

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: Natalie Franciszek-Barlow & James Barlow **Phone:** 0211510802

Organisation: MOZART BARLOW HOLDINGS LIMITED
(*the organisation that this submission is made on behalf of)

Email: nfranciszek@yahoo.co.uk

Postal address: c/- Evolve Planning and Landscape Architecture Po Box 80
Mangawhai

Postcode: 0540

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

C/- Evolve Planning and Landscape Architecture, Attention Kylie McLaughlin-Brown, kylie@evolveplng.co.nz
postal address as 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:

23-06-2025

(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



Ref: 25083

20th June 2025

Kaipara District Council

Submission on Proposed District Plan – Mozart Barlow Holdings Limited (Natalie Fronczyk Barlow and James Barlow)

Introduction

Mozart Barlow Holdings Limited (Natalie Fronczyk Barlow and James Barlow) have an interest in 1215 Kaiwaka Mangawhai Road held in title Lot 3 DP 550019 which has a total site area of 2.618ha.

This submission considers the implications of the General Rural Zoning (GRZ), Mangawhai Hakaaru Managed Growth Overlay (MGO) within the Proposed District Plan (PDP) with respect to this site.

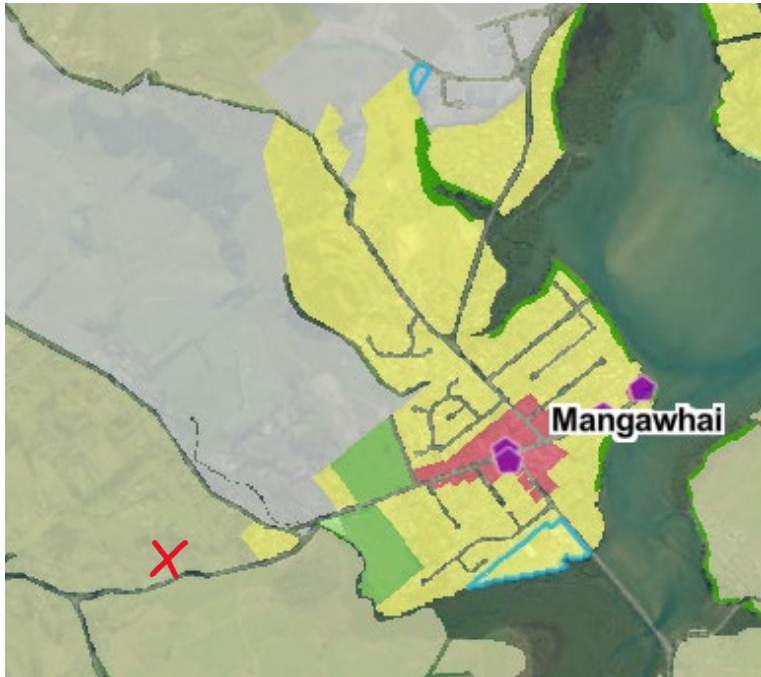
Site Context and Background

The site is currently zoned Rural under the Mangawhai Harbour Overlay within the Kaipara District Plan (Operative Plan) however is proximate to residential and Mangawhai Hills.



Proposed District Plan in relation to the site

The site is zoned General Rural under the PDP and is within the MGO as shown below.



General Rural Zone

Points of submission are outlined below within Councils format within the Form 5:

Point of Submission 1.

1.The specific provisions of the Proposed Plan that my submission relates to are:

The Mangawhai Hakaru Managed Growth Overlay Area.

2.My submission is that:

Mozart Barlow Holdings Limited oppose the Mangawhai Hakaru Growth Area Overlay and Mapped Extent with respect to 1215 Kaiwaka Mangawhai Road as well as well as the associated provisions including but not limited to SD UFD P7, SUB P6, Sub P 12, Sub P8, SubR2.11 and any other reference to this Growth Area within the Plan.

Reasons:

The Managed Growth Overlay is inconsistent with Part II of the RMA, section 7b) efficient use and development of natural and physical resources.

The Managed Growth Overlay and Mapping Extent does not appropriately give effect to national direction of the National Policy Statement for Urban Development (NPS-UD) and the Northland Regional Policy Statement.

The PDP does not meet the requirements of the Northland Regional Policy Statement with respect to urban form and development.

The Overlay is inconsistent with the Councils Long Term Plan

The site is proximate to Mangawhai the surrounding environment is not rural in nature and has very limited rural character, the Hakeru / Mangawhai catchment is rural lifestyle / rural residential in nature where lots are predominantly in the 4000m² to 1.5ha range, with some larger 2-4ha sites although less common.

The inappropriateness of this zone in relation to the site is outlined in a separate point of submission, however the MGO over the site is inappropriate.

This restriction within this area enables creating smaller sites elsewhere in the District creating a level of rural sprawl and adverse effects on rural character within the wider District.

The policy behind this Overlay (Sub-P12) is related to infrastructure is nonsensical when all rural developments are serviced via on site servicing (wastewater, stormwater, water supply) and do not rely on any council infrastructure aside from roading, where appropriate and targeted development contributions can offset and mitigate any potential effect on transportation infrastructure.

There is no sound justification or planning rationale behind this Overlay.

The policy framework for the justification of this Overlay is based on ensuring consolidation of infrastructure including transportation and social infrastructure to sustainably manage future growth.

As outlined above, rural development is generally serviced via on site infrastructure and any strain on Council owned infrastructure can be adequately mitigated through appropriate development contributions which is the intent of development contributions.

With respect to social infrastructure, it is unclear as to what this means, this is not elaborated on within the definitions of the plan and there is no reference to social infrastructure in the s32 report.

3. Mozart Barlow Holdings limited seek the following decisions from Kaipara District Council with respect to 1215 Kaiwaka Mangawhai Road

- Delete the Mangawhai and Hakeru Managed Growth Overlay from 1215 Kaiwaka Mangawhai Road;

Point of Submission 2.

1. The specific provisions of the Proposed Plan that my submission relates to are:

General Rural Zoning of 1215 Kaiwaka Mangawhai Road

2. My submission is that:

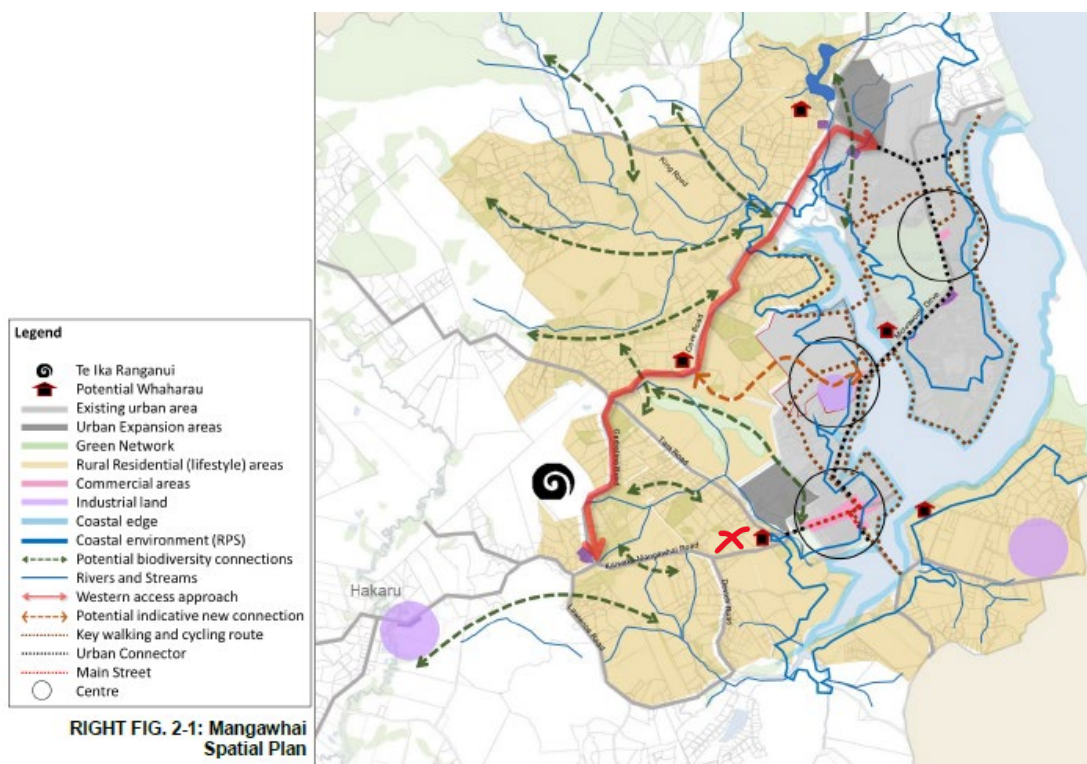
Mozart Barlow Holdings oppose the General Rural Zoning of 1215 Kaiwaka Mangawhai Road in particular. The zoning is inappropriate and does not reflect the existing character of the site or immediate area.

Reason 1

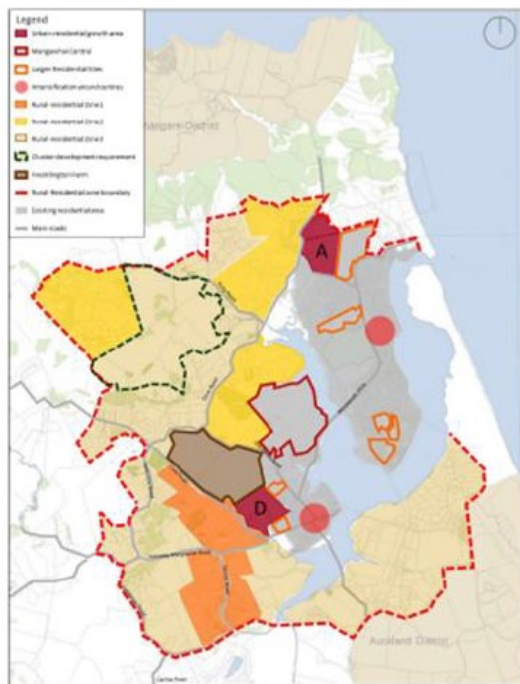
General Rural Zone blanket covers 78% of the District, the GRUZ outlines that the zone *"The General rural zone is a diverse environment with a wide range of primary production activities, rural landscapes, cultural values, and natural environment values. The purpose of the General rural zone is to provide for primary production activities as the predominant land-use. The General rural zone also provides for other activities that support primary production activities and have a functional or operational need to be in a rural environment, such as rural industry."*

Whereas the Rural Lifestyle Zone is described as *"The Rural lifestyle zone provides opportunities for people who seek a rural lifestyle to locate in more rural areas of the district. The Rural lifestyle zone is concentrated in appropriate locations, closer to urban areas with good access to services and transport networks. Historically, rural lifestyle subdivision has occurred throughout the rural environment, which has led to undesirable outcomes such as ongoing fragmentation of the rural land resource (particularly in areas containing highly productive land) and reverse sensitivity effects on existing primary production activities."*

It is distinctively clear that the subject site and immediate surrounds within Mangawhai does not meet the zone overview, however falls into the Rural Lifestyle Zone which is clearly shown in the Mangawhai Spatial Plan as shown below, the site is marked with a red X:



This area was identified as Rural Residential Zone 1 Lots 4000m² to 8000m² adopted by Council shown below:



		Dwellings	Population
Urban-Residential	Zoned but not built (min. 600m ²)	1,643	3,943
	Infill (min. 600m ²)	493	1,183
	Mangawhai Central	1,000	2,400
	Minor dwellings	180	287
	Intensification around centres (min. 400m ²)	30	49
	More density larger Res. Sites (min. 400m ²)	538	1,291
	Growth pockets (min. 600m ²)	302	725
	SUBTOTAL	4,186	9,878
Rural-Residential	Rural-residential Zone 1 (min. 0.4 - 0.8ha)	149	358
	Rural-residential Zone 2 (min. 0.8 - 2.0ha)	48	115
	Rural-residential Zone 3 (min. 2.0 - 4.0ha)	181	434
	Frecklington Farm	79	190
	SUBTOTAL	457	1,097
TOTAL		4,643	10,975

ABOVE FIG. 3-4-6: Breakdown of the potential dwelling and population capacity of the preferred growth option

It is also noted that this zoning is inconsistent with the adopted Spatial Plan.

It is also noted that under the Exposure Draft Plan the site was zoned Large Lot Residential which has been removed completely from the plan.

Reason 2

There is no adequate buffer zone between residential and general rural within Mangawhai and Hakeru, generally the rural lifestyle zone is provided between residential zone and general rural to provide a buffer between these two significantly different zones.

Reason 3

General Rural is typically characterised by a high level of rural character.

Rural character values can be assessed on a continuum from high rural character being a landscape derived from an intrinsic sense of openness where the landscape is generally dominated by pasture and open spaces with a high degree of visual permeability and spaciousness. In contrast to rural lifestyle and rural residential development where rural residential character is predominantly characterized by the visual presence of individual dwellings or clusters of dwellings and associated accessory buildings and amenities which results in a smaller grain and scale of development within the landscape which is generated by smaller lot sizes providing a presence of built form, a domestic scale and "cultured nature" landscape treatment such as gardens, amenity planting, small paddocks of open grass and the presence of amenity features such as pools, ponds and the like.

It is clearly evident that the site a is predominantly rural lifestyle in character, nor general rural.

3. Mozart Barlow Holdings Limited seek the following decisions from Kaipara District Council.

- That the 1215 be re-zoned to a Rural Lifestyle Zoning or Large Lot Residential if this zoning is re-introduced.

Submission Prepared by



Evolve Planning + Landscape Architecture Limited

Kylie McLaughlin-Brown

Director . Planner . Landscape Architect
BLA (MNZILA Registered)
MPLANPRAC (Hon) (MNZPI)

Po Box 80
Mangawhai
Mobile: 021 27 00 215
Email: kylie@evolveplanning.co.nz

On behalf of Mozart Barlow Holdings Limited