

Submission Form (Form 5)

Submission on Proposed Kaipara District Plan

Form 5: Submissions on a Publicly Notified Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by Monday 30 June 2025 via:

Email: districtplanreview@kaipara.govt.nz (subject line: Proposed District Plan Submission)

Post: District Planning Team, Kaipara District Council, Private Bag 1001, Dargaville, 0340

In person: Kaipara District Council, 32 Hokianga Road, Dargaville; or
Kaipara District Council, 6 Molesworth Drive, Mangawhai

If you would prefer to complete your submission online, from 28 April 2025 please visit:

www.kaipara.govt.nz/kaipara-district-plan-review/proposed-district-plan

All sections of this form need to be completed for your submission to be accepted. Your submission will be checked for completeness, and you may be contacted to fill in any missing information.

Full name:

Phone:

Organisation:

(*the organisation that this submission is made on behalf of)

Email:

Postal address:

Postcode:

Address for service: name, email and postal address (if different from above):

Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

I could not gain an advantage in trade competition through this submission; or

I **could** gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

I am directly affected by an effect of the subject matter of the submission

I **am not** directly affected by an effect of the subject matter of the submission

Signature:



Date:

(Signature of person making submission or person authorised to sign on behalf of person making the submission.)

Please note: all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

I **do not** wish to be heard in support of my submission; or

I do wish to be heard in support of my submission; and if so,

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing

(1) The specific provisions of the Proposed Plan that my submission relates to are:		(2) My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)</i>		(3) I seek the following decisions from Kaipara District Council. <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
Chapter/Appendix/ Schedule/Maps	objective/policy/rule/ standard/overlay	Oppose/support (in part or full)	Reasons	

Add further pages as required – please initial any additional pages

**SUBMISSION ON THE PROPOSED KAIPARA DISTRICT PLAN 2025
BY ESTATE OF A J RUITERMAN**

TO: Kaipara District Council
Private Bag 1001
Dargaville

FROM: Estate of A J Ruiterman

Estate of A J Ruiterman makes the following submission on the Proposed Kaipara District Plan 2025.

Estate of A J Ruiterman do not consider they can gain an advantage in trade competition through this submission. In any event, Estate of J A Ruiterman are 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.

This submission letter provides details of the matters of interest to Estate of A J Ruiterman.

The specific provisions of the Proposed Kaipara District Plan that this submission relates to are:

General Residential Zoning of Lot 7 DP 536946 and Allot 212 Parish of Wairau, 59 Gorge Road, Maungaturoto

Submission:

Estate of A J Ruiterman support the General Residential zoning of their site located at 59 Gorge Road Maungaturoto, legally described as Lot 7 DP 536946 and Allot 212 Parish of Wairau. The Certificates of Title and Interests are shown in **Attachment A**, the site is shown in **Attachment B**, and the Proposed District Plan zoning of the site is shown in **Attachment C**.

Reasons for submission:

The site is a logical residential extension for the town of Maungaturoto, with the General Residential Zone adjoining three of the site's boundaries under the Proposed District Plan, and the Maungaturoto Primary School (MEDU D-9) on the site's fourth boundary. The site has extensive frontage with both Gorge and Griffith Roads, providing easy access options. The site is within walkable distance to the services and amenities of Maungaturoto. Providing for residential growth in this location adjoining the existing residential areas of Maungaturoto town will enhance the vibrancy and sustainability of Maungaturoto.

Relief sought:

For the General Residential zoning of the site located at 59 Gorge Road and legally described as Lot 7 DP 536946 and Allot 212 Parish of Wairau to remain.

SUB-S1.5.b

Submission:

Estate of A J Ruiterman seeks amendments to SUB-S1.5.b for subdivision in the General Residential Zone.

Reasons for submission:

The two minimum allotment size options set under sub-parts a and b of SUB-S1.5 when subdividing in the General Residential Zone are supported. Having two minimum lot sizes provides flexibility so the subdivision design of the lot layout and density can respond to the characteristics and constraints of the site.

However, under sub-part b requiring reticulated water and wastewater services to be 'available' is considered to potentially be open to interpretation by subdividers and Council's processing staff. Rather, the higher density of 400m² should only be able when the allotments are *connected* to reticulated water supply and wastewater services.

It is acknowledged that SUB-S1.5 has an 'or' between sub-parts a and b indicating that the subdivider has the option to use either of the minimum allotment sizes. However, amendments to the drafting of sub-part b is considered appropriate to provide clarity and certainty for both the subdivider and Council's processing staff.

Relief sought:

Amend SUB-S1.5.b. as shown by the underlined text:

SUB-S1	Minimum allotment sizes (excluding access legs)
General residential zone	<p>5. Allotments must have a minimum net site area of:</p> <ul style="list-style-type: none">a. 600m², orb. 400m² if <u>connected to</u> reticulated water supply and wastewater services are available outside of Managwhai. <p>6. Except that no minimum net site area requirement applies to any allotment created around an existing or proposed residential unit that forms part of a multi-unit development for which resource consent has been granted (excluding minor residential units).</p>

Estate of A J Ruiterman wish to be heard in support of this submission.

If others make a similar submission, Estate of A J Ruiterman would be willing to consider presenting a joint case with them at the hearing.

Dated this 27th day of June 2025

Estate of A J Ruiterman by its duly authorised
agents Lands and Survey Ltd



Kelly Ryan



Venessa Anich

ADDRESS FOR SERVICE:

Lands and Survey Ltd Attn: Venessa Anich, 164 Bank Street, Whangarei 0112
(ph) 021 439 839, (email) venessa@landsandsurvey.co.nz



Attachment A – Certificates of Title and Registered Interests



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **891903**
Land Registration District **North Auckland**
Date Issued 12 December 2019

Prior References

NA582/68 NA772/106

Estate Fee Simple
Area 11.4600 hectares more or less
Legal Description Lot 7 Deposited Plan 536946

Registered Owners

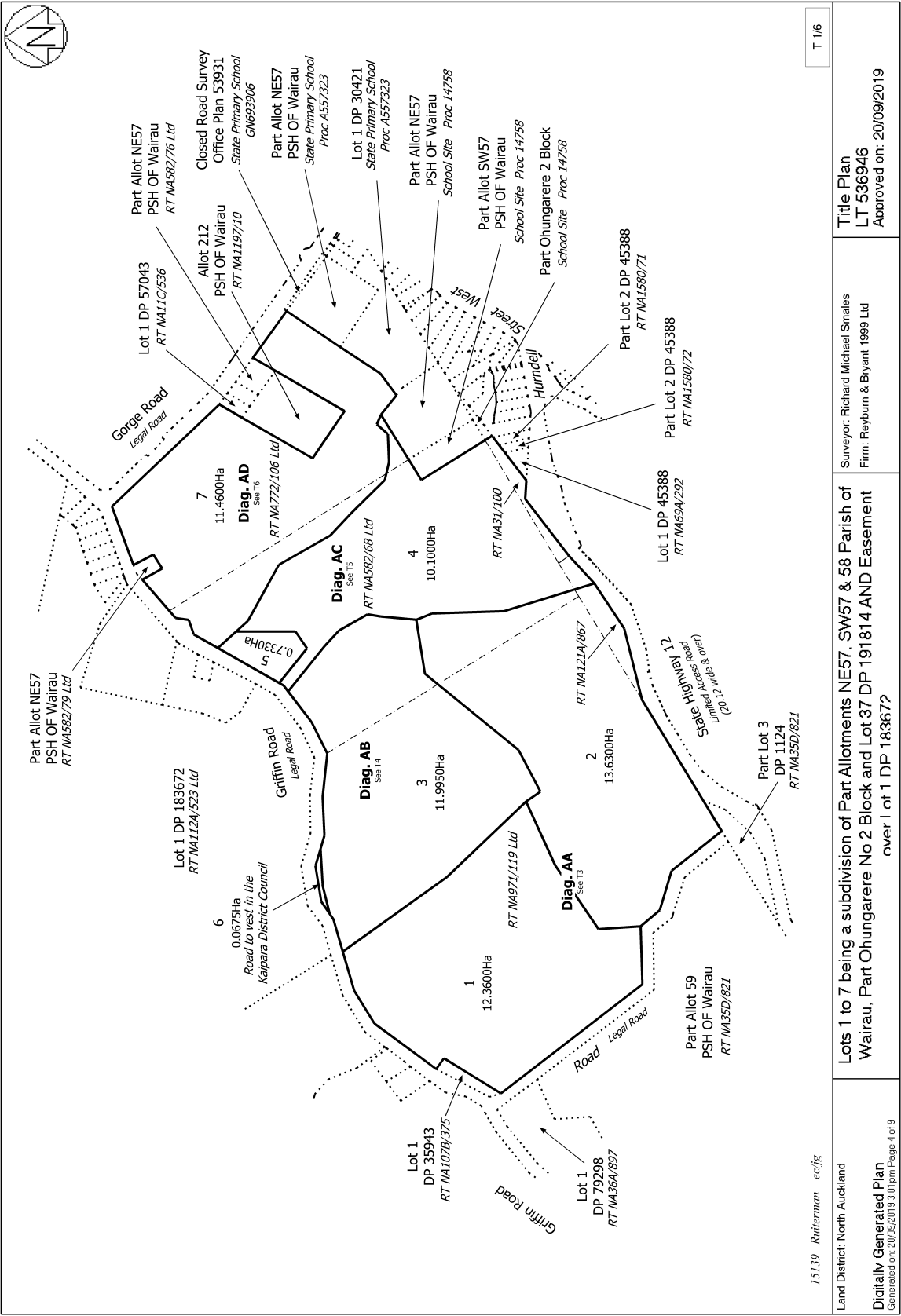
Antonius Johannes Ruiterman

Interests

K32788 Notice imposing Building Line Restriction - 17.1.1949 at 12:00 am (affects part formerly Part North Eastern Portion Allotment 57 Parish of Wairau)

K48533 Compensation Certificate by Minister of Works - 8.12.1953 at 2.20 pm

11636986.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 12.12.2019 at 10:54 am





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



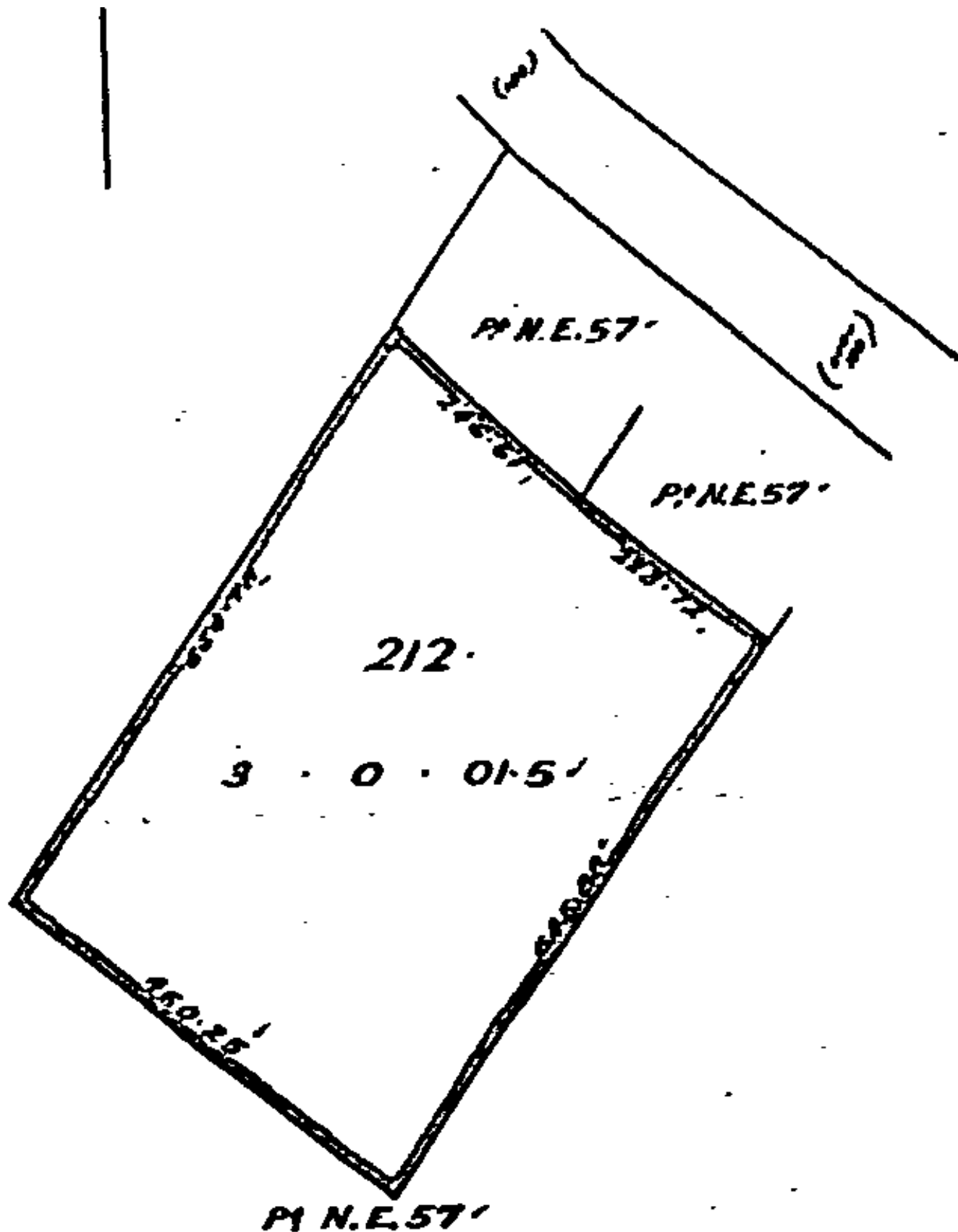

R.W. Muir
Registrar-General
of Land

Identifier **NA1197/10**
Land Registration District **North Auckland**
Date Issued 29 March 1956

Prior References
WA K56788

Estate Fee Simple
Area 1.2179 hectares more or less
Legal Description Allotment 212 Parish of Wairau
Registered Owners
Antonius Johannes Ruiterman

Interests
Subject to Section 8 Coal Mines Amendment Act 1950



View Instrument Details



Instrument No	11636986.2
Status	Registered
Date & Time Lodged	12 December 2019 10:54
Lodged By	Du Toit, Nicolene
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
891898	North Auckland
891899	North Auckland
891900	North Auckland
891901	North Auckland
891902	North Auckland
891903	North Auckland

Annexure Schedule Contains 5 Pages.

Signature

Signed by Nicolene Du Toit as Territorial Authority Representative on 11/10/2019 10:27 AM

***** End of Report *****

IN THE MATTER of the Resource Management
Act 1991 ("Act")

A N D

IN THE MATTER of the subdivision of land
shown in Deposited Plan LT
536946 (North Auckland Land
Registration District) ("Plan")

CONSENT NOTICE
(Section 221 of the Act)

KAIPARA DISTRICT COUNCIL ("**Council**") being the territorial authority of the district within which the land described in the First Schedule below ("**Land**") is located has consented to the subdivision of the Land as shown in the Plan, subject to the conditions of the Second Schedule below to be complied with on a continuing basis by the Owner (as defined in the Act).

FIRST SCHEDULE
(Land)

ALL the land comprised in South Western Portion Allotment 57 Parish of Wairau (NA582/68), Part North Eastern Portion Allotment 57 Parish of Wairau (NA772/106), Part Allotment 58 Parish of Wairau (NA971/119), Part Ohungarere No 2 Block 3619 (NA31/100) and Lot 37 DP191814 (NA121A/867)

SECOND SCHEDULE
(Conditions)

The Owner (as defined in the Act) must, on a continuing basis, to the satisfaction of the Council, comply with the following conditions of the Council's Subdivision Consent RM180413, namely:

1. In respect of Lot 7 on the Plan.

This Consent Notice draws attention to and requires compliance in respect of the following matters:

- The lot contains an area of native vegetation marked "G" on DP 536946 that shall be actively managed to provide for the natural regeneration of vegetation and the

protection and enhancement of ecological values. The owner of the lot must not allow any of the following to occur or be within this area of native vegetation:

- a. Any grazing animals
- b. Any building, structure or hoarding
- c. Any herbicide/pesticide spraying
- d. Any excavation
- e. The pumping of any groundwater
- f. The planting of or sowing of any exotic species
- g. The removal of any vegetation except for invasive and/or woody weeds
- h. The accumulation of rubbish or other unsightly or offensive material

2. In respect of Lot 5 on the Plan.

This Consent Notice draws attention to and requires compliance in respect of the following matters:

- (i) The construction of any dwelling within the lot shall only take place within the identified building platform as shown and marked "D" on the Plan.
- (ii) All planting shall be maintained in perpetuity in accordance with the approved Landscape and Amenity Planting Plan dated 23 May 2019 and prepared by Simon Cocker Landscape Architecture to the satisfaction of the Council. No plants listed in Table A5.2 of the Northland Conservation Management Strategy or the Northland Regional Council Publication "*Environmental Weeds – Delightful But Destructive*" shall be planted within the lot.
- (iii) The planting undertaken in accordance with the approved Landscape and Amenity Planting Plan dated 23 May 2019 and prepared by Simon Cocker Landscape Architecture shall be retained in perpetuity to the satisfaction of Council. Should the vegetation be removed or die off, equivalent landscape planting is to be undertaken for the purposes of softening the overall effect of the development and protecting rural amenity values in the area.
- (iv) Development of the site shall proceed in accordance with the Designed Guidelines included in Appendix 2 of the "*Assessment of Landscape and Visual Amenity Effects*" prepared by Simon Cocker, dated 21 September 2018, including the following:

Building Height

The maximum heights of all buildings and structures within proposed Lot 5 shall be 5.0m relative to natural ground levels and measured using the rolling height method. The maximum height shall exclude chimneys. It shall be measured above existing ground level using the rolling ground method.

Glazing / Surfaces

Mirrored glazing is not permitted.

All building finishes are to be recessive

- (i) The colour selection for all buildings and structures must be made from the following indicators (Refer to BS5252):

The predominant wall colours, have a RV rating of no more than 60% for greyness groups A and B and no more than 40% for greyness.

Roofs: An RV rating of no more than 30% within greyness groups A, B and C.

All vehicle driveways and manoeuvring areas shall be formed with recessive materials, e.g. blue metal, concrete with the aggregate exposed or concrete with a black oxide additive.

Infrastructure

All services and utilities are to be either located below ground or screened. External service areas should be integrated within the building area so that rubbish, storage and similar items are not visible from outside the house site.

Water tanks shall be buried to a minimum of half of their total height. The visible portion of all tanks shall be screened with plants / vegetation or shall be coloured a dark, natural and recessive colour.

Materials used for boundary fencing between the lots and between the lots and the retained bush area may be post and wire or timber railing and it shall be either left unpainted or stained a recessive colour. There shall be no solid timber fences or walls other than within five metres of the dwelling.

Not pole lights or floodlights are permitted.

Exterior light sources on buildings shall not be visible from beyond the house site lot boundaries and no tennis court lighting is permitted.

If streetlights or lighting for access ways are proposed, these shall comprise low level bollard-type lighting.

3. In respect of Lots 1, 2, 3, 4 and 5 on the Plan (each a "Lot").

This Consent Notice draws attention to and requires compliance in respect of the following matters:

- (i) Earthworks, the location of buildings, building foundations, wastewater and stormwater disposal to be subject to specific engineering design by a suitably

qualified Chartered Professional Engineer and having regard to any soil instability/saturation issues that may exist or arise as a result of the development. Design should take into account the recommendations identified in the "*Engineering Suitability Assessment Report*" prepared by Hawthorn Geddes, dated 6 November 2018.

- (ii) Development of the site shall proceed in accordance with the Design Guidelines included in Appendix 2 of the "*Assessment of Landscape and Visual Amenity Effects*" prepared by Simon Cocker, dated 21 September 2018, including the following:

The colour selection for all buildings and structures must be made from the following indicators (Refer to BS5252):

The predominant wall colours, have an RV rating of no more than 60% for greyness groups A and B and no more than 40% for greyness.

Roofs: A RV rating of no more than 30% within greyness groups A, B and C.

- (iii) The vegetation located within proposed Lot 5 as shown and marked "F" on the Plan, and in the Landscape and Amenity Planting Plan under Condition dated 23 May 2019 and prepared by Simon Cocker Landscape Architecture shall be protected and retained in perpetuity to the satisfaction of the Council.

- (iv) At the time of residential development on the lot, or any associated replacement, and prior to any occupation of a residential dwelling, a water supply for fire-fighting purposes with a minimum volume of 10,000 litres (i.e. for tanks larger than 10,000 litres arrange a domestic draw off above the 10,000 litre level) shall be provided on the site with the correct NZFS coupling.

4. In respect of Lots 1 and 2 on the Plan.

- (v) Future owners of Lots 1 and 2 are advised that no physical telecommunication connections are provided. Kaipara district Council will not be responsible for ensuring nor providing telecommunication connections to these lots.

This consent notice can be deleted if a hard-wired connection is provided to the lots.

5. In respect of Lot 3 on the Plan.

This Consent Notice draws attention to and requires compliance in respect of the following matters:

- (i) The Owner shall monitor and maintain the efficiency and effectiveness of the existing wastewater treatment and disposal system plant to ensure compliance with the

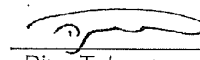
Page 5

AS/NZS 1547:2008 and any relevant NRC requirements as detailed in Kaipara District Engineering Standards 2011 under section 7.

DATED the 2nd day of September 2019

SIGNED by
KAIPARA DISTRICT COUNCIL
by its authorised signatory

)
)
)



Dina Tetzner

NOTICE NO. 62
SCHEME PLAN 3740.

K3 2788 BLR

CONDITIONS OF BUILDING LINE.

SECTION 5, LAND SUBDIVISION IN COUNTIES ACT,
1946.

PURSUANT to the provisions of Section 5 (2)
of the Land Subdivision in Counties Act, 1946, I,
WILLIAM TRAILL, Chief Surveyor, North Auckland Land
District, HEREBY GIVE NOTICE that Lot 3, more
particularly delineated in the Scheme Plan of the
Town of Maungaturoto Extension No. 23, being a
subdivision of Allotment S.W. 57 and parts Allotment
N.E. 57 Parish of Wairau, and part Ohungarere No. 2
Block, comprised in Certificates of Title Volume
582 Folios 68 and 76, Volume 772 Folio 106 and
Volume 31 Folio 100 Auckland Land Registry is subject
to the condition that no Buildings or Hoardings
shall be erected within 75 links of the middle-line
of the Waipu Gorge Main Highway, as shown in the
aforementioned Scheme Plan.

Given under my hand this 20th
day of December, 1948.

Signed: W. TRAILL,

CHIEF SURVEYOR.

NORTH AUCKLAND LAND DISTRICT.

I, WILLIAM TRAILL, Hereby Certify that this is a
copy of a Notice issued in accordance with the Land
Subdivision in Counties Act 1946.



CHIEF SURVEYOR.

Recommended for Approval:

Chief Surveyor.

Approved:

Minister of Lands.

Approved:

E. J. Healey
Owner.

Ohungarere No 2.
(Mrs Emily Jane Healey)

MATEA COUNTY.

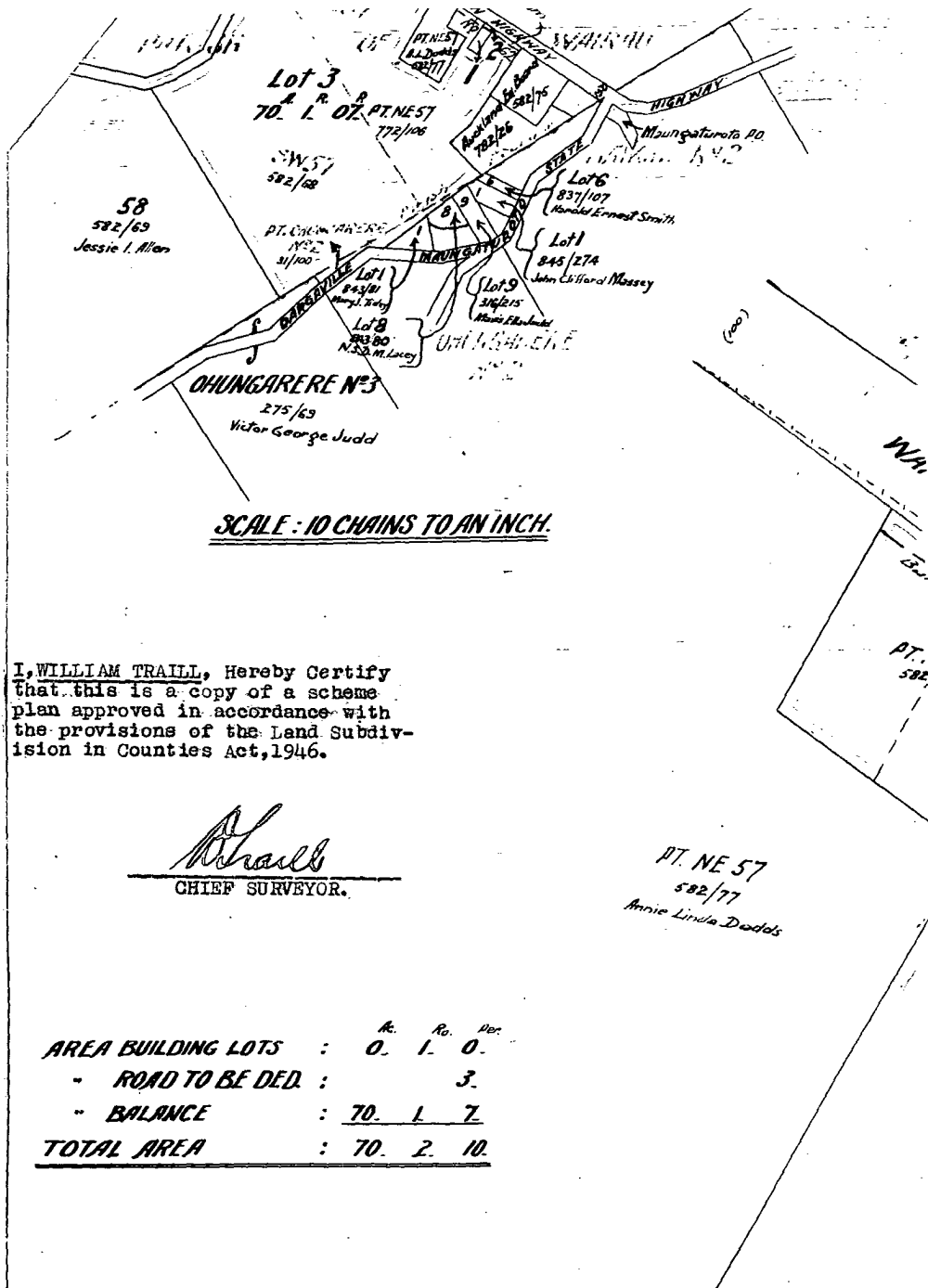
REGISTERED SURVEYOR.

certify that this scheme plan has been prepared by me in accordance with the provisions of the Land Transfer Act, 1946.

R. D. Bull
Registered Surveyor.

25. III. 1948.

3740



Town of Maungaturoto Ext.

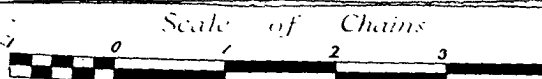
Plan of Proposed Subdivision of
Allots SW57 and Parts NE57 Parish of Wairau, and Pa
C.T.s. 582/68, 582/76, 772/106, 31/100.

VIII & XII WAIPU S.

NORTH AUCKLAND LAND DISTRICT. OT.

Scale: One Chain to an Inch. R.D. Bull, R.

I, Raymond Douglas Bull, Registered Surveyor, hereby cer
in accordance with the provisions of the Land Subdivision in C



Rec. Sht. 72

NE. 20 + 48

No PREVIOUS

K 32788

PARTICULARS ENTERED IN THE REGISTER-BOOK

VOL. 582 REG. 76: 772/106

THE 17th DAY OF January 1949

NORTH

W. M. M. M. M.

Assistant Land Registrar

Noted on Scheme Plan 3740 N



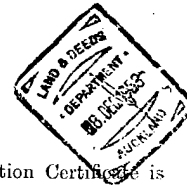
K48533 CC

[P.W. 365]

Compensation Certificate

To the DISTRICT LAND REGISTRAR of the Land Registration District of **Auckland.**

PURSUANT to section 17 of the Public Works Amendment Act, 1948, this Compensation Certificate is forwarded to you to be deposited in your Registry and a memorial thereof registered against the title to all land affected thereby:—



(a) Description of the land affected by the Certificate:

- (1) 28 acres 1 rood 38.9 perches, being part of the N.E. portion of Allotment 57, Wairau Parish, and being also all of the land contained and described in Certificate of Title, Volume 772, folio 106 (limited as to parcels).
- (2) 40 acres 2 roods 0 perches, being S.W. portion of Allotment 57, Wairau Parish, and being also all of the land contained and described in Certificate of Title, Volume 582, folio 68 (limited as to parcels).
- (3) 1 acre 0 roods 11.9 perches, being part Ohungarere No. 2 Block, being numbered 3619, and being also the residue of the land contained and described in Certificate of Title, Volume 31, folio 100.

(b) Brief particulars of the Agreement:

Date: 8th December, 1953.

- (1) Agreement provides for the acquisition by the Crown of an area of approximately 4 acres 2 roods, being part of the above described lands.
- (ii) Vendor to adduce good title.
- (iii) Consideration: Crown to vest an area of approximately 3 acres in Hylvia Lillian Allen and Cyril Archer Huband.

(c) Names and addresses of parties to Agreement (other than Minister):

Hylvia Lillian Allen and Cyril Archer Huband,
C/- C. A. Huband, Solicitor, Endean's Building, Auckland.

(d) (i) Place where Copy of Agreement may be inspected: Office of (the District) ^{Commissioner of Works} ~~Engineer~~,
Ministry of Works, Customs Street West, Auckland.

(ii) Hours during which a copy of the Agreement may be inspected: 9 a.m. to 11.30 a.m. and 2 p.m. to 4 p.m. on any day when Government Offices are open to the public.

(iii) Reference by which Agreement may be identified:—

P.W. 50/23/22/0

This Compensation Certificate is signed by me on behalf of the Minister of Works pursuant to an authority given to me by him dated the 8th day of March, 1949.

Dated at **Auckland**, this 8th day of December, 1953.

Signed by **CRAIG SCOTT McCALLUM**

in the presence of—

Person authorized by the Minister of Works.

Witness:

Address:

Occupation:

C. A. Huband
Auckland
Solicitor

48533

Compensation Certificate No.

Correct for the purposes of the Land

Transfer Act.

Particulars entered in the Register-book,

Vol. 772/106.582/68. + 31/100

the 8th

day of December, 1953, at

2.20. o'clock.

of the District of



Authorized Officer.

Ministry of Works Office,

AUCKLAND.



Attachment B – The site



Attachment C - Proposed Kaipara District Plan zoning of the site

