

## 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](mailto: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](http://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

<b>(1)</b> The specific provisions of the Proposed Plan that my submission relates to are:		<b>(2)</b> 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>		<b>(3)</b> 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 A PUBLICLY NOTIFIED PROPOSAL FOR THE NOTIFIED PROPOSED KAIPARA DISTRICT PLAN 2025**

**Clause 6 of First Schedule, Resource Management Act 1991**

**TO: KAIPARA DISTRICT COUNCIL**

**SUBMITTER: STRATEGIC PROPERTY LIMITED AS DEVELOPMENT MANAGER OF MANGAWHAI CENTRAL RESIDENTIAL ('SPL')**

1. SPL makes this submission on the Proposed Kaipara District Plan 2025 ("**Proposed Plan**"):
2. SPL could not gain an advantage in trade competition through this submission.

**Mangawhai Central**

3. SPL is development manager of land at Mangawhai Central comprising the land at Lot 300 DP 591630 and Lot 202 DP 604965 (107 hectares) and land at Lot 204 DP 604965 (7.5 hectares).
4. Primary access to the Site is via Molesworth Drive. The Molesworth Drive upgrade has been constructed which provides for two roundabout intersections and has also upgraded the Site's frontage to Molesworth Drive. The roading upgrades have established four lanes, two roundabouts and 3m shared paths on both sides of the road. The roundabouts from the connections to the Ring Road, Main Street and Collector Road.
5. The broader Mangawhai Central Site is defined to the north-east by the Tara Creek, which drains into the Mangawhai Harbour and to the north-west by a wetland which drains to the Tara Creek. To the south-east the area is defined principally by Molesworth Drive as it traverses the estuarine alluvial flats between Mangawhai Village to the south-west and Mangawhai Peninsula northeast of the Molesworth Drive causeway.
6. The southeastern side of the Site borders Molesworth Drive. Land on the opposite side of the Molesworth Drive is lifestyle type residential development, with site areas typically around 3000m<sup>2</sup> – 4000m<sup>2</sup>. Beyond which is another channel of the Mangawhai Estuary which extends towards Mangawhai Village. Typical existed residential development comprises single standalone detached dwellings and properties are well vegetated for the purposes of screening.
7. To the south of the Mangawhai Central Site is a block of established residential development including properties that are accessed via Sunlea Lane and Hills View Lane. The properties typically comprise detached standalone dwellings on large sized sections which predominantly include established vegetation and planting along external boundaries. There is also an established strip comprising planting and mature specimen trees in proximity to this adjoining boundary with the Mangawhai Central land.

8. To the north and west of the Site is a combination of established rural and lifestyle properties that are accessed via Cove, Old Waipu and Atkin roads. The Mangawhai Central landholdings shown in Figure 1 below.



Figure 1: Locality Plan for Mangawhai Central

### Background

9. SPL's submission generally relates to those proposed changes including the introduction of the Mangawhai Haka Managed Growth Area, the introduction of subdivision rules and minimum site size requirements in the Mangawhai Haka Growth Area and the General Residential Zone, and the introduction of standards relating to cumulative total of residential units and temporary activities in the Estuary Estate (Mangawhai Central) Special Purpose Zone.
10. This Proposed Plan is promoted as the 'rule book', which is applied to manage development, activities and the environment within the Kaipara district. Its purpose is to protect our environment, historical heritage and cultural tāonga for future generations, through sustainable resource management, while supporting communities to live and grow. It is also promoted as setting the pathway forward for liveable prosperous Kaipara District. Specifically, it looks to

enable growth in areas where it is needed and looks to carefully manage growth where there is high demand.

SPL's submission is that it supports the **Proposed Plan** in part, subject to the amendments requested in this submission.

### **Submission**

11. The Proposed Plan includes subdivision standards, the General Residential Zone and the Estuary Estate (Mangawhai Central) Special Purpose Zone within Mangawhai and the Kaipara District.
12. SPL seeks the following general relief:
  - (a) The introduction of the Mangawhai Hakaru Managed Growth Area is supported, as this will assist with the PDP's objective of managing growth in areas where there is high demand.
  - (b) The introduction of Rule SUB-S3 relating to subdivision in the Mangawhai Hakaru Growth Area being a Discretionary Activity is supported, as this means Council have full discretion to assess new developments. This is preferable in comparison to the relevant provisions in the Operative District Plan ('ODP') whereby subdivision complying with a minimum site size requirement of 600m<sup>2</sup> and being connected to reticulated infrastructure is a controlled activity, with Council's discretion limited to a narrow list of assessment matters (compliance with standards, servicing, reverse sensitivity, future development, site access and overlays). The introduction of the rule and discretionary activity status ensures all potential adverse effects are able to be considered by Kaipara District Council when assessing resource consent applications seeking to subdivide land.
  - (c) The introduction of Rule GRZ-R3 imposing a minimum site size requirement of 600m<sup>2</sup> per allotment in the General Residential Zone is supported to assist in managing growth within the Mangawhai Hakaru Managed Growth Area where there is demonstrably high demand for existing bulk infrastructure facilities and capacity is constrained. It is also acknowledged that this minimum lot size requirement is also in keeping with the established development pattern within Mangawhai and Mangawhai Heads, where site sizes range from 600m<sup>2</sup> - 1000m<sup>2</sup> and replicates the existing minimum site size requirement for the General Residential Zone in the ODP.
  - (d) The introduction of Standard EESPZ-TEMP-R1 which stipulates that temporary activities ancillary to buildings or construction are a Permitted Activity is supported in part. SPL seeks that the rule be amended to include provision for show homes, and also to increase the total duration for temporary activities from 12 months to 24 months. This is the duration for temporary activities associated with construction activities in other districts and a duration of two years is also appropriate relating to ancillary activities, given the scale of delivery for the Mangawhai Central project. This proposed amendment is set out in **Attachment A** to the submission.
  - (e) The introduction of Standard EESPZ-S9- Fencing in the Estuary Estate Special Purpose Zone is opposed. Other potential solutions which may be appropriate from an ecological effects perspective are not able to be explored or utilised with the provision as currently drafted.

SPL seeks that this provision be amended to allow for greater flexibility and the ability to explore other appropriate solutions. SPL acknowledges that there is an existing fencing agreement in place between Mangawhai Central Limited (the former landowner) and Kaipara District Council, which would also need to be amended as a result of any change to the provision. This proposed amendment is set out in **Attachment A** to the submission.

- (f) The introduction of Standard GRZ-S1 which imposes a 50% building coverage requirement for the General Residential Zone is **opposed** and should be amended to be 35%. The General Residential Zone applies to most of the district's residential areas, and it is noted in the context of the township of Mangawhai and Mangawhai Heads that a building coverage of 50% across this wider zone has the potential to result in a high level of building intensity. Building coverage to this extent will not likely be compatible with the coastal small-town character of Mangawhai and also has the potential to result in adverse effects relating to landscape values and the natural character of the coastal environment.
- (g) The introduction of Rule GRZ-R3 – Residential Unit which allow for two residential dwellings per site in the General Residential Zone, is opposed and should be amended to be a Discretionary Activity to align with the proposed Subdivision Rule GRZ-R3. The allowance for two dwellings per Site, is considered to further compound existing constraints on the District's reticulated bulk infrastructure supply, making it difficult for Kaipara District Council to track and existing capacity in key networks and also review and assess such scenarios, given that there will be no formal resource consent process. This approach is contrary to the plan change's objective of carefully managing growth and wider effects in area where there is demonstrably high demand, as is the case for Mangawhai.
- (h) The introduction of Standard EESPZ-S12 Cumulative total of residential units is opposed and it is considered that this standard be deleted. The proposed amendment is set out in **Attachment A** to the submission. There is no standard supporting this requirement in the Estuary Estate Section of the ODP, there is only assessment criteria relating to the creation of new roads and the requirement for the roads to be located in accordance with the roading hierarchy identified in the Estuary Estate Structure Plan. The assessment criteria in the ODP also stipulates a threshold of 850 dwellings (excluding retirement village facilities), whilst the proposed standard references 850 residential units, which would include retirement units. As an alternative and if the Standard is to be retained, the retention of the wording set out in the ODP, i.e. clause 16.6.1.2b is supported.

13. SPL submits that the relief it seeks is necessary to:

- (a) promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991.
- (b) contribute to meeting the reasonably foreseeable needs of future generations.
- (c) contribute to enabling social and cultural well-being of the community in Mangawhai.

- (d) enable the efficient use and development of the natural and physical resources of Mangawhai, including Mangawhai Central.
- (e) ensure the provisions of the Proposed Plan are the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means and discharges the Council's duty under s32 of the Resource Management Act 1991; and
- (f) ensure that the provisions of the Proposed Plan are the most appropriate means of giving effect to Part 2 of the Resource Management Act 1991, including section 6(c) and 7(f).

**Decision sought**

- 14. SPL seeks the following decision from the local authority:
  - (a) That the Proposed Plan be amended as set out above and in Attachment A, as well as any consequential or further amendments necessary to the objectives, policies, rules, methods, or other provisions of the Proposed Plan to give effect to the relief sought and reasons given.
- 15. SPL wishes to be heard in support of this submission.
- 16. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

**DATE:** 30 June 2025

**James Robertson**

On behalf of **Strategic Property Limited**

Address for service of submitter:

c/- Tattico Limited

PO Box 91562

Victoria Street

Auckland, 1142

Telephone:

(027) 6343936

Email:

[tom.morgan@tattico.co.nz](mailto:tom.morgan@tattico.co.nz)

Contact Person:

Tom Morgan

Planning Consultant

## 1. Estuary Estates (Mangawhai Central Special Purpose Zone) Standard EESPZ-TEMP-R1

EESPZ-TEMP-R1	Temporary activities ancillary to building and construction works in Estuary Estates special purpose zone
<b>Note:</b> <i>This rule overrides TEMP-R3 in the District-Wide Matters - Temporary Activities chapter.</i>	
<b>1. Activity Status:</b> Permitted  <b>Where:</b> <ol style="list-style-type: none"> <li>Temporary buildings, offices, storage sheds, storage yards, scaffolding and false work, workshops, <u>show homes</u> or uses of a similar character are: <ol style="list-style-type: none"> <li>Ancillary to and required for a building or construction project;</li> <li>Located on the site same as the building or construction project; and</li> <li>Limited to the duration of the project for a period of <del>12</del> <u>24</u> months (whichever is the lesser)</li> </ol> </li> </ol>	<b>2. Activity status when compliance not achieved:</b> Not Applicable

## 2. Estuary Estates (Mangawhai Central Special Purpose Zone) Standard EESPZ-S9

EESPZ-S9	Fencing
<b>1.</b> In Sub-Zones 3A-D fences shall not exceed 1.2m in height on boundaries to public open space, and the street.  <b>2.</b> Every residential allotment shall be required to contain any dogs on the allotment by fencing or alternative means (such as electronic control).  <b>3.</b> Wetlands 1 and 3 shall be perimeter fenced <u>or protected through an alternative solution endorsed by a qualified ecologist</u> , together with the boundary line between Wetlands 1 and 3, in general accordance with the fence line location illustrated on the Estuary Estates Structure Plan. The fence shall: <ol style="list-style-type: none"> <li>Where the fence forms a side or rear boundary of a residential allotment: <ol style="list-style-type: none"> <li>Have a minimum height of 8m from ground level and be either a close board timber fence with capping or a steel wire mesh fence, in either</li> </ol> </li> </ol>	<b>4. Activity status when compliance not achieved:</b> Not Applicable

<p>case with no gap at ground level and continuous with adjoining allotment fences.</p> <p>b. Where the fence adjoins a road reserve or allotment for a network utility (including a reservoir):</p> <p>i. Have a height of 1.8m from ground level and be either a close board timber fence with capping or a steel wire mesh fence, in either case with no gap at ground level and continuous with adjoining allotment fences;</p> <p>ii. Include a landscaped hedge between the fence and road reserve.</p> <p>c. Include self-closing gates to the gum diggers track in appropriate locations.</p> <p>d. If the steel wire mesh fence option, have mesh dimension of no greater than 50 millimetres and include top and bottom rail.</p>	
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### 3. Estuary Estates (Mangawhai Central Special Purpose Zone) Standard EESPZ S12

<b>EESPZ-S12</b>	<b>Cumulative total of residential units</b>
<del>1. Residential units in the Estuary Estates Special Purpose Zone shall not exceed a cumulative total of 850 residential units.</del>	<del>Activity status when compliance not achieved:</del> Not Applicable

### 4. General Residential Zone Rule GRZ-R3

<b>GRZ-E3</b>	<b>Residential Units</b>
<p>1. Activity status: Permitted</p> <p><b>Where:</b></p> <p>a. No more than <del>two</del> <u>one</u> residential units <del>occupy</del> <u>occupies</u> the site;</p> <p>b. Residential units not connected to a reticulated wastewater system shall not exceed one per 2,000m<sup>2</sup> of net site area;</p> <p>c. Outside Dargaville, residential units connected to a reticulated wastewater system shall not exceed one residential unit per 600m<sup>2</sup> of net site area ; and</p> <p>d. In Dargaville, residential units connected to a reticulated wastewater system shall not exceed one residential unit per 400m<sup>2</sup> of net site area.</p> <p><b>Note:</b> This does not apply to multi-unit developments managed under GRZ-R12</p>	<p>2. Activity Status when compliance not achieved: <del>Restricted Discretionary</del> <u>Discretionary Activity</u></p> <p><del>3. Matters over which discretion is restricted:</del> <del>a. The matters in GRZ-MAT1</del></p>

## 5. General Residential Zone Standard GRZ-S1

GRZ-S1	Building Coverage
1. The maximum building coverage is <del>50%</del> <u>35%</u> .	2. Activity status when compliance not achieved: Restricted Discretionary  <b>3. Matters over which discretion is restricted:</b> a. Amenity and character of the surrounding area; b. The bulk and scale of the buildings, structures, and impervious surfaces; c. The provision of landscaping and trees; and d. Stormwater management including site-specific stormwater design.