

## 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](mailto: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](http://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

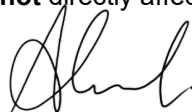
I **could** gain an advantage in trade competition through this submission.

**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

<b>(1)</b> The specific provisions of the Proposed Plan that my submission relates to are:		<b>(2)</b> 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>		<b>(3)</b> 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 Kaipara PDP



Full Name: Shane Cullen  
Mobile: 0272810659 (Shane)  
Address for Service: [shane@shanecullen.co.nz](mailto:shane@shanecullen.co.nz) & Alisa Neal, [alisan@barker.co.nz](mailto:alisan@barker.co.nz)  
Date: 27 June 2025  
Re: Submission on Proposed Kaipara District Plan (**PDP**) – Shane Cullen

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## Submission Information:

Shane Cullen (**Cullen**) could not gain an advantage in trade competition through this submission.

The specific provisions of the PDP that the Cullen submission relates to are attached.

Cullen opposes/supports/seek amendment to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions that Cullen wish Kaipara District Council (**KDC**) to make to ensure the issues raised by Cullen are dealt with are also contained in the attached document.

Shane Cullen wishes to be heard in support of this submission.

If others make a similar submission, Shane Cullen will consider presenting a joint case with them at a Hearing.

**Shane Cullen**

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# Submission on Kaipara PDP



## 1.0 Introduction

### 1.1 Cullen's Interests in the Kaipara District

Shane Cullen has an interest in the following properties located within the Kaipara District:

- 21 Garbolino Road, Mangawhai legally described as Lot 1 DP 452428 measuring approximately 1.515ha.
- 82A Devich Road, Mangawhai legally described as Lot 2 DP 452814 measuring approximately 8.3233ha.

Notwithstanding this specific property interest, Cullen is interested in the direction of PDP as it applies to the wider Kaipara District, and particularly the Mangawhai catchment.

### 1.2 PDP Submission Structure

This submission on the PDP addresses appropriate zoning and provisions for the wider Mangawhai area. The abovementioned sites have been zoned General Rural Zone in the PDP.

Cullen seeks a zoning that better reflects the commercial and industrial nature of the development that already occurs within these sites, the existing surrounding cadastral pattern of development and the demand for growth in such activities to support population growth in the locality.

The following submission is set out as follows:

- **Section 2.0** provides Site Context and Background.
- **Section 3.0** contains general comments on the PDP zoning at both sites and identifies the zoning Cullen seeks and how/why relevant provisions should be improved to more efficiently and effectively achieve the proposed objectives of the Plan, and the purpose of the RMA.
- **Attachment 1** identifies the specific change sought to provisions.

## 2.0 Site Context and Background

The sites are zoned Rural Zone under the Operative Kaipara District Plan (**ODP**). Both sites are currently utilised for commercial/industrial purposes which have been lawfully established under the current operative zoning.

The property at 21 Garbalino Road is currently utilised by a contracting yard for 'Shane Cullen Contracting Limited. While 82A Devich Road contains a number of commercial/industrial activities including a visitor accommodation activity, self-storage facility and a concrete block manufacturing activity.

In December 2024 Cullen obtained resource consent RM 240163 to subdivide 82A Devich Road to create four allotments lots ranging from 7,115m<sup>2</sup> to 3.38ha around the existing commercial and industrial uses on the site. Provision was also made in this consent for a future outdoor self-storage facility for the storage of boats, caravans, trailers etc.

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Figure 1 ODP zoning of Subject Sites (21 Garbolino Road - left; 82A Devich Road - right). Green – Rural Zone, Black hatching – Mangawhai Harbour Overlay

Figure 1 above shows a pattern of development within the west Mangawhai area.

As shown in Figure 2 below, the proposed zoning for both sites is 'General Rural Zone' (GRUZ) with a small portion of 82A Devich Road subject to the proposed Flood Hazard 10 and 100 year extent and Coastal Flood Hazards current, 50 year and 100 year extents.



Figure 2 PDP zoning of subject sites (21 Garbolino Road - left; 82A Devich Road - right). Green – Rural Zone.

## 3.0 General Feedback

### 3.1.1 National Direction

Section 75(3)(a) of the RMA states that a district plan must "give effect" to a national policy statement. Cullen considers that the PDP in its current form, fails to "give effect" to the following national policy statements:

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- (a) National Policy Statement on Urban Development (**NPS-UD**): In Cullen's submission, Mangawhai clearly meets the threshold to be considered a "urban environment"<sup>1</sup> in accordance with the definition in the NPS-UD. Despite overwhelming evidence demonstrating this, KDC have essentially made its own decision that the NPS-UD does not apply to the Kaipara District, and therefore conclude that the NPS-UD does not therefore have to be given effect to in the PDP.<sup>2</sup> Despite this, KDC have assessed the NPS-UD, and concluded that the PDP gives effect to it without any specific assessment of the relevant provisions. As such, Cullen consider that the PDP has been promulgated in the absence of confirmation of how it gives effect to relevant provisions<sup>3</sup>, especially as it relates to the Strategic Direction and the Mangawhai-Hakuru Managed Growth Area which is addressed further below.
- (b) National Policy Statement on Highly Productive Land (**NPS-HPL**): the proposed zoning framework under the PDP does not give effect to the direction in the NPS-HPL regarding the protection of highly productive soils. The application of the GRUZ has been applied incorrectly to existing or planned areas of residential, commercial and industrial uses.

Cullen notes that Central Government is currently undertaking consultation on future changes to National Policy Statements, in particular changes to the NPS-HPL and the removal of LUC 3 from the definition of HPL. The new and amended direction is intended to be in force before the end of 2025. Cullen seeks that any necessary changes are made throughout the PDP process to ensure that the new direction is adequately given effect to in the PDP provisions.

## 3.1.2 Northland Regional Policy Statement

Section 75(3)(b) of the RMA states that a district plan must "give effect" to a regional policy statement. Cullen considers that the PDP in its current form, fails to "give effect" to the Regional Policy Statement for Northland (**RPS**), and in particular the following:

- (a) Objective 3.5 Enabling economic wellbeing: the PDP does not manage Kaipara's resources in a way that is attractive for business and investment that will improve Northland's wellbeing. In particular the proposed Zoning and GRUZ provisions unnecessarily restrict further growth and development for commercial and industrial uses within the Mangawhai area, which is the fastest growing part of the District with the most demand for further growth.
- (b) Objective 3.6 Economic activities – reverse sensitivity and sterilization and Policy 5.1.3 Avoiding the adverse effects of new use(s) and development: the PDP zoning framework, and in particular the application of the GRUZ, is such that the rural environment is not adequately protected from the negative impacts of new subdivision use and development and reverse sensitivity effects are not avoided.

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<sup>1</sup> "Urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- a) Is, or is intended to be, predominantly urban in character; and
- b) Is, or is intended to be, part of a housing and labour market of at least 10,000 people."

<sup>2</sup> See paragraph 178 – 181 of the Kaipara DP Review – Section 32 Overview Report.

<sup>3</sup> In particular, Objectives 1, 3, 4, 6 and Policies 1, 2 and 6.

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- (c) Objective 3.11 Regional form and Policy 5.1.1 – planned and coordinated development: the zoning framework within the PDP is narrow, and does not enable the effective integration of infrastructure with subdivision, use and development, and promote a sense of place and range of lifestyle options. More specifically the broad and inappropriate application of the GRUZ means that commercial and industrial development in existing areas is unnecessarily constrained.

## 3.2 Strategic Direction

The Strategic Direction Chapter (**SD Chapter**) is fundamental to the tone and direction of the PDP. As a general comment, there is a degree of disconnect between the objectives and policies set in the SD chapter and the outcomes sought through the provisions within the plan, particularly in regard to the rural environment.

Cullen notes that the Vision for Kaipara section of the SD Chapter generally seems to acknowledge the need to enable growth where this does not adversely impact the district's highly productive land (**HPL**) resource or rural production activities. However, it is unclear how this translates to the narrow zoning approach taken around Mangawhai and the inclusion of the Mangawhai/Hakaru Managed Growth Area which limits new subdivision and development in the part of the district where there is the most demand for growth. The ability for rural production activities to establish within the areas surrounding the existing Mangawhai urban areas (including along Devich Road and Garbolino Road) are already limited in large parts due to the existing and consented cadastral pattern, range of existing land uses and limited HPL.

Cullen has general concerns that the Strategic Direction chapters are inconsistent, some chapters contain objectives for each topic, and not policies, whilst others contain both objectives and policies. In Cullen's view, the objectives need policies to demonstrate how they are going to be achieved in the Plan. It is also important at this strategic level of the PDP, that the policies provide clear direction for the consideration of resource consents where there is conflict between different areas of strategic direction.

The Strategic Direction section includes a Vision for Kaipara chapter which includes the only strategic direction for industrial activities (SD-VK-O2) with no policy direction. The Strategic Direction section includes an Urban Form and Development chapter with limited policy direction as to the purpose and criteria of each zone proposed. There is provision for industrial activities outside of the industrial zones where the activity is compatible with the local environment however this is not supported by policies and rules of the zones outside of the Light and Heavy Industrial Zones. Cullen considers that this is a flaw in the structure of the Strategic Direction, which flows through to a lack of policy direction throughout the PDP.

The Strategic Direction, Urban Form and Development chapter includes policy SD-UFD-P7 directing development in the Mangawhai-Hakaru Managed Growth Area. Cullen has been unable to confirm from Council s32 reports how this managed growth area has been spatially identified, what the purpose or justification for the managed growth area is other than to "manage growth with provision of suitable infrastructure"<sup>4</sup>.

The intent of an SD Chapter is to set an overarching umbrella framework that should guide the remainder of the PDP cementing the intended outcomes for the district for the proceeding years. The SD Chapter in its current form fails to achieve this, and as a result the integration between the chapters is confused. If

<sup>4</sup> General Section 322 Overview Report, paragraph 113.

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retained as proposed, this could result in unintended outcomes for the district and a weak framework which can readily be eroded.

## 3.3 Zoning

In terms of the notified zones and provisions, Cullen does not support the proposed rezoning of their sites to GRUZ. The PDP provides two industrial zone alternatives. Cullen is unable to understand why Council has chosen to apply rural zoning to sites which already contain industrial uses.

Cullen considers that the s32 evaluation has failed to undertake a complete analysis of the efficiency and effectiveness of the zone proposed and does not consider the most appropriate zoning options to enable supporting activities to be provided for growth in the wider Mangawhai area.

The application of the GRUZ to the subject sites is problematic as the existing land use undermines the clear intent of the GRUZ, which as defined in the National Planning Standards primarily seeks to support primary production activities. This dishonest zoning sends a confused message to plan users in terms of the expected outcomes for the GRUZ zone in this location eroding the intent.

Cullen considers that the most efficient and effective way to achieve alignment with the SD Chapter, National Direction and market demand is to protect land that has remaining productive intent by providing for a variety of housing and Economic and business development options through appropriate zoning of areas near to the urban centres that can no longer accommodate rural production type activity. This would include rezoning of sites which are not utilised for rural activities or have little potential to be used for such activities, to more appropriate zones which enable continued use and growth of commercial and industrial activities which are appropriate to locate outside of the key urban centres.

In the instance of the subject sites, it is considered that opportunities for primary production activities are significantly constrained such that continued use of the site for existing activities would be inconsistent with the proposed zoning and any future development of these uses would be inconsistent with the intentions of the zone. As such it is considered that the most appropriate zoning for the subject sites is either the Light or Heavy Industrial Zone. Given the similarities of these zones, it is currently unclear which is the best fit based on the existing land uses and the location of these sites in relation to other zones.

## 3.4 Mangawhai/Hakaru Managed Growth Area

The Mangawhai/Hakaru Managed Growth Area (**Managed Growth Area**) presents as a 'site specific control' in the PDP. The associated direction is located within the SD Chapter<sup>5</sup> and the Subdivision Chapter<sup>6</sup> which explains the intent of the overlay to limit subdivision to ensure infrastructure can be appropriately directed. As proposed, subdivision to create new allotments of 12ha or more within the Managed Growth Area is a discretionary activity<sup>7</sup>, small lot subdivision is a non-complying activity<sup>8</sup>.

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<sup>5</sup> SD-UFD-P7

<sup>6</sup> SUB-P12

<sup>7</sup> SUB-R3.11

<sup>8</sup> SUB-R4.4



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The Managed Growth Area was not included in the Draft Kaipara District Plan and the Council Section 32 does not clearly state how this managed growth area has been spatially identified, what the purpose or justification for the managed growth area. According to the proposed PDP maps it applies to a large area surrounding Mangawhai and is a vast difference from the zoning pattern previously supported by Council in both the Mangawhai Spatial Plan and the Draft KDP. This combined with the lack of option analysis provided suggests the Managed Growth Area is an afterthought to address Councils infrastructure concerns for Mangawhai.

Cullen strongly opposes the application of the Managed Growth Area to the rural environment surrounding Mangawhai and seek that it is removed or refined. Cullen understands the need to carefully control urban growth to ensure council infrastructure is not placed under undue pressure. However, Cullen highlights that rural commercial and industrial type development is typically required to provide for onsite three water servicing meaning no additional pressure on Councils three water infrastructure is caused. Development pressures on roading and social infrastructure are addressed through Councils' Development Contributions Policy and Financial Contributions Chapter of the PDP.

The demand for growth and supporting services surrounding Mangawhai is evident, the Managed Growth Area severely limits the opportunities to realise this in the part of the district with the most ability to generate contributions. Cullen considers that the provisions are a blunt and unnecessary approach that will severely detract investment and growth and unfairly restrict the ability of landowners affected to provide for their economic wellbeing. As such, the removal or refinement of the Managed Growth Area to address and respond to the points above is sought.

## 4.0 Conclusion

In conclusion, Cullen seeks the following relief:

- (a) Cullen's general feedback in Section 3.0 and specific feedback in **Attachment 1** is addressed and necessary changes incorporated into the PDP.
- (b) Any further necessary consequential amendments required to achieve the above.

Cullen looks forward to working collaboratively with KDC to address the above relief and is happy to meet with KDC policy staff or consultants to work through these matters.

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# Submission on Kaipara PDP



## Attachment 1: Specific Submission Points on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
HOW THE PLAN WORKS – RELATIONSHIP BETWEEN SPATIAL LAYERS				
1	Spatial Layers	Seek amendment	Cullen notes that the spatial layers listed does not include reference to Precincts nor does it reference the proposed Mangawhai/Hakaru Managed Growth Area.	Amend the section as necessary to provide clarity for the plan user.
2	Spatial Layers	Seek amendment	Cullen notes that the provisions do not provide any direction for split zoned sites.	Amend the section as necessary to provide clarity for the plan user and be clear that provisions apply only to the extent of the mapped area.
STRATEGIC DIRECTION – VISION FOR KAIPARA CHAPTER				
3	SD-VK O1	Support	Cullen supports the intent of this objective being to promote social, economic and cultural wellbeing through providing for appropriate activities and outcomes in the zones.	Retain as notified.
4	SD-VK O2	Support	This objective seeks to enable economic development through flexible and accommodating approach to business opportunities however this is unsupported by zone provisions.	See amendments to HIZ and LIZ provisions.
5	SD-VK – O6	Support	Cullen supports avoidance and mitigation of reverse sensitivity effects.	Retain as notified.

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6	SD-VK - O7	Support	Cullen supports providing for a variety of development opportunities and living/housing options through a range of zones.	Retain as notified.
STRATEGIC DIRECTION – URBAN FORM AND DEVELOPMENT CHAPTER				
7	SD-UFD-O1	Support	Development of residential, commercial and industrial land to meet current and predicted future demand is supported.	Retain as notified.
8	SD-UFD-O2	Seek amendment	Cullen supports the enablement of economic and business opportunities in Commercial and Industrial zones, and in other zones although it is unclear what is meant by the term 'compatible' with other uses and may cause uncertainty for plan users.	Clarify what is sought by 'compatible'.
9	SD-UFD-O5	Support	Cullen supports consolidation and integration of future growth.	Retain as notified.
10	SD-UFD-P1	Seek amendment	Provision of sufficient development capacity is consistent with the NPS-UD however the provisions for housing and business should extend beyond urban areas to provide for appropriate opportunities in all zones as intended by SD-UFD-O2.	Amend as follows; Ensure sufficient residential and business land development capacity is provided within or <b>adjacent in proximity</b> to existing urban areas.
11	SD-UFD-P5	Seek amendment	Proposed policy UFD-P5 provides direction for large-scale industrial activities but it is unclear to plan	Define 'large-scale' industrial activity or alternatively define heavy industrial activity and

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			users what is intended as a 'large-scale' industrial activity. As such this policy is uncertain for plan users, inefficient and ineffective.	replace 'large scale' with 'heavy' industrial activities.
12	SD-UFD-P6	Seek amendment	Proposed policy UFD-P6 provides for all industrial activities in the Light Industry Zone which is inconsistent with the intent of the Light Industrial Zone. As such this policy is uncertain for plan users, inefficient and ineffective and may lead to unintended outcomes.	Define 'Light Industrial Activity' and replace 'Industrial Activity' with 'Light Industrial Activity' in policy UFD-P6.
13	SD-UFD-P7	Oppose	Provision of infrastructure and services can be provided to meet the requirements of urban areas without applying an arbitrary spatial limitation. SD-UFD-P1 is inconsistent with FC-O1.	Delete SD-UFD-P7.
TRANSPORT				
14	TRAN-R4	Seek amendment	TRAN-R4 1.c is a duplication of TRAN-R4 1.b	Amend TRAN-R4 to remove duplication.
15	TRAN-R4	Seek amendment	It is unclear from TRAN-R4 1.f what the required standard is for a permitted activity. Permitted activities should be undertaken without council approval.	Amend TRAN- R4 1.f as follows f. For new or upgrades to vehicle crossings on to roads controlled by Kaipara District Council compliance with Kaipara District Council Engineering Standards 2011 <del>or alternative engineering standards with the agreement of Council;</del>

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NATURAL HAZARDS				
16	NH-P1	Support	Ability to rely upon up to date and best available information when assessing and managing risks is supported. As mitigation is implemented potential hazard risk reduces and this may not be reflected in the district plan.	Retain NH-P1 as notified.
17	NH-P3	Seek amendment	Seeking to avoid development within High Risk Flood Areas (10 year flood extent) is contrary to RPS policy 7.1.2 which concludes that subdivision, built development and land use change may be appropriate where that land use or built development is of a type that will not be subject to material change in a 100 year flood event.	<p>Delete NH-P3 and replace with the following:</p> <p><u>To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:</u></p> <ol style="list-style-type: none"> <li><u>1. Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u></li> <li><u>2. Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.</u></li> <li><u>3. New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u></li> <li><u>4. Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.</u></li> <li><u>5. Not exacerbating or creating a flood hazard for other properties.</u></li> </ol>

**Commented [MH1]:** In response to your comment in last version, yes the devich road site is subject to flooding (not much flooding but may run into issues with earthworks)

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				<u>6. Ensuring adequate vehicular access is available to serve development</u>
18	NH-P4	Seek amendment	Proposed policy NH-P4 duplicates and conflicts with proposed policy NH-P6 and recommended changes to NH-P3.	Amend NH-P4 to remove duplication.
19	NH-R11	Oppose	Proposed rule NH-R11 duplicates and is inconsistent with the Regional Plan – Rule C.8.3.1.	Delete rule RH-R11.
SUBDIVISION				
20	SUB-O2	Oppose	As proposed SUB-O2 urban subdivision applies to all subdivision <u>within</u> urban zones, which include commercial, light and heavy industrial zones. It is considered that this objective as proposed is too narrow to accommodate all types of subdivision in all urban zones. For example, Clause 1 requires subdivision to be sympathetic to the context and characteristics of the site and clause 5 requires the contribution to creating a sense of place these may be extremely limiting, particularly if a site has been appropriately zoned for Light or Heavy Industrial. Clause 3 seeks to consolidate urban development which is completely unnecessary as the spatial distribution of zoning has	Delete SUB-O2.

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			already been identified based upon consolidation.	
21	SUB-P1	Delete	SUB-P1 outlines general subdivision design and location outcomes, which apply to all zones. Clause 1 seeks the incorporation of and response to existing site features and characteristics, including landforms, vegetation, buildings and cultural and amenity values. Again, it is considered that this policy is too narrow when applied to all zones, particularly those zones which have a lower level of amenity and are expected to have a high level of modification such as the commercial, light and heavy industrial zones. Not all vegetation should be incorporated in a subdivision design and it is considered that the Natural Environmental Values provisions afford sufficient protection.	Delete SUB-P1.
22	SUB-P2	Seek amendment	SUB-P2 details infrastructure servicing requirements for all zones, this policy has been framed with a narrow lens, it fails to consider practical onsite solutions for servicing.	Amend SUB-P2 as follows: Ensure that subdivision and development is appropriately serviced, and that infrastructure is provided in an integrated and coordinated manner, by: <ol style="list-style-type: none"><li>1. Ensuring infrastructure networks have sufficient capacity to accommodate the additional development, and requiring any necessary upgrades to be completed at the time of subdivision;</li></ol>

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				<ol style="list-style-type: none"> <li>2. Requiring any staging of subdivision to be undertaken in a way that achieves efficient development and integration of infrastructure;</li> <li>3. Requiring infrastructure to be installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed;</li> <li>4. Requiring allotments <u>within an area of benefit</u> to connect to the Council's reticulated systems <del>where practicable, except in the General rural zone;</del></li> <li>5. Requiring legal and physical access to be provided to each allotment; and</li> <li>6. Requiring allotments to have access to a suitable water supply.</li> </ol>
23	SUB-P6	Delete	Cullen does not support the limitation of development based upon the proposed Mangawhai/Hakaru Managed Growth Area. For reasons previously discussed this is an arbitrary area with no s32 justification. Limitation of subdivision with the GRZ is not efficient not effective.	Delete SUB-P6 and replace with new policies which reflect appropriate subdivision within each urban zone including within light and heavy industrial zones.
24	SUB-P12	Delete	Cullen does not support the limitation of develop based upon the proposed Mangawhai/Hakaru	Delete SUB-P12

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			Managed Growth Area. For reasons previously discussed this is an arbitrary area with no s32 justification. Limitation of subdivision with this area is not efficient not effective. Furthermore, proposed policy SUB-P2 subject to appropriate amendments will manage provision of infrastructure.	
25	New policy	Seek amendment	The PDP does not provide any policy direction on subdivision of industrial land other than appropriate servicing provisions within the respective zone chapters leaving little direction on the anticipated direction for non-complying subdivisions of industrial land.	Amend the subdivision policies to include clear direction for subdivision of industrial land.
26	SUB-S5	Seek amendment	As proposed it is unclear if the requirement to provide three waters infrastructure enables the use of onsite servicing which is often required for industrial activities located in rural areas.	Amend Rule SUB-S5 to include provision for onsite servicing in areas not benefited by public services.
General Rural Zone				
27	GRUZ-R2 & GRUZ-R5	Seek amendment	Many defined offensive trades are also considered rural industries and should be enabled in rural areas as intended by GRUZ-O1 and GRUZ-P1.	Amend Rules GRUZ-R2 & GRUZ-R5 to remove reference to offensive trades.
28	GRUZ-R8	Seek amendment	Many defined offensive trades are also considered rural industries and	Amend Rule GRUZ-R8 to include reference to offensive trades as a permitted activity.

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			should be enabled in rural areas as intended by GRUZ-O1 and GRUZ-P1.	
Heavy Industrial Zone				
29	HIZ-O1	Seek amendment	The PDP does not include a definition of 'heavy industrial activity' this policy is uncertain for plan users, inefficient and ineffective.	Define 'heavy industrial activity'.
30	HIZ-O4	Support	Cullen supports the protections of industrial uses from reverse sensitivity effects.	Retain as notified.
31	HIZ-P1	Seek amendment	The PDP does not include a definition of 'heavy industrial activity' this policy is uncertain for plan users, inefficient and ineffective.	Define 'heavy industrial activity'.
32	HIZ-R3	Seek amendment	Many defined offensive trades are considered consistent with industries create potentially significant adverse effects and as such should be enabled in the heavy industrial zone to ensure consistency with the purpose of the heavy industrial zone.	Amend HIZ-R3 to include reference to offensive trades as a permitted activity.
33	HIZ-R5	Seek amendment	The PDP does not include a definition of 'Convenience Food Retail'. This rule is uncertain for plan users, inefficient and ineffective.	Define 'Convenience Food Retail'.
34	HIZ-R9	Seek amendment	The PDP does not include a definition of 'Employee Residential Unit'. This rule is uncertain for plan users, inefficient and ineffective.	Define 'Employee Residential Unit'

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35	HIZ-S7	Seek amendment	The management of effects at the interface sensitive activities or adjoining zones is supported although provision of landscaping along the full length of a boundary is not considered necessary in all instances particularly larger sites which may not be fully occupied.	<p>Amend HIZ-S7 as follows;</p> <p>A landscape strip shall be provided:</p> <ol style="list-style-type: none"> <li>Along the <del>full</del> length <u>of the interface between the industrial activity and</u> the road boundary except for vehicle crossings; and</li> <li>Along the <del>full</del> length of <u>the interface between the industrial activity and</u> any boundary where the Heavy industrial zone abuts a General residential zone, Open Space, or Sport and active recreation zone;</li> </ol>
Light Industrial Zone				
36	LIZ-P2	Seek amendment	As drafted LIZ-P2 does not align with SD-VK-O2 which seeks flexibility in growth and business opportunities.	<p>Amend LIZ-P2 as follows:</p> <ol style="list-style-type: none"> <li><del>Avoid heavy industrial activities establishing in the Light industrial zone, unless adverse effects on other activities and zones are adequately managed; and</del></li> <li><del>Avoid commercial activities, except for:</del> <ol style="list-style-type: none"> <li><del>Office, retail, and other commercial activities that are ancillary to industrial activities;</del></li> <li><del>Trade supply and yard-based retail; and</del></li> <li><del>Service stations and convenience food outlets.</del></li> </ol> </li> <li><u>To manage non-industrial activities by ensuring that they:</u></li> </ol>

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				<ul style="list-style-type: none"> <li>a. <u>Are not likely to generate reverse sensitivity effects that constrain the establishment and operation of industrial activities.</u></li> <li>b. <u>Support, or are compatible with, the operation of industrial activities within the Zone.</u></li> <li>c. <u>Ensure that the potential establishment of future industrial activities is not compromised by the nature, scale and design of activities and buildings.</u></li> <li>d. <u>Do not compromise the viability and vitality of the Commercial Zone.</u></li> </ul>
37	LIZ-P7	Seek amendment	Policy LIZ-P7 seeks to limit subdivision and development where it is not connected to public reticulated infrastructure but omits the option for onsite servicing. Many industrial areas are not benefited by council infrastructure and can be suitably serviced on site.	<p>Amend LIZ-P7 as follows;</p> <p>Limit subdivision and development where it is not connected to public reticulated infrastructure <u>or serviced by onsite facilities.</u></p>
38	LIZ-R3	Seek amendment	The PDP does not include a definition of 'heavy industrial activity' this rule this rule is uncertain for plan users, inefficient and ineffective.	Define heavy industrial activity or amend rule LIZ-R3 to be measurable.
39	LIZ-R4, LIZ-R5 and LIZ-R6	Seek amendment	The PDP does not include a definition of 'retail activity' it is unclear what constitutes 'convenience food retail' or 'wholesalers'. The rules have	Insert definitions of heavy industrial activity and retail activity. Amend the rules to apply consistent standards to retail activities and to give effect to the relevant policies.

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			different maximum GFA, this inconsistency is unclear when the potential effect of retail is relatively consistent. The rules also do not appear to give effect to the relevant policies, it is unclear as to why they have been proposed and how they relate to the objectives of the zone.	
40	New rule	Seek amendment	<p>The rules of the light industrial zone do not give effect to SD-VK-O7 which seeks to enable a variety of living options in a variety of zones with no residential activities provided for in the Light Industrial Zone.</p> <p>As drafted the PDP also does not give effect to SD-UFD-P6 which seeks for the Light Industrial Zone to accommodate a range of industrial activities and associated activities.</p>	Include new rule to enable employee residential units.
Zoning				
41	Zoning of the Cullen sites.	Seek amendment	<p>Cullen is opposed to the proposed zoning of the subject sites GRUZ for the following reasons:</p> <ul style="list-style-type: none"> <li>a) The existing activities within these sites are consistent with the intended purpose of the LIZ and HIZ.</li> <li>b) The character and amenity of these sites are consistent with the PDP zoned land LIZ and HIZ.</li> </ul>	Re-zone the subject sites as Heavy Industrial Zone or Light Industrial Zone.

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			<p>c) These properties do not fit with the proposed zone purpose of the GRUZ.</p> <p>d) The proposed GRUZ fails to enable sustainable use and development of the properties within this area.</p> <p>e) The proposed HIZ is indented to provide for industrial activities that generate potentially significant adverse effects in areas separated from sensitive receiving environments. It is considered that the area to be rezoned will achieve these outcomes.</p> <p>f) The Section 32 Rural Zones does not provide any further zone criteria, nor does it provide any justification or evaluation of the extent or zone, rather appears to follow an arbitrary cadastre boundary.</p> <p>g) This area is commercial/industrial in character, developed to provide supporting services to the nearby residential settlements.</p> <p>h) The land is fragmented with existing allotment sizes between 7000m<sup>2</sup> and 3.5ha.</p>	
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			i) It is considered that the area is materially compromised for rural production activities due to the existing established land uses.	
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