

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 TAP ADVENTURES LTD**

TO: Kaipara District Council
Private Bag 1001
Dargaville

FROM: TAP Adventures Ltd

TAP ADVENTURES LTD makes the following submission on the Proposed Kaipara District Plan 2025.

TAP Adventures Ltd do not consider they can gain an advantage in trade competition through this submission. In any event, TAP Adventures Ltd 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 TAP Adventures Ltd.

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

SUB-S1.8 – 12ha minimum net site area

Submission:

TAP Adventures Ltd supports the 12ha minimum net site area in the General Rural Zone.

Reasons for submission:

This minimum net site area is consistent with the Operative District Plan minimum lot size for the Rural Zone (non-Overlay), thus provides continuity between the two District Plans. This is an efficient way of enabling subdivision opportunities.

As identified in the s32 report for subdivision, the activity of subdividing contributes to the economy of the Kaipara District by providing opportunities for development to take place, with the subsequent positive impact for employment, both directly by businesses or through opportunities in the construction industry. Subdivision also provides economic benefits for landowners seeking to subdivide and access capital, and can assist farmers with their ongoing operational and environmental compliance costs.

Relief sought:

For SUB-S1.8 to remain.

SUB-R1.1 – Boundary Adjustments

Submission:

TAP Adventures Ltd seeks additions to the Boundary Adjustment rule to ensure that existing Titles that have a small area are still able to undertake a boundary adjustment as a Controlled activity. In addition, to allow for a percentage change in area between the Parent Titles as a Controlled activity boundary adjustment.

Reasons for submission:

To provide flexibility and choice when undertaking boundary adjustments.

Relief sought:

Amend SUB-R1.1.b as shown by the underlined text:

- a. The degree of non-compliance with any land use standards is not increased; and
- b. Boundary adjustments comply with SUB-S1 to SUB-S7; or
- c. The net site area of any proposed allotment created by the boundary adjustment is the same as, or does not differ by more than 15% of the net site area of that allotment as it existed prior to the boundary adjustment; or
- d. Where an existing lot size is already non-complying with the minimum lot size for the General Rural Zone as a controlled activity, then the degree of non-compliance shall not be increased as a result of the boundary adjustment.

SUB-R14 Small Lot Subdivision

Submission:

TAP Adventures Ltd support this rule however seek clarification to ensure its implementation reflects the rule's intent.

Reasons for submission:

The intent of this rule appears to be to provide flexibility and useability. However, that intention as drafted into the Plan, needs to be clarified to ensure the rule, and therefore objectives and policies, are applied as intended.

The s32 report states that subdivision in the General Rural Zone has been streamlined and focused, with the Small Lot subdivision rule allowing for rural lifestyle opportunities in the General Rural Zone, as opposed to combination of the Rural Amenity Lot and Small Lot Development provisions of the Operative District Plan. The streamlined and focused approach is supported, however support for this intent needs to be reflected and supported within the objectives and policies. There needs to be a clear consenting pathway from the objectives and policies through to the rules.

Relief sought:

Include an objective or policy or an amendment to an existing objective and/or policy that is directly linked to this rule to provide guidance for its implementation, both for applicants and Council's processing staff. For example, an addition to SUB-O3 Rural Subdivision and/or SUB-P8 Subdivision in the General rural zone outside the Mangawhai/Hakaru Managed Growth Area.

Subdivision Applications Using Multiple Rules

Submission:

TAP Adventures seek clarification that one application can include proposed lots being subdivided under different rules.

Reasons for submission:

The current interpretation by Council's Consenting Team of Rule 12.12.1 General Rural Subdivision in the Operative District Plan has resulted in applications using this rule plus any other Operative District Plan rule have become a non-complying activity because of the drafting of Rule 12.12.1(1)(a).

Relief sought:

Inclusion in Part 1 How The Plan Works chapter confirming that the SUB rules provide for two (or more) rules to be used in one application, or amendments as required to achieve this outcome.

SUB-S5 Servicing Requirements

Submission:

TAP Adventures supports the approach for power requirements for lots, giving the option to demonstrate onsite generation.

Reasons for submission:

Requiring a grid power connection at time of subdividing is not a resource management issue. Rather, the type of power source a property has is a market decision. However, traditionally it has been included as part of subdivisions and therefore was included in the Operative District Plan 12 years ago. This is equally true for the District Plan requiring a telecommunication connection as part of a subdivision. Given the age of the Operative District Plan, the provision of grid power and a telephone landline is now dated, having not kept pace with changes in technologies and changes in living options. Recognition that this approach is dated is supported.

Relief sought:

For SUB-S5.1.b to remain.

FC-S5 Calculation of Contributions for Reserves

Submission:

TAP Adventures Ltd oppose the calculation formula in FC-S5.4.a.i and ii.

Reasons for submission:

The formula in FC-S5.4.a.ii is confusing and appears to result in a larger contribution than the formula in the Operative District Plan rule 22.10.6(2)(a). The Operative Plan sets an upper limit on the area of land to be valued, being a 'nominal' 4,000m² site for a lot that are greater than 4,000m². Under FC-S5.4.a.ii, the valuation assessment is of the whole lot, not a 'nominal' 4,000m² lot. The lack of a cap will result in a higher contribution.

The 5% value is excessive and should be halved to 2.5%. Pursuant to s108(10) of the Resource Management Act 1991, a contribution towards Reserves is applicable to offset any adverse effects generated by the subdivision. 5% of the value of each additional lot can result in a substantial

contribution that is not necessarily proportionate to offsetting adverse effects of the subdivision activity. The formula approach is a blunt tool that is not effects based.

By way of comparison, the contributions towards reserves in Whangarei District are a set amount rather than a formula. The formula approach results in a lack of certainty because of the ability for the market value and therefore valuation to both increase or decrease dependent on macro-economic factors. The resulting uncertainty is for both resource consent applicants and for Council's planning and budgeting.

Relief sought:

Amend FC-S5.4.a.i and ii so a set contribution amount is stated, or, amend FC-S5.4.a.i and ii as shown by the underlined text:

4. No contribution in money required under these provisions shall exceed the following amounts:

a. Subdivision of land for principally residential purposes or rural purposes where the lots can accommodate a residential dwelling:

i. Up to 2.5% of the value of each additional lot that is 4000m² or less.

ii. Lots of more than 4000m² - the contribution will be assessed on the basis of a 'nominal' 4000m² site up to 2.5% of the value.

Kaipara District Council Engineering Standards 2011

Submission:

TAP Adventures Ltd oppose the use of the Kaipara District Council Engineering Standards 2011 in the Proposed District Plan.

Reasons for submission:

The Engineering Standards are 14 years old now and were meant to be reviewed to update them and make them consistent with other Northland Councils. The s32 Assessment (Overview Report para 60 and 61) states that current Engineering Standards are expected to remain in the District Plan until replaced by the new Standards. No timeframe is given.

This approach is not acceptable allowing no opportunity for the Standards, as included in the District Plan, to be included in the public process and submitted on. In the absence of updated Engineering Standards, the relevant parts of the Standards should be updated and included in the Proposed Plan.

Relief sought:

Remove reference to the Kaipara District Council Engineering Standards.

TAP Adventures Ltd wish to be heard in support of this submission.

If others make a similar submission, TAP Adventures Ltd would be willing to consider presenting a joint case with them at the hearing.

Dated this 27th day of June 2025

TAP Adventures Ltd 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

