

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: Moir Point Park Developments / Bruce Ogilvy owns land at Estuary Drive, Mangawhai legally described as Lot 70 DP 380791 and Lot 69 DP434186 (94 Moir Point Road). They also developed Parkview Waters.

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

The Submitter could not gain an advantage in trade competition through this submission.

2. HEARING OF SUBMISSION

The Submitter does 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:

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SUBMISSION

The following submission relates to the Proposed Kaipara District Plan (PKDP) as a whole. 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.

Overview

Land at Estuary Drive, Mangawhai is legally described at Lot 70 DP 380791 and comprises a total of 2.258ha. Lot 69 DP434186 (94 Moir point Road) comprises a total of 7.1044ha is subject to a covenant and encumbrance to be maintained as open space. The Submitters’ land (i.e. Lot 70 DP 380791, Lot 69 DP434186) is located within the General Residential zone and the Mangawhai/Hakaru Managed Growth Area of the PKDP. The proposed General Residential zoning is supported (please see Attachment A for reference), however the submitter wishes to make a number of specific points associated with this submission which can be found in the accompanying table.

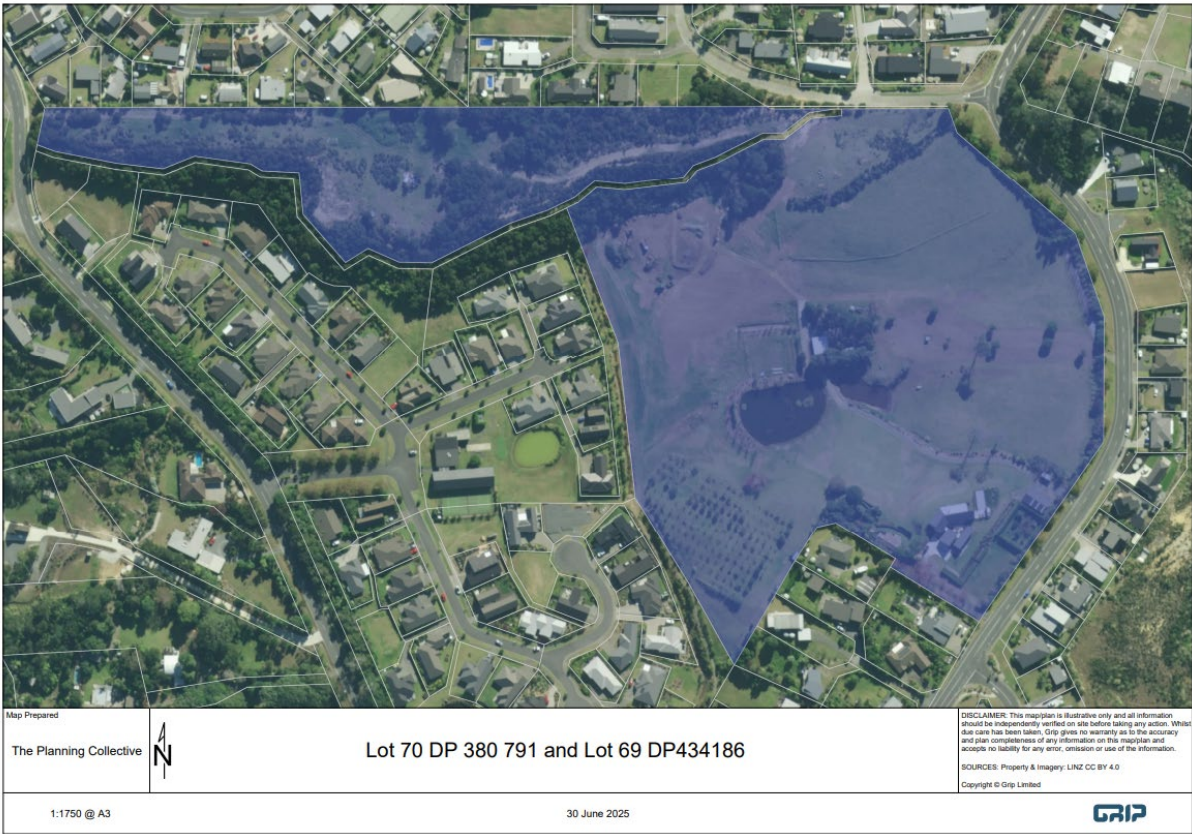


Figure 1: Lot 70 DP 380 791 and Lot 69 DP 434186 (Source: Grip maps, accessed 30 June 2025)

Points for submission

(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 and Strategic Direction (Part 2)	National Direction Instruments (General)	Oppose in part	<p>Consultation is currently taking place on the national direction for a number of National Policy Statements (NPS) and National Environmental Standards (NES).</p> <p>The PKDP must give effect to relevant NPSs, NESs and the National Planning Standards as stated in s75 of the Resource Management Act (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 Kaipara and the Strategic Direction.</p>	The Submitter seeks that the PKDP be amended to properly reflect the NPS, NES and National Planning Standards in a way specific to Kaipara.
Part 2 – District	VK – Vision for Kaipara	Oppose in full	As currently presented, the objectives of the 'Vision for	The entire section of Part 2 to be

Wide Matters/ Strategic Direction	(SD-VK-01 to SD-VK-08)		Kaipara' are not specific to the local area or local communities.	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)		The provisions are generically worded and do reflect or respond to specific local issues or characteristics.	
	NH – Natural Hazards and Resilience (SD-NH-01)		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.	
	TW – Tangata Whenua (SD-TW-01)		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.	
	UFD – Urban Form and Development (SD-UFD-01 to SD-UFD-05), (SD-UFD-P1 to SD-UFD-P7)		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.	
	FC – Financial Contributions (FC-01 to FC-04), (FC-P2 to FC-P8), (FC-R1), (FC-S1 to FC-S6)		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>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 2 – District-wide matters / Strategic Direction / Urban Form and Development And Mapping	Development in the Mangawhai/Hakuru Managed Growth Area – SD-UFD-P7	Oppose in full	<p>There is no clear description of the Mangawhai/Hakuru Managed Growth Area and its intended purpose other than SD UFD P7 which states:</p> <p><i>Limit new subdivision development within the Mangawhai/Hakuru 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> <p>SUB-P2 Infrastructure Servicing Requirements covers this matter and Standard SUB-S5 sets out servicing requirements.</p> <p>The Mangawhai/Hakuru Managed Growth Area spans a significant geographical area including the existing and proposed residential areas. We assume this to be a mapping error and that the existing and proposed residential areas are not intended to be subject to this</p>	<p>The policy and the Mangawhai/Hakuru Managed Growth Area should be deleted; or otherwise, the mapping amended to only relate to a much small land area where growth actually needs to be managed. The mapped area is too large, should not cover existing or proposed residential areas and the extent of area and boundaries have not been sufficiently or appropriately ground truthed or assessed.</p>

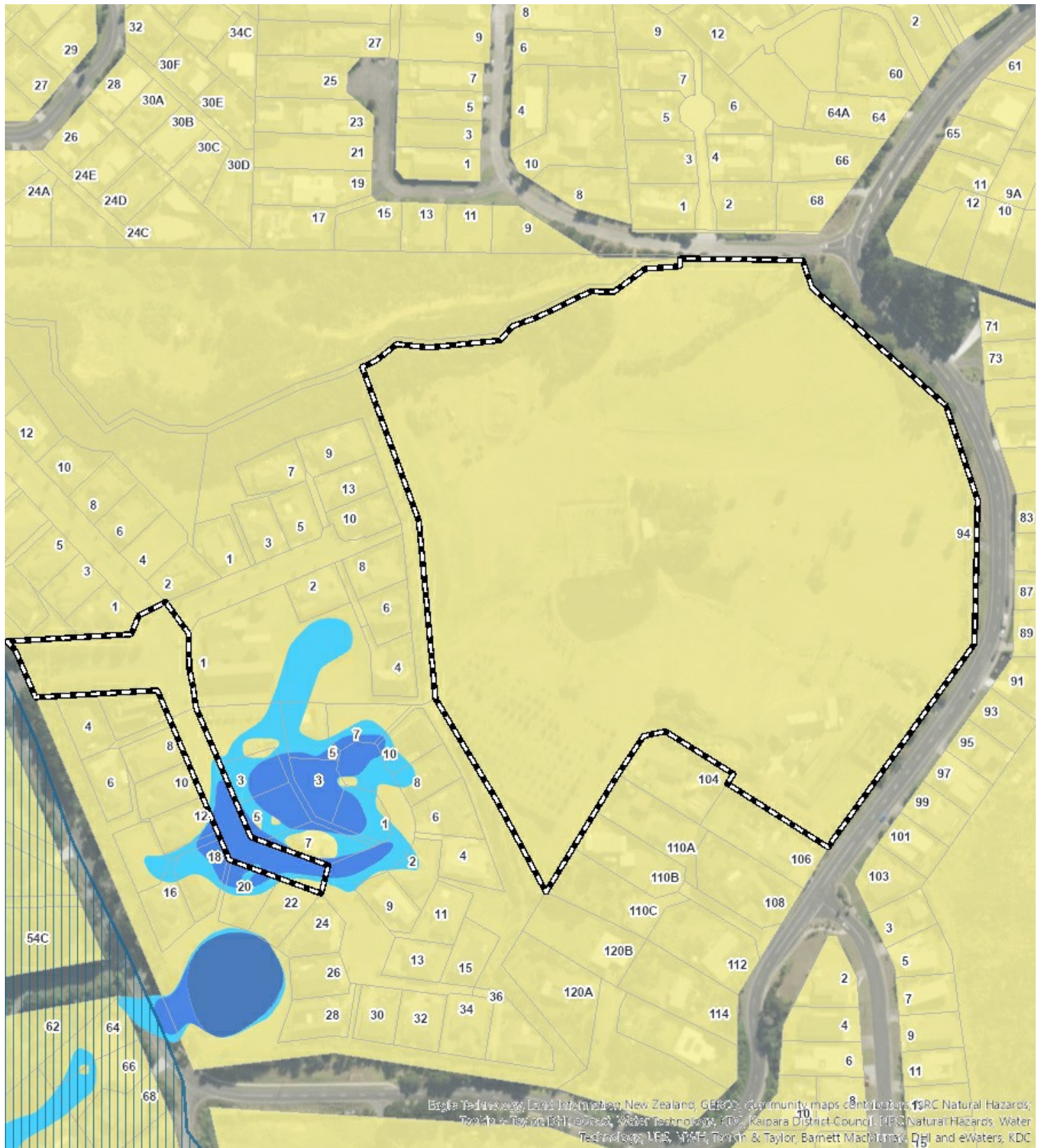
			<p>overlay that has a subdivision rule that states all subdivision meeting the standards, within the Managed Growth Area is a Discretionary activity.</p> <p>As per the submission above, Kaipara's urban form and development (forming part of its Strategic Direction) needs to be reflective of the communities it serves. Given the popularity of Mangawhai and its growth trajectory, this will limit the supply of new subdivided lots for development and therefore be unable to provide for any housing growth. This is the exact opposite of an innovative and bold approach to the strategic direction of Kaipara, it is also contrary to the NPS-UD and other relevant planning documents for Mangawhai.</p>	
Part 2 – District-wide matters/ Subdivision / Subdivision And Mapping	Subdivision in the Mangawhai/Hakaru Managed Growth Area – SUB-P12	Oppose in full	<p>The policy as currently written is opposed.</p> <p>The policy restricts growth in the Mangawhai area completely, including within the Residential Zone.</p> <p>With such limitations to growth, the policy as written will not achieve the intended outcome and instead hinder infrastructure coming forward in the first place without the anticipated population growth attached to it. This results in a clear contradiction to what a District Plan should achieve.</p> <p>We assume this to be a mapping error and request the PDKP mapping to be updated amended to only relate to a land area where growth actually needs to be managed.</p>	<p>It is requested that this policy is deleted.</p> <p>The mapping amended to only relate to a land area where growth actually needs to be managed. The mapped area is too large, should not cover existing or proposed residential areas and the extent of area and boundaries have not been sufficiently or appropriately ground truthed or assessed.</p>

	Subdivision to create new allotments – SUB-R3. Activity 11 – Within the Mangawhai/Hakaru Managed Growth Area	Oppose in full	Activity 11 of Rule SUB-R3 is opposed. This results in subdivision in the Managed Growth area activity status being a Discretionary or Non-Complying activity (subject to Standards) which severely limits new residential subdivision lots coming forward, which would otherwise be a Controlled or Discretionary activity in the General Residential zone.	We request that Activity 11 within Rule SUB-R3 is deleted given it should not be applicable to General Residential zoning. The mapping of the growth area also required to be corrected.
Part 3 – Area-specific matters / Zones / Residential Zones / General Residential Zones	Zoning – General Residential Zone (Entire chapter)	Support in part	<p>Inclusion of the site as General Residential zoning in the PKDP is supported. However, as the site also falls within the Mangawhai/Hakaru Managed Growth Area there are clear contradictions between chapters, policies, objectives, rules and standards as they stand. Just one of these examples is the clear mis-alignment and enforceability of Objective GRZ-O2 (Ensuring housing supply) and Objective GRZ-O3 (Ensuring housing choice). This is not even a possibility if sites are unable to be formed via subdivision in the Managed Growth Area to bring housing supply and choice in the first place.</p> <p>Given these contradictions within zoning and site-specific control the Mangawhai/Hakaru Managed Growth Area should be deleted from existing residential zones.</p> <p>Residential densities standards and opportunities for subdivision within the General Residential Zone are otherwise generally supported.</p>	The Submitter seeks that the site zoning provision is maintained or that any changes to the objectives, policies, standards and rules do not limit the extent to which Residential Development can occur.

Attachment A – Proposed Kaipara District Plan Mapping


Lot 70 DP 380791

Lot 69 434186 (Noting that the smaller parcel to the west is not within the Submitters Land Ownership)



Map Legend

PROPOSED DP Zones

-  General residential zone
-  General rural zone
-  Rural lifestyle zone
-  Commercial zone
-  Light industrial zone
-  Heavy industrial zone
-  Natural open space zone
-  Open space zone
-  Sport and active recreation zone
-  Māori Purpose Zone
-  Special purpose zone - Dargaville Hospital
-  Special purpose zone - Estuary Estates (Mangawhai Central)
-  Special purpose zone - Trifecta Development Area
-  Special purpose zone - Mangawhai Hills Development Area

PROPOSED DP CEHZ2



PROPOSED DP CEHZ1



PROPOSED DP Mangawhai Hakaru Managed Growth Area



PROPOSED DP CEHZ0



PROPOSED DP Outstanding Natural Landscapes



PROPOSED DP Outstanding Natural Features



PROPOSED DP High Natural Character Areas



PROPOSED DP Outstanding Natural Character Areas



PROPOSED DP Heritage Covenants



Primary Land Parcels



PROPOSED DP Coastal Environment



PROPOSED DP Precinct Plan Boundaries



PROPOSED DP Esplanade Priority Areas



PROPOSED DP Designations



PROPOSED DP State Highways



PROPOSED DP Kaipara District Boundary

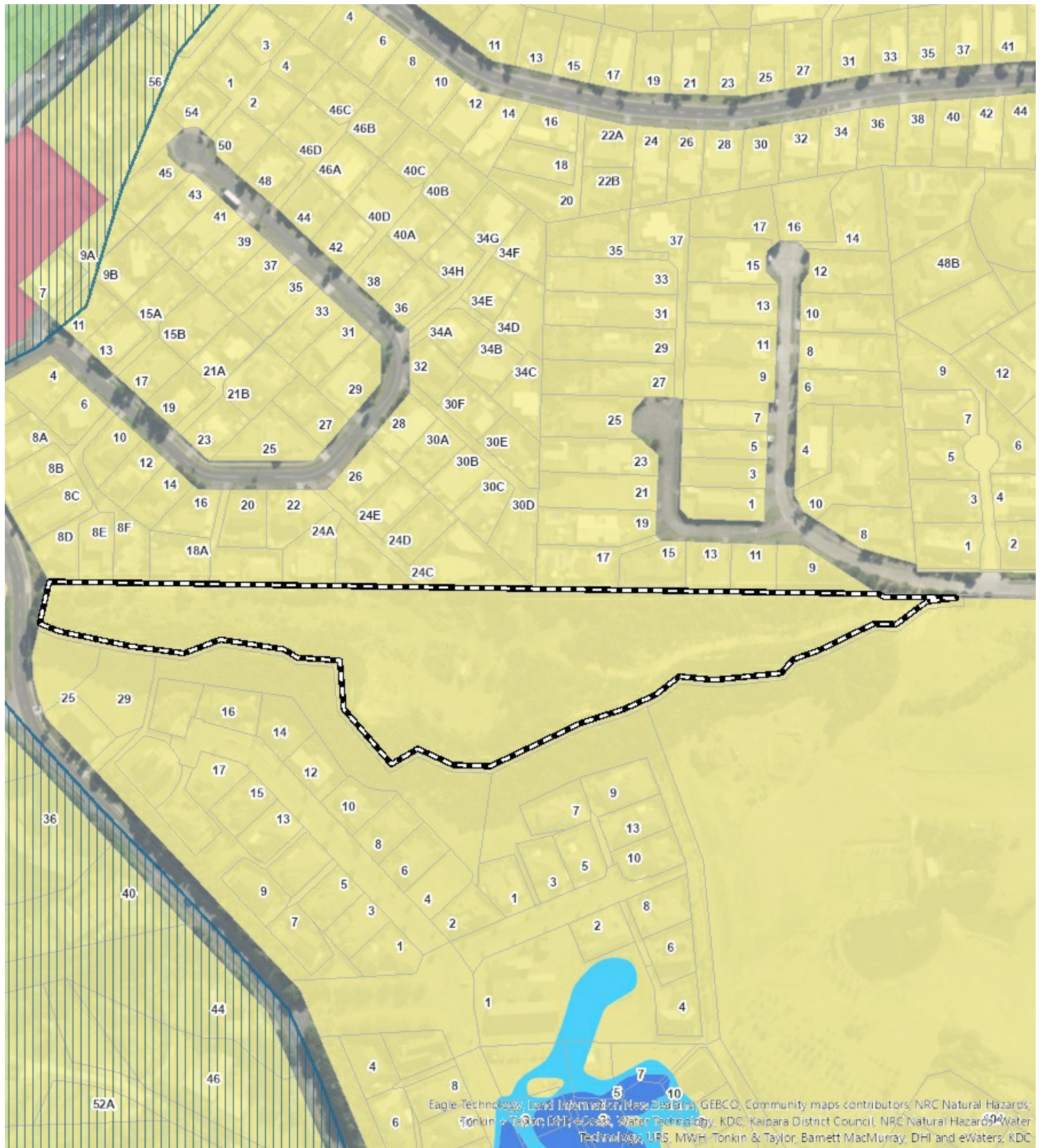


PROPOSED DP Heritage Buildings and Items














PROPOSED DP Notable Trees





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PROPOSED DP CEHZ2



PROPOSED DP CEHZ1



PROPOSED DP Mangawhai Hakaru Managed Growth Area



PROPOSED DP CEHZ0



PROPOSED DP Outstanding Natural Landscapes



PROPOSED DP Outstanding Natural Features



PROPOSED DP High Natural Character Areas



PROPOSED DP Outstanding Natural Character Areas



PROPOSED DP Heritage Covenants



Primary Land Parcels



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