

## 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: Journeys End Limited  
Mobile: 0277264333  
Address for Service: Journeys End Ltd & Alisa Neal, [alisan@barker.co.nz](mailto:alisan@barker.co.nz)  
Date: 30 June 2025  
Re: Submission on Proposed Kaipara District Plan (**PDP**) – Journeys End Ltd

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## Submission Information:

Journeys End Limited (**Journeys End**) could not gain an advantage in trade competition through this submission.

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

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

Journeys End wishes to be heard in support of this submission.

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

**Journeys End Limited**

## 1.0 Introduction

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### 1.1 Journeys End Interests in the Kaipara District

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Journeys End has an interest in several properties comprising multiple titles located within the Kaipara District. These properties are further detailed in **Section 2.0** and can be summarised as follows:

- Topuni Farm, Oruawharo (**Topuni Farm Site**) zoned General rural zone (**GRUZ**) in the PDP;
- Topuni Forest legally described as Lot 3 DP 371099 (**Topuni Forest Site**) zoned Heavy Industrial (**HIZ**) in the PDP; and
- Babylon Coast Property, legally described as Lot 5&6 DP 587177, and Lots 1, 3-6, 8, 10 & 11 DP 590089 (**Babylon Coast Site**) zoned GRUZ in the PDP.

Notwithstanding this specific property interest, Journeys End is interested in the direction of PDP as it applies to the wider Kaipara District.

### 1.2 PDP Submission Structure

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This submission on the PDP addresses appropriate zoning and provisions for the abovementioned sites. The amendments sought by Journeys End to each of the sites of interest are detailed further within the submission which 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 Journeys End 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

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As noted above, Journeys End Ltd owns several properties located within the Kaipara District. The following provides context and background on each property.

### 2.1 Topuni Farm Site

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The Topuni Farm Site comprises multiple parcels as indicated in **Figure 1&2** below and is located on the border between Kaipara District and Auckland. Part of the Site is proposed to accommodate the second section of Ara Tūhono motorway connecting Warkworth to Te Hana. Notice of Requirement for the designation of land required to facilitate the works has been made under s181 of the RMA.

The Site is currently zoned Rural Production under the Operative Kaipara District Plan (**ODP**) and is zoned GRUZ in the Proposed Kaipara District Plan (**PDP**), see **Figure 3** below.



# Submission on Kaipara PDP

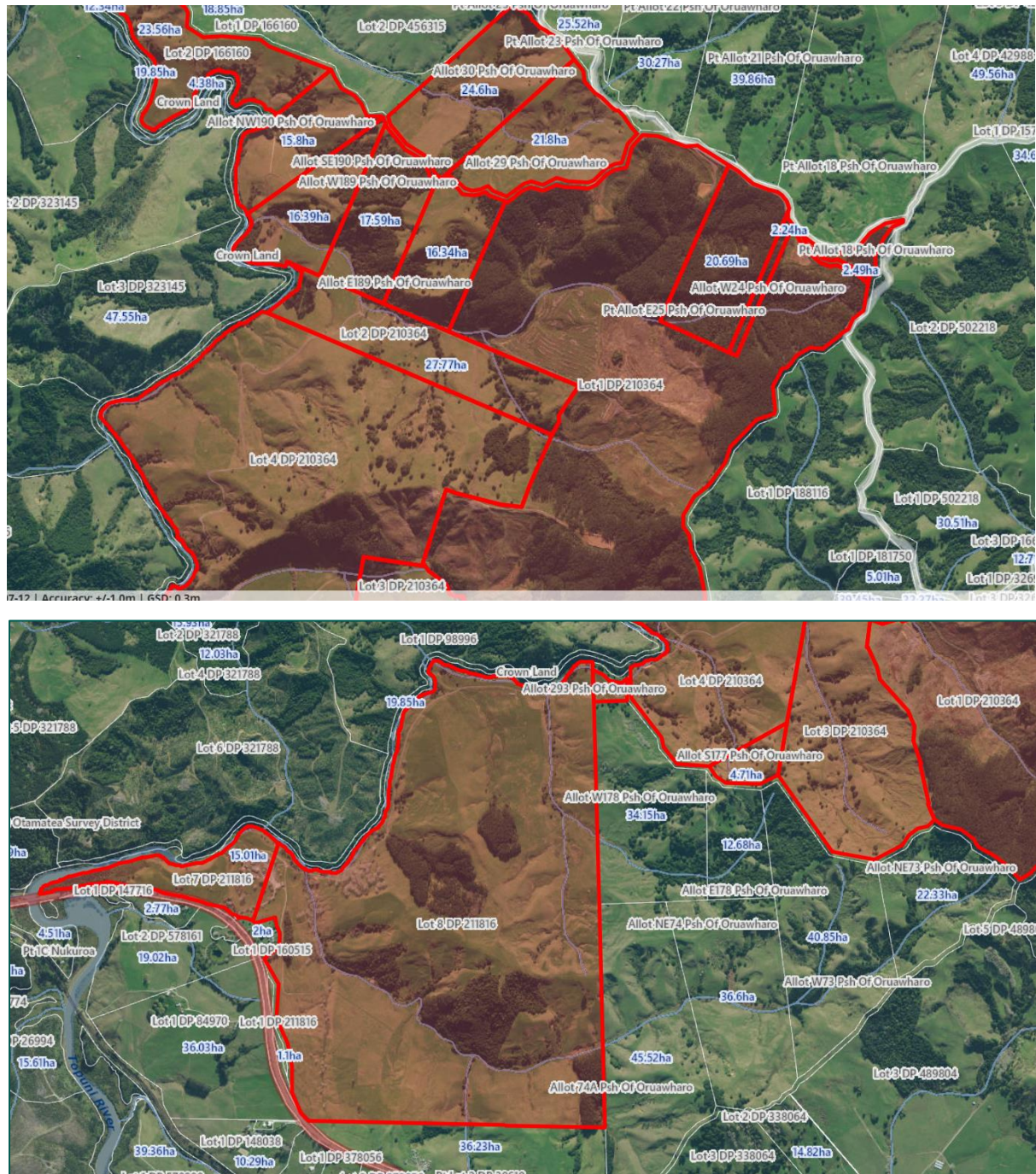


Figure 1 & 2 showing the parcels that make up the Topuni Farm Site outlined in red. Source: Emaps.



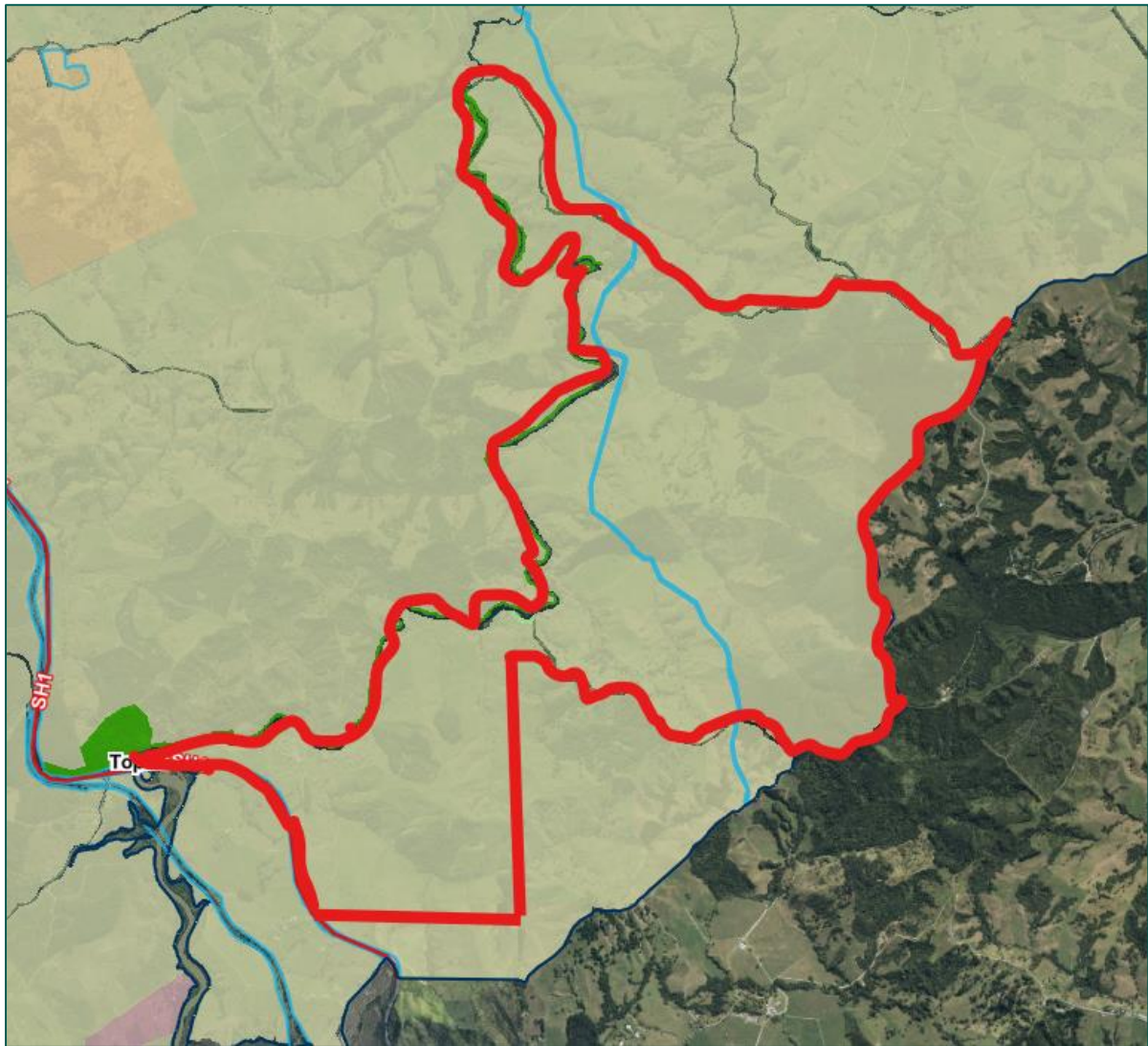
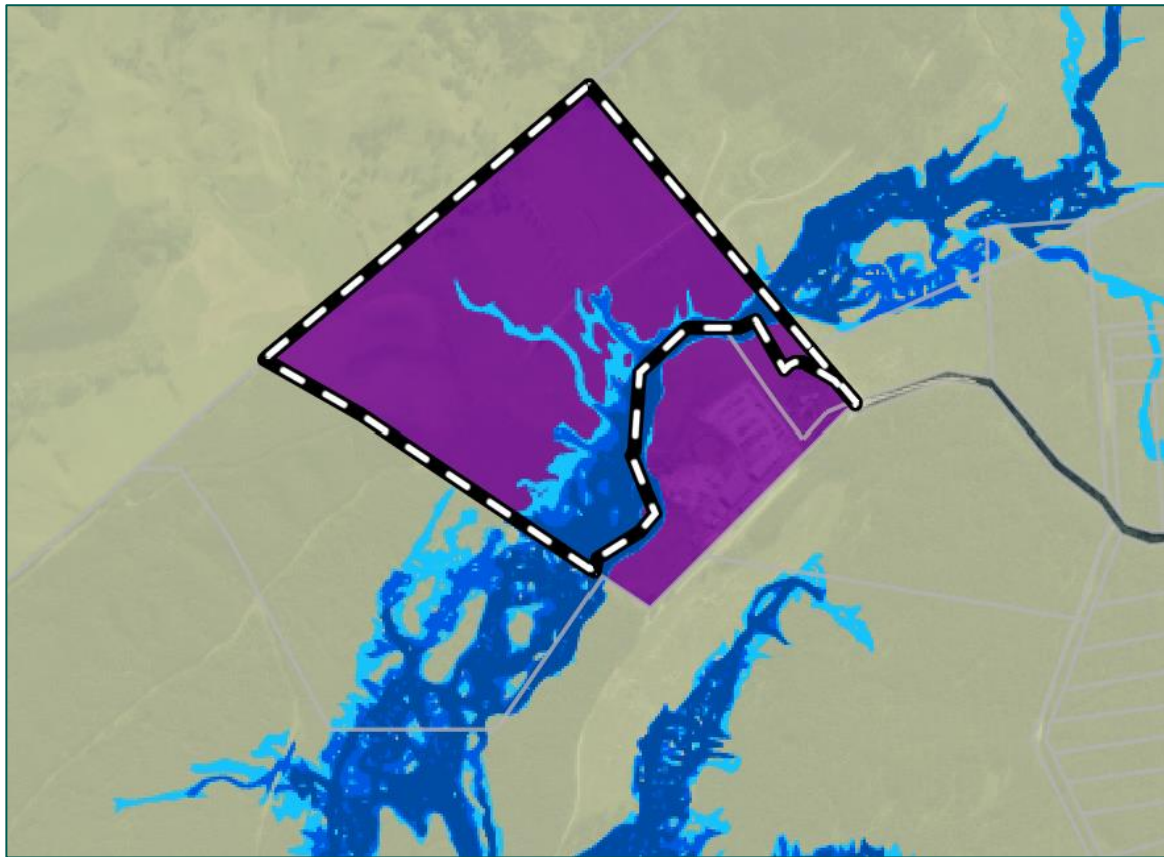


Figure 3 PDP zoning with property boundary indicated in red

## 2.2 Topuni Forest Site

The Topuni Forest Site is currently zoned Rural in the ODP and HIZ in the PDP and has been mapped as being subject to Flood Hazard 10 and 100 year as shown in **Figure 4** below.



**Figure 4 showing PDP zoning of Topuni Forest Site (outlined) Purple – Heavy Industrial Zone and flood extents in blue.**

## 2.3 Babylon Coast Site

The Babylon Coast Site comprises multiple titles outlined in **Figure 5** below accessed from Babylon Coast Road, all of which are zoned Rural in the ODP and GRUZ in the PDP with a number of the titles subject to Flood Hazard 10 and 100 year as shown in **Figure 6** below.



# Submission on Kaipara PDP

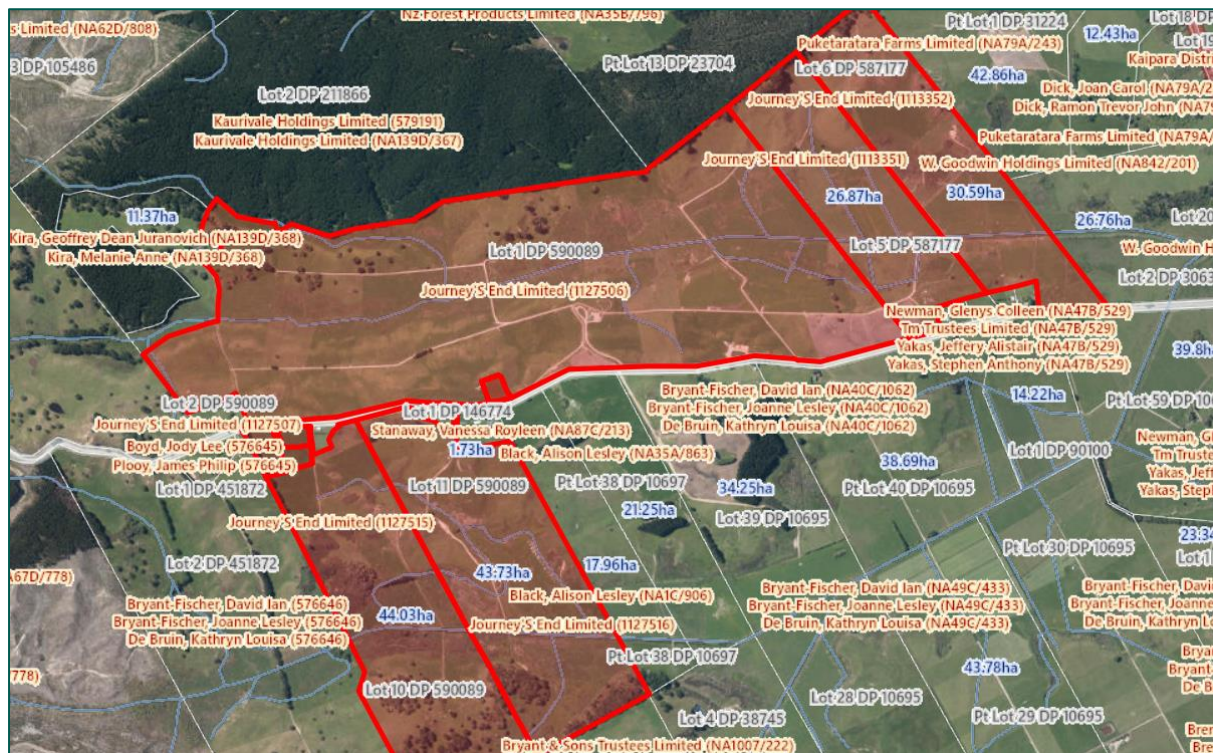


Figure 5 showing the titles that make up the Babylon Coast Site outlined in Red. Source: Emaps.

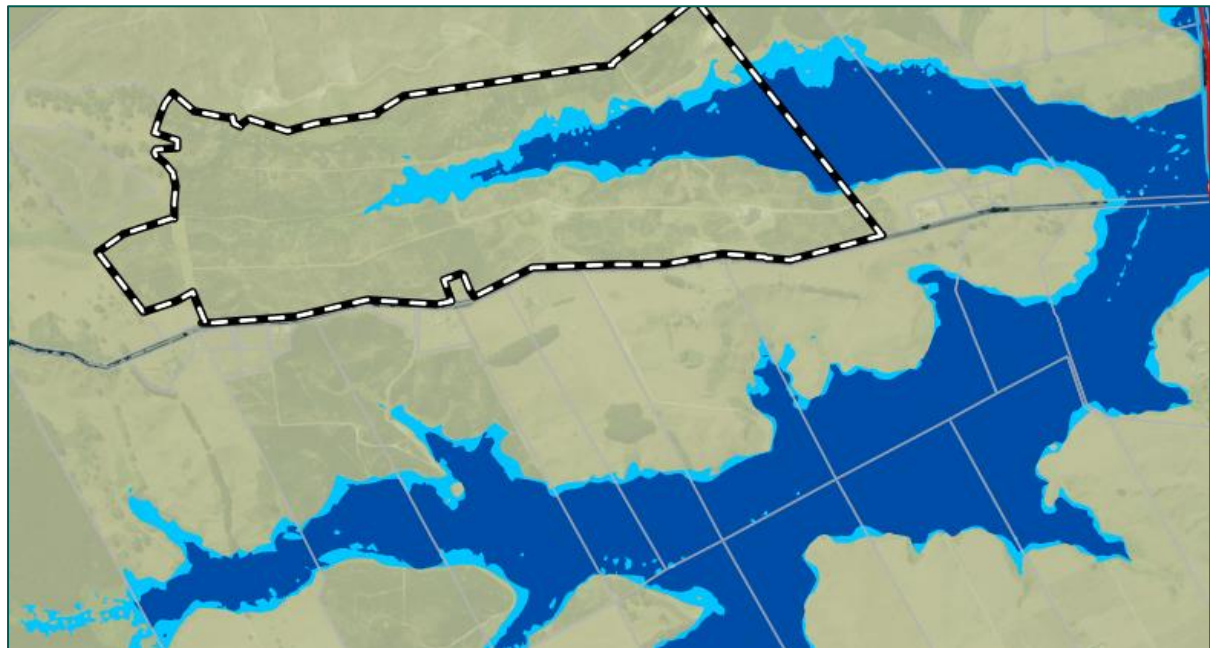


Figure 6 showing PDP zoning. Green – GRUZ and flood extent in blue.



## 3.0 General Feedback

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### 3.1.1 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 GRUZ provisions are unnecessarily blunt in restricting commercial and industrial activities that are not associated with primary production.
- (b) Objective 3.11 Regional form and Policy 5.1.1 – planned and coordinated development: the zoning framework within the PDP is narrow. While Journeys End support the protection of Highly Productive Land (**HPL**) and primary production, the broad application of the GRUZ across the district means that commercial and industrial development that is not associated with primary production is unnecessarily constrained.

## 3.2 Strategic Direction

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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.

Journeys End 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 to the large areas of rural environment that are not HPL where non-rural commercial and industrial activities are to be avoided unless they are compatible with primary production related and have a functional or operational need to be located in the General rural zone and do not result in the loss of HPL.

Journeys End has general concerns that the SD Chapters are inconsistent, some chapters contain objectives for each topic, and not policies, whilst others contain both objectives and policies. 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 the Rural Area (SD-VK-O3 and SD-VK-O4) with no policy direction. Journeys End 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 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

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

## 3.3 Zoning

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In terms of the notified zones and provisions, Journeys End:

- Supports the zoning of the Topuni Farm Site subject to the amendments sought to the GRUZ and Subdivision Chapter provisions detailed in **Attachment 1**;
- Supports the zoning of the Topuni Forest Site subject to the amendments sought to the HIZ zone detailed in **Attachment 1**;
- Support the zoning of Babylon Coast Site subject to the amendments sought to the Subdivision Chapter provisions detailed in **Attachment 1**.

### 3.3.1 General Rural Zone

As noted earlier, both the Topuni Farm and Babylon Coast Site have been zoned GRUZ which Journeys End generally considers to be appropriate. Journeys End is concerned however that in applying the simplified approach to zoning the rural environment, the GRUZ zone (which covers 78% of the district) does not appropriately provide for general commercial and industrial activities.

Journeys End understands and supports the need to protect HPL, primary production and the districts centres. However, if Council is committed to the broad two zone approach for the rural environment, provision needs to be made for such activities in appropriate locations. The Ara Tūhono motorway corridor is proposed to pass through the Topuni Farm Site. The confirmation of the development of the motorway through this part of the district and timing of the district plan review presents an opportunity to enable economic development within the district through the provision for commercial activities within proximity to the state highway where they do not result in reverse sensitivity effects or adversely impact the commercial viability of the districts centres.

The amendments sought in **Attachment 1** see the inclusion of commercial and industrial activities as a restricted discretionary activity with targeted matters of discretion to ensure such activities are compatible and appropriate while encouraging investment in the district by providing more certainty to developers who will be keen to leverage the opportunity presented.

Journeys End otherwise generally supports the inclusion of 'rural industry' as a permitted activity in the GRUZ but seeks some amendments in **Attachment 1** to provide more certainty to the plan user regarding what this might encompass, and provision for 'rural commercial services'.

The amendments sought will result in better alignment with the Regional Policy Statement, better provide for rural economy and subsequently the ability to provide for social and economic wellbeing, and a more efficient and effective framework for the rural environment.

### 3.3.2 Heavy Industry Zone

Journeys End generally supports the application of the HIZ to the Topuni Forest Site but seek some amendments to the HIZ provisions to provide for 'offensive activities' as detailed in **Attachment 1**. Journeys End also highlight the importance of clearly outlining the difference between heavy and light industry

activities for the plan user to ensure certainty and efficient and effective implementation of the PDP. Amendments to these definitions have also been sought in **Attachment 1**.

## 3.4 Subdivision

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The ODP provides for additional subdivision rights in the rural environment as a discretionary activity where an environmental benefit is achieved by way of protecting indigenous biodiversity in accordance with specific criteria<sup>1</sup>. A similar approach is taken by both neighbouring Council's (Auckland<sup>2</sup> and Whangarei<sup>3</sup>) as well as in the Proposed Far North District Plan<sup>4</sup>. The PDP does not include a similar pathway.

On review of Councils Subdivision s32 analysis Journeys End understands that the environmental benefit subdivision option was removed to achieve a 'simplified' approach to subdivision. Journeys End notes that there is no other incentivisation offered for the protection in perpetuity, enhancement or restoration of indigenous biodiversity which Journeys End considers this to be a step backwards in terms of the district's response to biodiversity decline in Aotearoa.

Accordingly, Journeys End seeks amendment to the subdivision chapter to enable comprehensively designed subdivisions that enhance, restore and/or protect indigenous biodiversity where any rural production value is not compromised.

The amendment sought will improve alignment with the National Policy Statement for Indigenous Biodiversity 2023. This is specifically relevant to Objective 2.1(1)(b)(iii), and policies 2.2(4)-(5) and (13) which includes managing biodiversity in an integrated way across administrative boundaries and promotes the maintenance and restoration of indigenous biodiversity. Additionally, it will result in improved consistency with neighbouring councils' approach to subdivision and indigenous biodiversity protection in the rural environment and overall effectiveness and efficiency of the PDP.

## 3.5 Natural Hazards

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The Topuni Forest and Babylon Coast Sites are mapped as being susceptible to Flood Hazards. As a general comment, Journeys End considers that the Natural Hazards Chapter is overly restrictive and as proposed, is inconsistent with the Northland Regional Policy Statement (**NRPS**) and Northland Regional Plan (**NRP**).

Journeys End seeks amendments to the provisions of the Natural Hazards Chapter (see **Attachment 1**) that will result in better alignment with the NRPS, and a clearer and more cohesive framework.

## 4.0 Conclusion

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In conclusion, Journeys End seeks the following relief:

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<sup>1</sup> 12.13.1

<sup>2</sup> E39.6.4.4.1 – E39.6.4.6

<sup>3</sup> SUB-R16(3)

<sup>4</sup> SUB-R6



# Submission on Kaipara PDP

- (a) Journeys End general feedback in **Section 2.0** 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.

Journeys End 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.

# Submission on Kaipara PDP

## Attachment 1: Specific Submission Points on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
DEFINITIONS				
1	New definition – Heavy Industrial Activities	Seek amendment	<p>The PDP includes a definition of ‘industrial activity’ which lists:</p> <p><i>an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.</i></p> <p>The HIZ zone provides for heavy industrial activities however this is not a defined term. Further, both the LIZ and HIZ chapters make reference to the same activities in the overview making it unclear to plan users what the difference between heavy and light industrial activities and the zones generally (other than location) and what activities are anticipated in them.</p> <p>Journeys End appreciates the nested activity table, and considers there an opportunity to improve efficiency and effectiveness of the plan by</p>	Include a new definition for ‘Heavy Industry Activity’.

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			including a clear definition for Heavy Industrial Activities making it clear to the plan user that these activities and their associated effects are anticipated in this zone.	
2	New definition – Light Industrial Activities	Seek amendment	<p>The PDP includes a definition of ‘industrial activity’ which lists:</p> <p><i>an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.</i></p> <p>The LIZ zone provides for light industrial activities however this is not a defined term. Further, both the LIZ and HIZ chapters makes reference to the same activities in the overview making it unclear to plan users what the difference between these zones are (other than location) and what activities are anticipated in each.</p> <p>Journeys End appreciates the nested activity table, and considers there to be an opportunity to improve efficiency and effectiveness of the plan by including a clear definition for Light Industrial Activities.</p>	Include a definition for ‘light industry activity’.



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3	New Definition - Rural commercial activity	Seek Amendment	<p>To facilitate a prospering rural economy, Journeys End seeks that rural commercial activities are provided for in the GRUZ zone. See submission point below with suggested rule inclusion.</p> <p>Such activities may include servicing, assembling or repair of agricultural machinery, fencing contractors, vet clinics, animal boarding or breeding, rural top dressing and spraying services, fence contractor businesses, truck and large machinery depots and servicing yards etc.</p>	<p><b><u>Rural commercial services</u></b></p> <p><u>Means commercial services that have a clear connection to, or provide services to, rural production activities and involve the sale of rural produce and products, or services that support rural production activities.</u></p>
4	Rural Industry	Seek amendment	<p>Businesses that process raw materials are a critical rural industry and should be expressly included in the definition.</p>	<p>means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production <u>including by using raw materials derived from rural production activities or natural resources on the site.</u></p>

## STRATEGIC DIRECTION – VISION FOR KAIPARA CHAPTER

5	SD-VK O1	Support	<p>Journeys End Limited supports the intent of this objective being to promote social, economic and cultural wellbeing through providing for appropriate activities and outcomes in the zones.</p>	Retain as notified.
6	SDD-VK – O2	Support	<p>The objective establishes guiding principals to support development</p>	Retain as notified.

**Barker & Associates**

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# Submission on Kaipara PDP

			which includes being proactive when dealing with growth and business opportunities and responding to development opportunities which is encouraged and supported by Journeys End.	
7	SD-VK - O7	Support	Journeys End supports providing for a variety of development opportunities and living/housing options through a range of zones.	Retain as notified.
STRATEGIC DIRECTION – NATURAL ENVIRONMENT				
8	SD-NE-O1	Support	Journeys End support the direction to protect, maintain and enhance indigenous biodiversity.	Retain as notified.
STRATEGIC DIRECTION – URBAN FORM AND DEVELOPMENT CHAPTER				
9	SD-UFD-O1	Support	Development of residential, commercial and industrial land to meet current and predicted future demand is supported.	Retain as notified.
10	SD-UFD-O2	Support	Enabling business opportunities in industrial zoned is supported	Retain as notified.
11	SD-UFD-P5	Seek amendment	This policy directs use of the HIZ for <u>large scale</u> industrial activities that may generate adverse effects which in general is supported, however given the lack of provision for offensive activities in other zones Journeys End seeks the removal of reference to 'large scale given this is	Amend the policy as follows:  Use the Heavy industrial zone predominantly for <del>large-scale</del> industrial activities that may generate adverse effects on the environment.

# Submission on Kaipara PDP

			not a defined term and as such is an arbitrary and unnecessary reference.	
NATURAL HAZARDS				
12	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.
13	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><b><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></b></p> <p><b><u>1. Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u></b></p> <p><b><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></b></p> <p><b><u>3. New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u></b></p> <p><b><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></b></p>



# Submission on Kaipara PDP

				<p><u>5. Not exacerbating or creating a flood hazard for other properties.</u></p> <p><u>6. Ensuring adequate vehicular access is available to serve development</u></p>
14	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.
15	NH-R2	Seek amendment	As proposed the rule is repetitive and confusing for the plan user.	<p>Amend NH-R2 as follows:</p> <p><del>1.</del> Activity status: Permitted</p> <p>Where:</p> <p><del>For all additions and alterations:</del></p> <p><del>a. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event.</del></p> <p><del>and</del></p> <p><del>For accessory buildings:</del></p> <p><u>The addition/alteration is located entirely within a building area that has been approved as part of a subdivision consent approved after 1 December 2021.</u></p>

# Submission on Kaipara PDP

				<p>b. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk River Flood Hazard Area:</p> <ul style="list-style-type: none"> <li>i. 110 m<sup>2</sup> in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</li> <li>ii. 10m<sup>2</sup> in all other zones.</li> </ul> <p><del>For buildings not containing sensitive activities:</del></p> <p>c. The addition/alteration <u>of any building containing a sensitive activity</u> has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and</p> <p><del>d. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone.</del></p> <p><del>For buildings containing sensitive activities:</del></p> <p><del>e. The addition/alteration is not in a High-Risk River Flood Hazard Area; and</del></p> <p>f. The addition/alteration <u>of any building containing a sensitive activity</u> has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</p>
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# Submission on Kaipara PDP

16	NH-R3 and NH-R4	Seek amendment	The rules do not provide a permitted pathway, there is no need to duplicate rules between accessory buildings and 'other buildings'.	<p>Delete rules NH-R3 and NH-R4 as replace with the following:</p> <p><b><u>New Buildings within 100 year Flood Hazard Area</u></b></p> <p><b><u>Activity Status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>1. The building is located entirely within a building area that has been approved as part of a subdivision consent approved after 1 December 2021.</u></b></p> <p><b><u>OR</u></b></p> <p><b><u>2. The building does not accommodate a vulnerable activity and:</u></b></p> <p><b><u>a. Has a gross floor area less than 30m<sup>2</sup>; or</u></b></p> <p><b><u>b. Is associated with farming and located within the General Rural Zone with a gross floor area less than 110m<sup>2</sup>; or</u></b></p> <p><b><u>c. Is an artificial crop protection structure, crop support structure or a frost protection fan.</u></b></p> <p><b><u>Activity Status when compliance not achieved: Restricted Discretionary</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>1. The building or major structure accommodates a vulnerable activity and achieves a minimum freeboard of 500mm above the 100-year flood event.</u></b></p> <p><b><u>2. The building or major structure does not accommodate a vulnerable activity and does not comply with the permitted rules.</u></b></p>
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# Submission on Kaipara PDP

				<p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> <li><u>1. The risk of adverse effects on people, property and the environment including risk to public health and safety and any cumulative effects.</u></li> <li><u>2. The extent to which the building or major structure will be subject to material damage.</u></li> <li><u>3. The nature of the activity being undertaken and its vulnerability to the potential effects of flooding.</u></li> <li><u>4. Diversion of overland flow paths and any exacerbation of the flood hazard or creation of a new hazard as a result of the building or structure.</u></li> <li><u>5. The proposed use of, necessity for, and design of engineering solutions (soft or hard) to mitigate the hazard.</u></li> <li><u>6. The use of the building or major structure, including the storage and use of hazardous substances, and any management/mitigation requirements associated with that use;</u></li> <li><u>7. For buildings or major structures that contain vulnerable activities, the provision of direct, safe vehicular access from the building to land that is clear of the flood hazard.</u></li> <li><u>8. Whether there is a functional need or operational need for the building or major structure to be in this location.</u></li> <li><u>9. The adverse effects of earthworks associated with the activity.</u></li> </ol>
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# Submission on Kaipara PDP

				<p><u>10. The level of detail required to assess natural hazard risk.</u></p> <p><u>11. Recommendations of any site suitability report, engineer's assessment, or information provided through the consent process.</u></p> <p><u>Activity status where compliance is not achieved and the activity is not a restricted discretionary activity:</u></p> <p><u>Discretionary</u></p> <p><u>New Buildings in High Risk Flood Hazard Area</u></p> <p><u>Activity Status: Permitted</u></p> <p>1. <u>The building or major structure is located entirely within a building area that has been approved as part of a subdivision consent approved after 1 December 2021.</u></p> <p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>1. <u>The building or major structure does not accommodate a vulnerable activity.</u></p> <p><u>Matters of discretion:</u></p> <p>1. <u>The risk to people and property from the flood hazard.</u></p> <p>2. <u>The extent to which the building or major structure will be subject to material damage.</u></p>
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# Submission on Kaipara PDP

				<p><u>3. The nature of the activity being undertaken and its vulnerability to the potential effects of flooding.</u></p> <p><u>4. Diversion of overland flow paths and any exacerbation of the flood hazard or creation of a new hazard as a result of the building or structure.</u></p> <p><u>5. Whether there is a functional need or operational need for the building, major structure or activity to be in this location.</u></p> <p><u>6. The proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard.</u></p> <p><u>7. The use of the building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.</u></p> <p><u>8. The adverse effects of earthworks associated with the activity.</u></p> <p><u>9. The level of detail required to assess natural hazard risk.</u></p> <p><u>Activity Status when compliance not achieved and the activity is not a Restricted Discretionary activity: Non-complying</u></p>
17	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				
18	SUB-P1	Delete	SUB-P1 outlines general subdivision design and location outcomes, which apply to all zones. Clause 1 seeks the	Delete SUB-P1.

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			incorporation of and response to existing site features and characteristics, including landforms, vegetation, buildings and cultural and amenity values. 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.	
19	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.	<p>Amend SUB-P2 as follows:</p> <p>Ensure that subdivision and development is appropriately serviced, and that infrastructure is provided in an integrated and coordinated manner, by:</p> <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> <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</li> </ol>

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				<p>on-site infrastructure that cannot be determined until the allotment is developed;</p> <p>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>;</p> <p>5. Requiring legal and physical access to be provided to each allotment; and</p> <p>6. Requiring allotments to have access to a suitable water supply.</p>
20	SUB-R3	Seek amendment	<p>As proposed the rule is overly restrictive of subdivision within the General Rural Zone, drafted as a catch all rule it applies reticulated servicing standard. The rule also limits the creation of a single additional allotment. This rule is in conflict with rules SUB-R4 -R6</p>	<p>Amend Rule SUB-R3 as follows:</p> <p>Activity status: Controlled</p> <p>Where:</p> <p>a. All subdivision <u>within the General Residential Zone, Commercial Zone, Light Industrial Zone and Heavy Industrial Zone</u> complies with SUB-S1 to SUB-S15;</p> <p>b. <u>All subdivision within the General Rural Zone and Rural Lifestyle Zone complies with SUB-S1 – SUB-S4 and SUB-S16.</u></p> <p>c. Subdivision in the General rural zone does not contain land defined as highly productive land (as determined by either the New Zealand</p>

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				<p>Land Resource Inventory maps or a property scale site specific assessment Land Use Capability Classification prepared by a suitably qualified person and accepted by Council); and</p> <p><del>d. Subdivision in the General rural zone must create no more than one additional allotment from the Record of Title being subdivided.</del></p>
21	New rule – Environmental benefit subdivision	Seek amendment	<p>Journeys End seeks the inclusion of an environmental benefit subdivision rule as a restricted discretionary activity to allow for rural lifestyle type development in the GRUZ zone where adequate environmental gain is achieved through protection of indigenous biodiversity.</p> <p>Inclusion of such a rule will result in improved consistency in terms of regional approach to biodiversity protection (as both FNDC and WDC plans include environmental benefit rules), as well as cross boundary with Auckland Council and accordance with the RPS and NPS-IB.</p>	Include a new rule providing for environmental benefit subdivision in the GRUZ as a restricted discretionary activity like that in the Proposed Far North District Plan.
HEAVY INDUSTRIAL ZONE				
22	HIZ-P1	Seek amendment	The PDP does not include a definition of 'heavy industrial activity' this	Include a definition of heavy industrial activity.

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			policy is uncertain for plan users, inefficient and ineffective.	
23	HIZ-O3 - O4	Support	Journeys End supports protecting industrial land from reverse sensitivity effects and recognising the economic and employment benefits of industrial activities, and the associated amenity levels.	Retain as drafted.
24	HIZ – P1	Support	Journeys End supports enabling heavy industrial activities noting submission points regarding the need to define and/or provide more direction re what a heavy industrial activity comprises	Retain as drafted.
25	HIZ- R3	Support	Journeys End supports the permitted activity status for industrial activities which includes manufacturing and distributing of goods which Journeys End assumes would include a construction yard.	Retain as drafted.
26	New Rule	Seek amendment	<p>Journeys End seeks the inclusion of a permitted activity status for offensive trade (defined term) in the Heavy Industrial Zone. Offensive trade is not nested under 'industrial activities' (permitted under HIZ-R3) making it a discretionary activity pursuant to HIZ-R13.</p> <p>Given that this zoning has been applied to areas separated from</p>	<p><b><u>GRUZ-RX Offensive trade</u></b></p> <p><b><u>1.Activity Status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>a. The site does not contain highly productive land; and</u></b></p> <p><b><u>c. Buildings in which the offensive trade is being undertaken are setback 300m from any sensitive activity on a site under separate ownership</u></b></p>



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			sensitive receivers this zone is the appropriate place to enable these activities that are critical in terms of the districts economic development.	<u>2.Activity Status where compliance not achieved: discretionary.</u>
27	HIZ-S3	Seek amendment	<p>Requiring a setback of 10m from the road boundary is unnecessary and overly onerous given the requirement for landscaping along the road boundary per HIZ-S7.</p> <p>A setback along road boundary is limited to managing amenity effects, which as acknowledged in the overview in the chapter are anticipated to be reduced in the HIZ zone. Journeys End considers that a 3m setback is appropriate and will result in best utilisation of high value land.</p>	<p>Amend HIZ-S3 as follows:</p> <p>1.Buildings and structures shall be setback a minimum of <del>10</del> <u>3</u>m from road boundaries.</p>
GENERAL RURAL ZONE				
28	GRUZ-P1	Seek Amendment	Journeys End seeks an amendment to this policy to include rural commercial services noting submission points regarding definition and permitted activity rule for rural commercial services.	<p>Ensure the General rural zone provides for activities that require a rural location by:</p> <p>1. Enabling primary production activities as the predominant land use;</p> <p>2. Enabling a range of compatible activities that support primary production activities, including ancillary activities <u>rural commercial services</u>, and rural industries; and</p>

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				3.Restricting activities on highly productive land that are not reliant on the soil resource of the land.
29	GRUZ – P5	Seek Amendment	<p>This avoid policy is too narrow and given the extensive application of the GRUZ, will result in unnecessary constrains on economic development in the rural environment.</p> <p>The amendments sought will continue to direct the protection of highly productive land and ensure that only those activities that need to locate in the GRUZ zone are accommodated while removing the unnecessary uncertainty around what is 'compatible'.</p>	<p>Amend GRUZ-P5 as follows:</p> <p>Avoid non-rural activities in the General rural zone unless they:</p> <p>1.Have a functional or operational need to locate in the General rural zone; and</p> <p><del>2.Are compatible with primary production activities; and</del></p> <p>23.Do not result in the loss of availability and productive capacity of highly productive land, including consideration of the cumulative effects of such losses.</p>
30	New Rule – Commercial and Industrial Activities in Proximity to State Highway 1	Seek amendment	For reasons discussed in the body of the submission, Journeys End seeks provision for commercial and industrial activities that are not necessarily rural production related within proximity to the proposed SH1 corridor.	<p><b><u>GRUZ-RX Commercial and Industrial Activities in Proximity to State Highway 1</u></b></p> <p><b><u>1.Activity Status: Restricted Discretionary</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>a. Access to the site containing the commercial or industrial activity is directly from State Highway 1 ;</u></b></p> <p><b><u>b. The site does not contain highly productive land; and</u></b></p>

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				<p><u>c. The activity has a maximum GFA of 500m<sup>2</sup> per site.</u></p> <p><u>2. Activity Status where compliance not achieved: Non-complying</u></p> <p><u>3. Matters over which discretion is restricted:</u></p> <p><u>a. effects on rural character and amenity values of the locality;</u></p> <p><u>b. effects of traffic volume on the safety and convenience of other road users;</u></p> <p><u>c. effects of stormwater management;</u></p> <p><u>d. potential for reverse sensitivity effects; and</u></p> <p><u>e. potential for adverse effects on the vitality and vibrancy of town centers.</u></p>
31	New Rule – Offensive Trade	Seek amendment	<p>Offensive trade is currently not provided for in the GRUZ zone. Journeys End considered that parts of the expansive GRUZ provide an appropriate location for such an activity as a restricted discretionary activity subject to standards. Clear matters of discretion will provide Council opportunity to assess appropriateness.</p>	<p><u>GRUZ-RX Offensive trade</u></p> <p><u>1. Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>a. The site does not contain highly productive land; and</u></p> <p><u>c. Buildings in which the offensive trade is being undertaken are setback 300m from any sensitive activity on a site under separate ownership</u></p>

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				<p><u>2. Activity Status where compliance not achieved: Non-complying</u></p> <p><u>3. Matters over which discretion is restricted:</u></p> <p><u>a. Scale, design and location of buildings within the site to mitigate potential reverse sensitivity effects;</u></p> <p><u>b. Odour, noise and dust effects; and</u></p> <p><u>c. Landscaping to manage impacts on visual amenity values.</u></p>
32	GRUZ-R8	Seek amendment	The inclusion of rural industry as a permitted activity is generally supported noting the amendments sought in this submission to the definition of rural industry. However, Journeys end seeks that this rule is amended to provide for rural commercial services as well.	<p>Activity status: Permitted</p> <p>The establishment of a new, or alteration or expansion of an existing, rural industry <u>or rural commercial service</u>.</p> <p>Where:</p> <p>a. the activity area has a maximum GFA of 500m<sup>2</sup>; per site;</p> <p>b. there is no more than one rural industry <u>or rural commercial service</u> per site;</p> <p>c. the activity does not include any offensive trade; and</p> <p>d. the rural industry is not located on highly productive land.</p>
33	GRUZ-R19-R20	Seek amendment	Journeys End oppose a non-complying activity status for commercial and industrial activities	Include new restricted discretionary activity rule to provide for commercial and industrial

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			<p>in the GRUZ within proximity to the state highway where they do not result in reverse sensitivity effects or adversely impact the commercial viability of the districts centres.</p> <p>See earlier submission point seeking a new rule to address this.</p>	activities within proximity to the SH 1 corridor (see earlier submission point).
34	GRUZ-S2	Seek amendment	<p>Most HIZ land is surrounded by GRUZ, Journeys End seeks an increased setback of 10m for buildings from the site boundary where adjoining HIZ zoned land. The proposed 3m setback is not adequate to protect HIZ zoned land from constraints resulting from reverse sensitivity effects.</p>	<p>Amend GRUZ-S2 as follows:</p> <p>All buildings and structures must be set back at least:</p> <ul style="list-style-type: none"> <li>a. 3m from every site boundary <u>except where adjoining the HIZ;</u></li> <li><b><u>b. 10m from site boundaries adjoining the HIZ:</u></b> <b><u>and</u></b></li> <li><b><u>c. 10m from the road frontage.</u></b></li> </ul>