

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 BEVAN AND LIZ JONES**

TO: Kaipara District Council
Private Bag 1001
Dargaville

FROM: BA and EJ Jones (partnership) and Healing Equine Assisted Activities

BA AND EJ JONES (PARTNERSHIP) AND HEALING EQUINE ASSISTED ACTIVITIES (Jones and HEAA) makes the following submission on the Proposed Kaipara District Plan 2025. HEAA are a registered charity with registration number 142-036-770.

Jones and HEAA do not consider they can gain an advantage in trade competition through this submission. In any event, Jones and HEAA 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 Jones and HEAA.

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

Zoning of Lot 1 DP 569425

Submission:

Jones and HEAA seek for their site located at 62 Grey Street Dargaville, legally described as Lot 1 DP 569425 to be zoned Rural Lifestyle. A copy of the Certificate of Title is provided in **Appendix A**. The Proposed Kaipara District Plan has proposed a General Residential zone for this site.

Reasons for submission:

The subject site is currently zoned Rural in the Operative District Plan, with the Residential Zone and residential land use established on two of its boundaries and the Rural zone its other two boundaries. Refer to **Appendix B** for an aerial view of the subject site and the surrounding land uses.

Due to a number of constraints, the subject site would be more suited to the lower density of the Rural Lifestyle zone. The constraints are electricity easements, steeper topography and Flood Hazard areas, as shown in **Appendices B, C and D**.

The Rural Lifestyle Zone would provide a logical transition between the General Residential Zone on the western and southern boundaries of the subject site, and the General Rural Zone on the eastern and northern boundaries of the subject site. It is noted that on the north-western boundary of the

subject site is Special Purpose Zone – Dargaville Hospital. The Rural Lifestyle Zone is equally considered compatible to neighbour with this zone.

The s32 report states that the Rural Lifestyle Zones are in appropriate locations for rural lifestyle development that are close to urban areas, good transport links and services and away from the most productive parts of the rural environment. The subject site satisfies these criteria because it is close to urban Dargaville, close to good transport links and close to services. It is acknowledged that the subject site contains areas of LUC 3 land. However, with the proposed re-zoning to General Residential, the decision that this is not a productive part of the rural environment has already been made. This submission is merely seeking that the re-zoning is to the lower density of Rural Lifestyle, rather than General Residential.

Relief sought:

That Lot 1 DP 569425 is zoned Rural Lifestyle in the Proposed Kaipara District Plan.

RLZ-R9 Community Facility

Submission:

Jones and HEAA seek for the activity status for RLZ-R9 Community Facility to change from Discretionary to Restricted Discretionary.

Reasons for submission:

In the Proposed Plan, Community Facilities are defined as –

Land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.

The Rural Lifestyle Zone is considered an appropriate location for Community Facilities. While acknowledging that resource consent should be required when proposing to establish a Community Facility in the Rural Lifestyle Zone, a Restricted Discretionary activity status sends the appropriate signal that the District Plan envisages this activity provided certain matters are addressed. Assessment matters based on GRZ-MAT2 for GRZ-R15 Community Facilities in the General Residential Zone are considered to be applicable for inclusion in the Rural Lifestyle Zone.

Relief sought:

That RLZ-R9 be amended as identified by the underlined text as follows:

RLZ-R9	Community Facility
1. Activity status: <u>Restricted</u> Discretionary	2. Activity status when compliance not achieved: <u>Discretionary</u> 3. Matters over which discretion is restricted: <u>a. Rural Lifestyle character and amenity;</u> <u>b. Design and layout;</u> <u>c. Transport safety and efficiency;</u> <u>d. Scale of activity;</u> <u>e. Hours of operation;</u>

	<u>f. Infrastructure servicing; and</u> <u>g. Outdoor storage.</u>
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RLZ-O1, RLZ-P1 and RLZ-P2

Submission:

Jones and HEAA seek amendments to the following Rural Lifestyle Zone objective and policy:

- RLZ-O1 Land use activities
- RLZ-P2 Allow certain complacency and ancillary activities

Jones and HEAA question whether ‘complacency’ in RLZ-P2 is a typo and should be ‘complimentary’.

Reasons for submission:

The Rural Lifestyle Zone is considered an appropriate location for Community Facilities. While acknowledging that resource consent should be required when proposing to establish a Community Facility in the Rural Lifestyle Zone, the objectives and policies of the Rural Lifestyle Zone should also reflect the intent of this zone to provide for Community Facilities.

Relief sought:

That RLZ-O1 and RLZ-P2 be amended as identified by the underlined and strike through text as follows:

RLZ-O1	Land use activities
	The Rural lifestyle zone is used predominantly for low density residential activities, and small-scale primary production activities <u>and community facilities</u> that are compatible with the rural lifestyle character and amenity values of the zone.

RLZ-P2	Allow certain complacency <u>complimentary facilities</u> and ancillary activities
	Enable home businesses, and visitor accommodation activities <u>and community facilities</u> , provided they are consistent with the rural lifestyle character and amenity values anticipated in the Rural lifestyle zone.

Jones and HEAA wish to be heard in support of this submission.

If others make a similar submission, Jones and HEAA would be willing to consider presenting a joint case with them at the hearing.

Dated this 27th day of June 2025

**BA and EJ Jones (partnership) and Healing Equine
Assisted Activities** 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



Appendix A – Certificate of Title



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **1026630**
Land Registration District **North Auckland**
Date Issued 11 July 2022

Prior References
NA31B/245

Estate Fee Simple
Area 17.4550 hectares more or less
Legal Description Lot 1 Deposited Plan 569425
Registered Owners
Bevan Alan Jones and Elizabeth Jean Jones

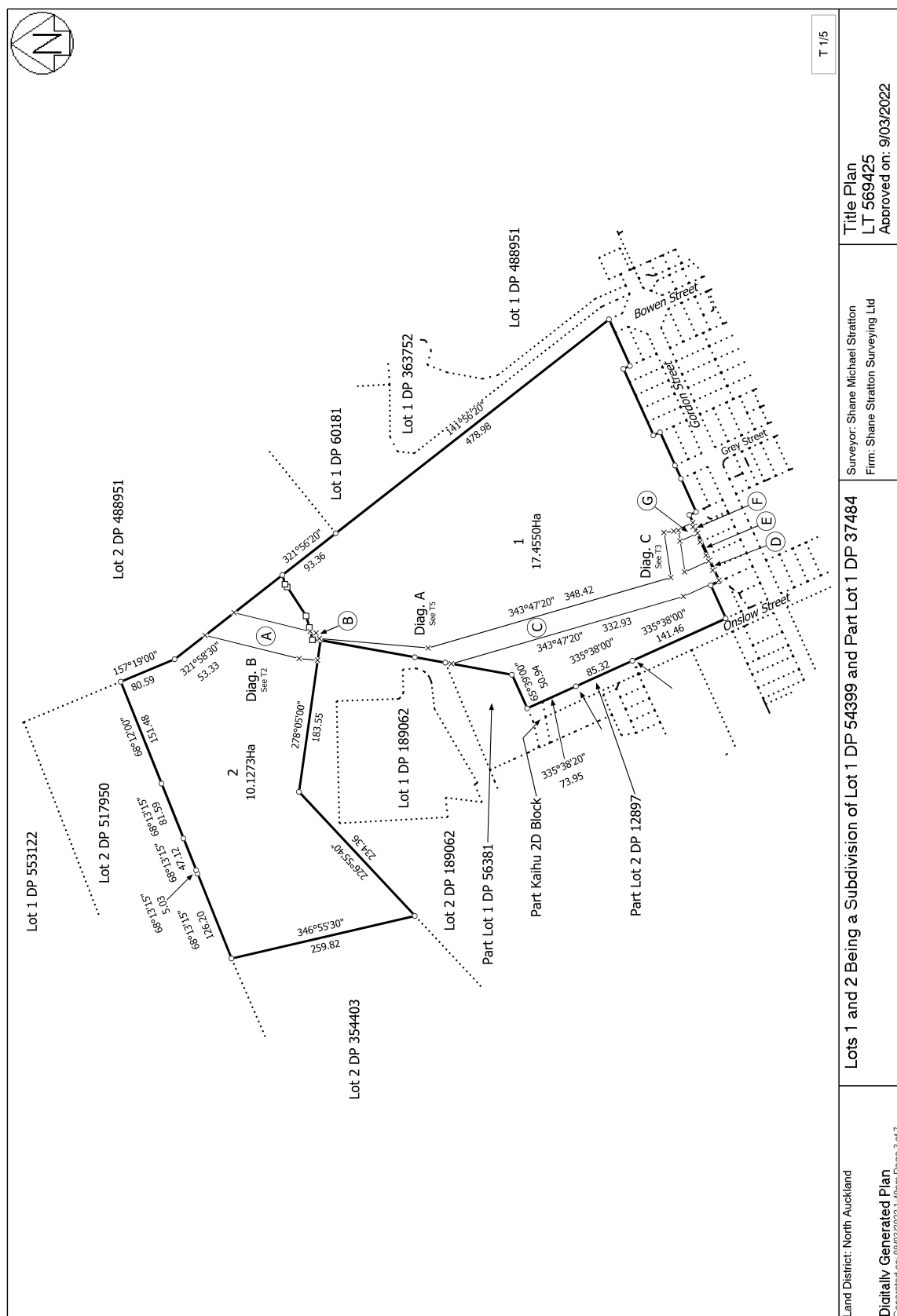
Interests

Subject to an electricity right (in gross) over parts marked B, C and D on DP 569425 in favour of Northpower Limited created by Transfer C536636.2 - 10.11.1993 at 2.39 pm

Subject to a right to drain water over parts marked D, E and F on DP 569425 created by Easement Instrument 7067249.5 - 12.10.2006 at 9:00 am

Subject to a right (in gross) to convey electricity and telecommunications over parts marked F and G on DP 569425 in favour of Northpower Limited and Northpower Fibre Limited created by Easement Instrument 12363683.5 - 11.7.2022 at 3:04 pm

The easements created by Easement Instrument 12363683.5 are subject to Section 243 (a) Resource Management Act 1991 12534805.2 Mortgage to ANZ Bank New Zealand Limited - 19.8.2022 at 12:31 pm



Appendix B – Subject Site with contours and electricity easements shown



Source: GRIP.

Appendix C – Subject Site with Coastal Flood Hazard Zones



Source: Northland Regional Council.

Appendix D – Subject Site with River Flood Hazard Zones



Source: Northland Regional Council.