

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: Mangawhai Bush Estate

Phone: 021758123

Organisation:

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

Email: nharrison@studioda.co.nz

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

Nicola

Digitally signed by Nicola
Harrison
Date: 2025.06.22
13:09:30 +12'00'

Signature: Harrison

Date: 6/22/25

(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 – Mangawhai Bush Estate

Introduction

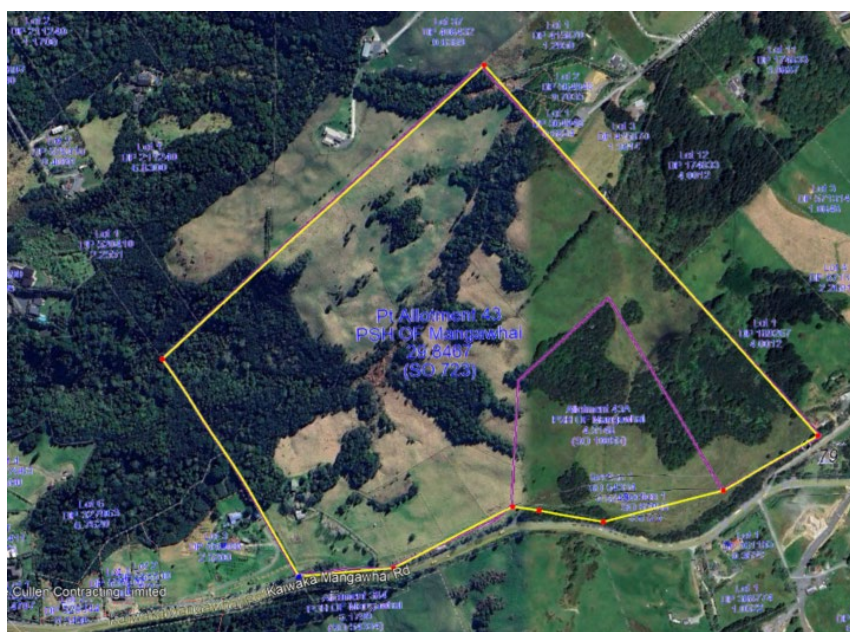
Mangawhai Bush Estate have an interest in 1083 Kaiwaka Mangawhai Road held in titles RT NA58C/617, RT NA85A/36 & RT NA115D/921. The total RT area is 35.5268 ha.

This submission considers the implications of the General Rural Zoning (GRZ), Mangawhai Hakaaru Managed Growth Overlay (MGO) and financial contributions section of 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). The applicant is in the process of potentially applying for a Non-Complying Integrated Development subdivision on the site to create a total of 18 Lots with protection of significant indigenous vegetation within the site. The consent is yet to be lodged.

The site is shown below:



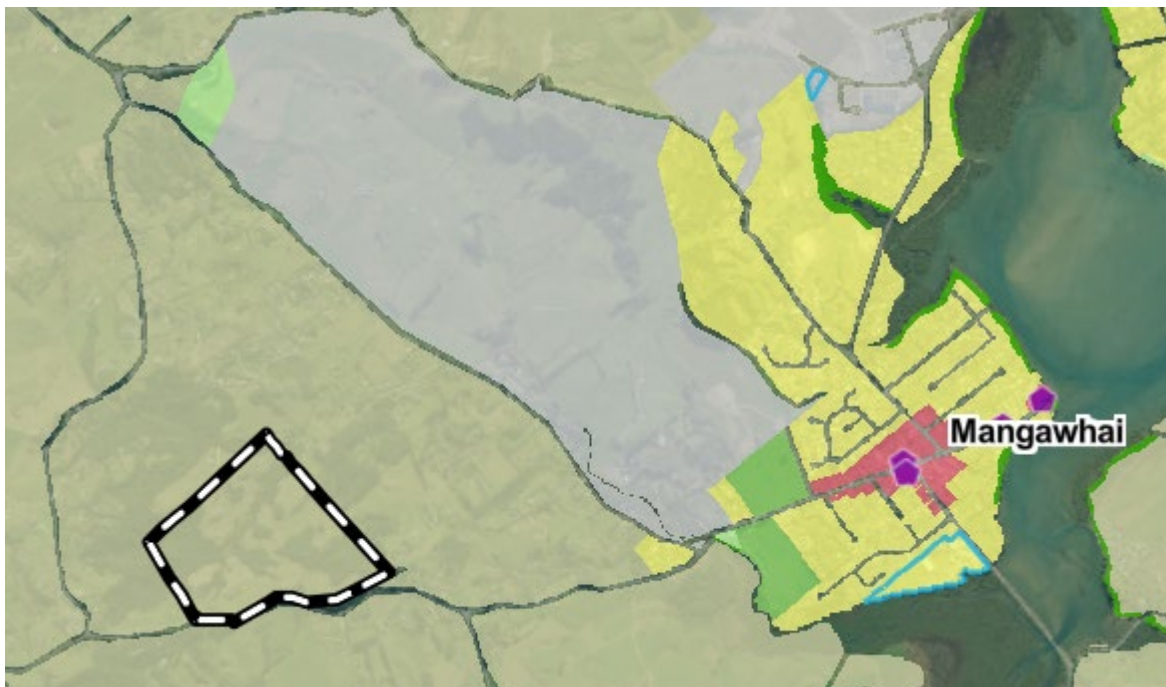
Locality and proximity to Mangawhai shown below:



The site is west of Mangawhai Township approximately 4km from the Village Town Centre.

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



Managed Growth Area

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:

Mangawhai Bush Estate oppose the Mangawhai Hakaru Growth Area Overlay and Mapped Extent with respect to 1083 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.

Reason 1

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

The MGO provides a blanket restriction over a large area and constraints development within an area close to / containing existing services and infrastructure. This MGO encourages inefficient land use and exacerbates pressure on more distant

general rural and rural lifestyle zones and small townships which are isolated and has limited infrastructure (servicing, business and community).

Reason 2

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.

Whilst Council has determined that KDC is not a Tier 1,2 or 3 Council and therefore does not need to consider the NPS-UD, Mangawhai Bush Estate would disagree that Mangawhai is not Urban.

It is also noted in Councils Agenda item dated 29th March 2023 that determined that KDC was not a Tier 3 Council the following:

To support this decision, staff have obtained an economic report from Formative (provided as Attachment B). This finds that neither Mangawhai nor Dargaville currently come within the definition of "urban environment" under the NPS-UD (although it is perhaps arguable for Mangawhai).

In Private Plan Change 78: Mangawhai Central, the Commissioners made a finding that they considered Mangawhai to be an "urban environment". This was in part, based on a finding that the Commissioners considered Mangawhai to be part of a combined housing and labour market with Warkworth, Wellsford and Whangarei exceeding 10,000 people. However, the appeals on this private plan change did not consider the matter further and other than the decision, which made a recommendation to Council (then subsequently approved by the Council) no formal decision has been made to date by Kaipara District Council to confirm whether any parts or all of the Kaipara District should be deemed to be an "urban environment".

Whether Mangawhai comes within the definition of "urban environment" In its decision on Private Plan Change 78 the Council found that Mangawhai came within the definition of "urban environment" (set out above) on the basis of projected population growth in Mangawhai over the next 30 years and a finding that Mangawhai forms part of a combined housing and labour market with neighbouring Warkworth, Wellsford and Whangarei (exceeding 10,000 people).² However, the more recent Formative Report disputes this and finds it is only "arguable" that Mangawhai comes within the definition of "urban environment" in the coming two decades (to 2038) because: □ The population of Mangawhai and Mangawhai Heads (and all urban environments within 5kms) was only 5,290 in 2018 and is projected to increase to 8,830 in 2038 (i.e. still less than 10,000); and □ The Report disagrees with the finding in Plan Change 78 that Mangawhai is part of a combined housing and labour market with Warkworth, Wellsford and Whangarei (that exceeds 10,000 people).³ In the author's view, the more recent analysis in the Formative Report is to be preferred. There is currently no robust evidence before the Council that Mangawhai is part of a combined housing and labour market with Warkworth, Wellsford and Whangarei exceeding 10,000 people. It is only on that basis that Mangawhai would come within the definition of urban environment.

It is noted that the Formative Report has used the 2018 census data not the 2023 data.

Whilst parts of the District are not Urban, Mangawhai / Mangawhai Heads is clearly urban and can be considered an urban growth area.

The definition of urban environment in the NPS-UD includes “any area of land (regardless of size, and irrespective of local authorities or statistical boundaries) that: is or is intended to be, predominantly urban in character and is or is intended to be part of a housing and labour market of at least 10,000 people.”

The definition of an urban environment also includes the word “or is intended to be”.

There are areas of residential zoned land that have yet to be developed, private plans change areas which have recently been approved as well as consented yet unimplemented developments and vacant sections that would likely tip the population or expected population to be over this threshold.

The 2023 census results outlined that Mangawhai (Mangawhai Rural, Heads, Mangawhai) had a population of 6834 people. Whilst this takes into consideration some of Mangawhai rural extent, it is likely that the population has grown since the 2023 census.

It is also noted that on the [infometrics.co.nz](https://rep.infometrics.co.nz/mangawhai/population/growth) website that Mangawhai expected population in 2024 was 7180, up from 3% in 2023.



The following objectives and policies of the NPS-UD apply (not limited to):

Objective 1 – Promoting well functioning urban environments;

Objective 2- Requiring responsive planning for urban growth;

Policy 1 – Supporting growth and change in urban environments.

These must be given effect to in Regional and District Plans under s75 of the RMA.

Mangawhai has experienced a high population growth rate in recent years and has been increasing consistently higher than the national average, clearly showing that Mangawhai is a desirable place for people to live and work.

The PDP Managed Growth Overlay does not enable and ensure co-ordinated subdivision and development. Therefore, the PDP does not appropriately give effect to this national direction.

Reason 3

The PDP does not meet the requirements of the NRPS where key points of the NRPS with respect to urban form and development are covered in:

Objective 3.5 – Efficient and effective infrastructure and urban development

Policy 5.1.1 Planned and co-ordinated development

Policy 5.1.3 Integration of Land use and Infrastructure

This policy framework aims to ensure that urban development is strategically planned, integrated with infrastructure and is located in appropriate areas and consolidated compact urban form, which is the opposite of what the Managed Growth Area achieves.

Reason 4

The Overlay is inconsistent with the Councils Long Term Plan which states:

“Kaipara is projected to grow steadily, reaching a population of 35,700 in 2054, however most growth will continue to be centred on Mangawhai due to its proximity to Auckland and coastal lifestyle offerings.

The adopted spatial plans provide for the blueprint for sustainable growth not only in Mangawhai, but also in new areas that are developing such as Kaiwaka, Maungaturoto and Dargaville.”

Reason 5

The Managed Growth Overlay which essentially restricts infill residential development and directs this to large land holdings which have been subject to recent private plan changes (Mangawhai Hills, Cove Road North Precinct and Estuary Estates / Mangawhai Central) is non sensical and has no sound planning rationale behind this approach.

Mangawhai is experiencing significant growth and demand for housing and the overlay acts as a constraint rather than a growth management tool, it discourages proposals that could assist in delivering affordable, diverse and well located housing options.

Reason 6

Turning to the MGO and the General Rural Zone with respect to the site, the site is proximate to Mangawhai and whilst the site may be a large land holding, the surrounding environment is not rural in nature and has very limited rural character, the Hakaru / 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.

Reason 7

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.

Reason 8

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.

This is also weakly outlined in the s32 report which states:

- The more limited subdivision opportunities in the Mangawhai/Hakaru Managed Growth Area will ensure that infrastructure in this area is utilised efficiently and not placed under undue pressure resulting from infill or rural lifestyle subdivision, which could result in negative environmental outcomes.

The more restrictive approach to subdivision in the Mangawhai/Hakaru Managed Growth Area will be effective in ensuring the under-pressure infrastructure assets and networks in this location are not placed under further pressure resulting from subdivision opportunities that are enabled elsewhere in the General Residential and General Rural Zones.

As outlined above, rural development is generally serviced via on site infrastructure.

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.

Therefore the s32 reporting does not provide for any clear justification or sound reasoning behind the Managed Growth Area and development restrictions.

Reason 9

It is important to note that Mangawhai will remain the main service centre for most of the lower Kaipara Region and Upper Auckland region. This is because the level of retail created by Mangawhai Central has reached a point of significance that draws

a wide catchment of customers, and there are no equivalent retail options apart from Warkworth in the south or Whangarei to the North.

Therefore, simply placing a development restriction over the buffer zones of Mangawhai will not generate competitive growth of retail in other areas, and the development achievable in the rural zone of lower Kaipara region will simply travel further to access the services of Mangawhai.

3. Mangawhai Bush Estate seek the following decisions from Kaipara District Council with respect to 1083 Kaiwaka Mangawhai Road

- Delete the Mangawhai and Hakaru Managed Growth Overlay entirely from the District Plan including from 1083 Kaiwaka Mangawhai Road;
- Delete any policy framework associated with this Overlay from the District Plan including but not limited to
 - SD UFD P7, Sub-P6, Sub P12
 - Consequential amendments to Sub P8,
- Remove and any methods including rules associated with this Overlay from the District Plan, including the following rules but not limited to:
 - Sub R2.11

Point of Submission 3.

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

General Rural Zoning of 1083 Kaiwaka Mangawhai Road

2. My submission is that:

Mangawhai Bush Estate oppose the General Rural Zoning of 1083 Kaiwaka Mangawhai Road in particular. The zoning is inappropriate and does not reflect the existing character of the immediate area.

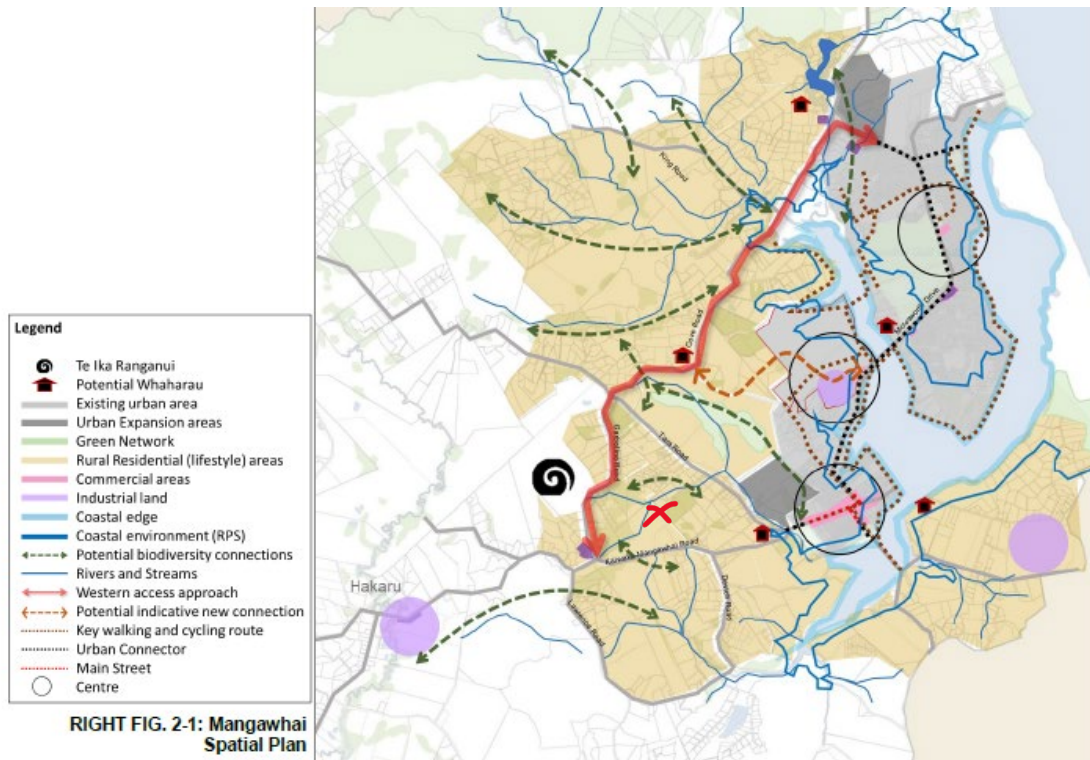
Reason 1

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."*

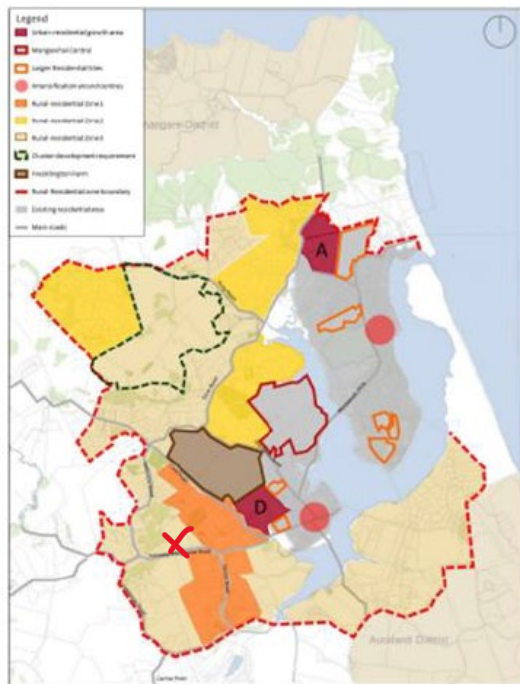
Whereas the Rural Lifestyle Zone is described as *"The Rural lifestyle zone provides opportunities for people who seek a rural lifestyle to locate in more rural areas of the district. The Rural lifestyle zone is concentrated in appropriate locations, closer to*

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 (min 2-4ha within the Mangawhai Spatial Plan and immediately adjacent to 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.

Reason 2

Reverse sensitivity issues from having a general rural zone over an area that is predominantly rural lifestyle in Mangawhai and Hakaru, where rural production activities are permitted and may result in reverse sensitivity effects.

Reason 3

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

Reason 4

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.

Rural character generally has limited buildings / residential dwellings with a very high ratio of open space to any such residential land use, where there is generally considerable separation between houses and buildings relative to those found on neighbouring properties. Rural character includes the presence of rural land use such as farm animals, horticulture activity, shelterbelts and buildings and structures

associated with the rural use of the site such as sheds, fences, races, accessways with topography and vegetation patterns that characterize the landscape.

At the other end of the continuum is 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 and the Mangawhai and Hakaru extent is predominantly rural lifestyle in character, nor general rural.

3. Mangawhai Bush Estate seek the following decisions from Kaipara District Council.

- That the 1083 be re-zoned to a Rural Lifestyle Zoning

Point of Submission 4

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

Mangawhai Bush Estate - Financial Contribution Rules with respect to 1083 Kaiwaka Mangawhai Road and future development of the site.

1 My submission is that:

The financial contributions rules are unclear and confusing and are essentially a double up when Councils also have a development contributions policy which can be reviewed more frequently than the District Plan and also aligns with Councils long term planning and are therefore better dealt with outside the District Plan.

The financial contributions within the District Plan does not allow for discretion of financial contributions to be applied and does not allow for funds to be ring fenced to the area of effect for the activity creating the effect, therefore there will continue to be social and environmental infrastructure areas created outside the areas of need. It is more appropriate to use development contributions that are specific to an area.

The methods should refer to the Councils Development Contributions Policy.

2 I seek the following decisions from Kaipara District Council.

Delete Financial Contribution Rules and provide a method that relies on Councils Development Contribution Policy.

Any contributions shall be targeted and site specific where related to 1083 Kaiwaka Mangawhai Road.

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 Mangawhai Bush Estate Limited.