

Submission Form (Form 5)

Submission on Proposed Kaipara District Plan

Form 5: Submissions on a Publicly Notified Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by Monday 30 June 2025 via:

Email: districtplanreview@kaipara.govt.nz (subject line: Proposed District Plan Submission)

Post: District Planning Team, Kaipara District Council, Private Bag 1001, Dargaville, 0340

In person: Kaipara District Council, 32 Hokianga Road, Dargaville; or
Kaipara District Council, 6 Molesworth Drive, Mangawhai

If you would prefer to complete your submission online, from 28 April 2025 please visit:

www.kaipara.govt.nz/kaipara-district-plan-review/proposed-district-plan

All sections of this form need to be completed for your submission to be accepted. Your submission will be checked for completeness, and you may be contacted to fill in any missing information.

Full name:

Phone:

Organisation:

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

Email:

Postal address:

Postcode:

Address for service: name, email and postal address (if different from above):

Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

I could not gain an advantage in trade competition through this submission; or

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

If you have ticked this box please select one of the following:

I am directly affected by an effect of the subject matter of the submission

I **am not** directly affected by an effect of the subject matter of the submission

Signature:



Date:

(Signature of person making submission or person authorised to sign on behalf of person making the submission.)

Please note: all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

I **do not** wish to be heard in support of my submission; or

I do wish to be heard in support of my submission; and if so,

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing

(1) The specific provisions of the Proposed Plan that my submission relates to are:		(2) My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)</i>		(3) I seek the following decisions from Kaipara District Council. <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
Chapter/Appendix/ Schedule/Maps	objective/policy/rule/ standard/overlay	Oppose/support (in part or full)	Reasons	

Add further pages as required – please initial any additional pages

Submission on Kaipara PDP

Full Name: The Rise Limited Attn: Mark Rowbotham
Mobile: 021 969 178
Address for Service: The Rise Limited, mark@traversedevolutions.co.nz & Alisa Neal,
alisan@barker.co.nz
Date: 17 June 2025
Re: Submission on Proposed Kaipara District Plan (**PDP**) – The Rise Limited

Submission Information:

The Rise Limited (**TRL**) could not gain an advantage in trade competition through this submission.

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

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

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

TRL wishes to be heard in support of this submission.

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

Mark Rowbotham

The Rise Limited

1.0 Introduction

TRL recently completed Private Plan Change 83 which rezoned 56.9ha of land at Cove Road and Mangawhai Heads Road from Rural Zone to Residential Zone and introduced the Cove Road North Precinct to the Operative District Plan.

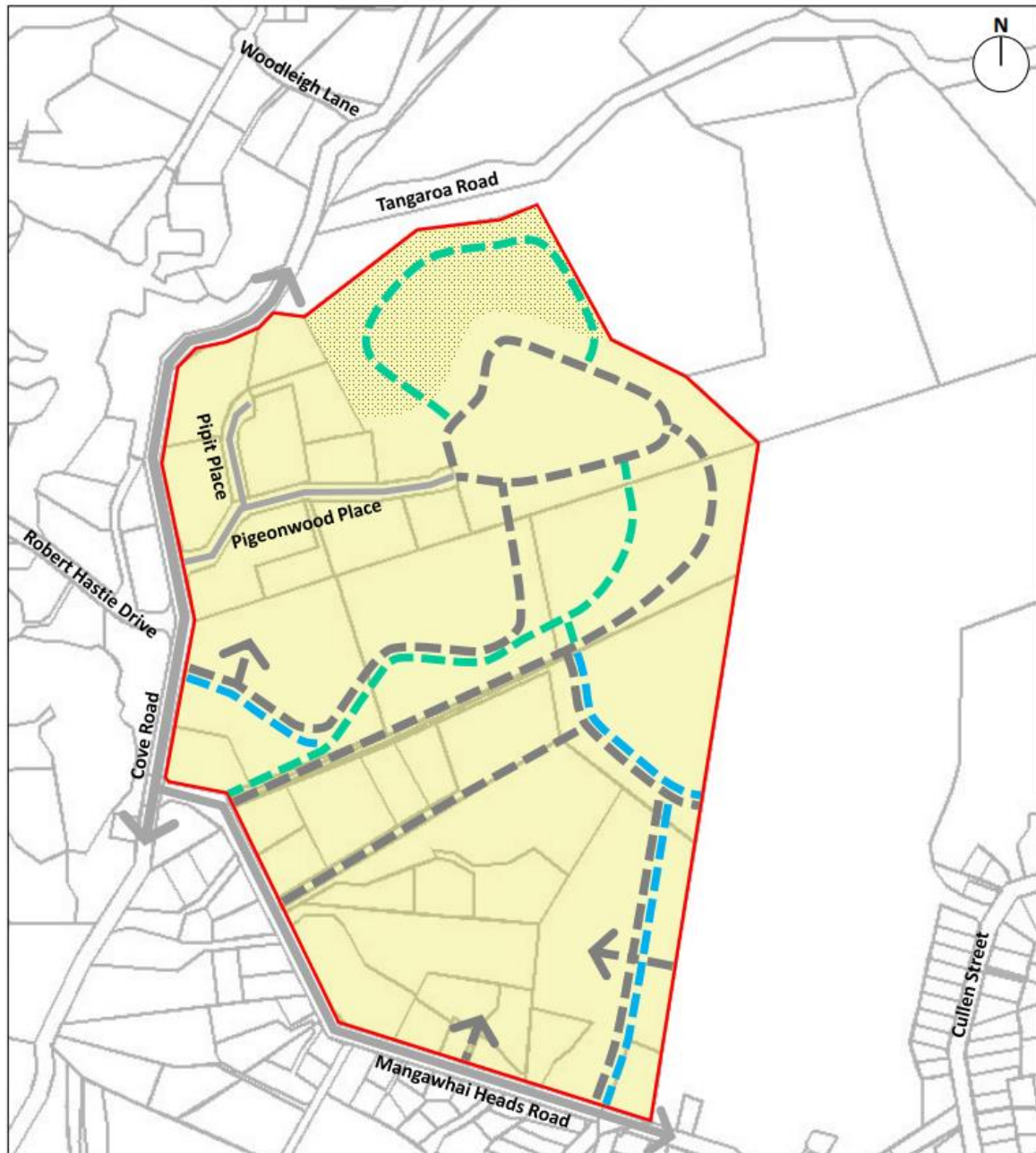


Figure 1: Cove Road North Precinct Plan

Private Plan Change 83 became operative on 26 November 2024. TRL has commenced resource consent processes to realise the zoning.

2.0 General Feedback

TRL supports the incorporation of the Cove Road North Precinct into the PDP and appreciate the work undertaken by Council. However, a number of unintended changes to provisions have occurred with the conversion of the provisions and TRL seek changes listed in **Attachment 1** to the PDP to reflect the approved plan change and improve effectiveness and efficiency of the PDP.

3.0 Conclusion

In conclusion, TRL seeks the following relief:

- (a) TRL's 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 (a) above.

TRL 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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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	TRL 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	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				
3	SD-VK O1	Support	TRL support 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 O4	Support	TRL support this objective and the directive to provide for growth in appropriate areas whilst protecting HPL and primary production activities.	Retain as notified.
STRATEGIC DIRECTION – URBAN FORM AND DEVELOPMENT CHAPTER				
5	SD-UFD-O1	Support	Development of residential, commercial and industrial land to meet current and predicted future demand is supported.	Retain as notified.
6	SD-UFD-O5	Support	TRL support consolidation and integration of future growth.	Retain as notified.

Barker & Associates

+64 375 0900 | admin@barker.co.nz | barker.co.nz

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7	SD-UFD-P1	Support	Provision of sufficient development capacity is consistent with the NPS-UD.	Retain as notified.
8	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.
SUBDIVISION				
9	SUB Overview	Seek Amendment	Precinct exemption clause provides clarity for plan user.	Insert an exemption clause similar to that in the Transport Chapter.
10	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 already been identified based upon consolidation.	Delete SUB-O2.
11	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	Delete SUB-P1.

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			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.	
12	SUB-P13	Oppose	The policy does not reflect PREC2-P1 recently approved private plan change and is inconsistent with PREC-2 policies. The GRZ chapter also includes a subdivision policy that is consistent with the ODP Policy PREC2-P1.	Amend to reflect ODP Policy PREC2-P1.
13	SUB-PREC2- Cove Road North Precinct – S1 Minimum Allotment Sizes	Seek amendment	Amend to add exemption to give effect to policies and be consistent with existing Cove Road North Precinct Provisions and Proposed Residential Zone.	Amend to add exemption to minimum allotment size standard as follows: “Except that no minimum net site area requirement applies to any allotment created around an existing or proposed residential unit that forms part of a multi-unit development for which a resource consent or building consent has been granted (excluding minor residential units)”.
14	SUB-PREC2- Cove Road North Precinct -S2 Water Supply	Seek amendment	Third party approval within a permitted activity is ultra vires.	Amend to remove clause 1.a. reference to Council approval.

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15	SUB-PREC2-Cove Road North Precinct -S4 Wastewater Disposal	Seek amendment	Third party approval within a permitted activity is ultra vires.	Amend to remove clause 1.a. reference to Council approval.
16	SUB-PREC2-Cove Road North Precinct -S6	Seek amendment	Minor amended to provide further clarification of the scope of works to improve plan interpretation and implementation.	Amend clause 3 as follows: a. Adequacy of the extent, location and formation of pedestrian connectivity (footpath connections) along Cove Road and Mangawhai Heads Road, and roads within the Cove Road North Precinct, based on the level of demand generated by the development <u>and need to mitigate potential effect directly associated with the proposal</u> ; and b. The extent to which any road, cycling and pedestrian connections, create connectivity throughout the precinct and residential land beyond the precinct and are established generally in accordance with the Cove Road North Precinct Plan.
17	SUB-PREC2 – Cove Road North Precinct-MAT1	Seek amendment		Remove reference to Rule in heading and replace with “MAT” as follows: Rule: SUB-PREC2 - Cove Road North Precinct- R1-MAT1 Add exemption to “Subdivision Design”, and “Northern Sub-Precinct” Matters of discretion to note that they are not applicable where subdivision is to create allotment/s around an existing or proposed residential unit that forms part of a multi-

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				unit development for which a resource consent or building consent has been granted (excluding minor residential units).
TRANSPORT CHAPTER				
18	Transport overview	Seek amendment	An overview section does not have legal effect. The proposed approach to not zone roads will result in confusion and inconsistent plan implementation, particularly for activities undertaken within a road corridor that are not transport activities.	Amend to apply zones to roads.
19	Transport overview	Support	Precinct exemption clause provides clarity for plan user.	Retain as notified.
20	Transport rules: TRAN-R1, TRAN-R4	Seek amendment	Third party approval within a permitted activity is ultra vires.	Amend to remove reference to Council or road authority approval.
21	TRAN-R2 Exemption for PREC1-Awakino Precinct	Support	Clause provides clarity for plan user.	Retain as notified.
22	TRAN-R2 Rules 3, 4 and 5	Support	Clause is consistent with recently approved private plan change.	Retain as notified.
23	TRAN-R3	Oppose	Land use and development are open and all-encompassing terms, which could result in unintended consequences of all activities being permitted. Clause a and b duplicate and address the same matters applying different standards.	Amend to remove uncertainty and unnecessary duplication.
24	TRAN-R4 Exemption for PREC1-Awakino Precinct	Support	Clause provides clarity for plan user.	Retain as notified.

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25	TRAN-R4 Rules 4, 5 and 6	Support	Clause is consistent with recently approved private plan change.	Retain as notified.
26	TRAN Standards	Seek amendment	The standards interchange between specifying limits within the district plan and cross referencing to compliance with the Engineering Standards. This is confusing for plan users and will result in duplication and unnecessary costs.	Amend to remove all duplication of standards.
27	TRAN Table 1	Seek amendment	The table is labelled Traffic Intensity Factor, with the right hand column referring to number of car parking spaces.	Amend to remove reference to car parking spaces required.
28	TRAN Table 2	Delete	In accordance with policy 11 of the NPS-UD district plans of tier 1, 32 and 3 territorial authorities must not set minimum car parking rate requirements.	Delete.
GENERAL RESIDENTIAL ZONE				
29	GRZ-PREC-2 Cove Road North Precinct - R2 Residential units	Seek amendment	The PDP seeks to introduce alternative types of residential development within Minor Residential Unit and Multi-unit development rules GRZ-R4 and GRZ-12 which are supported. It is recommended that the PREC2- Cove Road North Precinct Rules enable a pathway for Multi-Unit Development which is consistent with GRZ-12. The PDP does not define multi-unit development and groups minor residential units as a subset of residential unit. It is considered that this could lead to interpretation difficulties. Cross-referencing to the Precinct rule is proposed to add interpretation clarity.	<p>Add definition for 'multi-unit development'. Suggested definition as follows:</p> <p>“Multi-Unit Development: means development of three or more principle residential units on a site”</p> <p>Amend PREC2-Cove Road North Precinct – R2 as follows:</p> <ol style="list-style-type: none"> Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> No more than two <u>principle</u> residential units occupy the site;

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				<p>b. The minimum net site area associated with each principle residential unit is:</p> <ul style="list-style-type: none"> i. 600m² for a serviced site in the Cove Road North Precinct; or ii. 1,000m² for a serviced site in Cove Road North - Northern Sub-precinct area. <p><u>Note: Minor Residential Units shall be subject to Rule GRZ-R4 Minor Residential Unit.</u></p> <p><u>Note: More than two principle residential units onsite shall be subject to Rule GRZ-R12 Multi-Unit Development.</u></p> <p>2. Activity status when compliance not achieved: Restricted Discretionary <u>in accordance with rule GRZ-R12.</u></p> <p>3. Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The privacy, outlook and amenity of adjacent and adjoining sites; b. Sufficient sunlight access to the outdoor living space; c. Building mass, orientation and passive surveillance toward the road/street; d. Bulk, scale and shading effects; e. Effects on any natural features with respect to natural wetlands, water courses, and indigenous vegetation;
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				<p>f. The extent to which the activity is consistent with the purpose, character and amenity values of the Cove Road North Precinct; and</p> <p>g. The ability to accommodate incidental activities anticipated within the Cove Road North Precinct such as parking (if it is to be provided), manoeuvring, waste collection and landscaping;</p> <p>and where appropriate:</p> <p>h. The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</p> <p>i. Privacy, shading and overlooking within the development and on adjoining site, including the orientation of habitable rooms, balconies, and outdoor living spaces;</p> <p>j. Infrastructure servicing, including private onsite systems;</p> <p>k. The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</p> <p>l. Where on-site car parking, garaging and vehicle manoeuvring areas are provided, the design and location of car parking</p>
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				(including garaging) as viewed from streets or public open spaces.
30	GRZ-PREC-2 Cove Road North Precinct – S4 Residential units	Seek amendment	The notified standard does not reflect the approved private plan change provision.	<p>Amend as follows:</p> <ol style="list-style-type: none"> 1. Within the Cove Road North Precinct, with the exception of the Cove Road North Northern Sub-Precinct: <ol style="list-style-type: none"> a. The maximum percentage of the net site area covered by buildings and other impervious surfaces <u>is less than 60% 40%</u>; b. The area(s) of any site covered by buildings and other impervious surfaces shall be located outside of the flood extent as mapped within the 10% annual exceedance probability event detailed in Flood map in Figure 1; and c. All stormwater management for the site shall comply with any stormwater management plan approved under standard SUB-PREC2-S5 Stormwater Disposal. 2. Within the Cove Road North Precinct - Northern Sub-precinct, <u>any area of site covered by building and other</u> impervious surfaces <u>is less than</u>

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				40% of the net site area shall comply with GRZ-RXX—Impervious surfaces.
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