Statement to the Commissioners – Private Plan Change 85 (Mangawhai East)

Submitter: Abigail and Francis Meagher

Hearing Date: 18 February 2026

Good Morning Commissioners, and thank you for the opportunity to speak today.

My name is Abby Meagher, we live at 45B Black Swamp Road, Mangawhai and we are one of the properties that has been put forward for a zone change from Rural Zone to Low Density Residential Zone. Our property was included in Private Plan Change 85 with no prior warning or consultation with us. My Father, Phil Lathrope, purchased the property around 20 years ago. We moved here 18 years ago. We subdivided the property to allow for a section for Dad, one for us and one for my Aunty and Uncle in 2007, so only for our family use. We have raised our children here, we have farmed this land, and we have never sought further subdivision. Our intention has always been to maintain a rural lifestyle and continue the activities that have shaped our property and our way of life.

I want to speak today about the very real and practical effects that PPC85 will have on us as a directly impacted party and direct neighbours, and why we oppose a number of provisions in the plan change as currently proposed.

1. Transport and Connectivity

The proposal to rely on a right-turn bay into Black Swamp Road is woefully inadequate. As direct neighbours who use these roads daily, we know the traffic patterns and safety issues intimately. A roundabout is the only option that will safely manage increased traffic volumes generated by a development of this scale.

2. Biodiversity Provisions – Cat Ban

We oppose the proposed prohibition on cats for existing landowners. We currently have cats, and have had them for many years. Applying a new restriction to long-established residents is unreasonable and unfair. If Council wishes to apply such a rule, it should apply only to future development, not to existing households.

3. Business Neighbourhood and Mixed Use Centre Zone

The proposed Business Neighbourhood and Mixed Use Centre Zone introduces commercial activities into an area that is currently rural-residential in character. This risks ad-hoc commercial sprawl, increased noise and traffic, and significant adverse amenity effects. As direct neighbours, we are concerned that the scale and nature of commercial activity enabled by these objectives and policies will fundamentally change the character of the area.

We seek amendments to ensure commercial development is appropriately located, scaled, and designed so it does not compromise the amenity or privacy of surrounding properties.

4. Home Businesses and Home-Based Activities

We currently operate, or may wish to operate in future, home-based businesses that reflect the rural nature of our property. The proposed rule DEV-XLU-R4 – Home Business is too restrictive and does not recognise established activities.

We seek amendments that allow existing landowners to continue their home businesses without being forced into a new regulatory framework that does not reflect the character of the area as it exists today.

5. Character, Amenity, and Density

Mangawhai is a coastal township with a distinct character. The proposed minimum lot size of 350 m² and provisions enabling townhouse-style development are inconsistent with the existing environment and will significantly alter the amenity of the area.

We oppose DEV - XLU - R6 - Comprehensively Designed Residential Development Rule and the associated density provisions. They represent an inappropriate level of intensification for this location.

6. Loss of Rural Use and Reverse Sensitivity Risks

Our property has always been used for rural activities. Over the past two decades we have grazed cattle, sheep, horses, pigs and chickens. We have horticultural plantings on highly productive soils. We use farm machinery, we have dogs, and we undertake seasonal activities such as calf rearing, spraying and fires of green waste. These are normal, established rural practices.

The plan change proposes to rezone our land to residential, without adequate protection for existing rural activities. This creates a significant reverse sensitivity risk. New residents, unfamiliar with rural noise, odour, or seasonal activities, may complain about the very things we have always done lawfully and responsibly. Given the combined land size that we have (approx. 12 acres or 50,000 sqm), it requires us to have grazing animals.

Our submission requests that an objective and policy be added to recognise and protect existing rural uses. Without this, our ability to continue farming as we have for 20 years is uncertain and vulnerable to challenge.

7. Restrictions on Activities We Currently Undertake

Several proposed rules—particularly DEV-XLU-R8 – Any Activity Not Otherwise Provided For, DEV XGR 31(b) Noise and DEV XGR 5 Hazardous Substances - risk capturing ordinary rural activities that have occurred on our property for decades.

For example:

- Storing fertiliser and farm sprays
- Operating tractors and horticultural machinery
- Keeping livestock, including young stock
- Burning green waste

- Running small-scale home-based rural businesses

These are not "new" activities. They are part of the existing environment. Yet under the proposed residential zoning, they may require resource consent or become non-complying.

We ask that the plan change be amended to explicitly enable existing rural activities to continue without additional consenting burden.

8. Visitor Accommodation

Allowing visitor accommodation for up to 50 guests is excessive and will generate noise, traffic, and activity levels that are incompatible with the surrounding environment. We seek deletion of this rule.

9. Setbacks from Internal Boundaries

The reduced internal boundary setbacks effectively enable townhouse-style development, which is inappropriate for this location and inconsistent with the existing rural-residential character. Allowing buildings to be placed so close to boundaries will create privacy issues, overshadowing, and a loss of amenity for neighbouring properties. We seek deletion of this rule to ensure that development maintains adequate separation, protects existing neighbours, and avoids the intensification effects that are out of character for Mangawhai.

10. Excavation and Fill

The rule is unclear about whether earthworks can be undertaken within the Coastal Hazard Overlay, particularly for properties within the low-density residential zone. As written, it creates uncertainty for landowners who may need to carry out routine earthworks, maintenance, or small-scale rural activities. We request that the rule be amended to clearly allow earthworks—subject to appropriate controls—or that relevant NRC provisions be translated into the plan change so that expectations are consistent, practical, and workable for existing landowners.

11. Esplanade and Reserve Enhancement

We support the intention to improve reserves, but the requirement for pest and weed control for only six months is inadequate. We request that this be extended to five years, with Council taking responsibility thereafter.

12. Stormwater Management

The plan change refers to a stormwater management plan, but none has been provided. This is a major concern for us because existing farm drains discharge into our pond, which is already at capacity. If the pond is expected to receive stormwater from future development, the effects on our property could be severe.

We request that a stormwater management plan be prepared in consultation with existing landowners before any rezoning is confirmed.

13. Subdivision or Development Enabling 50 or More Residential Units

We support the intention to provide a walkway connection to the village as part of larger-scale subdivision or development. However, this needs to be delivered in a way that genuinely benefits the community and does not impose additional adverse effects on neighbouring properties. Any development of this scale must also be supported by robust infrastructure planning, particularly for stormwater and transport, which is currently lacking.

14. Home Stay Accommodation

We oppose the restrictions on home stay accommodation for existing landowners. Many rural properties, including ours, have secondary dwellings or spaces that could reasonably be used for small-scale home stay accommodation without adverse effects. We request that existing landowners be allowed to operate home stays in a separate dwelling on their property, recognising the established rural character and the way properties in this area have traditionally been used.

Commissioners, thank you again for hearing my concerns today.

At the heart of my submission is a simple request: that long-standing residents are not disadvantaged or displaced by the scale and form of development proposed in PPC85. My family has lived, worked, and raised children on this land for two decades. The activities we undertake are not temporary or speculative; they are part of the existing environment and have been for many years.

The plan change, as drafted, does not adequately recognise that reality. It introduces new restrictions, new risks, and new expectations that could fundamentally alter our ability to continue living the life we have built here. It also proposes levels of density, visitor activity, and infrastructure reliance that are not aligned with the character of Mangawhai or the capacity of the surrounding environment.

We are not opposed to growth. We are opposed to growth that overlooks the people already here. Especially when we are going to be severely impacted by the additional rates impact of this change.

I respectfully ask that you consider the amendments we have sought—particularly those relating to rural activity protection, reverse sensitivity, stormwater management, transport safety, and the preservation of amenity. These changes are reasonable, practical, and necessary to ensure that development proceeds in a way that is fair, safe, and sustainable.

Thank you for your time and for the careful consideration you bring to this process.