

**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.

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

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**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

**Signature:** **Date:** 30/06/2025

(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 wish to be heard in support of my submission;

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	
Subdivision Chapter	SUB-R3	Oppose in part	The current rule does not prevent cumulative subdivision stacking with SUB-R4 and SUB-R6. Clarification is needed to confirm it is one additional lot total per title unless offset conditions are met.	Amend SUB-R3 to add a clause: 'No more than one additional allotment may be created under this rule unless the proposal complies with SUB-R6, SUB-R7, or SUB-R10.'
Subdivision Chapter	SUB-R4	Oppose in full	SUB-R4 enables between 21,684 and 28,134 new lots (depending on HPL interpretation) with no environmental requirements. Even under the most conservative NPS-HPL application (excluding LUC 1-3), 4,866 titles yield 21,684 lots (mean 4.46, median = 5). Under probable 2025 NPS-HPL amendments (excluding LUC 1-2), 6,285 titles yield 28,134 lots. Analysis shows most properties yield maximum 5 lots (IQR = 0), confirming SUB-R4 functions as blanket rural rezoning rather than controlled subdivision. This creates a perverse incentive that punishes environmental protection efforts (62% fewer opportunities under SUB-R6/R7).	Delete SUB-R4 in its entirety and replace with a provision that enables small-lot subdivision only where it delivers equivalent or superior environmental benefit to that required under SUB-R6.
Subdivision Chapter	SUB-R6	Support in part	SUB-R6 provides a useful baseline for incentivising protection, but is currently underutilised due to limited lot entitlements and lack of cross-boundary coordination.	Amend SUB-R6 to enable integration with mapped Offset Receiving Zones (ORZs), allow cross-boundary transfers, and increase yield where restoration or retirement exceeds the 0.5ha baseline threshold.
Subdivision Chapter	SUB-R7	Support with amendment	SUB-R7 is a sound starting point for enabling restoration-based subdivision but lacks clarity and structure for practical implementation.	Amend SUB-R7 to: (1) Clarify the status as Restricted Discretionary. (2) Link assessment criteria directly to Offset Management Plan certification. (3) Add reference to SUB-S17 ecological thresholds and SUB-S20 compliance pathway.
Subdivision Chapter	SUB-R8 (new)	Support	This new rule provides a clear, controlled pathway for implementing the TDR mechanism where both donor and receiver sites are within an ORZ. Essential for operational certainty.	Insert new SUB-R8: Controlled Activity - Internal Transfers within Offset Receiving Zone (ORZ). Applicable where donor and receiver sites are both in ORZ, donor meets SUB-S17, receiver meets SUB-S18, yield complies with SUB-S19, and all SUB-S20 mechanisms secured.

Subdivision Chapter	SUB-R9 (new)	Support	This rule provides necessary flexibility for exceptional circumstances while maintaining clear evaluation framework for cross-ORZ transfers.	Insert new SUB-R9: Restricted Discretionary - Transfers between ORZs or Exceptional Benefit. Applicable where donor/receiver in different ORZs or receiver outside ORZ with superior ecological/planning outcome demonstrated.
Subdivision Chapter	SUB-R10 (new)	Support	Essential protection rule ensuring most sensitive locations remain protected from inappropriate subdivision transfers while allowing limited discretion under exceptional cases.	Insert new SUB-R10: Non-Complying - Transfers into Sensitive Overlays. Applicable where receiver site within ONL, SNA, High-Class Soil, or Coastal Protection, or where SUB-S17 to SUB-S20 standards not met.
Subdivision Chapter	SUB-R11	Support	This rule provides a clear, controlled pathway for implementing the TDR mechanism where the receiver site is within an ORZ. This improves operational certainty for both applicants and the Council.	Insert SUB-R11 as a Controlled Activity rule that enables subdivision via TDR in an ORZ, provided SUB-S17–S20 criteria are met and a transfer certificate has been issued by Council.
Subdivision Chapter	SUB-S16	Support in part	SUB-S16 sets important thresholds for environmental benefit subdivision but lacks specificity for ecological quality or restoration requirements.	Amend SUB-S16 to include a reference to SUB-S16A (new table specifying offset yields by ecosystem type and quality) and cross-reference to Offset Management Plan Schedule (Schedule X).
Subdivision Chapter	SUB-S16A (new)	Support	New yield table essential for providing clear, quantifiable incentives for ecological enhancement with transparent ratios reflecting existing standards while incentivising larger-scale restoration.	Insert new SUB-S16A: Lot Yield Formula for Environmental Benefit Subdivision. One lot per 0.5ha protected indigenous vegetation or 0.5ha protected wetland. No maximum cap—yield is proportionate to ecological contribution. Subject to SUB-S17–S20 compliance.
Subdivision Chapter	SUB-S17 (new)	Support	New standard essential for establishing clear donor site eligibility criteria ensuring ecological quality and professional assessment standards.	Insert new SUB-S17: Donor Site Eligibility. Requiring minimum 0.5ha indigenous vegetation or 0.5ha wetland, SQEP assessment, perpetual legal protection via covenant, approved management plan, and implementation before lot transfer.
Subdivision Chapter	SUB-S18 (new)	Support	New standard essential for ensuring receiver sites are appropriate and don't conflict with soil protection or environmental overlays.	Insert new SUB-S18: Receiving Site Eligibility. Must be within ORZ, outside sensitive overlays, equal or lesser productive soil value than donor, and comply with access/servicing requirements.
Subdivision Chapter	SUB-S19 (new)	Support	New standard providing clear yield controls essential for market certainty while preventing over-intensification through maximum caps.	Insert new SUB-S19: Lot Yield Controls. One lot per 0.5ha qualifying indigenous vegetation or 0.5ha wetland. No cap on yield—scales with total ecological area.
Subdivision Chapter	Rule SUB-S20	Support with amendment	This rule underpins the legal framework for issuing TDR certificates but needs to be linked directly to the Offset Management Plan requirements.	Amend SUB-S20 to require a certified Offset Management Plan (Schedule X) as a precondition for any TDR certificate being issued, and include requirements for consent notices and covenants to secure the environmental feature

Definitions	Transferable Development Right, Offset Receiving Zone (ORZ), Environmental Offset Mechanism	Support with addition	These definitions are necessary to support the operation of the TDR framework and are consistent with other operative plans.	Insert the following definitions: 'Transferable Development Right (TDR)' means a development entitlement created through environmental enhancement that can be transferred to another site. 'Offset Receiving Zone (ORZ)' means a mapped area where transferred development rights may be realised. 'Environmental Offset Mechanism' means a rule or framework enabling development rights to be allocated in exchange for environmental enhancement.
Definitions	'Environmental Offset Mechanism'	Support new definition	New definition to provide clarity and consistency when implementing TDR and offset provisions throughout the Plan.	Insert new definition: 'Environmental Offset Mechanism means a certified restoration or enhancement project established in accordance with Schedule X and secured by legal instrument to support a transferable development right or other offset-based consent mechanism.'
Strategic Direction	SD-P1	Support in part	The current wording does not sufficiently enable innovative environmental mechanisms such as transferable development rights (TDR) that deliver landscape-scale restoration.	Amend SD-P1 to include a new clause: '(6) enabling innovative environmental management mechanisms, including transferable development rights frameworks, that deliver coordinated restoration and enhancement outcomes at a landscape scale.'
Ecosystems and Indigenous Biodiversity	ECO-P4	Support in part	ECO-P4 should explicitly enable coordination across multiple properties using mechanisms such as TDR to support landscape-scale outcomes.	Amend ECO-P4 to include the following sentence: 'This may include transferable development right mechanisms that coordinate protection and enhancement across multiple properties to achieve landscape-scale ecological outcomes.'
Ecosystems and Indigenous Biodiversity	ECO-P5	Support in part	ECO-P5 should explicitly recognise TDR frameworks as a tool to incentivise the legal protection and management of significant indigenous vegetation and habitats.	Amend ECO-P5 to insert the following: 'Legal protection may also be achieved through frameworks such as transferable development rights, which incentivise and systematise protection and restoration outcomes.'
Natural Character	NATC-P4	Support in part	NATC-P4 should refer to catchment-based coordination mechanisms, including TDR, as a method to restore natural character.	Amend NATC-P4 to include: 'Restoration and enhancement may be achieved through mechanisms such as transferable development rights that enable coordinated, catchment-based outcomes.'
Overlay Chapter	ORZ and Mapping Rules	Support with amendment	The Proposed Plan does not currently include a mapped Offset Receiving Zone (ORZ) framework. This is critical to ensure spatial certainty for implementing the TDR mechanism.	Insert a new mapped overlay called the Offset Receiving Zone (ORZ), with mapped boundaries shown on the planning maps and listed in Schedule X. Add a mapping rule requiring ORZs to avoid ONLs, SNAs, CPZs, and Class 1–3 LUC land.
New Schedule X	Offset Receiving Zones	Support	Schedule X is necessary to list the ORZs and their receiving capacity. This allows for cumulative effects to be managed while enabling efficient consent processing.	Insert a new Schedule X listing each ORZ spatial area and its maximum lot capacity, based on LUC, servicing, and amenity constraints. Require any change to the ORZ schedule to be via plan change or schedule amendment.

New Schedule X	Offset Management Plan Requirements	Support	A standardised schedule is essential to ensure ecological enhancement is well documented, independently verified, and legally secured. This improves implementation certainty.	Insert Schedule X setting out the 7 required components of an Offset Management Plan, including site details, ecological report, restoration strategy, pest control plan, monitoring regime, legal mechanism, and supporting maps/photos
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