 Nohorua Street Takapuwāhia						
Addiess	Porirua		5022				
Address for Service	Postal Address		Courier Address				
if different							
Phone	<i>Mobile</i> 0225218440	Home	Work				

2.	This is a <i>submission</i> on the Proposed District Plan for Porirua.
3.	I could □ I could not ☑ gain an advantage in trade competition through this submission. (Please tick relevant box)
	If you could gain an advantage in trade competition through this submission please complete point four below:
4.	I am ☑ I am not □ directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. (Please tick relevant box if applicable)

Note:

	Resource Managem	ent Act 1991.				
5.		ot wish □ nort of my submission elevant box)				
6.		· · ·	er submitters, who r	nake a s	similar submission, at a	
	•	w (insert additional bo				
•		er than 5pm on Frida n, Environment and Ci .govt.nz	•		ouncil, PO Box 50-218,	
(or _t	nature of submitter person authorised ign pehalf of submitter):			Date:	Initially submitted on 25/	11/2020
		A signature is not req your submission by el	• • •			

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the

Ki a koutou o te Kaunihera o tō mātou nei tūrangawaewae, tēnā koutou,

We provide this submission on the proposed District Plan as uri of Ngāti Toa Rangatira on behalf of the descendants of Matuaiwi and Harata Solomon and in support of the submission by Te Rūnanga o Toa Rangatira, which we understand is to be provided to you in coming days. We commend the work that has been undertaken by Council staff in preparing the proposed District Plan.

We support the plan in principle, subject to the amendments listed in Appendix 1 to this submission.

We request that the Council notes that this submission is made on behalf of a collective, and therefore should be weighted accordingly. We further request to be heard on this submission in due course.

Nā mātou o te whānau Horomona,

Nā Reina Solomon rāua ko Te Raukura Solomon 18 Nohorua Street Takapūwāhia Pā Porirua

By email: reinasolomon18@gmail.com 022 521 8440 Teraukura.solomon@gmail.com 022 181 7607

Appendix 1

Reference	Existing text	Support/Oppose	Reasoning	Proposed amendment
Definition -	means the use of land or buildings for Māori cultural activities which	Support in part	We consider this definition to be reflective of our	Amend to:
Customary	includes marae activities, making or creating customary goods, rongoā,		understanding of this term. It is therefore supported.	means the use of land or buildings for Māori cultural activities
activity	raranga, whakairo, hauhake, waka ama, Kingitanga events (Poukai), and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.		We note, however, that Kīngitanga is misspelt	which includes marae activities, making or creating customary goods, rongoā, raranga, whakairo, hauhake, waka ama, Kīngitanga [tohutō/macron added to first i] events (Poukai), and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.
Definition -	means any activity undertaken in the traditional rohe of tangata whenua to	Support	We consider this definition to be reflective of our	Retain as drafted
Papakāinga	sustain themselves, which is on land held under Te Ture Whenua Māori Act		understanding of this term. It is therefore supported	
a	1993, or on land where there is an ancestral connection to the land and the			
	land will remain in Māori ownership in the long term. Papakāinga may			
	include (but not be limited to) residential, social, cultural, economic,			
	conservation and recreation activities, marae, wāhi tapu and urupā.			
TW -	Hapū and iwi planning documents	Support in part	It is our view that the Village Planning Documents for	Amend to:
Recognition	The Ngāti Toa Rangatira Whaitua Statement outlines the aspirations of		both Hongoeka and Takapūwāhia should be included	Hapū and iwi planning documents
of iwi and	Ngāti Toa Rangatira and explains their cultural, spiritual, historical and		in this section. This would be more consistent with	The Ngāti Toa Rangatira Whaitua Statement outlines the
hapū	traditional associations with Te Awarua-o-Porirua and the wider		the Section E32 Evaluation Report Part 2 – Hongoeka	aspirations of Ngāti Toa Rangatira and explains their cultural,
	catchment.		and Papakāinga	spiritual, historical and traditional associations with Te Awarua-
				o-Porirua and the wider catchment.
				The aspirations of Ngāti Toa hapū and whānau for community development are outlined in the Hongoeka Village Plan, and the Takapūwāhia Community Plan.

TW-O2	Ngāti Toa Rangatira is a partner in District Plan development and implementation.	Support in part	We support the intent of this objective. We consider it appropriate, however, to recognise that Ngāti Toa Rangatira should be supported through appropriate resourcing to partner in processes such as this	Amend to: Ngāti Toa Rangatira is a partner in District Plan development and implementation, and is supported by Porirua City Council to provide meaningful input into planning processes
NFL - P3	Except as provided for in NFL-P5, only allow subdivision, use and development within identified Outstanding Natural Features and Landscapes or Special Amenity Landscapes where it:	Support in part	We consider it appropriate to mention exemptions for MPZ as well as the existing mention of Rural Lifestyle Zones in this policy	Amend to: Except as provided for in NFL-P5, and NFL – P12, only allow subdivision, use and development within identified Outstanding Natural Features and Landscapes or Special Amenity Landscapes where it:
NFL - P12	Recognise and provide for papakāinga by Ngāti Toa whānau within the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct, and for residential activities in the Takapūwāhia Precinct, where kaitiakitanga is exercised to: 1. Avoid significant adverse effects on the identified characteristics and values of the Special Amenity Landscape described in SCHED10 - Special Amenity Landscapes; and 2. Avoid, remedy or mitigate any other adverse effects on those identified characteristics and values.	Oppose in part	We support the inclusion of this policy to bring consistency between the NFL chapter and MPZ -O5. However, we consider the drafted wording to priorities environmental amenity over the ability for tangata whenua to strengthen their whakapapa connections through living upon their land in papakāinga-style developments. For this reason, it is proposed that the wording of this policy be amended to rebalance this priority	Amend to: Recognise and provide for papakāinga by Ngāti Toa whānau within the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct, and for residential activities in the Takapūwāhia Precinct, where kaitiakitanga is exercised to: 1. Uphold the mana of the whenua Avoid significant adverse effects on the identified characteristics and values of the Special Amenity Landscape described in SCHED10 - Special Amenity Landscapes; and 2. Avoid, remedy or mitigate any other adverse effects on those identified characteristics and values.
NFL - P13	Provide for earthworks and vegetation removal associated with papakāinga by Ngāti Toa whānau within the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct, and for residential activities in the Takapūwāhia Precinct, where kaitiakitanga is exercised to avoid, remedy or mitigate any adverse effects on the identified characteristics and values of the Special Amenity Landscape described in SCHED10 - Special Amenity Landscapes; including through: 1. Measures to minimise the extent and form of any earthworks and maintain the existing landform; 2. Remediation or rehabilitation for any vegetation removal; and 3. The location of any new building or structure and use of external materials and colour	Support in part	We support the intent of this policy, however, consider it to be inconsistent with their proposed amendments to NFL-P13	Provide for earthworks and vegetation removal associated with papakāinga by Ngāti Toa whānau within the Māori Purpose Zone (Hongoeka) and the Takapūwāhia Precinct, and for residential activities in the Takapūwāhia Precinct, where kaitiakitanga is exercised to uphold the mana of the whenua avoid, remedy or mitigate any adverse effects on the identified characteristics and values of the Special Amenity Landscape described in SCHED10 - Special Amenity Landscapes; including through: 1. Measures to minimise the extent and form of any earthworks and maintain the existing landform, where practicable; 2. Remediation or rehabilitation for any vegetation removal; and 3. The location of any new building or structure and use of external materials and colour, where this does not impact cultural elements of building design (where applicable)
NFL – S3	Buildings within a Special Amenity Landscape must: Comply with the permitted activity standards for the underlying zone, except that any building must not exceed one storey and must not exceed a maximum height of 5m; and	Support	We consider this standard to be consistent with NFL - P12 and MPZ O5. We therefore support it	Retain as drafted

MPZ – 01	 b. Not exceed a reflectance value of 30% within Groups A, B or C within BS5252 standard colour palette for the exterior finish of the building or structure; and 2. All buildings must not exceed a cumulative total building footprint of 2000m² per existing title that existed at 26 August 2020. 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 We to maintain an ongoing relationship with their ancestral land. 	Support	This objective aligns with the aspirations outlined by The Hongoeka Village Plan. We therefore support it.	Retain as drafted
MPZ – O2	The Māori Purpose Zone (Hongoeka) is a place where: 1. Tangata whenua are able to exercise kaitiakitanga 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; and 5. There is a village character which is less serviced by urban infrastructure such as footpaths and street lights	Oppose in part	We oppose parts of this objective for the following reasons: - 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 wharenui 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 mixeduse 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	Amend 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
MPZ – O4	Use and development of land is undertaken in a way that maintains the values of the natural environment.	Oppose in part	We consider this objective to be limiting to the ability for whānau to have rangatiratanga over their whenua, as it limits their ability to develop successful papakāinga. The purpose of papakāinga is to strengthen connections whānau have to their whakapapa by living on their ancestral land. This, therefore, requires development to occur to some degree (i.e. the building of family homes and associated infrastructure/services), which will therefore alter the natural environment. As mana whenua, our whānau consider that they should be trusted to make development decisions that align	Amend as follows: 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

MPZ- O5	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.	Support	with their roles as environmental kaitiaki, without being limited by overly prescriptive planning provisions that limit their ability to use this MPZ for its intended purpose. We understand this objective to mean that papakāinga development shall not be hindered by the existence of natural environmental overlays within the MPZ. We strongly support this objective as it rightfully recognises that tangata whenua are a natural part of the environment – not a land use to be assessed separately from it	Retain as drafted
MPZ – P2	Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, pou, marae and accessory buildings.	Support in part	We 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	Amend as follows: Enable buildings and structures that are compatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka) including residential units, cultural markers (such as pou), Māori-medium educational facilities, small-scale social, commercial, and community facilities, marae and accessory buildings.
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: The site design, layout and scale of the activity; Whether there is adequate infrastructure and services available to service the activity, including on-site servicing where reticulated services are not available; The retention of areas of indigenous vegetation where practicable; The benefits, such as the planting and fencing of erosion-prone land and the protection of areas of indigenous vegetation, wetlands and riparian areas; 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.	Oppose in part	We 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	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.
MPZ – P4	Avoid activities which are incompatible with the purpose, character and amenity values of the Māori Purpose Zone (Hongoeka).	Support	We support policies that protect the special purpose of this zone as a space for tangata whenua to	Retain as drafted

			strengthen their connection with their whakapapa by engaging with their ancestral whenua	
MPZ – R7 1(a)	1. Activity status: Permitted Where: a. There are no more than three residential units per site.	Oppose in part	1	Delete MPZ – R7 1(a)
			level that ensures overdevelopment of a site does not occur	
MPZ – R10	1. Activity status: Permitted Where:	Support	We support this permitted activity as it allows for a more holistic papakāinga development to be established within this MPZ. We also note that our proposed amendment to MPZ – P2 makes that policy	Retain as drafted
	a. The gross floor area per activity does not exceed 200m2 per site.		consistent with this existing rule	
MPZ – R11	1. Activity status: Permitted Where:	Support	We support this permitted activity as it allows for a more holistic papakāinga development to be established within this MPZ. We also note that our proposed amendment to MPZ – P2 makes that policy	Retain as drafted
MPZ – R12	a. The gross floor area per activity does not exceed 200m2 per site. 1. Activity status: Permitted Where:	Support	consistent with this existing rule We support this permitted activity as it allows for a more holistic papakāinga development to be established within this MPZ. We also note that our	Retain as drafted
	a. The gross floor area per activity does not exceed 200m2 per site.		proposed amendment to MPZ – P2 makes that policy consistent with this existing rule	
MPZ – R13	Activity status: Permitted Where: a. The gross floor area per activity does not exceed 200m2 per site.	Support	We support this permitted activity as it allows for a more holistic papakāinga development to be established within this MPZ. We also note that our proposed amendment to MPZ – P2 makes that policy consistent with this existing rule	Retain as drafted
MPZ – R15	1. Activity status: Permitted Where:	Support	We support this permitted activity as it allows for a more holistic papakāinga development to be established within this MPZ. We also note that our proposed amendment to MPZ – P2 makes that policy	Retain as drafted
MPZ – R18	a. The gross floor area per activity does not exceed 200m2 per site. 1. Activity status: Permitted	Oppose in part	consistent with this existing rule We 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	Amend as follows: 1. Activity status: Permitted
	Where:		consider the various needs of a community who aspire to thrive upon their whenua. It also does not	Where:
	a. The site is held under Te Ture Whenua Māori Act 1993;			a. The site is held under Te Ture Whenua Māori Act 1993;

	b. The gross floor area of all commercial activities does not exceed 100m2 per site; and c. The gross floor area of all community facilities does not exceed 200m2 per site.		take into consideration the varying size of land blocks. For this reason, we agree that the predominant land use within a papakāinga development should be residential. Therefore, we propose 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)	 b. The gross floor area of all commercial activities does not exceed 100m² per site, or 12% of the total site GFA (whichever is larger); and c. The gross floor area of all community facilities does not exceed 200m² per site, or 12% of the total site GFA (whichever is larger).
MPZ – R19	Activity status: Discretionary	Oppose	We consider this activity status to be restrictive in relation to the mixed-use character of a self-sustaining papakāinga development. We 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	Amend to: 1. Activity status: Permitted Where: a. The gross floor area per activity does not exceed 200m² per site.
MPZ – R23	1. Activity status: Discretionary	Oppose	We consider this activity status to be restrictive in relation to the mixed-use character of a self-sustaining papakāinga development. We consider it more appropriate to treat retail activity in the same way other land uses, such as office, food and beverage activity, and entertainment facilities in the MPZ have been treated	Amend to: 1. Activity status: Permitted Where: b. The gross floor area per activity does not exceed 200m² per site.
MPZ – S1	 1. All buildings and structures must comply with a maximum height above ground level of 8m, except that: 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 centred or within the middle third of the building footprint, as illustrated in MPZ-Figure 1 below. This standard does not apply to: 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. 	Support in part	We consider it appropriate to add 'cultural elements (such as pou and tekoteko)' to the list of exceptions to this height rule. This ensures that artistic and other traditional expressions of tangata whenua relationships with their whenua are not inadvertently restricted by planning provisions	Amend to: This standard does not apply to: - Cultural elements (such as pou and tekoteko) - 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.

MPZ – S3	1. Buildings and structures must not be located within 1m from a side boundary. This standard does not apply to: 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	Support	We consider this rule to be consistent with our aspirations for papakāinga development, and therefore support this standard	Retain as drafted
SASM-P2	Work with Te Rūnanga o Toa Rangatira to identify and schedule sites and areas of significance to them, and their cultural and spiritual values, in SCHED6 - Sites and Areas of Significance to Māori.	Support in part	Land associated with sites of significance to Ngāti Toa Rangatira identified in schedule C3 - of the PNRP should also be encompassed by this objective. This would be consistent with iwi planning documents outlined previously in TW-iwi and hapū planning documents.	Amend to: Work with Te Rūnanga o Toa Rangatira to identify and schedule sites and areas of significance to them, and their cultural and spiritual values, in SCHED6 - Sites and Areas of Significance to Māori, and sites associated with Greater Wellington Proposed Natural Resources Plan (PNRP) Schedule C3 Sites of significance to Ngāti Toa Rangatira
SASM-P3	Enable maintenance and restoration of sites and areas of significance to Ngāti Toa Rangatira included in SCHED6 - Sites and Areas of Significance to Māori where the cultural and spiritual values of the site or area are protected.	Support in part	Land associated with sites of significance to Ngāti Toa Rangatira identified in <u>schedule C3 - of the PNRP</u> should also be encompassed by this objective. This would be consistent with iwi planning documents outlined previously in TW-iwi and hapū planning documents.	Amend to: Enable maintenance and restoration of sites and areas of significance to Ngāti Toa Rangatira included in SCHED6 - Sites and Areas of Significance to Māori, and SCHED C3 of the GWR PNRP and sites associated with Schedule C3 Sites of significance to Ngāti Toa Rangatira of the PNRP where the cultural and spiritual values of the site or area are protected.
SASM-P6	Only allow any other use and development on sites and areas of significance in SCHED6 - Sites and Areas of Significance to Māori,	Support in part	Land associated with sites of significance to Ngāti Toa Rangatira identified in schedule C3 - of the PNRP should also be encompassed by this objective. This would be consistent with iwi planning documents outlined previously in TW-iwi and hapū planning documents.	Amend to: Only allow any other use and development on sites and areas of significance in SCHED6 - Sites and Areas of Significance to Māori, and sites associated with Schedule C3 Sites of significance to Ngāti Toa Rangatira of the PNRP.
SASM-R2	1. Activity Status: Permitted	Oppose in part	The grazing of animals larger than sheep can be destructive to archaeological sites as advised by Department of Conservation for management of archaeological sites. As kaitiaki, Ngāti Toa Rangatira have a responsibility to preserve the history associated with archaeological sites as much as possible.	Amend to: 1. Activity Status: Permitted Where no registered archaeological sites are located Where grazing animals are sheep or smaller 2. Activity Status: Discretionary Where registered archaeological sites are located Where grazing animals are larger than sheep
SASM-R6	Activity Status: Non Complying	Support	This is consistent with our aspirations and obligations as kaitiaki to preserve these taonga.	Retain as drafted.