

**IN THE MATTER**

of the Resource Management Act  
1991 ("**the RMA**")

**AND**

**IN THE MATTER**

of a submission pursuant to Clause 6  
of Schedule 1, of the RMA in respect  
of the **Proposed Kaipara District  
Plan**

### **SUBMISSION ON THE PROPOSED KAIPARA DISTRICT PLAN**

**To:** District Plan Team  
Kaipara District Council  
Email: [districtplanreview@kaipara.govt.nz](mailto:districtplanreview@kaipara.govt.nz)

#### **1. Details of entity making submission**

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#### **2. General Statement**

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

#### **3. Background**

##### *Site details*

- 3.1 The submitter owns a 4.2593ha title located at 16 Awakino Point North Road, Dargaville ('the site'). The title reference is NA22D/1392 and the legal description is Lot 1 DP 65922. The site is shown in **Figure 1** below.



**Figure 1:** Submitter land.

- 3.2 The site contains several buildings associated with its historical use as a dairy and dry farm, including milking sheds, calf sheds, and other accessory structures. It also contains a dwelling. The existing built form is located centrally along the road boundary of the site.
- 3.3 Vehicular access to the site is provided via two existing crossings on the eastern side of Awakino Point North Road, forming a looped access arrangement that allows vehicles to enter and exit the site in a forward direction.
- 3.4 The site is predominantly flat with no notable topographical features and is bordered by well-established shelterbelt planting on all sides.
- 3.5 The site has a connection to the Council reticulated water network located within Awakino Point North Road. There are no other reticulated three waters services available.

*Operative zoning and overlays*

- 3.6 Under the Operative Kaipara District Plan ('OKDP'), the site is zoned 'Rural' and is identified as being 'Flood Susceptible'.

### *Proposed zoning and overlays*

- 3.7 Under the PKDP, the site is zoned 'General Rural' while a small portion in the south-eastern corner is subject to the 'River Flood Hazard Zone 3' (1 in 100 year) overlay. The zoning and flood overlay are shown in **Figure 2** below.



**Figure 2:** PKDP zoning and overlay.

**4. The specific provisions of the PKDP that this submission relates to are:**

- 4.1 The zoning of the site; and
- 4.2 The provisions of the Light Industrial Zone ('LIZ') and Subdivision ('SUB') chapters of the PKDP.

**5. Northpoint Ltd seeks the following relief:**

#### *Zoning*

- 5.1 That the site is rezoned LIZ.

#### *LIZ provisions*

- 5.2 That LIZ-R3 is amended as outlined below (additions shown as underline, *italic*, and highlighted yellow, and deletions shown as ~~strikethrough~~).

LIZ-R3	Industrial activity	
1. Activity status: Permitted Where:	1. Activity status where compliance not achieved with LIZ-R3.1a:	

a. The activity is not a heavy industrial activity; and b. The activity complies with: <ul style="list-style-type: none"> <li>i. LIZ-S7 Outdoor storage; and</li> <li>ii. LIZ-S8 Landscaping; <u>and</u></li> <li>iii. <u>LIZ-S9 Transport.</u></li> </ul>	Discretionary  2. <b>Activity status where compliance not achieved with LIZ-R3.1b:</b> Restricted Discretionary  <b>Matters over which discretion is restricted:</b> <ul style="list-style-type: none"> <li>a. the matters of discretion of any infringed standard.</li> </ul>
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- 5.3 That an additional standard ('LIZ-S9 Transport' – as outlined below) is added to the LIZ chapter.

LIZ-S9	Transport
<ul style="list-style-type: none"> <li>1. Prior to the establishment of any new industrial activity on Lot 1 DP 65922, the intersection between State Highway 14 and Awakino Point North Road must be upgraded to the satisfaction of the New Zealand Transport Agency Waka Kotahi.</li> <li>2. The resource consent proposing the transportation upgrades may be submitted in advance of or together with any subdivision or land use consent application.</li> </ul>	<ul style="list-style-type: none"> <li>3. <b>Activity status where compliance not achieved:</b> Restricted discretionary</li> <li>4. <b>Matters over which discretion is restricted:</b> <ul style="list-style-type: none"> <li>a. Efficient and effective transport network;</li> <li>b. Traffic safety in relation to site ingress and egress;</li> <li>c. Pedestrian and cyclist safety and navigability;</li> <li>d. Consideration of street trees and entrance treatments for the Awakino Point North Road entrance;</li> <li>e. Provision for emergency response access.</li> </ul> </li> </ul>

- 5.4 The intent of the proposed changes is to require that the intersection is addressed as part of any industrial development of the site. This generally aligns with the transport related requirements for land use activities with those that apply in the 'Light Industrial Area' in the adjoining Trifecta Special Purpose Zone.

#### *SUB provisions*

- 5.5 That SUB-S6 is amended as outlined below (additions shows as underline, *italic*, and **highlighted yellow**, and deletions shown as ~~strike through~~). The intent of the proposed change is to require that the intersection is addressed as part of any subdivision of the

site, in general alignment with the transport related requirements for subdivisions in the 'Light Industrial Area' in the adjoining Trifecta Special Purpose Zone.

SUB-S6	Access	
All zones	<ol style="list-style-type: none"> <li>Each allotment shall have legal access to a formed road.</li> <li>Vehicular access shall be designed and constructed in accordance with the Kaipara District Council Engineering Standards 2011.</li> <li><u>For any subdivision of Lot 1 DP 65922, the intersection between State Highway 14 and Awakino Point North Road must be upgraded to the satisfaction of the New Zealand Transport Agency Waka Kotahi.</u></li> </ol>	<ol style="list-style-type: none"> <li><b>Activity status when compliance <u>with SUB-S6.1 or SUB-S6.2</u> not achieved:</b> Discretionary</li> <li><u>Activity status when compliance with SUB-S6.3 not achieved: Restricted discretionary</u></li> <li><u>Matters over which discretion is restricted:</u> <ol style="list-style-type: none"> <li><u>Efficient and effective transport network;</u></li> <li><u>Traffic safety in relation to site ingress and egress;</u></li> <li><u>Pedestrian and cyclist safety and navigability;</u></li> <li><u>Whether an intersection upgrade is warranted by the scale of the subdivision and volume of traffic generated;</u></li> <li><u>Consideration of street trees and entrance treatments for the Awakino Point North Road entrance(s).</u></li> </ol> </li> </ol>

5.6 Alternative relief with similar effect.

**6. The reasons for the relief sought are:**

*Strategic location near transport infrastructure*

6.1 The site is located in close proximity to the State Highway network, providing efficient access for freight and industrial traffic.

- 6.2 This strategic location supports the movement of goods and services, aligning with the functional needs of industrial activities.

*Provisions for infrastructure upgrades*

- 6.3 The proposed relief includes provisions to upgrade the nearby State Highway intersection, ensuring safe and efficient vehicle movements to and from the site.
- 6.4 These upgrades will mitigate any adverse traffic or safety effects arising from increased industrial activity.
- 6.5 These provisions also generally align with the requirements applicable in the 'Light Industrial Area' under the Trifecta Special Purpose Zone, which is located adjacent to the site on the opposite side of Awakino Point North Road.

*Proximity to existing industrial zoned land*

- 6.6 The site is located near an area already zoned for industrial use, which creates a logical extension of the industrial zone and avoids ad hoc or fragmented zoning patterns.

*Access to the Dargaville Township*

- 6.7 The site's proximity to Dargaville supports access to labour, services, and supply chains, contributing to the efficient operation of industrial activities.

*Limited sensitive receivers*

- 6.8 The surrounding environment has a low density of sensitive activities (e.g. residential dwellings, schools), reducing the potential for reverse sensitivity issues and making the site well-suited for industrial use.

*Alignment with regional growth objectives*

- 6.9 The proposed relief supports economic development and employment opportunities in the region, aligning with the strategic direction of the PKDP and the Regional Policy Statement for Northland.

*Minimal impact on productive rural land*

- 6.10 Given its small size (4.2593ha), the site is not currently utilised for any large scale or intensive productive rural activities.
- 6.11 Notwithstanding its size and current use, the site is classified as 'highly productive land' in accordance with clause 3.5(7) of the National Policy Statement for Highly Productive Land ('NPS-HPL'). This is because it is zoned Rural under the OKDP while the online maps show that the soils are class 2 under the LUC system.

- 6.12 However, the submitter has obtained site specific soil maps from Hanmore Land Management (**enclosed**). These maps show that the soils are a mix of class 3 and 4. While those portions that are class 3 meet the current definition of ‘highly productive land’ under the NPS-HPL, the government has signalled that class 3 soils will be removed from the definition. When this occurs, the site will not be considered highly productive. Given the current state of flux associated with the definition of highly productive land, the NPS-HPL is of limited relevance to this submission.

*Manageable environmental effects*

- 6.13 Any environmental effects such as noise, stormwater, or traffic can be appropriately managed through existing or proposed plan provisions and consent processes.

*Alignment with PKDP provisions*

- 6.14 The proposed relief aligns with the relevant objectives and policies from the Strategic Direction chapter of the PKDP. Refer to the assessment provided under point 7 of this submission.

*Section 32AA of the RMA*

- 6.15 The proposed relief is considered the most efficient and effective means of achieving the objectives of the PKDP, consistent with section 32AA of the RMA. Refer to the assessment provided under point 8 of this submission.

**7. Alignment with PKDP provisions – Strategic Direction chapter**

- 7.1 The Strategic Direction chapter of the PKDP sets the overarching policy framework for managing the district’s growth, development, and environmental outcomes. It seeks to enable well-managed urban and rural development, protect the district’s natural and cultural resources, support resilient infrastructure, and ensure iwi values are reflected in decision-making. It provides the foundation for more detailed zone and topic-based provisions and is therefore a key reference point in assessing the appropriateness of the relief requested as part of this submission.
- 7.2 The ‘Vision for Kaipara’, ‘Natural Hazards and Resilience’, ‘Tangata Whenua – Mana Whenua’, and ‘Urban Form and Development’ sections contain objectives and policies that are of some relevance to this submission. An assessment is provided below.

### *Vision for Kaipara*

- 7.3 The proposed relief aligns with the Vision for Kaipara objectives by supporting economic development (SD-VK-O1, O2), efficient land use, and infrastructure-led growth (SD-VK-O8). The planned removal of class 3 soils from the NPS-HPL and site-specific mapping obtained by the submitter limits conflict with SD-VK-O3, while the site's location limits reverse sensitivity effects (SD-VK-O6). Overall, the proposed relief facilitates industrial activity in a way that supports employment, infrastructure efficiency, and sustainable growth.

### *Natural Hazards and Resilience*

- 7.4 A small portion of the site lies within the 100-year flood overlay. However, the extent is minor, located at the rear of the site, and does not impact the primary development area. Natural hazard provisions will continue to apply regardless of zoning, ensuring risks are appropriately managed. As such, the proposal is consistent with Objective SD-NH-O1, as it recognises identified hazard risks, supports resilient development, and ensures any future use takes account of natural hazards without increasing vulnerability or undermining infrastructure resilience.

### *Tangata Whenua – Mana Whenua*

- 7.5 There are no recorded archaeological sites or known sites of significance to tangata whenua on the site. Nonetheless, iwi will continue to be engaged through the resource consent process to ensure any cultural values or interests are identified and appropriately considered. This approach is consistent with Objective SD-TW-O1, as it recognises and provides for the relationship of tangata whenua with their ancestral lands and taonga, while ensuring that any potential effects on cultural heritage are respectfully addressed through ongoing consultation.

### *Urban Form and Development*

- 7.6 The submission is well-aligned with the relevant objectives and policies. It contributes to providing sufficient industrial land to meet current and future demand (SD-UFD-O1), enables economic development in a compatible location (SD-UFD-O2), and utilises existing infrastructure or allows for its timely provision (SD-UFD-O3). The LIZ is specifically intended to support a range of industrial activities while managing adverse effects (SD-UFD-P6), and the site's location adjacent to existing industrial zoning promotes consolidated, efficient urban growth consistent with SD-UFD-O5 and SD-UFD-P1.



## *Conclusion*

- 7.7 The submission is consistent with the Strategic Direction chapter of the PKDP. It supports key objectives by enabling sustainable economic and industrial growth, managing natural hazard risks responsibly, respecting tangata whenua values through ongoing engagement, and promoting efficient, infrastructure-led urban development.

## **8. Section 32AA evaluation**

- 8.1 A Section 32AA evaluation is provided in the following tables:

**Table 1:** *Efficiency and effectiveness.*

<b>Matter</b>	<b>Assessment</b>
Efficiency	The proposed relief is considered efficient. It applies the LIZ to land that is strategically located adjacent to other industrial zoned land, has access to transport and reticulated water infrastructure, and is not constrained by high-value soils or sensitive environmental features. This alignment with existing zoning patterns and infrastructure capacity reduces the need for ad hoc resource consents and enables more streamlined development outcomes. By providing a zone that directly supports anticipated industrial activities, the proposal avoids unnecessary regulatory burden and promotes a clear, fit-for-purpose planning framework that supports economic activity while minimising reverse sensitivity and land use conflicts.
Effectiveness	The proposed relief is effective in achieving the objectives and policies of the PKDP. It enables industrial growth in a consolidated and compatible location, contributing to employment and economic development while utilising existing infrastructure and avoiding areas with significant natural hazard or cultural constraints. The zone and relevant district wide provisions ensure that future development is well-managed in terms of amenity, environmental effects, and infrastructure demands. This approach supports resilient, well-functioning urban form and land use patterns

	consistent with the PKDP's outcomes for sustainable growth and efficient land use.
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**Table 2:** *Appropriateness in achieving the purpose of the RMA.*

Section	Alignment
Section 5 – Purpose of the RMA	The proposed relief promotes sustainable management by enabling industrial development in a suitable, serviced location that supports economic wellbeing while managing environmental effects and avoiding significant natural hazard risk.
Section 6 – Matters of National Importance	The proposed relief does not compromise any section 6 matters, as relevant landscape, heritage, and hazard values are already managed through overlay provisions that continue to apply, ensuring protection from inappropriate development.
Section 7 – Other Matters	The proposal gives appropriate regard to section 7 by supporting the efficient use of land and infrastructure, maintaining amenity values, and contributing to the overall quality of the environment in an area where industrial growth has been identified and provided for.
Section 8 Treaty of Waitangi	While direct consultation has not yet occurred, the planning framework includes overlays and provisions that require cultural values to be considered, supporting recognition of Treaty principles through future engagement and consent processes.

**Table 3:** *Costs and benefits.*

Option	Benefits	Costs
Retain notified General Rural zoning	- Maintains rural character and amenity values.	- Represents an inefficient use of well-located land near

	<ul style="list-style-type: none"> <li>- Lower development intensity may reduce environmental impacts.</li> <li>- Perceived alignment with traditional land use patterns.</li> </ul>	<ul style="list-style-type: none"> <li>- existing infrastructure and services.</li> <li>- Limits economic development and employment opportunities.</li> <li>- Offers little strategic direction or certainty for landowners and developers.</li> <li>- Does not align with the site's physical characteristics or strategic planning intent.</li> </ul>
Adopt proposed Light Industrial zoning and changes to the LIZ and SUB provisions	<ul style="list-style-type: none"> <li>- Provides for local employment, economic development, and business growth in a strategically located and appropriately serviced area.</li> <li>- Maximises efficient use of existing infrastructure and avoids unnecessary expansion into more sensitive or less suitable areas.</li> <li>- Reduces reverse sensitivity by consolidating industrial activity in a compatible and planned manner.</li> <li>- Aligns with anticipated land use patterns, supporting coherent and sustainable urban form.</li> <li>- Offers greater certainty and investment confidence for</li> </ul>	<ul style="list-style-type: none"> <li>- Some potential for localised amenity effects, though these can be managed through zone-specific controls and good design.</li> <li>- Higher infrastructure needs, but these are expected and appropriate for industrial zoning, and offset by long-term economic benefits.</li> </ul>

	landowners, developers, and the wider community.	
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*Risk of acting or not acting*

- 8.2 The risk of acting is low, as the LIZ and amended provisions provide a more appropriate and efficient planning framework for land that is strategically located and well positioned for industrial use. The greater risk lies in not acting, as retention of the General Rural Zone would perpetuate an inefficient zoning that does not reflect anticipated land use patterns or infrastructure availability. This could lead to ongoing uncertainty for landowners, reverse sensitivity issues, and the loss of a valuable opportunity to meet growing industrial land demand in a planned and sustainable way.

*Overall conclusions*

- 8.3 In the context of section 32AA of the RMA, the relief sought as part of this submission is the most appropriate outcome. It better aligns with the site's strategic location, existing infrastructure, and land use anticipated for the surrounding area, enabling efficient and sustainable development that supports economic growth and employment. The proposed relief is effective in achieving the objectives and policies of the PKDP, while the costs are low and manageable. Retaining the General Rural Zone would perpetuate an ill-fitting planning framework, resulting in inefficient land use, reduced certainty, and missed opportunities. The proposed change represents a clear improvement and is considered appropriate in achieving the purpose of the RMA.

**9. The submitter seeks the following decision by KDC:**

- 9.1 That the site is rezoned LIZ and that the LIZ and SUB provisions are amended as outlined in points 5.2 – 5.5 of this submission; or
- 9.2 Alternative relief with similar effect.

**10. The submitter wishes to be heard in support of this submission.**



**Thomas Keogh**

*Planning Consultant*

Dated this 30<sup>th</sup> day of June 2025

Encl - Hanmore Land Management soil maps



# 16 Awakino Point North Road Land Use Capability Classifications

