

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: Moonlight Heights Limited Attn: Rachael Williamson
Mobile: 0277264333
Address for Service: Moonlight Heights Limited, rwilliamson@xtra.co.nz and glen@bluemoon.co.nz
& Alisa Neal, alisan@barker.co.nz
Date: 30 June 2025
Re: Submission on Proposed Kaipara District Plan (**PDP**) – Moonlight Heights Limited

Submission Information:

Moonlight Heights Limited (**MHL**) could not gain an advantage in trade competition through this submission.

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

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

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

MHL wishes to be heard in support of this submission.

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

Rachael Williamson

Moonlight Heights Limited

1.0 Introduction

MHL recently completed Private Plan Change 82 which rezoned 39.2ha of land at Awakino Road, Dargaville from Rural Zone to Residential Zone and introduced the Awakino Road Precinct to the Operative District Plan.

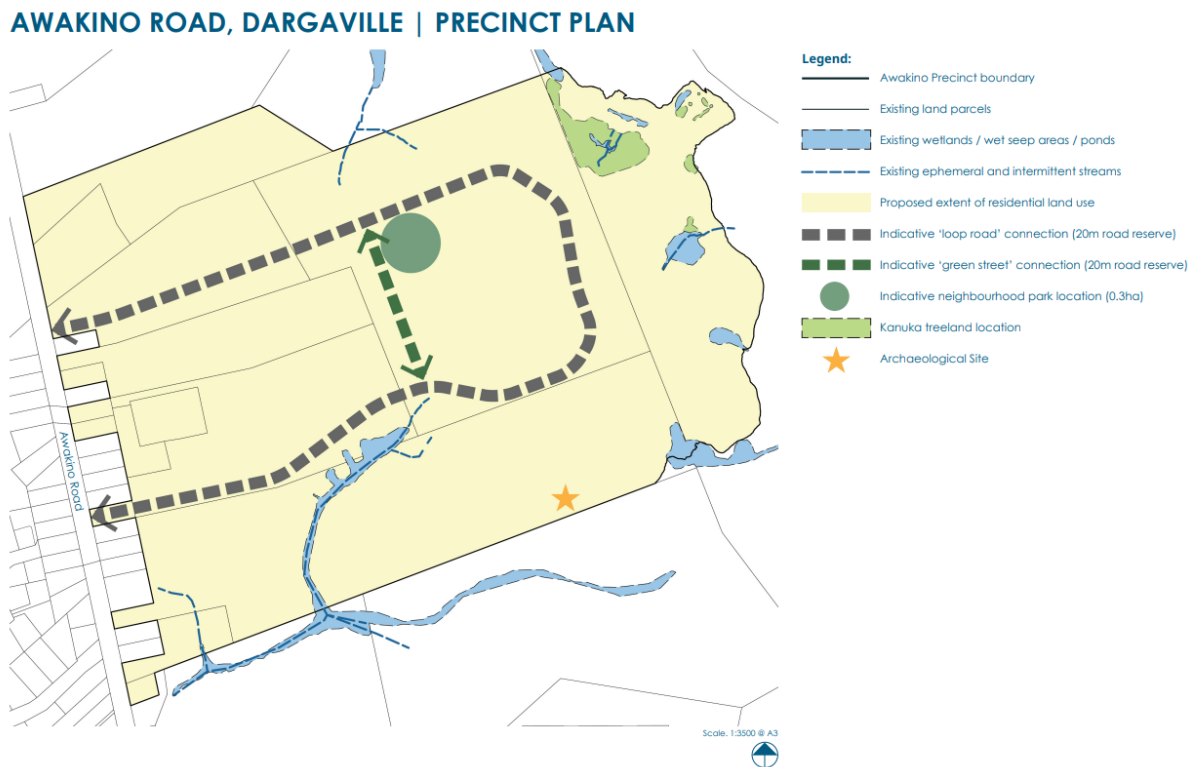


Figure 1: Awakino Precinct Plan

Private Plan Change 82 became operative on 25 June 2025. MHL has commenced resource consent processes to realise the zoning.

2.0 General Feedback

MHL supports the incorporation of the Awakino 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 MHL 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, MHL seeks the following relief:

- (a) MHL's general feedback in Section 2.0 and specific feedback in **Attachment 1** is addressed and necessary changes incorporated into the PDP.

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(b) Any further necessary consequential amendments required to achieve (a) above.

MHL 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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Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
HOW THE PLAN WORKS – RELATIONSHIP BETWEEN SPATIAL LAYERS				
1	Spatial Layers	Seek amendment	MHL 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	MHL 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	MHL 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	MHL support consolidation and integration of future growth.	Retain as notified.

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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	<p>The policy does not reflect PREC1-P1 recently approved private plan change, clauses 3 and 4 have been added are inconsistent with PREC-1 policies.</p> <p>The GRZ chapter also includes a subdivision policy that is consistent with the ODP Policy PREC1-P1.</p>	Amend to reflect ODP Policy PREC1-P1.
13	SUB-PREC1-Awakino Precinct S1 Minimum allotment sizes	Delete	The PDP enables residential development to a minimum lot size of 400m2 if reticulated water supply is available. This is considered to be an efficient and effective use of land within this precinct.	<p>Delete and amend rule SUB-R3.5 to refer to SUB-S1 5.</p> <p>Add exemption to minimum allotment size standard to be consistent with GRZ as follows:</p> <p>“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</p>

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				consent or building consent has been granted (excluding minor residential units)".
14	SUB-PREC1-Awakino Precinct S2 Maximum urban block size	Support	Standard is consistent with the recently approved private plan change.	Retain as notified.
15	SUB-PREC1- Awakino Precinct S9 Awakino Road Upgrade	Seek amendment	The PDP enables subdivision to a minimum lot size of 400m2 with no requirement for road upgrades to existing vested roads. This is considered to be an efficient and effective use of land within this precinct.	Delete Standard.
16	SUB-PREC1 – Awakino Precinct-MAT1	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 as discussed below. Based on the inclusion of this pathway, the Matters of Discretion under GRZ-R12 will apply and the matters of discretion under 'SUB-PREC1 – Awakino Precinct-MAT1' are not considered necessary.	Remove reference to Rule in heading and replace with "MAT' as follows: Rule: SUB-PREC2 - Awakino Precinct- R1 MAT1 Add exemption to applicability of 'SUB-PREC1 – Awakino Precinct-MAT1' 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-unit development for which a resource consent or building consent has been granted (excluding minor residential units).
TRANSPORT CHAPTER				
17	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	Amend to apply zones to roads.

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			undertaken within a road corridor that are not transport activities.	
18	Transport overview	Support	Precinct exemption clause provides clarity for plan user.	Retain as notified.
19	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.
20	TRAN-R2 Exemption for PREC1-Awakino Precinct	Support	Clause provides clarity for plan user.	Retain as notified.
21	TRAN-R2 Rules 3, 4 and 5	Support	Clause is consistent with recently approved private plan change.	Retain as notified.
22	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.
23	TRAN-R4 Exemption for PREC1-Awakino Precinct	Support	Clause provides clarity for plan user.	Retain as notified.
24	TRAN-R4 Rules 4, 5 and 6	Support	Clause is consistent with recently approved private plan change.	Retain as notified.
25	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.

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26	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.
27	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				
28	GRZ-PREC-1 Awakino Precinct R2 Residential units	Seek amendment	The PDP seeks to introduce a 400m ² minimum site area for residential units, and 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>Delete GRZ-PREC-1-R2 and apply GRZ-R3 to Residential Units in the Awakino Precinct as follows</p> <p>Add definition for 'multi-unit development'. Suggested definition as follows: "Multi-Unit Development: means development of three or more principle residential units on a site"</p> <p>Amend GRZ PREC1- Awakino Precinct – R2 as follows:</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. <u>No more than two principle residential units occupy the site;</u> b. <u>The minimum net site area associated with each principle residential unit is:</u> <ol style="list-style-type: none"> i. <u>400m² for a serviced site ; or</u> ii. <u>2,000m² for an unserviced site.</u>

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				<p><u><i>Note: Minor Residential Units shall be subject to Rule GRZ-R4 Minor Residential Unit.</i></u></p> <p><u><i>Note: More than two principle residential units onsite shall be subject to Rule GRZ-R12 Multi-Unit Development.</i></u></p> <p>Activity status when compliance not achieved: Restricted Discretionary <u>in accordance with rule GRZ-R12.</u></p> <p>3. Where:</p> <p>a. It will be an additional residential unit on the site, and the minimum net site area associated with each additional residential unit is 450m² for a serviced site;</p> <p>b. There is a separation distance of at least 3m from any other detached residential unit; and</p> <p>c. There is a separation distance of at least 6m where there is a private open space area located between two residential units.</p> <p>4. Matters over which discretion is restricted:</p> <p>a. The privacy, outlook and amenity of adjacent and adjoining sites;</p>
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				<p>b. Sufficient sunlight access to the outdoor living space;</p> <p>c. Building mass, orientation and passive surveillance of the road/street;</p> <p>d. Bulk and scale effects;</p> <p>e. Effects on any natural features with respect to natural wetlands, water courses, and indigenous vegetation;</p> <p>f. The extent to which the activity is consistent with the purpose, character and amenity values of the Awakino Precinct; and</p> <p>g. The ability to accommodate incidental activities anticipated within the Awakino Precinct such as parking (if it is to be provided), manoeuvring, waste collection and landscaping.</p> <p>5. Activity status when compliance not achieved: Discretionary</p>
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