

Form 5

Submission on the Proposed Kaipara District Plan

To: Kaipara District Council

Name of Submitters: Arthur and Jocelyn Rutherford

Address for Service: C/- CivilPlan Consultants Limited
PO Box 97796
Manukau City
Auckland 2241
Attn: Natasha Rivai

Telephone: (09) 222 2445

Email: Natasha@civilplan.co.nz

Arthur and Jocelyn Rutherford ("the Submitters"), c/- CivilPlan Consultants at the address for service above, makes this submission on the Kaipara District Council's ("the Council") Proposed District Plan ("PDP").

The Submitters own the property at 4 and 4A Black Swamp Road, Mangawhai.

1. Submission

1.1 Zoning and Subdivision

The Submitters support the proposed General Rural zone and Coastal Environment overlay of the site and its surrounds. Under the PDP SUB-S1, rural zoned allotments must have a minimum net site area of 12ha. This is supported by the Submitters. The Submitters support future building platforms being located entirely outside of the Coastal Environment Overlay within the General Rural zone (SUB-S14).

The Submitters do not support the single Residential zoning with a minimum net site area of 600m² (Sub-S1(5)(a)). There is also ambiguity around SUB-S1(5)(b) in relation to the provisions of 400m² allotments.

The Submitters are concerned with any future urban rezoning of the site or surrounds that could adopt the proposed General Residential zoning of lots of 600m². This scale and intensity of residential development would not be appropriate given the topography and coastal setting of the immediate surrounds and general lack of infrastructure and safe transport connectivity. The PDP as drafted only provides for one residential zone, and does not provide for alternative residential intensities between 600m² (Residential) and 4,000m² (Rural Lifestyle) that could be an appropriate transition on the fringes of the residential and rural environments.

It is further noted that the surrounding area is either classified as highly productive land use classification (LUC) 3 or does not hold highly productive land classification, therefore may be able

to be urbanised pending the anticipated changes to the National Policy Statement Highly Productive Land ("NPS HPL") Policy.

1.2 Infrastructure and Transportation

The Submitters would like to see local improvements to the safety and function of the roading network, particularly at the Insley Street/Tomarata Road and Black Swamp Road intersection. Infrastructure and transportation provisions need to be adequately provided prior to enabling any further subdivision, and therefore generally supports the intention of the Mangawhai/Hakaru Managed Growth Area.

2. Summary

The Submitter acknowledges and appreciates the work that the Council has put into developing the PDP.

The relief sought has been detailed in the above submission.

The Submitter reserves the right to revise their position in response to other submissions or changes to the notified provisions.

The Submitters confirm:

- a. They could not gain an advantage in trade competition through this submission.
- b. They wish to be heard in support of their submission.
- c. If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

The Submitter agrees to participate in mediation or other alternative dispute resolution, and would be pleased to discuss the content of this submission with Council staff, as required.



Signature:
Natasha Rivai – Director, CivilPlan Consultants Ltd
on behalf of Arthur and Jocelyn Rutherford

Date: **30 June 2025**

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