



#### 30 May 2024

Attn: South Taranaki District Council PO Box 902 Hawera 4640 Submission by email via: planchange@stdc.govt.nz

#### KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON A NOTIFIED PROPOSAL FOR PROPOSED DISTRICT PLAN CHANGE 3: PAPAKĀINGA DEVELOPMENT TO THE OPERATIVE DISTRICT PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT 1991

This is a submission by Kāinga Ora - Homes and Communities on Proposed District Plan Change 3: Papakāinga Development (PC3) to the Operative South Taranaki District Plan ("the Plan" or "District Plan") from South Taranaki District Council ("the Council" or "STDC"):

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

#### The specific provisions of the proposal that this submission relates to:

PC3 to the District Plan in its entirety.

This document and the Appendices attached is Kāinga Ora submission on PC3.



#### The Kāinga Ora submission is:

- 1. Kāinga Ora Homes and Communities ("**Kāinga Ora**") is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
  - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
  - b) Support good access to jobs, amenities and services; and
  - c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
- 2. As part of the Kāinga Ora statutory requirements, Kāinga Ora must consider and provide for Māori interests by:
  - a) Maintaining systems and processes to ensure that, for the purposes of carrying out its urban development functions, Kāinga Ora has the capability and capacity to uphold the Te Tiriti o Waitangi and its principles, to understand and apply Te Ture Whenua Māori Act 1993, and to engage with Māori and to understand Māori perspectives;
  - b) Understanding, supporting, and enabling the aspirations of Māori in relation to urban development;
  - c) Identifying and protecting Māori interests in land, and recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; and
  - d) Partnering and having early and meaningful engagement with Māori and offering Māori opportunities to participate in urban development.
- 3. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across the Waikato region.
- 4. Kāinga Ora therefore has an interest in PC3 and how it:



- a) How it enables development opportunities for Māori on their land, whether it be general title land or Māori Title Land to enable Māori to undertake residential and associated activities in line with their cultural traditions and norms.
- b) Gives effect to the National Policy Statement on Urban Development ("**NPS-UD**");
- c) Minimises barriers that constrain the ability to deliver housing development across public housing, affordable housing, affordable rental and market housing; and
- Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments.
- 5. Kāinga Ora supports the recognition and enablement of papakāinga across the district plan, however, as written, the new provisions are considered restrictive, and therefore do not enable Māori to develop land in a manner that supports their cultural, environmental, and economic wellbeing.
- 6. The Kāinga Ora submission seeks amendments to PC3 for the following:
  - Allow for papakāinga and associated activities as a permitted activity on both Māori Title Land and general title land. Kāinga Ora supports the provision of papakāinga and associated activities on all land and not just on land in Māori title.
  - b) Expand definition of Marae and Papākainga to provide for education, home based business and associated commercial activities. This recognises that papakāinga are places not just for housing, but as self-contained community hubs.
  - c) Remove character and amenity assessments for controlled and restricted discretionary activities. Other matters listed can assess specific effects related to the activity/non-compliance and the inclusion of character and amenity does not provide certainty to applicants.
  - d) Allow individuals to demonstrate their ancestral connection land. This can be more appropriately managed to ensure papakāinga is managed in perpetuity.
- 7. The changes sought are made to:
  - i. Ensure that Kāinga Ora can carry out its statutory obligations;



- ii. Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991, relevant national direction and regional alignment;
- iii. Ensure that the s32 analysis has appropriately analysed and considered other reasonable options to justify the proposed plan provisions;
- iv. Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- v. Provide clarity for all plan users; and
- vi. Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.
- The Kāinga Ora submission points and changes sought can be found within Table 1 of Appendix 1, which forms the bulk of the submission.

### Kāinga Ora seeks the following decision from STDC:

That the specific amendments, additions or retentions which are sought as specifically outlined in **Appendix 1**, are accepted and adopted into Proposed Plan Change 3, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

### Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on PC3 to address the matters raised in its submission.

If others make a similar submission, Kāinga Ora are happy to consider presenting a joint case at a hearing.

Brendon Liggett Development Planning Manager Kāinga Ora – Homes and Communities



ADDRESS FOR SERVICE: Kāinga Ora – Homes and Communities, PO Box 74598, Greenlane, Auckland 1051. Email: developmentplanning@kaingaora.govt.nz



## Appendix 1: Decisions sought Proposed Plan Change 3

The following table sets out the amendments sought to Proposed Plan Change 3 to the Operative South Taranaki District Plan and also identifies those provisions that Kāinga Ora supports.

**Kāinga Ora** proposed changes in Proposed Plan Change 54 are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.



ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought Kāinga Ora proposed chang strikethrough for deletion a
Māori	Purpose Zone (MPZ)				
1.	Introductions and Definitions	Definitions	Support	Kāinga Ora supports the definition.	Retain as notified.
2.	Introductions and Definitions	Definitions)	Support	Kāinga Ora supports the definition.	Retain as notified.
3.	Introductions and Definitions	Definitions	Support in part	Kāinga Ora supports this definition, however, considers that it could be expanded to provide for education, home based business and associated commercial activities which provide for Māori social, economic and cultural wellbeing.	MARAE: means the land and family, hapū or tribe, and in rooms), wharepaku (ablutio rooms), wharekarakia (chur papakāinga development, c <del>and</del> health care facilities <sub>72</sub> and associated commercial activ
4.	Introductions and Definitions	Definitions	Support in part	<ul> <li>Kāinga Ora supports this definition, however, considers that it could be expanded to provide for education, home based business and associated commercial activities, which provide for Māori social, economic and cultural wellbeing.</li> <li>Kāinga Ora also seeks the inclusion of general title land as part of the definition, papakāinga and associated activities should be a provided for on</li> </ul>	PAPAKĀINGA DEVELOPMEN DWELLING UNITS, that may information/tourism centre <u>commercial activities</u> and of on Māori freehold land, Mā Māori (as defined in Te Ture <u>and general title land</u> .
5.	Introductions and Definitions	Definitions	Oppose	both Māori Title Land and general title land.Consistent with submission point 4 above, Kāinga Ora seeks the deletion of this definition, papakāinga and associated activities should be a provided for on both Māori Title Land and general title land.	PAPAKĀINGA DEVELOPMEN development of multiple DV cultural information/tourisr recreation facilities on gene
6.	Objectives	Tangata Whenua 2.7.8	Support	Kāinga Ora supports this objective, particularly with reference to enhancing iwi, hapū and whānau social, cultural and economic well-being.	Retain as notified.
7.	Objectives	Tangata Whenua 2.7.11	Support in part	Kāinga Ora support this objective however papakāinga should not be limited to Tangata Whenua and should be available instead to iwi, hapū and whānau.	To provide for papakāinga d iwi, hapū and whānau.
8.	Policies	Tangata Whenua 2.7.18	Support	Kāinga Ora supports this objective allowing for papakāinga on General Title Land.	Retain as notified.
9.	Policies	Tangata Whenua 2.7.21	Support in part	Kāinga Ora supports this policy, however, it should be noted that 'key sites' is not identified anywhere in the Definitions section and should be included.	Include a definition for 'key

and buildings for the use of a Māori community includes wharenui (meeting house), wharekai (dining tion blocks inclusive of toilets, showers and changing nurch), and other marae-based facilities, such as community activities, kohanga, childcare activities, <u>and</u>urupā<del>.</del> education, homebased business and ctivities.

ENT: means the integrated development of multiple ay include Marae, supporting cultural res<u>education, homebased business and associated</u> other community building and recreation facilities *N*āori customary land and Crown land reserved for

ure Whenua Māori Act 1993/Māori Land Act 1993)

ENT ON GENERAL TITLE LAND: means the DWELLING UNITS that may include Marae, supporting ism centres, and other community building and neral title land that is owned by Māori.

a development on land owned by <del><u>Tangata Whenua</u></del>

ey sites'.



ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought Kāinga Ora proposed chang strikethrough for deletion a
10.	Explanation of Policies	Tangata Whenua	Support in part	Kāinga Ora supports this explanation in part, however, it is too restrictive and instead should focus on whakapapa, not on historic titles. The current explanation defeats the purpose of enabling papakāinga on General Title Land and does not provide for future acquisition of General Title Land for papakāinga purposes.	Amend as follows: Provision is made for papak where applicants can demo the land title to ensure thes whānau long-term. In these <u>historic titles that shows the</u> holding the land in a Trust of
11.	Methodology of implementation	Tangata Whenua	Support	Kāinga Ora supports the methodology in providing for papakāinga on Māori owned land, papakāinga will be provided for on land held under Te Ture Whenua Māori Act 1993; and allowed on general title land owned by Māori where it can be demonstrated that there is a whakapapa or ancestral connection to the land, and the land will remain in Māori ownership.	Retain as notified.
12.	Rural Zone Rules	3.1.1 Permitted Activities	Support in part	Kāinga Ora supports this activity status, however, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted activity on general title as well.	(f) Papakāinga developmen 1993 <u>and on general title th</u>
13.	Rural Zone Rules	3.1.2 Controlled Activities	Support in part.	<ul> <li>While Käinga Ora supports the activity status as a Controlled activity, this should also include papakāinga on general title land. Additionally, some of the matters of control are too broad. In particular 3.1.2 (ii) does not provide certainty to applicants and gives Council too much discretion for a Controlled Activity. In addition, 3.1.2 (i) provides Council scope to address those effects relevant to the non-compliance, while also providing certainty for the applicant. Discussion on this is provided in section 5.7 of the Te Puni Kōkiri publication <i>Analysis of District Plan Papakāinga Rules</i> dated 30 April 2024.</li> <li>Kāinga Ora seeks for matter 3.1.2 (ii) to be removed from the rule.</li> <li>Following this matter 3.1.2 (iv) is redundant and is covered by 3.1.2 (v), this matter should be removed.</li> </ul>	Amend as follows: (b) Papakāinga development 1993 that do not comply will performance standards in S Matters to which the Counce (i) Avoiding, remedying or no from noncompliance with the met. (ii) Effects on character and (iii) Measures proposed to a effects. (iv) Connection to services. (v) In areas not serviced by supply, on-site wastewater, developed to serve the entitientic of the service o

akāinga on General Title Land in the District Plan nonstrate long-term ownership and maintenance of ese developments are retained by Iwi, hapū and se cases, <u>demonstrating whakapapa <del>evidence such as</del></u> the land has been held in whānau ownership, and or t can be utilised.

ent on land held under Te Ture Whenua Māori Act <u>e that</u>.

ents <u>on land held under Te Ture Whenua Māori Act</u> with one or more of the permitted activity Section 3.2.

ncil restricts its control:

r mitigating of actual or potential effects deriving the particular performance standard(s) that is not

### nd amenity values.

o avoid or mitigate potential reverse sensitivity

### <del>s</del>.

y reticulated wastewater, stormwater and water er, water supply and stormwater systems are ntire papakāinga.



ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought Kāinga Ora proposed chang strikethrough for deletion a
14.	Rural Zone Rules	3.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted or controlled activity and seeks the deletion of this rule.	Delete: (o) Papakāinga developmer permitted activity performa demonstrating: (ii) Evidence that the land w This may be through the us land is maintained in Māori Note: For resource consent advice from the relevant iw The matters that Council w (a) Where the papakāinga demonstrated a whakapapi
15.	Rural Zone Rules	3.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted or controlled activity and the deletion of this rule.	(b) Any other matter relate         Delete:         (p) Papakāinga developmen         one or more of the permitt         Matters to which the Court         (i)       Avoiding, remedyin         deriving from none         standard(s) that is         (ii)       Effects on characte         (iii)       Effects on characte         (iii)       Measures propose         effects.       (iv)         (v)       In areas not service         water supply, on s       systems are develoe         papakāinga develoe       matters of discreti         (vi)       Whether the appli         ancestral connection       ancestral connection

ents on general title land that comply with the nance standards in Section 3.2, subject to

will remain in Māori ownership in the long-term. use of appropriate legal mechanism(s) to ensure that pri ownership.

nt applications under this rule, the Council will obtain wi authority and will take this advice into account. will seek advice from iwi authorities on include:

a is on general title land, whether the applicant has pa or ancestral connection to the land;

<u>ted to tikanga Māori.</u>

ents on general title land that do not comply with tted activity performance standards in Section 3.2.

uncil restricts its discretion:

ying or mitigating of actual or potential effects ncompliance with the particular performance

<del>s not met.</del>

ter and amenity values.

sed to avoid or mitigate potential reverse sensitivity

rvices.

iced by reticulated wastewater, stormwater and

-site wastewater, water supply and stormwater

loped to serve the entire papakāinga. In relation to

lopments on general title land are the additional tion:

<del>licant has demonstrated their whakapapa or</del> <del>tion to the land.</del>



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in		
			Part/ Oppose		Kāinga Ora proposed chang
					strikethrough for deletion a
					(vii) <u>Evidence that the l</u>
					term. This may be
					to ensure that land
					Note: For resource consent
					advice from the relevant iv
					The matters that Council w
					<del>(a) Where the papakāinga i</del>
					demonstrated a whakapapa
					(b) Any other matter related
16.	Residential Zone	4.1.1 Permitted Activities	Support	Kāinga Ora supports this activity status, however, there should be no	(e) Papakāinga developmen
	Rules			distinction in activity status between papakāinga on Māori Freehold or General	1993 and on general title la
				Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted	
				activity on general title as well.	
17.	Residential Zone	4.1.2 Controlled Activities	Support in part	Kāinga Ora support the activity status, however, this should also cover	Amend as follows:
	Rules			papakāinga on general title land. In addition, some of the matters of control	
				are too broad, in particular 4.1.2 (iii) creates uncertainty to applicants and	None.
				provides Council too much discretion for a Controlled Activity. In addition, the	
				definition of Papakāinga as provided by Council may conflict with the existing	a) Papakāinga developme
				residential character of most areas and is therefore inappropriate. Matters	1993 that do not compl
				4.1.2 (i) and (ii) provides Council scope to address these effects, while also	performance standards
				providing certainty for the applicant. Kāinga Ora seeks for matter 3.1.2 (iii) to	living area (Rule 4.2.3) o
				be removed from the rule. Discussion on this is provided in section 5.7 of the Te Puni Kōkiri publication <i>Analysis of District Plan Papakāinga Rules</i> dated 30	Matters to which the Counc
				April 2024.	(i) Site Lavout
					(i) Site Layout.
					(ii) Scale and design of (iii) <u>Effects on existing</u>
					<del>privacy, loss of hea</del> <del>properties.</del>
					(iv) Location, function
					(v) Access, extent of ir
18.	Residential Zone	4.1.3 Restricted	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status	Delete:
	Rules	Discretionary Activities		between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks	
				for papakāinga to be a treated as a permitted or controlled activity and the	f) Papakāinga development
				deletion of this rule.	permitted activity performation

anges in Proposed Plan Change 5 are shown as n and <u>underlined</u> for proposed additional text <del>e land will remain in Māori ownership in the long-</del> <del>pe through the use of appropriate legal mechanism(s)</del> and is maintained in Māori ownership.

ent applications under this rule, the Council will obtain i wi authority and will take this advice into account.

will seek advice from iwi authorities on include:

a is on general title land, whether the applicant has apa or ancestral connection to the land;

i<del>ted to tikanga Māori</del>

ent on land held under Te Ture Whenua Māori Act

ments <u>on land held under Te Ture Whenua Māori Act</u> nply with one or more of the permitted activity rds for bulk and location (Rule 4.2.2), private outdoor 3) or access and roading requirements (Rule 4.2.9).

uncil restricts its control:

n of buildings<u>.</u> ng residential character and amenity, including mealthy mature trees and shading on neighbouring

on and amenity of on-site open space. f impervious surfaces and landscaping.

ents on general title land that comply with the mance standards in Section 4.2



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in		<i>x=</i> :
			Part/ Oppose		Kāinga Ora proposed chang
					strikethrough for deletion a Matters to which the Coun
					-Matters to which the coun
					<del>(i) Whether the a</del>
					ancestral conne
					(ii) Evidence that t
					<u>term. This may</u>
					<del>mechanism(s) t</del>
					<del>ownership.</del>
					Note: For resource consent
					advice from the relevant iw
					The matters that Council wi
					<del>(a) Where the papakāinga i</del>
					demonstrated a whakapapa
					(b) Any other matter related
19.	Residential Zone	4.1.3 Restricted	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status	- <u>Delete:</u>
	Rules	Discretionary Activities		between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks	
				for papakainga to be a treated as a permitted or controlled activity and the	g) Papakāinga development
				deletion of this rule.	or more of the permitted ac
					(Rule 4.2.2), private outdoo
					requirements (Rule 4.2.9).
					Matters to which the Counc
					(i) Avoiding, remedying or n
					from noncompliance with t
					met. Matters include:
					<del>(i) Site Layout</del>
					(ii) Scale and design
					<u>(iii) Effects on existi</u>
					privacy, loss of heal
					properties.
			1		1

nges in Proposed Plan Change 5 are shown as and <u>underlined</u> for proposed additional text uncil restricts its discretion:

applicant has demonstrated their whakapapa or nection to the land. the land will remain in Māori ownership in the longy be through the use of appropriate legal

) to ensure that land is maintained in Māori

nt applications under this rule, the Council will obtain wi authority and will take this advice into account.

will seek advice from iwi authorities on include:

i is on general title land, whether the applicant has pa or ancestral connection to the land;

<del>ted to tikanga Māori.</del>

nts on general title land that do not comply with one activity performance standards for bulk and location por living area (Rule 4.2.3) or access and roading

ncil restricts its discretion:

rmitigating of actual or potential effects deriving the particular performance standard(s) that is not

<del>gn of buildings.</del>

sting residential character and amenity, including ealthy mature trees and shading on neighbouring

tion and amenity of on-site open space.



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in		<b>Kāinga Ora</b> proposed chang
			Part/ Oppose		strikethrough for deletion a
					(v) Access, extent of
					(ii) Effects on residential cha
					(iii) Connections to services.
					In relation to papakāinga de
					matters of discretion:
					<del>(iv) Whether the ap</del>
					ancestral connectio
					(v) Evidence that th
					<u>term. This may be t</u> l
					to ensure that land
					Note: For resource consent
					advice from the relevant iwi
					The matters that Council wi
					(a) Where the papakāinga is
					demonstrated a whakapapa
					(b) Any other matter related
20.	Residential Zone	Performance Standards –	Support	Kāinga Ora supports that there are no density requirements for papakāinga.	Retain as notified.
	Rules	Permitted Activities			
		4.2.1 Net Site Area			
21.	Township Zone	5.1.1 Permitted Activities	Support in part	Kāinga Ora supports this activity status, however, there should be no	(e) Papakāinga developmen
	Rules			distinction in activity status between papakāinga on Māori Freehold or General	1993 and on general title lar
				Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted	
				activity on general title as well.	
22.	Township Zone	5.1.2 Controlled Activities	Support in part	Kāinga Ora support the activity status as a Controlled activity, however, this	Amend as follows:
	Rules			should also cover papakāinga on general title land. Some of the matters of control are too broad, in particular 5.1.2 (a)(ii) creates uncertainty to	None.
				applicants and provides Council too much discretion for a Controlled Activity.	
				Matters 5.1.2 (a)(i) provides Council scope to address these effects, while also	(a) Papakāinga developmen
				providing certainty for the applicant. Kāinga Ora seeks for matter 5.1.2 (a)(ii) to	1993 that do not comply wit
				be removed from the rule. Discussion on this is provided in section 5.7 of the	performance standards in Se control:

nges in Proposed Plan Change 5 are shown as and <u>underlined</u> for proposed additional text of impervious surfaces and landscaping.

haracter and amenity values.

<del>es.</del>

developments on general title land are the additional

applicant has demonstrated their whakapapa or ion to the land.

the land will remain in Māori ownership in the longe through the use of appropriate legal mechanism(s) ad is maintained in Māori ownership.

nt applications under this rule, the Council will obtain wi authority and will take this advice into account. will seek advice from iwi authorities on include:

i is on general title land, whether the applicant has pa or ancestral connection to the land;

<del>ted to tikanga Māori.</del>

ent on land held under Te Ture Whenua Māori Act <u>land</u>.

ents <u>on land held under Te Ture Whenua Māori Act</u> with one or more of the permitted activity Section 5.2. Matters to which the Council restricts its



ID	Section of Plan	Specific Provision	Support/ Support in	Reasons	Relief Sought
			Part/ Oppose		<b>Kāinga Ora</b> proposed chan <u>g</u> strikethrough for deletion a
				Te Puni Kōkiri publication <i>Analysis of District Plan Papakāinga Rules</i> dated 30 April 2024.	(i) Avoiding, remedying or i from noncompliance with t met.
					(iii) Effects on character and
					(iii) Connection to services.
23.	Township Zone Rules	5.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted or controlled activity and the	Delete:
				deletion of this rule.	permitted activity performa
					Matters to which the Counc
					(i) <u>Whether the ap</u> ancestral conne
					<del>(ii) <u>Evidence that tl</u> term. This may</del>
					<u>mechanism(s) t</u>
					<u>ownership.</u>
					Note: For resource consent advice from the relevant iw
					The matters that Council w
					(a) Where the papa applicant has demo
					the land;
					(b) Any other matte
24.	Township Zone Rules	5.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks	Delete
	Ruies	Discretionary Activities		for papakāinga to be a treated as a permitted or controlled activity and the	(g) Papakāinga developmen
				deletion of this rule.	or more of the permitted ac
					Matters to which the Counc
					(i) Avoiding, remedying or r
					from noncompliance with the met.

r mitigating of actual or potential effects deriving the particular performance standard(s) that is not

## nd amenity values.

ents on general title land that comply with the name standards in Section 5.2.

ncil restricts its discretion:

applicant has demonstrated their whakapapa or nection to the land.

the land will remain in Māori ownership in the long-

y be through the use of appropriate legal

to ensure that land is maintained in Māori

nt applications under this rule, the Council will obtain wi authority and will take this advice into account.

will seek advice from iwi authorities on include:

<del>oakāinga is on general title land, whether the</del> <del>nonstrated a whakapapa or ancestral connection to</del>

# <u>ter related to tikanga Māori</u>

ents on general title land that do not comply with one activity performance standards in Section 5.2. ncil restricts its discretion:

r mitigating of actual or potential effects deriving the particular performance standard(s) that is not



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in		Kainan Ora proposed chang
			Part/ Oppose		<b>Kāinga Ora</b> proposed chang strikethrough for deletion a
					(ii) Effects on character and
					<u>In Energy on onarabler and</u>
					iii) Connection to services.
					In relation to papakāinga de
					matters of discretion:
					iv) Connection to services.
					In relation to papakāinga de
					matters of discretion:
					(iv) Whether the applicant h
					connection to the land.
					v) Evidence that the land wi
					may be through the use of a
					<del>is maintained in Māori own</del>
					Note: For resource consent
					advice from the relevant iw
					The matters that Council wi
					(a) Where the papakāinga is
					demonstrated a whakapapa
					(b) Any other matter related
25.	Township Zone	5.2.1 Number of Dwelling	Support	Kāinga Ora supports that papakāinga is exempt from any density standards.	Retain as notified.
20.	Rules	Units and Minimum Site	Support		
		Area			
26.	Commercial	6.1.1 Permitted Activities	Support in part	Kāinga Ora supports this activity status, however, there should be no	(xiv) Papakāinga developme
				distinction in activity status between papakāinga on Māori Freehold or General	<u>1993.</u>
				Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted	
				activity on general title as well.	
27.	Commercial	6.1.2 Controlled Activities	Support in part	Kāinga Ora support the activity status as a Controlled activity, however, this	(b) Papakāinga developmen
				should also cover papakāinga on general title. Some of the matters of control	1993 that do not comply with
				are too broad, in particular 6.1.2 (b)(ii) creates uncertainty to applicants and	performance standards in Se
				provides Council too much discretion for a Controlled Activity. Matters 6.1.2	Matters to which the Counc
				(b)(i) provides Council scope to address these effects, while also providing certainty for the applicant. Kāinga Ora seeks for matter 6.1.2 (b)(ii) to be	
				Certainty for the applicant. Railiga Ora seeks for fildtler 0.1.2 (D)(II) to be	

developments on general title land are the additional

developments on general title land are the additional

t has demonstrated their whakapapa or ancestral

will remain in Māori ownership in the long-term. This f appropriate legal mechanism(s) to ensure that land mership.

nt applications under this rule, the Council will obtain wi authority and will take this advice into account. will seek advice from iwi authorities on include:

i is on general title land, whether the applicant has pa or ancestral connection to the land;

<del>ted to tikanga Māori.</del>

nent <u>on land held under Te Ture Whenua Māori Act</u>

ents <u>on land held under Te Ture Whenua Māori Act</u> with one or more of the permitted activity Section 6.2.

ncil restricts its control:



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in Part/ Oppose		<b>Kāinga Ora</b> proposed chang strikethrough for deletion a
				removed from the rule. Discussion on this is provided in section 5.7 of the Te Puni Kōkiri publication <i>Analysis of District Plan Papakāinga Rules</i> dated 30 April 2024.	<ul> <li>(i) Avoiding, reme deriving from n standard(s) tha</li> <li>(ii) <u>Effects on chara</u></li> <li>(iii) Connection to s</li> </ul>
28.	Commercial	6.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted or controlled activity and the deletion of this rule.	Delete         (e) Papakāinga developmen         permitted activity performa         Council restricts its discretic         (i) Whether the applicant h         connection to the land.         (ii) Evidence that the land w         This may be through the use         land is maintained in Māori         Note: For resource consent         advice from the relevant iw         The matters that Council wi         (a) Where the papakāinga i         demonstrated a whakapapa
29.	Commercial	6.1.3 Restricted Discretionary Activities	Oppose	Kāinga Ora opposes this rule, there should be no distinction in activity status between papakāinga on Māori Freehold or General Title land. Kāinga Ora seeks for papakāinga to be a treated as a permitted or controlled activity and the deletion of this rule.	(b) Any other matter relate         Delete         (f) Papakāinga developmen         or more of the permitted ad         Matters to which the Counce         (iv) Avoiding, remedying or         from noncompliance with t         met.         (iv)       Effects on charge

nedying or mitigating of actual or potential effects noncompliance with the particular performance nat is not met.

a<del>racter and amenity values.</del> o services.

ents on general title land that comply with the nance standards in Section 6.2. Matters to which the tion:

<del>: has demonstrated their whakapapa or ancestral</del>

will remain in Māori ownership in the long-term. use of appropriate legal mechanism(s) to ensure that pri ownership.

nt applications under this rule, the Council will obtain wi authority and will take this advice into account. will seek advice from iwi authorities on include:

a is on general title land, whether the applicant has pa or ancestral connection to the land;

<del>ted to tikanga Māori</del>

ents on general title land that do not comply with one activity performance standards in Section 6.2.

ncil restricts its discretion:

or mitigating of actual or potential effects deriving the particular performance standard(s) that is not

aracter and amenity values.



ID	Section of Plan	Specific Provision	Support/	Reasons	Relief Sought
			Support in Part/ Oppose		<b>Kāinga Ora</b> proposed chang strikethrough for deletion a
					(v)       Connection to selection         In relation to papakāinga de matters of discretion:         (vi)       Whether the ag ancestral connection (vii)         Evidence that term. This may mechanism(s) term. The matters that Council wite from the relevant iw the matters that Council wite from the relevant iw term. The matters that Council wite from the relevant is the matter selected a what apaparate demonstrated a what apaparate demonstrate demons
30.	Resource Consent Information Requirements and Assessment Matters	20.5 Assessment Matters	Support in part.	Kāinga Ora support the matters of assessment, however, the maintenance of the land title is a private matter and is inappropriate matter for Council to assess this as part of a resource consent. Kāinga Ora seeks that this should be removed from the assessment matters.	<ul> <li>(f) For applications on Generation to the land and demonstrated.</li> <li>Appropriate legal mechanis         <ul> <li>(i) Historic Record or</li> <li>(ii) Managing the land</li> </ul> </li> </ul>

nges in Proposed Plan Change 5 are shown as and <u>underlined</u> for proposed additional text <del>Diservices.</del>

developments on general title land are the additional

applicant has demonstrated their whakapapa or nection to the land.

t the land will remain in Māori ownership in the long-

<del>ly be through the use of appropriate legal</del>

<del>) to ensure that land is maintained in Māori</del>

nt applications under this rule, the Council will obtain wi authority and will take this advice into account. will seek advice from iwi authorities on include:

i is on general title land, whether the applicant has pa or ancestral connection to the land;

<del>ed to tikanga Māori.</del>

neral Title Land, whether evidence of an ancestral Id maintenance of the land title has been

isms to demonstrate this may include:

of Titles.

land via a Trust.

