

Submission on Proposed Kaipara District Plan
Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

To: Kaipara District Council (via email: districtplanreview@kaipara.govt.nz)

1. SUBMITTER DETAILS

Name of Submitter: Fuzen Entertainment Limited, operates from the property at 433 Settlement Road, Kaiwaka (legally described as Lot 1 DP 585230).

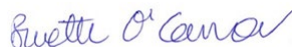
This is a submission on the Proposed Kaipara District Plan ("PKDP").

Fuzen Entertainment Limited could not gain an advantage in trade competition through this submission.

2. HEARING OF SUBMISSION

Fuzen Entertainment Limited do wish to be heard in support of its submission and will consider presenting a joint case at a hearing with others if they make a similar submission.

Yours sincerely



Burnette O'Connor

The Planning Collective Limited

(person authorised to sign on behalf of submitter)

Date: 30 June 2025

Address for Service:

Fuzen Entertainment Limited

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SUBMISSION

The following submission relates to the Proposed Kaipara District Plan as a whole. As such, in terms of scope we reserve the right to provide further submissions or evidence on additional matters as necessary given the potential interrelationships with submission points across a broad range of topic areas e.g. noise, traffic etc.

Overview

Fuzen Entertainment Ltd is a boutique event promotions and productions company established in 1999 and is dedicated to bringing unique and exciting artists and musicians to New Zealand Audiences. Its flagship festival, Northern Bass, has been held in the Kaipara District for over ten years at 433 Settlement Road in Kaiwaka (<https://northernbass.co.nz/>).

This submission seeks to ensure that their interests as a festival and events organizer are fairly solidified for the future in a robust and transparent manner. The submission seeks addition of a Precinct and a related Noise Overlay to ensure that the ability for festivals to operate from the site are secured for the future.

Specific points associated with the submission can be found in the accompanying table.

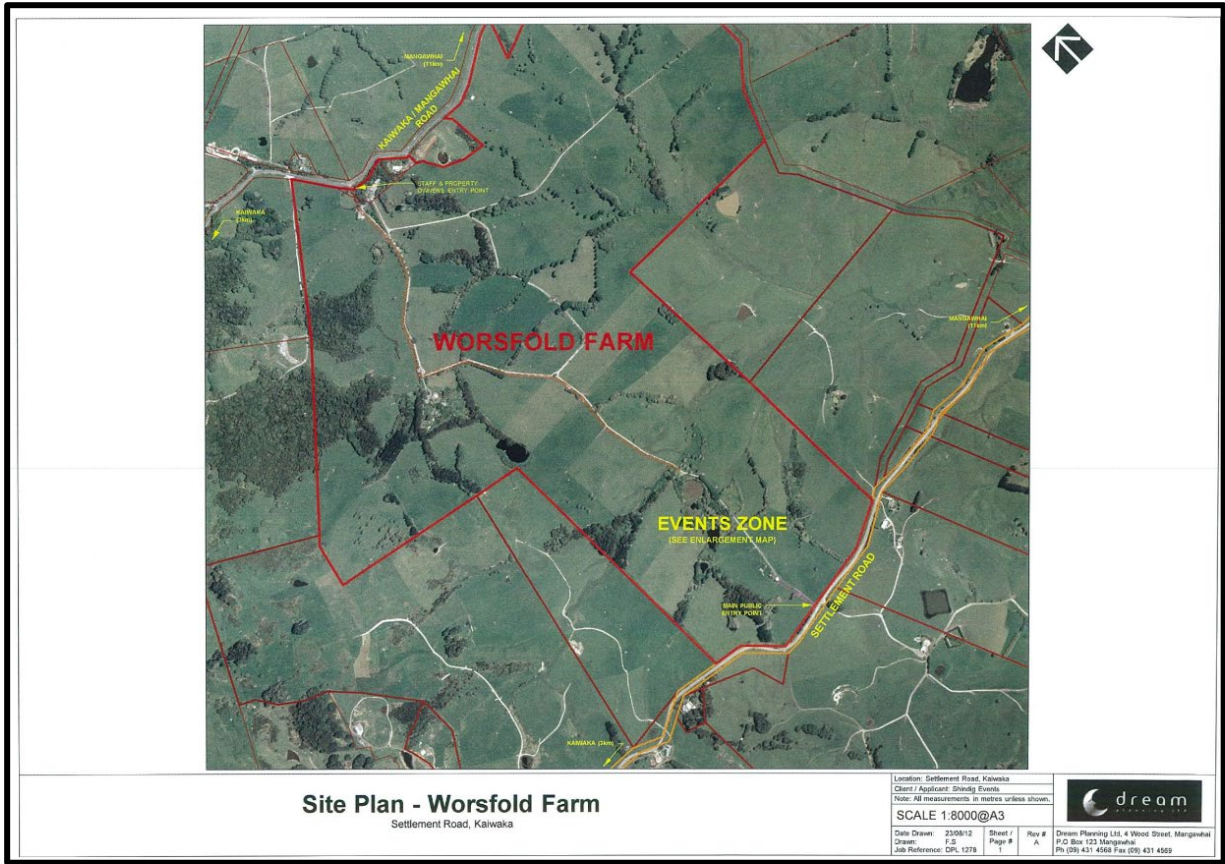


Figure 1: Location of Northern Bass Festival, Worsfold Farm (Source: RM120092)

Points for submission

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| (1) The specific provisions of the Proposed Plan that my submission relates to are: | | (2) My submission is that: (include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views) | | (3) I seek the following decisions from Kaipara District Council. (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.) |
| Chapter / Appendix / Schedule / Maps | Objective / policy / rule / standard / overlay | Oppose / support (in part or full) | Reasons | |
| Part 1 – Introduction and general provisions | National Direction Instruments (General) | Oppose in part | <p>Consultation is currently taking place on the national direction for a number of National Policy Statements and National Environmental Standards.</p> <p>The PKDP must give effect to relevant National Policy Statements, National Environment Standards and the National Planning Standards as stated in s75 of the RMA.</p> <p>All associated objectives, policies, rules and standards need to be worded in way that achieves and gives effects to the relevant national policy documents.</p> <p>The provisions need to give effect to these national documents and be specific to</p> | Fuzen seek that the Plan be amended to properly reflect the NPS, NES and National Planning Standards in a way specific to Kaipara. |

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| | | | Kaipara and the Strategic Direction.to its assessment as a result. | |
| Part 2 – District Wide Matters/ Strategic Direction | VK – Vision for Kaipara (SD-VK-01 to SD-VK-08) | Oppose in full | <p>As currently presented, the objectives of the ‘Vision for Kaipara’ are not specific to the local area or local communities.</p> <p>The provisions are generically worded and do reflect or respond to specific local issues or characteristics.</p> <p>The objectives and policies proposed do not flow through adequately to the zone provisions, and the wording of the objectives is too generic and insufficiently directive.</p> <p>Whilst we recognize that each individual objective and its topic is of value in its own right, when combined, the objectives as a whole do not represent Kaipara as a District or its communities that live here.</p> <p>We consider there to be some clear omissions within this vision including for greater specificity regarding each topic and the need for all objectives to be supported by policies stating how the objective is intended to be achieved.</p> | The entire section of Part 2 to be reviewed and re-written into a coherent strategic direction in a context more fitting and reflective of Kaipara District. |
| | HH – Historic Heritage (SD-HH-01) | | | |
| | NE – Natural Environment (SD-NE-01 to SD-NE-03) | | | |
| | NH – Natural Hazards and Resilience (SD-NH-01) | | | |
| | TW – Tangata Whenua (SD-TW-01) | | | |
| | UFD – Urban Form and Development (SD-UFD-01 to SD-UFD-05), (SD-UFD-P1 to SD-UFD-P7) | | | |
| | FC – Financial Contributions (FC-01 to FC-04), (FC-P2 to FC-P8), (FC-R1), (FC-S1 to FC-S6) | | | |

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| | | | <p>When the strategic direction is read in its entirety, including its objectives relating to Historic Heritage, Natural Environment, Natural Hazard and Resilience, Tangata Whenua, Urban Form and Development and Financial Matters the overall format is confusing with some topics only stating objectives, and others additionally relaying both policies and rules.</p> <p>As defined within the National Planning Standards (last updated 2022), <i>Chapter 7, (2) states that '2. Rules must not be included under the Strategic direction heading'</i>. This is clearly not the case currently, with Financial Matters currently listing Objectives, Policies, Rules and Standards.</p> <p>The chapter needs to be rewritten to improve the legibility and strategic direction for Kaipara in a more bold and innovative way.</p> | |
| Part 1 – Introduction and general provisions / Interpretation / Definitions | Definition – Temporary Activity | Support | We support the definition of temporary activities which reflects the fact that activities are limited in duration and incidence. | Fuzen seek that the definition be maintained or that any changes to the definition do not limit the extent to which Temporary Activities can occur. |
| Not yet incorporated | Proposed Noise Overlay around a site | Proposed inclusion - Support | Northern Bass is a unique festival that contributes to the social, economic and | Apply a site specific Precinct for the festival site on Worsfold Farm with an associated |

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| | <p>specific Precinct on Worsfold Farm to the – Northern Bass Festival and other consented festivals to occur on an ongoing basis.</p> | | <p>cultural wellbeing of local communities and the wider surrounding area. With a strong track record, this event is anticipated to continue into future years.</p> <p>Specific plan provisions will secure a greater level of certainty for the Submitter as well as the community.</p> <p>It is sought that the Precinct provisions will reflect granted resource consents or enable a secure, robust and directly relevant consenting pathway for the festival activity.</p> <p>The submitter seeks that a Precinct be applied to the relevant land area shown in Attachment A to secure a unique rules and standards for Northern Bass festival or related festivals. A draft Precinct is Attachment B.</p> <p>The Precinct provisions address relevant environmental matters such as noise, operation, transport and traffic and attendance numbers.</p> <p>A Noise Control Overlay is proposed to extend around the Precinct that will enable a greater level of noise for a specified</p> | <p>Noise Overlay applied to adjacent sites.</p> |
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| | | | <p>number of days and hours annually to align with the Precinct standards and any relevant resource consents.</p> <p>This submission relates to the entire plan but specifically in relation to <i>Part 2 – District wide matters / General District wide matters/Temporary Activities</i> can form the basis of a dedicated planning mechanism discussion but we consider greater specificity directly to the operation of Northern Bass Festival would be beneficial so as to not hinder the success of the festival in the local area in years to come and the social, economic and cultural benefits it is able to bring.</p> | |
| Part 2 – District-wide matters / General District-Wide Matters/ Temporary Activities | Objective TEMP-O1 – Enabling temporary activities to contribute to wellbeing | Support | We support the objective which highlights that temporary activities contribute to the social, economic and cultural wellbeing of communities in Kaipara. The Northern Bass festival has clearly defined set social, economic and cultural benefits which it contributes to the Kaipara District on a yearly basis. | Fuzen seek that the Objective be maintained or that any changes to the definition do not limit the extent to which Temporary Activities can occur. |
| | Objective TEMP-O2 Managing the adverse effects of temporary activities | Support in part | A District Plan must manage relevant adverse effects. With respect to Temporary Activities the Rules and related Standards should be aligned directly to potential adverse effects listed in policy TEMP-P2 | To be more specific regarding the extent of effects considered such as the addition of functional and operational site management. |

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| | | | including in relation to the function and operational needs of the activity. | |
| | Policy TEMP-P1 – Enabling temporary activities to contribute to wellbeing | Support | We support the recognition of the policy which highlights that temporary activities contribute to the social, economic and cultural wellbeing of communities in Kaipara. The Northern Bass festival has clearly defined set social, economic and cultural benefits which it contributes to the Kaipara District on a yearly basis. | Fuzen seek that the policy be maintained or that any changes to the definition do not limit the extent to which Temporary Activities can occur. |
| | Policy TEMP-P2 Managing the adverse effects of temporary activities | Oppose in part | It is acknowledged that adverse effects must be managed in order to enable temporary activities to occur. Similar to Objective TEMP-O2, the policy should be specific in regard to the effects for consideration. In this regard, it is accepted that noise would contribute to the amenity value and character of an area – but an issue such as landscape (whilst not referred to but could be implied) should not be a consideration in this instance given all structures and operations are temporary in nature and removed before any impact on the character of a landscape could possibly occur. | Consider the specificity of the adverse effects for consideration. |
| | Rules – Notes section | Oppose | The chapter is currently absent of any Transport related Objectives, Policies, Rules and Standards for Temporary activities as stated at Note 1 of the Rules section. | The required transport rules and standards must be incorporated or cross referenced as relevant to the Temporary Activity rules. It is likely that specific provisions for Temporary Activities would be more |

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| | | | <p><i>‘There may be other Part-2 District-wide matters that apply to temporary activities, including the provisions in the Noise Chapter. However, the provisions in the Transport Chapter do not apply to temporary activities’.</i></p> <p>This needs to be formally consulted upon otherwise the provisions of the chapter as a whole cannot be assessed in their current format.</p> | appropriate. |
| | Rule TEMP-R1 - Temporary activities excluding any temporary activity not listed below | Oppose in part | <p>In the event that the request for a Precinct and Noise overlay are not accepted then the provisions for TEMP activities need to be changed to better enable the continuation of important activities such as Northern Bass.</p> <p>The current wording of TEMP-R1 is restrictive to the operation of Northern Bass festival as a permitted activity. Specifically in regard to the duration of event, hours of operation and the time allowed for temporary structures and the site’s return to its original condition. The Submitter seeks that the timeframe provisions be extended to greater reflect the time it takes to arrange a festival of this scale in the local area.</p> | Re-word the rule to give greater flexibility to larger events. |
| Part 2 – District-wide matters / | Policy NOISE-P6 – Temporary Activities | Support in part | In the event that the request for a Precinct and Noise overlay are not accepted then the | Seek greater flexibility and specificity. |

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| General District-Wide Matters / Noise | | | <p>provisions for TEMP activities need to be changed to better enable the continuation of important activities such as Northern Bass.</p> <p>We support the opportunity for temporary activities to be 'enabled' in the Kaipara District, however consider the remaining part of the policy as currently written to be relatively subjective in terms of understanding the level of 'exceedance' within a zone.</p> | |
| | Rule NOISE-R4 Noise Levels from Temporary Activities | Oppose | <p>In the event that the request for a Precinct and Noise overlay are not accepted then the provisions for TEMP activities need to be changed to better enable the continuation of important activities such as Northern Bass.</p> <p>The direct reference to noise limits in the receiving zone mean that the operation of Northern Bass festival would be heavily restricted both in terms of noise levels and the cumulative 6 hour duration. We feel that this rule should be reviewed in the context of larger events such as Northern Bass festival. We refer to our previous submission that this could be remedied via a specific noise overlay and Precinct dedicated to Northern Bass and its operation.</p> | Propose changes to wording to better reflect and offer flexibility for larger events. |
| | Standard NOISE-S3 – | Oppose | The standards for noise in the General Rural | Proposes changes to wording or the |

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| | Noise in the General Rural Zone and Māori purpose zone. | | Zone are inhibitive to the operation of the Northern Bass Festival. In this instance, we refer to the earlier submission request of a specific Northern Bass Precinct and Noise overlay, which could set the relevant noise provisions for a festival at 433 Settlement Road which is otherwise situated in the General Rural Zone. | incorporation of a Northern Bass overlay and precinct into the District Plan. |
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Attachment A – Proposed Precinct Map and Related Noise Overlay Map

Worsfold Farm Site Area



Figure 1: Site Plan of Worsfold Farm (Source: RM120092)

Proposed Noise Overlay

70 dB L_{Aeq} noise contour



Attachment B

Proposed Worsfold Farm – Events Precinct

The Worsfold Farm Events Precinct and associated Noise Overlay provides additional provisions to manage the operation of festival and music events on land at Worsfold Farm, 433 Settlement Road through the next plan period.

Fuzen Entertainment Ltd is a boutique event promotions and productions company established in 1999 and is dedicated to bringing unique and exciting artists and musicians to New Zealand Audiences. Its flagship festival, Northern Bass, has been held in the Kaipara District for over ten years at 433 Settlement Road in Kaiwaka. Worsfold Farm has become a well known local address as a result of the festival which therefore requires specific plan provisions to guide its continued success.

The Precinct has been developed to reflect and manage the specific and unique operations of Festivals and music events at Worsfold Farm, ensuring that compliance is maintained, and adverse effects appropriately mitigated. Specific provisions are secured in relation to noise, traffic, hours of operation, attendance capacity and site management to ensure that the amenity of the surrounding area is not adversely impacted.

The Zoning rules otherwise apply as per Part 3 of the Proposed District Plan for any other activity within this precinct area.

The following Objectives, Policies, Rules and Standards override other chapters including the Temporary Activities Chapter and the Noise Chapter.

Objectives

| Objectives | |
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| WF-O1 | Purpose of the Precinct to contribute to wellbeing |
| | The operation of the Northern Bass festival, and other temporary festivals and events to take place at Worsfold Farm are enabled – contributing to the social, economic and cultural wellbeing of the Kaipara District and its communities |
| WF-O2 | Managing temporary adverse effects |
| | To manage temporary adverse effects associated with festival and event operations at Worsfold Farm to ensure the effects are temporary in nature and acceptable to the community. |

Policies

| Policies | |
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| WF-P1 | Operation of activities within the precinct to contribute to wellbeing |
| | Enable the operation of festivals, music events or other temporary activities within the Worsfold Farm precinct to positively contribute to the social, cultural and economic wellbeing of people and communities in the Kaipara District |
| WF-P2 | Managing the adverse effects of temporary activities |
| | Ensuring that temporary adverse effects are managed by: 1. Ensuring that adverse effects on amenity values, including in relation to |

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| | <p>noise, dust and vibration and well managed so that they are acceptable to the community.</p> <ol style="list-style-type: none"> 2. Manage traffic movements to ensuring the safety and efficiency of the land transport network is not compromised. 3. Managing the number of persons at temporary events. 4. Protecting the health and safety of people of site, including the function and operational needs of the activity through detailed site management planning. |
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Rules

| Rules | | |
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| WF-R1 | Operation of a festival, music event or other temporary activity | |
| | <ol style="list-style-type: none"> 1. Activity Status: Permitted <p>Where the activity meets and complies with the following standards:</p> <ol style="list-style-type: none"> a. WF-S1 Noise b. WF-S2 – Traffic Generation and traffic safety c. WF-S3 – Hours of operation d. WF-S4 – Attendance and Capacity e. WF-S5 – Total number of events in a 12 month period. f. WF-S6 – Site Management | <ol style="list-style-type: none"> 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: <ul style="list-style-type: none"> • The temporary impacts on amenity in of the locality • The scale, duration and nature of the festival, music event or other temporary activity • Noise, dust and vibration effects • Effects on the land transport network |

Standards

| Standards | |
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| WF-S1 | Noise |
| | <p>All noise from festivals, music events or other temporary activities must comply with a noise limit of 70dB L_{Aeq} when measured and assessed anywhere outside the 70dB L_{Aeq} noise contour shown on Overlay dated 30 June 2025.</p> <p>All noise must be measured and assessed in accordance with NZS6801:2008 <i>Acoustics – measurement of sound</i> and NZS6802:2008 <i>Acoustics – Assessment of environmental noise</i> except that there is no adjustment for special audible character or duration in accordance with sections 6.3 and 6.4 of NZS:6802:2008.</p> |
| WF-S2 | Traffic Generation and traffic safety |
| | <p>The operation of an event maintains full accordance with the dedicated precinct Traffic Management Plan and Parking report. Two months prior to any event the organiser shall submit a Traffic Management Plan and Parking Report to Kaipara District Council and all traffic and transportation shall be managed accordingly.</p> |
| WF-S3 | Hours of Activity |
| | <p>The hours of activity for each event shall not exceed the following times:</p> <p>Set up times: 6am to 8pm</p> |

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| | Open to members of the public entrance / exit to and from the venue: 8am to 9pm | | |
| | The hours of activity for amplified music: | | |
| | Proposed event size and times of amplified music if 2 events within calendar year | | |
| | | Number of event days | Event times |
| | | | Event size |
| | Event 1 | Up to 3 days | Day 1: 11.00 am- 02.00 am Day 2: 11.00 am- 04.00 am Day 3: 11.00 am- 04.00 am |
| | | | Up to 12,000 attendees |
| | Event 2 | Up to 3 days | Day 1: 11.00 am- 02.00 am Day 2: 11.00 am- 04.00 am Day 3: 11.00 am- 04.00 am |
| | | | 18,000 less Event 1 Attendance |
| | Total per year: | 6 event days per year | Not exceeding 18,000 attendees |
| | Proposed event size and times of amplified music if 3 events within calendar year: | | |
| | | Number of event days | Event times |
| | | | Event size |
| | Event 1 | Up to 3 days | Day 1: 11.00 am - 02.00 am Day 2: 11.00 am - 04.00 am Day 3: 11.00 am - 04.00 am |
| | | | Up to 12,000 attendees |
| | Event 2 | Up to 2 days | Day 1: 11.00 am - 02.00 am Day 2: 11.00 am - 04.00 am |
| | | | Up to (18,000 less Event 1 + Event 3) |
| | Event 3 | 1 day | Day 1: 11.00 am - 02.00 am |
| | | | Up to (18,000 less Event 2 + Event 3) |
| | Total per year: | 6 event days per year | Not exceeding 18,000 attendees |
| WF-S4 | Attendance and capacity | | |
| | A maximum capacity of 18,000 pax across all events in one calendar year. The maximum capacity of any one event in the calendar year shall be 12,000 pax. | | |
| WF-S5 | Total number of events in any one calendar year (1 January – 31 December) | | |
| | A maximum of 3 events in any one calendar year (1 January – 31 December) | | |
| WF-S6 | Site Management | | |
| | The site management of any event must maintain full accordance with the protocols set out in Precinct Site Management Plan. Two months prior to any event the organiser shall submit a site management plan to Kaipara District Council and all site operations shall be managed accordingly. This includes reference to the preparation set up/take down conditions of the event, safety of persons at any events, and the functional and operational needs of the activity. | | |

