

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
IN THE MATAMATA PIAKO DISTRICT**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE  
MATAMATA PIAKO**

**IN THE MATTER                      of the Resource Management Act 1991**

**AND**

**IN THE MATTER                      of the hearing of submissions on proposed Plan  
Change 54 to the Operative Matamata Piako  
District Plan**

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**STATEMENT OF PRIMARY EVIDENCE OF LEZEL BENEKE  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**(CORPORATE)**

**08 APRIL 2024**

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## 1. EXECUTIVE SUMMARY

1.1 My name is Lezel Beneke. I hold the position of Principal Development Planner within the Urban Planning and Design Group at Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) and am presenting this evidence on behalf of Kāinga Ora.

1.2 The key points addressed in my evidence are:

- (a) The statutory requirements of Kāinga Ora in regard to considering and providing for Māori interests by 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) A summary of the Kāinga Ora submissions on the Matamata Piako District Council Proposed Plan Change 54 (“**PC54**”), including the rationale for the relief sought and in particular comments about:
  - (i) Allow for development of papakāinga and Māori owned land that is not unreasonably restricted by adjacent landuses, this includes providing for less restrictive yard setbacks;
  - (ii) The alignment of density restrictions for papakāinga and associated activities across all zones;
  - (iii) The removal of needing to submit Papakāinga Development Plans;
  - (iv) Allowing for communal buildings to allow tangata whenua to maximise the use of their land; and
  - (v) Increasing the building coverage within the MPZ-Precinct 2.

- 1.3 Kāinga Ora is mostly supportive of the proposed provisions provided within PC54, but considers that, if the relief requested by Kāinga Ora is adopted, it will further allow tangata whenua to adequately increase and improve their use of their land and to utilise their land to their full potential that is in keeping with their traditional norms and practices.

## **2. INTRODUCTION**

- 2.1 My name is Lezel Beneke. I hold the position of Principal Development Planner within the Urban Planning and Design Group at Kāinga Ora.
- 2.2 I hold a Bachelor's Degree with honours in Planning from the University of Auckland. I am a full member of the New Zealand Planning Institute. I have held roles in the planning profession for the past 15 years and have been involved in advising on issues regarding the Resource Management Act 1991 ("**RMA**") and District Plans.
- 2.3 My experience includes working within local authorities, private consultancy and as a sole trader. For the past 2.5 years I have been employed by Kāinga Ora (formerly Housing New Zealand).
- 2.4 I have been providing development planning expertise within Kāinga Ora since 2021. In this role I have:
- (a) Undertaken assessment and identification of redevelopment land within the portfolio;
  - (b) Provided input into the strategic land planning, including the Asset Management Strategy, various investment and land use frameworks, and various structure plan processes of Kāinga Ora;
  - (c) Provided advice on the regulatory planning processes associated with Kāinga Ora residential development projects;
  - (d) Undertaken engagement with local authorities, local communities and other agencies on matters relating to regulatory policy frameworks associated with residential development;

(e) Provided advice on, and management of, input into strategic planning activities including plan changes and plan review processes throughout the country, including more recently, technical lead and project management of Kāinga Ora submissions and corporate evidence relating to Plan Changes implementing the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (“**Amendment Act**”) and the National Policy Statement on Urban Development 2020 (“**NPS-UD**”) across the Waikato, Bay of Plenty, Wellington and South Island regions.

2.5 I confirm that I am authorised to give evidence on behalf of Kāinga Ora in respect of hearings on PC54.

### 3. **BACKGROUND TO KĀINGA ORA**

3.1 Kāinga Ora was formed in 2019 as a statutory entity established under the Kāinga Ora – Homes and Communities Act 2019, and brings together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit.

3.2 The Kāinga Ora - Homes and Communities Act 2019 (“**the Kāinga Ora Act**”) sets out the functions of Kāinga Ora in relation to housing and urban development. Under the Crown Entities Act 2004, Kāinga Ora is a Crown entity and is required to give effect to Government policies.

3.3 Kāinga Ora is the Government’s delivery agency for housing and urban development. Kāinga Ora therefore works across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:

- (a) being a world class public housing landlord; and
- (b) leading and coordinating urban development projects.

- 3.4 The statutory objective<sup>1</sup> of Kāinga Ora requires it to contribute to sustainable, inclusive, and thriving communities through the promotion of a high quality urban form that:
- (a) provides people with good quality, affordable housing choices that meet diverse needs;
  - (b) supports good access to jobs, amenities and services; and
  - (c) otherwise sustains or enhances the overall economic, social, environmental and cultural well-being of current and future generations.
- 3.5 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.

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<sup>1</sup> Section 12, Kāinga Ora Homes and Communities Act 2019

#### 4. OVERVIEW OF THE KĀINGA ORA PROPERTY PORTFOLIO

4.1 Kāinga Ora is currently the largest residential landlord in New Zealand, providing public housing<sup>2</sup> to more than 186,000 people<sup>3</sup> who face barriers (for a number of reasons) to housing in the wider rental and housing market.

4.2 To this end:

- (a) Kāinga Ora owns or manages more than 72,000<sup>4</sup> properties throughout New Zealand, including about 2,500 properties for community groups that provide housing services.<sup>5</sup>
- (b) Kāinga Ora has public housing in locations spread throughout the Matamata Piako District; managing a portfolio of approximately 185<sup>6</sup> properties across the district.
- (c) Kāinga Ora has approximately 25,389<sup>7</sup> applicants (based on household) for the public housing waitlist across Aotearoa, with 102 applications<sup>8</sup> of this list seeking a home within Matamata Piako District<sup>9</sup>.

4.3 To meet this need, Kāinga Ora is undertaking one of the largest housing delivery programmes, with an additional 2,973 new public homes (including 946 leased to community housing providers) being added to the Kāinga Ora housing portfolio between October 2019 and October 2022<sup>10</sup> and a continued demand to create more homes.

4.4 As discussed within the PC54 s32 report<sup>11</sup>, the council have identified the need for quality affordable housing for Māori within the district. There is a shortage of quality and affordable housing options, many Māori are living in rental accommodation. Rental accommodation can

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<sup>2</sup> Public housing is an umbrella term for state housing and community housing.

<sup>3</sup> Kāinga Ora – Homes and Communities Annual Report 2022

<sup>4</sup> Managed stock as at 30 September 2023 - Managed-Stock-National-Summary-September-2023.pdf (kaingaora.govt.nz)

<sup>5</sup> ibid

<sup>6</sup> ibid

<sup>7</sup> Ministry of Social Development, Housing Register as at December, 2023

<sup>8</sup> Application being for one household/whanau

<sup>9</sup> Ministry of Social Development, Housing Register as at December, 2023

<sup>10</sup> Ministry of Housing and Urban Development, Government Housing Dashboard <https://www.hud.govt.nz/stats-and-insights/the-government-housing-dashboard/change-in-public-homes/#tabset>

<sup>11</sup> [https://meeting-](https://meeting-docs.mpd.govt.nz/Open/2022/09/C_28092022_AGN_AT_files/C_28092022_AGN_AT_Attachment_15588_1.PDF)

[docs.mpd.govt.nz/Open/2022/09/C\\_28092022\\_AGN\\_AT\\_files/C\\_28092022\\_AGN\\_AT\\_Attachment\\_15588\\_1.PDF](https://meeting-docs.mpd.govt.nz/Open/2022/09/C_28092022_AGN_AT_files/C_28092022_AGN_AT_Attachment_15588_1.PDF)

be difficult to secure for large whānau and thus overcrowded, which has implications on wellbeing.<sup>12</sup>

- 4.5 As part of the statutory functions of Kāinga Ora, Kāinga Ora work with iwi and hapū to develop their land and realise development potential and work to assist tangata whenua in addressing this shortfall and those other resource management issues as identified within the s32 report, including inadequate recognition of kaupapa and mātauranga Māori in resource management planning and decision making.
- 4.6 Mr Kahurangi Tapsell, Principal Advisor within the Te Kurutao Group – Maori, has provided an addendum to this statement of evidence further outlining the role of Kāinga Ora and the barriers faced by tangata whenua.

## **5. THE KĀINGA ORA SUBMISSIONS**

- 5.1 Kāinga Ora has lodged comprehensive submissions on PC54. These submissions arise from the statutory requirement for Kāinga Ora to consider and provide for Māori interests. The intent of the submissions is to ensure the delivery of a planning framework in Matamata Piako that contributes to well-functioning urban environments that are sustainable, inclusive and contributes towards thriving communities that provide people with good quality, affordable housing choices and support access to jobs, amenities and services. But in particular, reduce barriers to developing and using tangata whenua land in the way that fits into the principle of Tino Rangatiratanga.
- 5.2 Nationally, one of the strategic goals of Kāinga Ora through the various plan change and district plan review processes is to ensure that the provision of papakāinga and use of Māori owned land is permitted to its full potential and reflect the way in which Māori live and express their cultural norms.
- 5.3 This is further instilled through the NPS-UD and Kāinga Ora participate within these processes to ensure that local authorities implement the NPS-UD to its fullest extent and in particular Policy 1(a)(ii).

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<sup>12</sup> MPDC s32 report for Plan Change 54, page 22

5.4 If the Kāinga Ora submission on PC54 is adopted, particularly in relation to the above, then the constraints inherent in PC54 in its notified form would be reduced, and the plan change would enable greater ability for tangata whenua to develop their land to suit their needs.

## 6. FURTHER WORK FOLLOWING THE LODGEMENT OF THE KĀINGA ORA SUBMISSION

6.1 Since lodging the primary submission, Kāinga Ora has undertaken further assessment of the provisions, engaged in discussions with Council and received and reviewed Council's s42A report. This has resulted in numerous submission points being withdrawn and shown in Table 1 below.

*Table 1 - Submission points being withdrawn*

<b>Submission point</b>	<b>Provision</b>
54.40	6.1 Papakāinga
54.60	Definition – Papakāinga
54.61	Definition – Kāinga
54.1	Papakāinga - O1
54.5	MPZ-P3
54.6	MPZ-P4
54.12	MPZ-PREC1- R(1)(h)(Whare Hapori (Community facilities), Whare Akomanga (Education facilities), Whare Hauora (Healthcare facilities))
54.46	6. Papakāinga - New rule
54.31 (in part)	Papakāinga - O3 – only to the changes in relation to planned environment.
54.34	Papakāinga – P3
54.35	Papakāinga -P4
54.58	9.1.2 Access (v)(iii)
54.21	MPZ-PREC2- R(1)(c)(relocatable buildings)
54.9	MPZ-PREC1- R(1)(b)(relocatable buildings)
54.17	MPZ-PREC1- R(5)(e)(maximum building coverage)

## 7. REVERSE SENSITIVITY

7.1 Kāinga Ora have requested changes to numerous provisions to remove reference to reverse sensitivity effects and in turn those effects caused by buildings, structures and activities to primary production activities. Kāinga Ora do however acknowledge that reverse sensitivity can cause legitimate effects to primary production activities, but consider that a



balance needs to be struck to ensure that undue responsibility is not placed on the sensitive receiver.

7.2 Kāinga Ora is concerned that the way in which the particular objectives are written, does not provide this balance, particularly in regard to ensuring that those activities that are protected from reverse sensitivity effects are lawfully established. Kāinga Ora therefore propose the following changes to the relevant objectives (changes shown in *red*) to better align with case law, the RPS, and the policies and assessment criteria within the MPZ and Papakāinga chapters.

7.3 Objective MPZ O3 and Papakāinga O3 –

*Manage adverse effects of buildings, structures and activities on the amenity values, character and quality of the surrounding environment, and manages adverse reverse sensitivity effects on existing lawfully established non-residential activities.*

## **8. MAXIMUM DENSITY**

8.1 Kāinga Ora does not consider that the proposed density provisions within the Māori Purpose Zone, Rural Zone and Rural-Residential Zone are sufficient to allow for the maximum development potential of papakāinga within these respective zones. The density provisions also vary dependent on the structure of the underlying title with no explanation as to why there is a differentiation.

8.2 Kāinga Ora consider that as written, the current density provisions do not provide for papakāinga in its traditional form which includes clustered development and communal living. The Kāinga Ora submission sought to remove density provisions for all papakāinga within all the respective zones to allow for clustered development. Clustered development of kāinga also provides the option to include shared onsite servicing.

8.3 After further consideration and reflection of the density provisions within other chapters of the Operative District Plan, Kāinga Ora consider that density provisions should be the same across all rural and rural

residential zones and that there should be no differentiation between the ownership structure of the underlying record of title. Further, there should be no maximum number of dwellings.

8.4 The following changes are therefore considered appropriate:

*Table 2 - Proposed density provisions*

Zone	Permitted Density	<del>Max Number of houses per site</del>
Māori Purpose Zone – PREC1	1 kāinga per 5000 m <sup>2</sup> of site area	<del>4</del>
Māori Purpose Zone – PREC2	<del>1 kāinga per 500 m<sup>2</sup> of site area</del> Unlimited	<del>n/a</del>
Rural Zone (on Māori Freehold land at or before 21 December 2022)	1 kāinga per <del>4 ha</del> 5000 m <sup>2</sup> of site area	<del>4</del>
Rural Zone (General Land owned by Māori, Treaty Settlement Land, or land converted to Māori Freehold Land after 21 December 2022)	1 kāinga per <del>site</del> 5000 m <sup>2</sup> of site area	<del>4</del>
Rural-Residential Zone (on Māori Freehold land at or before 21 December 2022)	1 kāinga per <del>4 ha</del> 5000 m <sup>2</sup> of site area	<del>5</del>
Rural Zone (General Land owned by Māori, Treaty Settlement Land, or land converted to Māori Freehold Land after 21 December 2022)	1 kāinga per <del>site</del> 5000 m <sup>2</sup> of site area	<del>4</del>

## 9. ACTIVITY STATUS

9.1 Kāinga Ora consider that a Restricted Discretionary Activity status is more appropriate than a Discretionary activity status for the activities outlined within:

- MPZ-PREC1-R(3)(a)-(e)
- MPZ-PREC2-R(3)(a) and (b)
- Papakāinga 6.1.4
- 6. Subdivision

- 9.2 Kāinga Ora consider that a Restricted Discretionary Activity status provides clear direction as to the scale of activity and setting in which it can operate, is also appropriate in the respective zones and the outcome sought within these settings and recognises the benefits such activities can bring.
- 9.3 An RDA rule clearly outlines operating limits, and in doing so it provides direction as to the scale of activity that is appropriate in this context. It also retains the ability for Council to assess the impact of the activity upon the community in which it is proposed to be located through the consent process. This response continues to recognise the benefits of appropriate residential activities in the respective zones that support place making.
- 9.4 Regarding the non-compliance of three or more general standards (MPZ-PREC1-R(3)(a) and MPZ-PREC2-R(3)(b)), it is considered that the matters of discretion are appropriate to assess the development and the infringements to those standards and encompass appropriate matters to also address any cumulative effects on amenity values.

## **10. YARDS AND BUILDING COVERAGE**

- 10.1 Kāinga Ora consider that a 5m side and rear yard setback and a 10m front yard is appropriate to address any effects on adjoining, lawfully established primary production activities and to avoid any bulk or dominance effects within a rural setting. A 5m and 10m setback is provided for within the Rural Residential Zone, with no rules within the ODP extending that setback where the Rural Residential Zone adjoins a Rural Zone. Kāinga Ora therefore questions why there needs to be a differentiation between setbacks. The proposed setbacks are considered unnecessarily restrictive and impede the ability to undertake residential development.
- 10.2 Kāinga Ora also considers that the maximum building coverage within MPZ-Precinct 2 should be 40% as this is more in line with an urban setting and provides for better use of the land.

## **11. COMMUNAL LIVING**

- 11.1 As stated within the Kāinga Ora submission, Kāinga Ora consider that communal living arrangements and buildings are an integral part of papakāinga living including providing for inter-generational living and should therefore be a permitted activity.
- 11.2 Kāinga Ora consider that the building coverage provisions are appropriate to manage the effects associated with building scale and dominance of any shared living spaces.

## **12. PAPAKAINGA DEVELOPMENT PLANS**

- 12.1 Kāinga Ora consider that requiring a Papakāinga Development Plan to be submitted alongside a building consent application for permitted activities becomes in itself an additional consenting/approval process that is not required by any other development process within the ODP. Further, activities requiring building consent will need to show compliance with the development and performance standards, which in themselves provide appropriate management of the development.
- 12.2 The s42A report also notes<sup>13</sup> that the development plan would limit council to confirming the proposal meets the Permitted activity standards only. Kāinga Ora therefore question why an additional document is therefore needed above that required for building consent purposes.
- 12.3 Further, s37 of the Building Act provides a mechanism for Council to assess the development in accordance with the relevant development and performance standards.

## **13. CONCLUSION**

- 13.1 The submissions by Kāinga Ora sought amendments to PC54 to ensure that development opportunities are maximised for tangata whenua and will improve and enable Māori to develop their land in a manner that meets their cultural, environmental and economic wellbeing.

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<sup>13</sup> Para 292, s42A report – Plan Change 54

- 13.2 If the requested relief is adopted, then the constraints inherent in PC54 in its notified form would be reduced, and the plan change would enable greater ability for tangata whenua to develop their land to suit their needs.

A handwritten signature in black ink, appearing to read 'Beneke', written in a cursive style.

**Lezel Beneke**

**08 April 2024**

**Appendix 1 – Statement from Mr Kahurangi Tapsell**

## STATEMENT OF KAHURANGI TAPSELL

### Introduction

1. My name is Kahurangi Tapsell and I am the Whenua Māori Development Lead at Kāinga Ora – Homes and Communities.
2. I hold a Bachelor of Resource and Environmental Planning (Honours) from Massey University.
3. I have 20 years' experience in planning, resource management and advisory in local and central government, and the private sector. My experience has been primarily focussed on consenting, development, subdivision, infrastructure and designations.
4. My current role as the Whenua Māori Development Lead at Kāinga Ora oversees a small team focussed on reducing barriers for Māori to access housing and by supporting development aspirations. Our work programme includes the key areas of the House Relocations Programme, Divestments and Leasing, Whenua Māori Development Projects, and regulatory advocacy. I note that as part of our Whenua Māori Development project work, we have completed multiple site designs for papakāinga development in Te Waipounamu.
5. I note that I am a direct shareholder of a number of Māori land blocks, although as far as I am aware, none of these are located in the Matamata-Piako District.

### Approach

6. In conjunction with my Kāinga Ora colleagues, we have made submissions on plan changes affecting Māori housing and papakāinga provisions in Far North District, Waipa District and Wellington Region, as well as Plan Change 54 of the Matamata-Piako District Plan.
7. Our submissions highlight that Council planning processes are a small part of the long cycle of papakāinga development. This is a model that needs to move away from a burdensome consenting regime to one where whanau, hapū, iwi and landowners take the primary decision making role.
8. Our submission points therefore focus on the following themes:
  - Treating General Freehold and Māori Freehold title the same when it comes to development rights and activity status.
  - Ensuring that there is a robust and transparent regime for any whakapapa requirements.
  - Supporting more flexible permitted activity rule frameworks for papakāinga housing and avoiding discretionary and non-complying activity statuses for the same.
  - Avoiding dwelling density limitations.
  - Supporting limited matters of discretion and control for activities that do require resource consent, with a focus on strong site design prioritised over effects on adjoining landowners.
9. Underpinning this approach is the understanding that papakāinga isn't defined by housing alone. It's about an integrated community where landowners have the ability to develop socio-

economically on site – and not necessarily outsourcing these needs for the benefit of others in zones elsewhere within the district.

#### **Plan Change 54**

10. I have read the Reporting Officer's Section 42A report for Plan Change 54. I appreciate the comprehensive discussion of submissions made on PC54 and the reasoning given where Kāinga Ora submission points have been accepted or rejected.
11. I therefore prefer to focus on specific submission points where I don't agree with the conclusions reached by the reporting officer, being:
  - Density
  - Activity status
  - Side/rear yards

#### **Density**

12. Our submission sought the removal of maximum density rules and instead rely on servicing a development and performance standards to determine appropriate density. In this regard I note the Proposed Māori Purpose Zone in Timaru District, where papakāinga is permitted in the Māori Purpose Zone, with no maximum density limitations.
13. Our specific submissions points raising this issue were:
  - MPZ-PREC1-R(1)(f)
  - MPZ-PREC2-R(1)(a)
  - Papakāinga 6.1.1
14. I note that the reporting officer has rejected these submission points.
15. The proposed density standards for the Māori Purpose Zone – PREC1 is one kāinga per 5000m<sup>2</sup> of site area with a maximum of ten houses per site.
16. I request that the limitation on 10 dwellings per site be removed.
17. The proposed density standards for the Māori Purpose Zone – PREC2 is one kāinga per 500m<sup>2</sup> of site area with no maximum number per site. We continue to propose that there is no density limitations.
18. In paragraph 302 of the reporting officer's s42A report, it is stated that without a density provision, District Plan standards influencing the number of residential units would be limited to built form requirements. These include yard setbacks, height and maximum building coverage, which would enable more than one dwelling per site. This is correct and enables the Papakāinga Development Plan to consider site design. While it is true that a higher number of dwellings on a site has the potential to increase demand on infrastructure, residential amenity and rural character, this isn't fully explored in the s42A report. I argue that infrastructure can be made as a permitted activity criterion with no density. Residential amenity is managed through



the Papakāinga Development Plan; and rural character is managed through built form performance standards.

19. I also note that for whenua Māori it is very much a case of 'it is where it is'. Whether whenua Māori is surrounded by rural or residential zoned land is somewhat a moot point. The ability to develop papakāinga should not be limited by the location of whenua Māori, in itself a legacy very different to land within general title.

#### **Activity status**

20. Our submission sought the replacement of discretionary activity status with restricted discretionary activity status.
21. Our specific submissions points raising this issue were:
  - MPZ-PREC1-R(3)(a)-(e)
  - MPZ-PREC2-R(3)
22. I note that the reporting officer has rejected these submission points.
23. Paragraph 419 of the Reporting Officer's s42A report provides reasoning as to why a discretionary over a restricted discretionary activity status is preferred. I don't believe that a papakāinga activity (of more than 10 kāinga per site in a rural context) has adverse effects on the environment that are so unknown for Council to be unable to assess the appropriateness of the activity. A defined list of restricted discretionary activity matters provides a more straightforward direction for resource consent applicants – achieving a goal of reducing uncertainty in developing papakāinga.

#### **Side/rear yards**

24. Our submission sought the reduction of yard requirements to 5m for front, side and rear yards in MPZ-PREC1-R(5)(c) and in 3.2.1 (iii). In relation to papakāinga, for the Rural Zone front yards are proposed at 25m; for the Rural-Residential Zone this is 10m. Side and rear boundaries are 20m for both zones.
25. For other activities in these two zones the front yard requirements are the same. However, the side yard requirement for the Rural Zone is 10m and the Rural-Residential Zone is 5m.
26. The Reporting Officer provides reasoning for the side yard requirements in paragraphs 329 and 330 of the s42A report. The primary reason for this is to avoid reverse sensitivity effects. However, this doesn't address a key issue of fairness. For example, a dwelling on each of two adjoining parcels of land in the Rural Zone would each need to a yard setback of 10m. For the Rural-Residential Zone this is 5m each. If we replaced one of these adjoining land parcels in this scenario with a dwelling within a papakāinga, this dwelling needs to be 20m from the boundary, and 30m between dwellings across the two land parcels. This is despite the activity, being residential use, being the same on both land parcels.

27. Such a scenario isn't addressed in the s42A report. A dwelling within a papakāinga is therefore in effect considered to generate greater reverse sensitivity effects than any other dwelling otherwise would within the Rural Zone.

Kahurangi Tapsell