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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: Ruth Smellie

Phone: 09 4317147

Organisation: WS&R Smellie and McConaughy Family Trusts
(*the organisation that this submission is made on behalf of)

Email:

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Paparoa

Postcode: 0571

Address for service: name, email and postal address (if different from above):

Sarah Smylie
Sarah.Smylie@rocketmail.com

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: 6/30/25

(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

SUBMISSION ON THE PROPOSED KAIPARA DISTRICT PLAN

Introduction and location:

This submission relates to land held by the WS & R Smellie and McConaughy Family Trusts on Pahi Road, Paparoa.

The land is held in several titles, shown in Figure 1, below

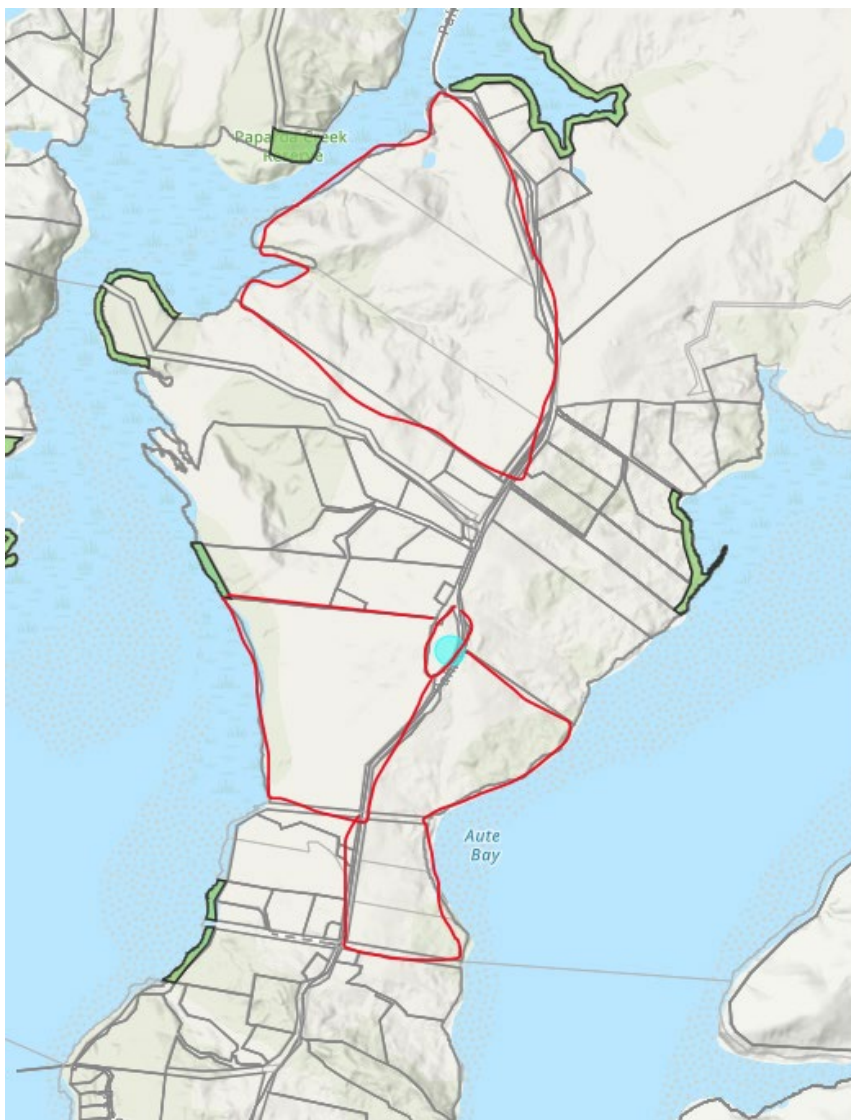


Figure 1: Land parcels owned by WS & R Smellie and McConaughy Family Trusts

The Proposed District Plan (PDP) has proposed to rezone the parcels from Rural to Rural lifestyle

The small parcel contains the family house and there is a farm cottage on the parcel closest to the Cutter Bridge. The remaining land is pastoral with limited farming infrastructure (shearing shed, cattle yards and implement shed).

Submission:

This submission seeks the following as set out in Table 1.

1. Retention of the Rural lifestyle zoning over all parcels owned by the WS & R Smellie and McConaughy Family Trusts
2. Increased recognition of and protection to existing lawfully established rural activities within the Rural lifestyle zone
3. Provision for greater flexibility for residential development on large sites within the Rural lifestyle zone
4. Retention of policies PA-P1 and SUB-P5, particularly the reference to providing for practical access

Summary:

The move away from farming to rural lifestyle living on the Pahi Peninsula is supported. It seems to be a pragmatic solution to protecting highly productive land elsewhere in the district while providing for the growth anticipated over the next 10 years.

We wish to be heard in support of our submission.

Ruth Smellie

Table 1: Submission

Provision	Support/ oppose	Submission	Decision sought
Maps Rural lifestyle zone	Support	<p><i>Rural lifestyle zoning</i></p> <p>Our family has farmed this land since approximately 1920. During the past 100 years we have invested significant time and money in enhancing its natural and amenity values including carrying out weed control and the fencing of coastal margins. The land is small, fragmented and surrounded by lifestyle blocks and thus, unproductive in a rural sense. However, it would provide for self-sufficient living without the need for reticulated services and provide for growth within easy reach of Paparoa township.</p> <p>This is not productive agricultural land. The poor soils and lack of water mean that the land is generally only suitable for sheep and beef farming. However, climate change and the greater incidence of drought and extreme weather events is making this even more marginal and stock numbers have had to be reduced significantly over the past few decades.</p> <p>The original survey of the Pahi peninsula created many small land parcels and subdivision activities post 1970 has resulted in further land fragmentation.</p> <p>The increase in residential and rural lifestyle properties along Pahi Road has created reserve sensitivity effects which constrain pastoral farming. For example, weed spraying and fertiliser application.</p>	Retention of the Rural lifestyle zoning over all parcels owned by the WS & R Smellie and McConaughy Family Trusts.

Provision	Support/ oppose	Submission	Decision sought
		Increased traffic volumes along Pahi Road and addition the addition of new residential driveways as a result of the intensified land use has also made the movement of stock between our land parcels particularly problematic with the current lessee now having to transport stock between parcels rather than run them along the road.	
Part 3 RLZ – Rural lifestyle zone RLZ-O3 Policies	Oppose	<p><i>Protection to existing rural uses in Rural lifestyle zone</i></p> <p>As noted above, we currently experience reverse sensitivity effects on farming operations from lifestyle developments along Pahi Road.</p> <p>While we support the change to Rural lifestyle zoning to support growth in the Kaipara and in particular for the Pahi and Paparoa areas, we note that the PDP rezoning is intended to provide for this growth over a 10-15 year time horizon. Land use change will not happen at a single point in time but will be driven by demand. It is therefore probable that reverse sensitivity effects will escalate until all land in the zone transitions from primary production to rural lifestyle.</p> <p>This will pose problems for existing farming activities that are lawfully established within the Rural lifestyle zone. Accordingly, we would request that Objective RLZ-O3 be amended and a new policy be inserted to manage reverse sensitivity effects during the transition from primary production to rural lifestyle in a similar vein to RLZ-P4. This will protect primary production activities from reverse sensitivity effects and ensure that they can continue to operate.</p>	<p>Increased recognition of and protection to existing lawfully established primary production activities in the Rural lifestyle zone by:</p> <p>a. amending Objective RLZ-O3 to read:</p> <p><i>Primary production activities in the General rural zone <u>and Rural lifestyle zone</u></i></p> <p><i>Development in the Rural lifestyle zone does not compromise the efficient and effective operation of:</i></p> <p><i><u>1 existing primary production activities in the Rural lifestyle zone</u></i></p> <p><i>2 primary production activities in the adjacent General rural zone.</i></p> <p>and</p>

Provision	Support/ oppose	Submission	Decision sought
			<p>b. and inserting a new policy in the Rural lifestyle zone to read:</p> <p><i>RLZ-PX Protecting existing established primary production activities in the Rural lifestyle zone from reverse sensitivity effects</i></p> <p><i>Avoid where possible, or otherwise mitigate, reverse sensitivity on existing primary production activities in the Rural lifestyle zone.</i></p>
<p>Part 2 – District-wide matters – Natural environment and subdivision</p> <p>Part 3 - RLZ – Rural lifestyle zone</p>	Oppose	<p><i>Greater flexibility for residential developments on large existing sites</i></p> <p>We note that ‘site’ is defined in the PDP to comprise land on a single record of title. We have several existing titles of over 25ha. We have no immediate plans to subdivide although we may contemplate providing for our extended family by developing several residences on one site (title).</p> <p>Although the Rural lifestyle zone is intended to be characterised by low residential development with limited buildings and structures, the objectives and rules in the PDP seems to disadvantage people wanting to develop within existing large sites. This would preclude</p>	Amending the Rural lifestyle, subdivision, coastal environment and high natural character rules and standards to provide for greater flexibility for residential development on large sites.

Provision	Support/ oppose	Submission	Decision sought
		<p>developments for extended families. This seems perverse as development on large sites would:</p> <ul style="list-style-type: none"> • be at a lower density than anticipated in PDP controls and as such consistent with the PDP objectives for the Rural lifestyle zone • result in less cumulative adverse effects on natural and other values as compared to the same sort of development on a 4000m2 site. <p>Examples of rules and standards that do not support residential development on large sites include:</p> <ul style="list-style-type: none"> • RLZ-R2 (residential unit) which restricts the number of residential units per site to one as a permitted activity • RLZ-R3 (minor residential unit) which requires minor residential units to share the same access and be in close proximity to the principal residential unit • RLZ-S4 (building coverage) which sets a maximum site coverage of 10% or 1,000m2. This would presumably include existing buildings uses for farming purposes • CE-S3 (gross floor area) which sets gross floor area limits of 330m2 (presumably per site although this is not stated) • CE-S4 (earthworks) which sets maximum areas of earthworks at 250m2 within any 10 years period (again presumably per site although this is not stated) in high natural character areas. This would barely provide for the construction of a driveway let alone a building. 	

Provision	Support/ oppose	Submission	Decision sought
		<ul style="list-style-type: none"> CE-S5 (indigenous vegetation clearance) which sets a maximum area of clearance of 150m² per site within any 10 years period within a high natural character area 	
Part 2 – District-wide matters – PA – Public access	Support	<p>Public access</p> <p>We note that an Esplanade Priority Area is identified around our property near the Cutter Bridge. While the principle of public access to the coast is supported we note that the land here is quite steep in places and may not lend itself to public access in all forms. Thus, we support the emphasis of Policy PA-P1 and SUB-P5 in providing for ‘<i>practical access</i>’.</p>	Retention of policies PA-P1 and SUB-P5.