**IN THE MATTER** of the Resource Management

Act 1991 ("the Act")

AND

**IN THE MATTER** of a submission pursuant to

Clause 6 of Schedule 1, of the

Act in respect of the **Proposed** 

Kaipara District Plan

SUBMISSION ON THE PROPOSED KAIPARA DISTRICT PLAN

To: District Plan Team

Kaipara District Council

Private Bag 1001

**DARGAVILLE 0340** 

Email: districtplanreview@kaipara.govt.nz

#### 1. Details of persons making the submission

I Petro & E Habili

Ref: 17287

C/- Reyburn and Bryant

Attention: Brett Hood

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#### 2. General statement

2.1 The submitter cannot gain an advantage in trade competition through this submission. They are directly affected by the proposed plan change. The effects are not related to trade competition.

#### 3. Background and context

- 3.1 I Petro and E Habili own approximately 24ha of land east of Kaiwaka that is accessed from Kaiwaka-Mangawhai Road. It is legally described as Lot 3 DP 204472 and is held in RT NA133A/483.
- 3.2 The land is currently zoned 'Rural' in the Operative Kaipara District Plan.
- 3.3 The Proposed Kaipara District Plan (PKDP) proposes to change the zone of the property to General Rural Zone (GRUZ). It also proposes to add an 'Esplanade Priority Area' along the watercourse near the eastern boundary of the site, together with 'River Flood Hazard Zones' centred on the watercourses running through the property.
- 3.4 The proposed new zones and overlay areas are shown in **Figure 1** below.

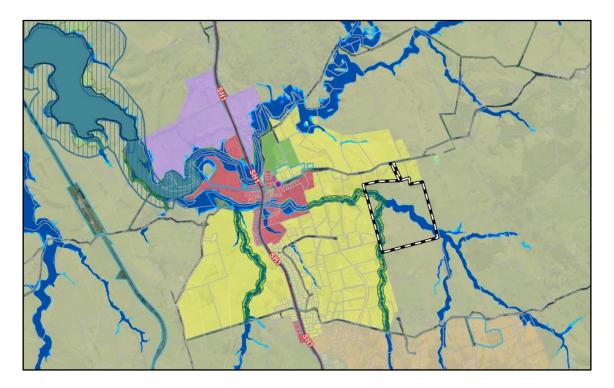


Figure 1: Proposed District Plan zones (property highlighted with black and white pecked lines)

- 4. The specific provisions of the Kaipara District Plan that this submission relates to are:
- 4.1 The proposed zoning of the land shown on **Attachment 1** and related plan provisions that will have relevance to the use of the land.
- 5. The submitter seeks the following relief:
- 5.1 To rezone the land shown on the plan in **Attachment 1** Rural Lifestyle Zone (RLZ) or alternative relief with similar effect.
- 6. The reasons for the relief sought are as follows:

#### Section 32 of the RMA

6.1 The proposed GRUZ for the property is not the most appropriate zone for the land to achieve the purpose of the RMA in the context of Section 32 of the RMA (see Section 32 assessment in **Attachment 2**).

#### Kaiwaka Spatial Plan

6.2 The Spatial Plan for Kaiwaka identifieS the land east of Kaiwaka and the watercourse as being appropriate for new 'Low-Density Housing' (shown as Area 6 on **Figure 2** below).



Figure 2: Kaiwaka Structure Plan (Area 6 – Kaiwaka East Valley B)

- 6.3 The Spatial Plan goes on to describe Area 6 as "a neighbourhood that consists overall of new 'Low-Density Housing' land, whereby the expected density mix will be between 750-1,000m² lot size with most lots containing a primary and secondary dwelling." However, it is considered that the subject site and all the land from Kaiwaka-Mangawhai Road through to Settlement Road shown on **Attachment 1** is more suited to the Rural Lifestyle Zone (RLZ) (4,000m² minimum lot size) due to contour, watercourses and other topographical constraints / limitations.
- 6.4 The RLZ seeks to accommodate the demand for rural lifestyle sized sites. It also supports the objectives of the GRUZ by reducing pressure for rural lifestyle subdivision on the most productive rural land in the district.

#### Consistency with Rural Lifestyle Zone provisions

#### <u>Purpose</u>

- 6.5 The proposed rezoning of the subject land to RLZ is consistent with the stated purpose of the RLZ in the PKDP. Specifically, the RLZ is designed to provide for people seeking a rural lifestyle while concentrating development in appropriate locations near urban centres with good access to transport networks and services. To this end, the land identified in **Attachment 1** is located immediately east of the Kaiwaka township, with direct access from Kaiwaka-Mangawhai Road and proximity to State Highway 1, making it highly accessible and aligned with the locational intent of the RLZ.
- 6.6 The site is not part of a highly productive rural area and is already characterised by existing fragmentation and rural lifestyle land use patterns. Rezoning the site RLZ would reduce the pressure for ad hoc subdivision in other areas of the GRUZ, especially those with greater agricultural value. This aligns with the strategic intent to consolidate lifestyle development in suitable and already compromised areas rather than enabling continued fragmentation of the rural land resource.
- 6.7 In terms of land use character, the subject site is well suited to the intended built environment of the RLZ. It can accommodate low-density residential development with large lots (typically 4,000m² or more), while maintaining open space (including esplanade reserves) and supporting limited small-scale rural activities. The RLZ change would ensure that the area continues to reflect the rural lifestyle values anticipated for the RLZ.
- 6.8 Overall, the rezoning of this site to RLZ will assist in meeting the District's strategic growth and land use objectives, avoiding reverse sensitivity conflicts, and focusing lifestyle development in appropriate locations with existing service and transport links.

#### Objectives and policies

6.9 Rezoning the land RLZ aligns with the RLZ objectives and policies as follows:

#### RLZ-O1 - Land Use Activities

The subject land is well suited to the RLZ as it enables low-density residential development consistent with the lifestyle character anticipated in RLZ areas. The location close to Kaiwaka and accessibility from Kaiwaka-Mangawhai Road and Settlement Road supports the development of lifestyle blocks, typically comprising primary dwellings with potential for secondary dwellings, generally as envisaged in the Kaiwaka Spatial Plan. The land is also capable of accommodating small-scale primary production activities, such as orchards or hobby farms, which would complement and be compatible with the lifestyle character of the zone.

#### RLZ-O2 - Rural Lifestyle Character and Amenity Values

Rezoning the land RLZ would maintain and enhance the rural lifestyle character of the locality. The topography of the site and landscape features are conducive to integrating new dwellings while maintaining rural amenity values. The proposed RLZ will ensure the balance between development and open rural outlooks is retained, providing an appropriate and graduated buffer between the proposed GRZ and GRUZ.

#### RLZ-O3 - Primary Production Activities in the General Rural Zone

The proposed RLZ area is physically and spatially separated from more productive land used for intensive primary production. As such, rezoning will not compromise the efficiency or viability of primary production activities in the surrounding GRUZ. Rather, the RLZ acts as a buffer between higher-density residential areas and productive farmland, thereby helping to avoid incompatible land use conflict.

#### RLZ-P1 - Rural Lifestyle Character and Amenity Values

The proposal meets this policy by facilitating low-density residential development consistent with the anticipated character of the RLZ. The development will retain large lot sizes (typically around 4,000m²), allow for small-scale production or home-based activities, and provide opportunities to incorporate natural features and vegetation. The development will not include urban-scale infrastructure, thereby avoiding a transition to urban character.

RLZ-P2 - Enable Home Businesses and Visitor Accommodation

The RLZ rezoning would allow for flexibility in land use while still aligning with rural lifestyle values. The site would be able to accommodate ancillary activities such as visitor accommodation or home businesses, especially given its proximity to Kaiwaka township and key transport routes. These uses are consistent with the character anticipated under this policy.

RLZ-P3 - Avoid Incompatible Development

The proposed RLZ avoids higher-density residential development, rural industry, and large-scale commercial activities that are not appropriate in a rural lifestyle setting. The anticipated use of the land for lifestyle living, potentially supported by small-scale production or home-based enterprises, is well within the scope of what is intended for this zone.

RLZ-P4 – Reverse Sensitivity Effects on the Adjacent General Rural Zone

As previously identified, the proposed RLZ acts as a buffer between the higherdensity residential area and productive farmland, thereby helping to avoid incompatible land use conflict.

6.10 Overall, the subject land is highly suitable for rezoning to the RLZ. It aligns with the spatial planning framework developed for Kaiwaka, supports the intended character and function of the RLZ, and does not compromise the use of adjacent GRUZ land for primary production. The proposed RLZ provides a more appropriate and strategically located opportunity for lifestyle development than other more remote or productive rural land and supports the district's broader goals for managed rural growth and lifestyle opportunities.

#### 7.0 Conclusion and relief sought:

7.1 Considering the analysis required under Section 32 of the RMA, the outcomes sought for the RLZ, and the spatial planning previously undertaken for Kaiwaka, the RLZ is a more suitable zone for this land than the proposed GRUZ. Accordingly, the submitter seeks to rezone the land shown on the plan in **Attachment 1** Rural Lifestyle Zone (RLZ) or alternative relief with similar effect.

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Brett Hood			

8.0 The submitter wishes to be heard in support of their submission at a hearing.

Planning Consultant

Dated this 27th day of June 2025.

### **ATTACHMENT 2**

# Section 32 Evaluation – Proposed Rezoning to Rural Lifestyle Zone (RLZ)

#### **Background and Context**

I Petro and E Habili (the submitter) own approximately 24ha of land east of Kaiwaka that is accessed from Kaiwaka-Mangawhai Road. It is legally described as Lot 3 DP 204472 and is held in RT NA133A/483. The land is currently zoned Rural in the Operative Kaipara District Plan. The Proposed District Plan seeks to rezone the property to General Rural Zone (GRUZ), with overlay areas including an Esplanade Priority Area and River Flood Hazard Zones.

The submitter requests that this land, and the land between their land and Settlement Road to the south be rezoned Rural Lifestyle Zone (RLZ).

#### **Section 32 Evaluation**

## Are the objectives the most appropriate way to achieve the purpose of the RMA?

The proposed rezoning to RLZ better achieves the purpose of the RMA than the proposed GRUZ.

The RLZ facilitates the use of land in a way that enables people and communities to provide for their social, economic, and cultural well-being while maintaining rural character, managing reverse sensitivity, and protecting productive land resources.

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<sup>&</sup>lt;sup>1</sup> Section 32(1)(a) RMA

The RLZ proposes a lower density than the Kaiwaka Spatial Plan, which identifies the site as being suitable for low-density housing (1,000m²). The RLZ supports the sustainable management of natural and physical resources by consolidating lifestyle development in an appropriate location and avoiding ad hoc rural subdivision.

## Are the provisions the most appropriate way to achieve the objectives?<sup>2</sup>

#### Identification of other reasonably practicable options

- Option 1: Retain proposed GRUZ zoning this does not give effect to the spatial plan direction for the land and risks ad hoc lifestyle subdivision on more productive rural land elsewhere in the district.
- Option 2: Rezone land to RLZ aligns with existing land fragmentation, the spatial plan, and supports appropriate lifestyle development.
- Option 3: Rezone to Residential or General Residential may conflict with natural hazard overlays, infrastructure limitations, and existing rural character.

#### Assessment of efficiency and effectiveness

Rezoning the land to RLZ is efficient and effective in achieving the objectives of the zone and the plan. It supports low-density housing demand in an appropriate location, avoids loss of highly productive land, and reduces pressure on the GRUZ. The location's accessibility, existing fragmentation, and limited agricultural value make it ideal for rural lifestyle development.

#### Summary of reasons for the preferred provisions

Zoning the land RLZ reflects strategic planning objectives, aligns with the Kaiwaka Structure Plan, is suitable based on the physical characteristics of the land and location, and avoids adverse effects on productive land and rural amenity.

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<sup>&</sup>lt;sup>2</sup> Section 32(1)(b) RMA

Benefits and Costs Assessment<sup>3</sup>

**Environmental** 

Protects productive rural land by focusing lifestyle development in appropriate

locations.

Avoids fragmentation of GRUZ land. Supports retention of open space adjacent to water

courses.

Economic benefits of retaining the status quo

**Land Characteristics** 

Area: 54 hectares

Zoning: General Rural Zone (GRUZ)

Land Use Capability (LUC): Marginal pasture (limited productivity)

Subdivision: Already fragmented into smaller titles, limiting large-scale rural

production activities.

Location: On the edge of Kaiwaka township, Kaipara District

**Potential Primary Production Uses** 

Given the limitations of the land (marginal soil, fragmentation), feasible economic

uses include:

Grazing of sheep or dry stock cattle

Small-scale horticulture or silviculture (low return due to scale and fragmentation)

Lease for passive grazing or hobby farming

**Extensive Grazing Scenario** 

Assuming:

<sup>3</sup> Section 32(2)(a) and (b) RMA

- 10 stock units per hectare → 540 stock units for 54 ha
- Net return per stock unit: ~\$25/year
  - → Estimated gross return: 540 × \$25 = \$13,500/year
- Net return after expenses: ~\$5,000-7,500/year total
- Net return per hectare: ~\$100-140/ha/year

#### Land Lease Scenario

- Lease rates for marginal pasture land: ~\$150-250/ha/year
- 54 ha × \$200/ha = ~\$10,800/year gross lease income
  - → Provides modest passive income but limited reinvestment potential or job creation

#### **Employment and Economic Contribution**

- One part-time worker (~0.2 FTE) may be required for general maintenance etc.
- No significant input into local employment or service economy
- Very limited multiplier effects due to:
  - Low intensity of use
  - Minimal downstream processing
  - Limited commercial horticulture, forestry, or dairying potential

#### Local Economic Contribution (Rates + Services)

- Rates on marginal undeveloped GRUZ land: ~\$1,500-2,000/year
- Total property value: ~\$2.2 million (54 ha @ \$40,000/ha)
- No major spending or infrastructure trigger
- Low GST/service activity unless developed for higher-value land use

#### **Constraints on Productive Use**

Fragmentation limits economies of scale

- No irrigation or high-LUC soils
- Proximity to township may create reverse sensitivity issues
- Opportunity cost of under-utilised land in strategic growth area

#### **Economic benefits of rezoning to RLZ**

#### **Direct Capital Investment**

Rezoning to RLZ would enable landowners and developers to invest in new infrastructure (roads, services) and residential construction.

- Average land development cost: \$50,000 per lot → \$5,000,000 total
- Average dwelling build cost: \$750,000 per house → \$75,000,000 total
- Total capital injection: ~ \$80 million

This \$80 million investment would stimulate construction-related sectors in the Kaipara and wider Northland economy over 5–10 years.

#### **Employment Generation**

The construction and development phase would generate both short-term and long-term employment:

- Civil works & servicing: 20–30 jobs
- Residential construction: 100+ jobs
- Post-development services: 5-10 ongoing (e.g., trades)
   The development could generate up to 150 jobs during peak construction periods, supporting regional employment.

#### Increased Rating Base (Property Rates)

Lifestyle lots are typically rated higher than undeveloped rural land.

- Average new CV per lifestyle lot: \$650,000 (land + dwelling)
- Rates per lifestyle property: ~\$3,500/year (estimate)
- Total annual rates income: 100 × \$3,500 = \$350,000/year

An additional \$350,000 annually in rates could help fund local infrastructure, amenities, and services in Kaiwaka.

#### **Land Value Uplift**

Rezoning would create significant value uplift from rural production land to serviced lifestyle lots:

- Current rural land value:  $\sim$ \$40,000/ha  $\rightarrow$  \$2.16 million (54 ha)
- Post-rezoning value (100 lots @ \$350,000 land only): \$35 million
- Gross land value uplift: ~ \$32.8 million

Much of this uplift supports local landowners, but also generates tax, GST, and transactional benefits (legal, surveying, real estate).

#### Support for Local Economy

An increase of ~100 new households (~250–300 residents) will:

- Support local retail (groceries, petrol, cafes)
- Increase school rolls (Kaiwaka School, Otamatea High)
- Attract further service businesses (e.g., trades, health)
- Stimulate local contractor and supplier activity

#### **Broader Economic Rationale**

- Supports regional policy objectives for compact rural lifestyle growth near townships.
- Responds to high demand for lifestyle lots in Northland.
- Avoids ad hoc development on productive farmland elsewhere in the district.
- Generates enduring land use that does not rely on long-term agricultural productivity.

#### **Conclusion / Summary**

Rezoning 54 hectares of marginal, fragmented land on the edge of Kaiwaka to Rural Lifestyle Zone would deliver substantial economic benefits, including:

- ~\$80 million in direct investment
- 150+ jobs during development
- \$350,000+ in annual rates revenue
- \$30M+ in land value uplift
- Ongoing support to the local economy and services

#### Economic benefits comparison GRZ versus RLZ

#### **Summary Comparison Table**

Indicator	General Rural Zone (Status Quo)	Rural Lifestyle Zone
Annual Economic Output	\$5,000-10,000/year	\$80 million capital injection
Employment	~0.2 FTE	150 + jobs
Annual Rates Contribution	~\$2,000	~\$350,000
Local Economic Activity	Minimal	High
Land Value	~\$2.2 million	~\$35 million
Contribution to Growth Strategy	Low	High (aligned with Kaiwaka growth)

Retaining the land in Rural Production Zone provides only marginal economic benefit, with:

- Very low productive output (\$5k-10k/year)
- Minimal employment or rates revenue
- No significant local economic stimulation

In contrast, rezoning to RLZ would unlock significant economic value, stimulate employment, support population growth in Kaiwaka, and deliver higher long-term rates and service demand.

The opportunity cost of retaining low-performing marginal land in a production zone is high, particularly given Kaiwaka's strategic position for accommodating lifestyle demand in Kaipara.

#### Social

Offers housing choice for rural lifestyle living near Kaiwaka. Enhances amenity values and buffers between urban and rural activities.

#### Cultural

No known cultural sites affected. Supports managed development in accordance with strategic planning.

#### Quantification and Risk Assessment<sup>4</sup>

There is low risk of insufficient information. The risks of not acting include continued pressure on productive land and uncoordinated lifestyle development.

#### Conclusion

The proposed RLZ is the most appropriate zoning for the subject land following evaluation under Section 32 of the RMA. It aligns with strategic planning (Kaiwaka Spatial Plan), avoids fragmentation of productive land elsewhere in the district, and enables rural lifestyle living in a suitable and accessible location. Overall, this represents sustainable management in line with the purpose and principles of the RMA.

<sup>&</sup>lt;sup>4</sup> Section 32(2)(c) RMA

