

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: Joanne Grigg **Phone:** 021 259 0479

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

Email: go.gg@hotmail.com

Postal address: Tara Road, Mangawhai

Postcode: 0505

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:



Cameron W Browne of Cato Bolam Consultants

On behalf of Jo Grigg

Date: 30/06/2025

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

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

☐ I **do 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

Our Ref: 49118

30 June 2025

Kaipara District Council
32 Hokianga Road
Dargaville,
Northland 0310

Attention: District Planning Team

Email:

Dear Sir/Madam,

SUBMISSION ON PROPOSED KAIPARA DISTRICT PLAN

Submitter: Joanne Grigg

Location: Tara Road, Mangawhai (Lot 1 DP 170115)

1. Introduction

Joanne Grigg (**"the submitter"**) owns a 6.1 hectare rural site (Lot 1 DP 170115) on Tara Road, opposite the proposed Special purpose zone - Mangawhai Hills Development Area, has long-established pastoral use, contains no elite soils (LUC 4), and is outside reticulated servicing catchments. Their site is located in an area proposed to be zoned 'General Rural zone' and subject to the Mangawhai/Hakaru Managed Growth Area (**"MHMGA"**).

2. Scope of Submission

The submitter has ambition to subdivide their property in future and therefore wish to respond to the notified Kaipara Proposed District Plan (**"PDP"**) of 27 March 2025. Joanne Grigg would not gain an advantage in trade competition through this submission.

The overarching theme of this submission pertains to rural subdivision pathways and the MHMGA and focuses on Chapters SUB – Subdivision and GRUZ – General Rural Zone.

The specific parts of PDP that this submission relates to are set out in Section 3 and Appendix I below and, without limiting the generality of this submission, the submission seeks any other relief that is consistent with and/or consequential to this submission.

3. Submission on Proposed Kaipara District Plan

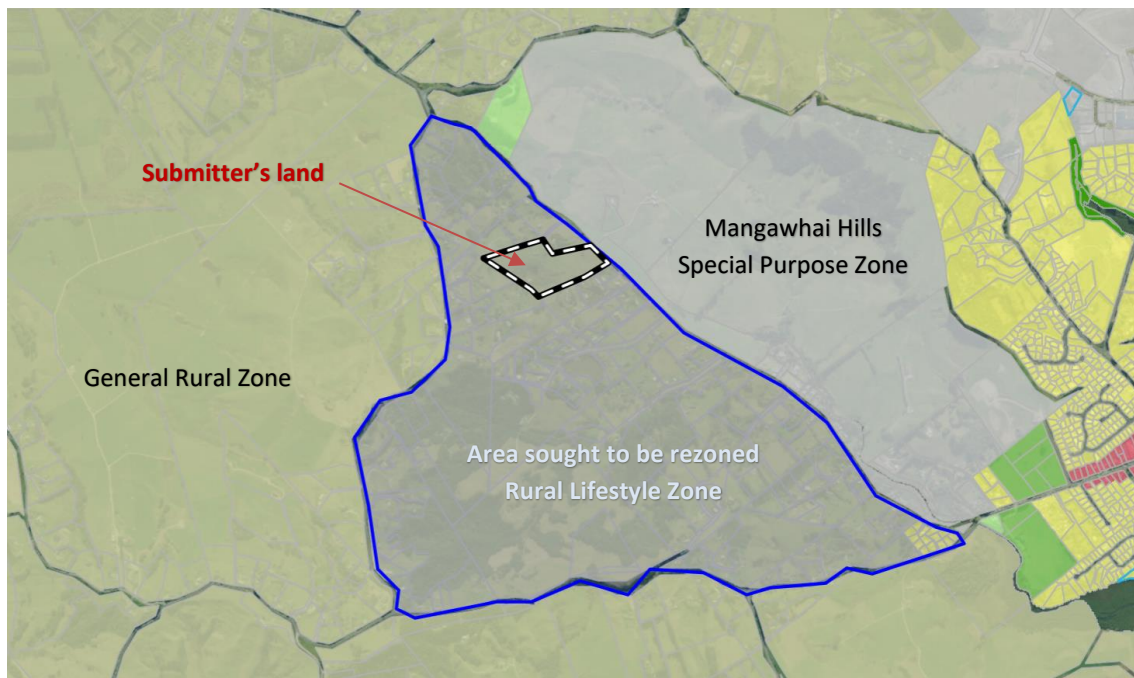
The submitter would face an unduly difficult pathway to subdivision due to the MHMGA, which has been applied to restrict further development over a broad swathe of the district east of State Highway 1.

Reasonable subdivision possibilities for their 6.1ha site under the General Rural Zoning, such as Rule SUB-R4 – Small Lot Subdivision, which enables the creation of up to five 4,000m² lots in the General Rural Zone as a controlled activity, are discouraged in the MHMGA, which makes this a non-complying activity. This stands in contrast to the subdivision possibilities afforded by the Rural Lifestyle Zone applied elsewhere in the District (such as Kaiwaka, Maungaturoto, and Paparoa).

Notwithstanding the unfairness of the MHMGA overlay being applied to this part of the district and not elsewhere, the submitter disagrees that the MHMGA is an appropriate tool to manage growth in the district, given that development pressure cannot be alleviated without directing growth to viable alternatives or committing resources to responding to the development pressure.

In summary, the submitter seeks the following relief:

- 1) Rezone the area between Garbolino Road and Tara Road from GRUZ – General Rural Zone to RLZ – Rural Lifestyle Zone.
- 2) Remove the Mangawhai/Hakaru Managed Growth Area (MHMGA) from the same area.



The following reasons are provided below:

(i) Create a Rural Lifestyle “buffer” between Residential and Rural Land

The submitter’s land on Tara Road is opposite the Mangawhai Hills Special Purpose Zone, an area earmarked for suburban densities (minimum 1000m² lots). Retaining a General Rural zoning with the MHMGA overlay on one side of Tara Road, while enabling urban-fringe lots on the other, creates an illogical “hard edge” to the Mangawhai Hills Special Purpose Zone.

Creating an area of Rural Lifestyle Zone along this edge would establish a graduated transition from urban to rural land uses, consistent with the PDP aim of concentrating lifestyle development on sites close to urban areas with good access to services and transport networks. Furthermore, the objectives, rules, and policies for development and activities in the Rural Lifestyle Zone will allow for the protection of urban and rural areas by avoiding risk of reverse-sensitivity between them.

(ii) No loss of highly productive land

The site is not on highly productive land, being predominantly LUC 4 or LUC 6 soils, and is already highly fragmented into sites of 0.4ha to 2.5ha in area. This means that the site and surrounding land is not currently highly productive rural land is unlikely to become productive in future.

Noting the existing fragmentation of land in this area, the submitter’s land stands out as one of the larger remaining sites, for which the PDP offers no reasonable subdivision pathway to develop in a

manner consistent with the existing character and subdivision pattern.

(iii) Infrastructure efficiency

Garbolino Road and Tara Road are both already sealed roads which are in good condition. The intersection of Tara Road with Kaiwaka- Mangawhai Road has some limited sight lines to the west. This intersection can be easily targeted as a required upgrade through the Financial Contributions rules of the District Plan . Rural Lifestyle Zone anticipates development would use on-site servicing for stormwater and wastewater, which avoids adding pressure to Council networks or requiring investment in new infrastructure.

(iv) MHMGA is a blunt tool with weak justifications

The submitter finds that the justification for the MHMGA stated in the subdivision s32 report, being an interim measure until infrastructure capacity constraints are resolved, is weak. The s32 report does not set a specific timeframe for the MH-MGA overlay to remain in place, thereby making it difficult to treat this seriously as an interim measure.

The scope of the effects on traffic and social infrastructure are extremely broad and appear to be based on information provided by residents rather than any modelled data. We note the following facts.

- Quantitatively, Mangawhai enjoys more than the NZRA benchmark of 4ha/1000 people supply of recreational facilities, even **before** taking into account the large DOC reserves.
- Qualitatively, walk-catchment mapping shows all urban neighbourhoods fall within the accessibility standard; growth areas (Mangawhai Central & Hills) include new park land secured via development contributions, maintaining future compliance.
- Resident satisfaction and contract performance metrics both exceed Long-Term Plan targets.
- No significant traffic upgrades have been assessed as being necessary within the Long-Term Plan. This document does not even address Mangawhai traffic as being a risk or negative effect to the community.

In terms of infrastructure constraints, it is noted that rural lifestyle subdivision near the existing urbanised area places little constraint on existing Council infrastructure, such as wastewater and roading, given the 'self contained' nature of infrastructure on these sites.

It is also considered that the 'blanket' nature of the MHMGA is inefficient under s7(b) RMA, as the overlay suppresses development close to existing services and may instead drive development to more remote greenfield areas, which would require far more additional infrastructure such roading to provide linkage to the existing retails and social facilities of Mangawhai or new social facilities within the rural areas. This will create a fragmented and poorly planned layout of facilities. Additionally, development further afield means this would more likely occur on productive rural land, rather than the existing urban fringe.

The adverse effects of growth need to be managed in the district plan, and the PDP in its current form does not appropriately respond to development pressure in the Mangawhai area by implementing an undefined interim moratorium on development.

For these reasons, the submitter seeks the rezoning of their land to Rural Lifestyle Zone and the removal of the MHMGA. The relief sought will better achieve RMA s5 (enabling people and communities to provide for social and economic wellbeing) while still giving effect to the NPS-HPL and NRPS, as this zoning will enable them to provide for their social and economic wellbeing by providing reasonable subdivision pathways.

This narrowly targeted change to the spatial zoning and overlays will not undermine the overall growth-management strategy due to the limited area sought to be rezoned.

If you require further information, please contact me at cameronb@catobolam.co.nz or telephone (09) 263 9020.

Yours sincerely

CATO BOLAM CONSULTANTS LTD

A handwritten signature in blue ink, appearing to read 'Cameron W Browne', with a stylized flourish at the end.

Cameron W Browne
SENIOR PLANNER

APPENDIX I: SUBMISSION POINTS – PROPOSED KAIPARA DISTRICT PLAN

PDP Provisions		Support or Oppose	Reason / Relief Sought (New text to insert <u>underlined</u> and deleted text in striketrough)
Part 2 – District-Wide Matters			
Strategic Direction			
Strategic Direction - Vision for Kaipara			
1.	<u>SD-VK-O1 Wellbeing</u> <i>Social, economic, and cultural wellbeing are promoted through zones that provide for appropriate activities, character and amenity values across the Kaipara District and that set appropriate outcomes and expectations for each zone.</i>	Supported	<u>Reason:</u> The District Plan should provide for the wellbeing of the community and zones should provide for development.
	<u>SD-VK-O2 Enabling and driving economic growth and development</u> <i>The guiding principles to support development include:</i> 1. <i>Facilitate growth by being flexible, accommodating and proactive when dealing with growth and business opportunities;</i> 2. <i>Be innovative and bold; and</i> 3. <i>Focus on relationships to respond to growth and development opportunities.</i>	Supported in part	<u>Reason:</u> The Strategic Direction Section s32 Evaluation states: <i>SD-VK-O2 seeks to facilitate growth and be responsive to business opportunities to help provide for the economic wellbeing of communities in the District.</i> ¹ However, the MHMGA does not readily facilitate growth and, therefore, does not align with this objective. <u>Relief Sought:</u> Undertake a supplementary, peer-reviewed s32AA evaluation (including economic and risk assessment) of the MHMGA before any decisions are finalised, to confirm alignment with SD-VK-O2. Clarification is sought on what point 3 means and how it may be implemented in practice.
2.	<u>SD-VK-O3 Primary production and protection of highly productive land</u> 1. <i>Primary production activities operate efficiently and</i>	Supported	<u>Reason:</u> The District Plan should support primary production activities and manage reverse sensitivity effects.

¹ Kaipara DP Review – Strategic Direction Section 32 Evaluation, paragraph 35

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	<p><i>effectively to contribute to economic and social wellbeing and prosperity of the Kaipara District, including food security; and</i></p> <p>2. <i>Highly productive land is protected for use in land-based primary production, both now and for future generations to give effect to the National Policy Statement for Highly Productive Land 2022</i></p>		
3.	<p><u>SD-VK-04 Rural lifestyle development</u></p> <p><i>Rural lifestyle development is concentrated in appropriate locations to contribute to the distribution of population growth in the District without compromising primary production activities, loss of highly productive land whilst recognising the need for urban areas to grow.</i></p>	Supported in part	
4.	<p><u>SD-VK-06 Reverse sensitivity</u></p> <p><i>Reverse sensitivity effects between incompatible activities and zones are avoided where practicable, or otherwise mitigated.</i></p>	Supported	
5.	<p><u>SD-VK-07 Providing a variety of living options and housing choices</u></p> <p><i>A variety of development opportunities, living options and housing choices are provided for through a range of zones.</i></p>	Supported in part	<p><u>Reason:</u> One residential zone does not align with SD-VK-07. The absence of a Rural Lifestyle Zone area beside Mangawhai also does not support SD-VK-07.</p> <p><u>Relief Sought:</u> Introduce a Rural Lifestyle Zone beside Mangawhai (between Garbolino Road and Tara Road) to provide a clear transition and support a wider range of living options.</p>
Strategic Direction - Urban Form and Development			
6.	<p><u>SD-UFD-P7 Development in the Mangawhai/Hakaru Managed Growth Area</u></p> <p><i>Limit new subdivision development within the</i></p>	Opposed	<p><u>Reason:</u> To meet the current predicted and future demand in the right place, the Mangawhai-Hakaru area must be recognised in the PDP as a growth node. Not doing</p>

PDP Provisions		Support or Oppose	Reason / Relief Sought (New text to insert <u>underlined</u> and deleted text in striketrough)
	<i>Mangawhai/Hakaru Managed Growth Area to ensure infrastructure and servicing requirements can be appropriately directed to meet the demand of existing urban areas and future urban growth.</i>		<p>so is misaligned with the objectives under <i>Part 2 – District-wide matters / Strategic Direction’s Vision for Kaipara, Natural Environment, Natural Hazards and Resilience as well as parts of UFD-Urban Form and Development.</i></p> <p>The boundary follows cadastral parcels rather natural catchments. Limiting development in the MHMGA It is not the most appropriate way to manage current and future infrastructure and servicing requirements. Expand the s32 analysis to assess alternative mechanisms as required under RMA s32(1) and (2).</p> <p><u>Relief Sought:</u></p> <ol style="list-style-type: none"> 1. Apply the Rural Lifestyle Zone at the urban fringe consistent with the Harbour Overlay in the Operative Plan Reconsider or remove the MHMGA overlay, particularly where it contradicts the intentions of the operative plan and structure/spatial plans; 2. Recognise Mangawhai–Hakaru as a growth node in the PDP, with criteria for infrastructure-triggered staging and collaborative funding models; 3. Expand s32 analysis to assess alternative growth-management mechanisms under RMA s32(1) & (2)
Subdivision			
Objectives			
7.	<i><u>SUB-O1 All subdivision</u> Subdivision enables efficient use of land and achieves patterns of development that are consistent with the anticipated land use outcomes for the zone.</i>	Supported in part	<p><u>Reason:</u></p> <p>The Mangawhai/Hakaru area is stated to be subject to constrained infrastructure. The PDP proposes a “more limited subdivision opportunity” but does not include spatial modelling or capacity thresholds. Without quantified thresholds or triggers, there’s ambiguity about when subdivision becomes “too much.”</p> <p>The PDP frequently defers to KDC Engineering Standards, which may be amended outside the District Plan process. This creates uncertainty and potential disconnect between planning and infrastructure outcomes. Resource consents get granted but new infrastructure concerns are raised at engineering approval stage.</p>

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			<p><u>Relief Sought:</u> A stronger evidence-based infrastructure limitation policy framework, including thresholds tied to infrastructure capacity (e.g. water, wastewater, roads). Critical servicing and design elements be directly referenced or embedded within the PDP, or made subject to consultation if updated.</p>
8.	<p><u>SUB-O4 Infrastructure</u> <i>Subdivision is integrated with infrastructure services in an efficient, effective and coordinated manner.</i></p>	Supported in part	<p><u>Reason:</u> The Mangawhai/Hakaru area is stated to be subject to constrained infrastructure, however the MHMGA does not support subdivision where infrastructure is available or not significantly constrained.</p>
Policies			
9.	<p><u>SUB-P2 Infrastructure servicing requirements</u> <i>Ensure that subdivision and development is appropriately serviced, and that infrastructure is provided in an integrated and coordinated manner, by:</i></p> <ol style="list-style-type: none"> <i>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;</i> <i>2. Requiring any staging of subdivision to be undertaken in a way that achieves efficient development and integration of infrastructure;</i> <i>3. Requiring infrastructure to be installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed;</i> <i>4. Requiring allotments to connect to the Council's reticulated systems where practicable, except in the General rural zone;</i> <i>5. Requiring legal and physical access to be provided to each allotment; and</i> <i>6. Requiring allotments to have access to a suitable water supply.</i> 	Supported in part	<p><u>Reason:</u> SUB-P2.4 should also include an exception for the Rural Lifestyle Zone. It is inappropriate to required rural subdivision to connect to the Council's reticulated systems.</p> <p><u>Relief sought:</u> <i>Requiring allotments to connect to the Council's reticulated systems where practicable, except in the</i> <i>General rural zone <u>and the Rural Lifestyle Zone</u>;</i></p>
10.	<p><u>SUB-P12 Subdivision in the Mangawhai/Hakaru Managed Growth Area</u> <i>Restrict further subdivision, including urban infill subdivision,</i></p>	Opposed	<p><u>Reason:</u> The areas inside the MHMGA are not all appropriately considered. The policy does not take into account other measures/mechanisms that can ensure consolidated</p>

PDP Provisions		Support or Oppose	Reason / Relief Sought (New text to insert <u>underlined</u> and deleted text in striketrough)
	<i>within the Mangawhai/Hakaru Managed Growth Area to ensure consolidated infrastructure, including transportation and social infrastructure, is provided to sustainably manage future growth.</i>		<p>infrastructure, including transportation and social infrastructure, is provided to sustainably manage future growth.</p> <p><u>Relief sought:</u> The area inside the overlay decreased to exclude the area (between Garbolino Road and Tara Road) or removed altogether.</p> <p>Provide for other measures/mechanisms to ensure consolidated infrastructure, including transportation and social infrastructure, is provided to sustainably manage future growth.</p>
Rules			
<u>SUB-R3 Subdivision to create new allotments</u>			
11.	<p><u>Within the Mangawhai/Hakaru Managed Growth Area</u></p> <p>11. Activity status: Discretionary</p> <p>Where:</p> <p>a. All subdivision complies with SUB-S1 to SUB-S15;</p> <p>12. Activity status when compliance with SUB-R3.11.a not achieved: Non-Complying</p>	Opposed	<p><u>Reason:</u> The measure tries to “freeze” subdivision capacity pending structure planning or infrastructure upgrades, but does not commit to a timeline or a ‘sunset’ trigger to resume eligibility to subdivide.</p> <p><u>Relief sought:</u> Policy framework that provides for interim subdivision where infrastructure capacity is proven, alternatives are offered or development/financial contributions can resolve effects. Identification of staging or triggers for releasing subdivision capacity.</p>
<u>SUB-R4 Small lot subdivision</u>			
12.	<p><u>General rural zone</u></p> <p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The record of title to be subdivided must be dated prior to 28 April 2025;</p> <p>b. The subdivision must create no more than five additional allotments from the Record of Title being subdivided;</p> <p>c. The subdivision must not be located in the Mangawhai/Hakaru Managed Growth Area;</p>	Opposed in part	<p><u>Reason:</u> Oppose SUB-R4.1.c “freeze” subdivision capacity <i>in the Mangawhai/Hakaru Managed Growth Area</i> pending structure planning or infrastructure upgrades, but does not commit to a timeline. Support SUB-R4.1.e that provides the option to provide a site specific assessment LUC Classification.</p> <p><u>Relief sought:</u> Policy framework that provides for interim subdivision <i>in the Mangawhai/Hakaru</i></p>

PDP Provisions	Support or Oppose	Reason / Relief Sought (New text to insert <u>underlined</u> and deleted text in strike through)
<p><i>d. The allotments (the new lots) must each have a minimum net site area (excluding access legs) of 4,000m², except where the proposed allotment is an access allotment, utility allotment or road to vest in Council;</i></p> <p><i>e. The land to be subdivided into the additional small lots is not highly productive land (as determined by either the New Zealand 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</i></p> <p><i>f. The subdivision complies with SUB-S2 — S15.</i></p> <p><i>Control is reserved over the following matters:</i></p> <p><i>a. The ability of the allotments to accommodate a residential unit as a permitted activity;</i></p> <p><i>b. The provision of suitable physical and legal access to each allotment and the extent to which the access complies with the Kaipara District Council Engineering Standards 2011;</i></p> <p><i>c. The extent to which services for water supply, wastewater, stormwater and electricity comply with the Kaipara District Council Engineering Standards 2011;</i></p> <p><i>d. The location of building platforms in relation to mapped river flood or coastal hazard areas or an area subject to land instability;</i></p> <p><i>e. The provision of esplanade reserves or strips, and the design and provision of associated access;</i></p> <p><i>f. Measures to mitigate potential reverse sensitivity effects on existing land uses, such as the use of no-complaints covenants or siting of building platforms.</i></p> <p><i>3. Activity status when compliance with SUB-R4.1.a, b, d and e not achieved: Discretionary</i></p> <p><i>4. Activity status when compliance with SUB-R4.1.c not achieved: Non- Complying</i></p>		<p><i>Managed Growth Area</i> where infrastructure capacity is proven, alternatives are offered or development/financial contributions can resolve effects.</p>

Joanne Grigg

PDP Provisions		Support or Oppose	Reason / Relief Sought (New text to insert <u>underlined</u> and deleted text in striketrough)
	5. Activity status when compliance with SUB-R4.1.f not achieved: Refer to relevant Standard		