



---

## Submission on Proposed Kaipara District Plan

### Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Kaipara District Council - District Plan Review

**Date received:** 30/06/2025

**Submission Reference Number #:**75

This is a submission on the following proposed plan (the **proposal**): Proposed Kaipara District Plan

**Submitter:**

Lynda Von-Lyn

**Contact person and address for service:**

Lynda Von-Lyn  
1058 State Highway 12, R D 1 Maungaturoto 0583  
New Zealand

**Electronic address for service:** ldgunson111@gmail.com

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

If you have answered yes to the above question, are you directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

## Submission points

---

### Point 75.1

#### Address:

1058 SH12 Maungaturoto-Paparua, Otamatea/Central

#### Submission:

We, the undersigned, submit our opposition to the change in the Proposed KDC District Plan 2025 whereby our properties under the legal description of Part Allots E 62 W6263 Wairau PSH BLK XII WAIPU SD - otherwise known as the Maungaturoto Railway Settlement or Station Village. In the Plan, which is to have immediate legal effect, it is proposed that our land be zoned as Light Industrial for the properties we own at 1044 State Highway 12 to 1066 State Highway 12 Maungaturoto-Paparua, Otamatea/ Central.

Our reasons for opposing this change to the zone include:

#### 1. HERITAGE BUILDINGS

Six of the houses are kauri cottages, which have survived from the early settlement days and were built in the 1920s to house railway workers and, as outlined in the proposed 2025 KDC Plan, are to be designated as “**PROPOSED DP Heritage Buildings and Items**. The Council states in its plan “*It is important that historic heritage is protected from activities that will compromise heritage values.*” If that is to be the case, changing their land use zone from general residential to a light industrial one seems to be counterproductive for any attempts or future requirements to preserve them. Their original historical setting would not be protected should light industrial activities develop next to them in the future.

#### 1. HISTORICAL, CURRENT AND FUTURE LAND USE

Our land encompassing 1046-1066 State Highway 12 has been historically classified as **residential**. It is currently zoned as General Residential and our annual rates are charged under the General Rate Residential & small-sized lifestyle category by KDC. These railway houses have been here for a very long time and the use of the land has always been for housing. The houses back onto general rural zoned land providing us with a rural outlook lifestyle for our homes.

#### 3.LOSS OF RESIDENTIAL ACTIVITY RIGHTS - LIZ R16

According to the rules laid out for a light industry zone, under the above, any residential activity buildings and structures would be deemed **non-complying**. We already have, under the residential zoning land use, the right to engage in *sensitive activities such as “a residential activity, including papakainga building, visitor accommodation, home stay etc,”* and a rezoning to light industrial would remove our existing rights to these.

#### 4.PURPOSE OF THE LIGHT INDUSTRIAL ZONE - LIZ -01

Changing our land zone from residential to light industrial for our land does not seem to align with the reasons stated in the KDC plan. Re-zoning will not enable *sufficient land supply* as outlined in the above policy for the following reasons:

1. *Non-industrial uses of the land are already established- over 100 years ago*. It already has houses on it. Its primary purpose has been residential use for a very long time and Kaipara District Council has continuously zoned it as such up to 2024.
2. The land is already *excessively fragmented* into ¼ acre sections and thereby *subdivided* and already *developed into 11 individual residential properties*.
3. Light industrial activities **will not** be able to *establish and function efficiently* unless someone buys all of them and spends a great deal of money. (See reason 7).

For the above reasons, rezoning will not enable land supply.

## 5. MISALIGNMENT WITH THE LIGHT INDUSTRIAL ZONE POLICY LZ-P1 AND LIZ -P7

The intent of this policy is to:

Enable light [industrial activities](#) to establish and function efficiently, and maintain [land](#) available for light [industrial activities](#) in the zone.

We submit that the intent of this policy for light industrial zoning isn't able to be realised or applied because of the historical and current use of the land. Examples include:

*Avoiding non-industrial uses establishing in the zone except [activities](#) that are ancillary to or support [industrial activities](#) and are compatible with the adverse [effects](#) of [industrial activities](#). Our houses are used for non-industrial purposes already - residential housing. (Refer to LIZ P7 reticulated infrastructure).*

*"Avoiding excessive fragmentation of the land by subdivision and development". Our land was fragmented many years ago into 11 separate properties and is already subdivided. Furthermore, the existing infrastructure has been designed for **residential use, not light industrial**. KDC has, since 1992, upgraded, supplied and maintained our town water supply, upgraded, maintained and operated a wastewater system, maintained and upgraded footpaths, provided street lighting, constructed a bus stop which is currently used for residents' children outside 1060 State Highway 12 and upgraded drainage for road run off. Northpower ensures we have a reliable domestic electricity supply and telecommunication services are in use. Therefore, any conversion to light industrial land use will be problematic, including light industry road legal access to the land.*

*"Avoiding establishment of [sensitive activities](#) that are likely to result in reverse sensitivity [effects](#). Sensitive means all or any of the following:*

1. *an educational facility, including a childcare facility, wananga and kohanga reo,*
2. *a **residential activity**, including papakainga building, rest home, retirement village, visitor accommodation, home stay.* "Once again, residential activities already exist on our land.

## 6. OTHER PERMITTED ACTIVITIES IN A LIGHT INDUSTRIAL ZONE

We also object to the permitted activities in a light industrial zone. For example: *LIZ - R3 Industrial activity* *LIZ-R9 community corrections activities*: (young children live in the houses as do a number of senior citizens). We do not want this activity near our homes any time in the future because of rezoning. We want the activities permitted in a residential zone only.

## 7. EXISTING BARRIER TO THE ESTABLISHMENT OF LIGHT INDUSTRY ON THE REZONED LAND

Our properties are all privately owned and have been on a cross-leased land title since 1991. Under the terms of the cross lease, any proposed **changes to buildings or land use** must gain the consent of all of the other cross lease holders. Therefore, should a property owner want to set up a light industrial activity, they are required to gain consent from all of the other owners. Considering the potential noise and other adverse effects, those consents may indeed be difficult to obtain. This legal barrier makes the changing of the zone from residential to industrial hard to bring into effect.. Potential light industrial purchasers of any of the individual house sections may thus be difficult to attract.

Similarly, to purchase and develop all of the 11 titles (including the 6 heritage houses) presents a financial barrier to a light industry. It would involve the buyer successfully negotiating with **all** of the individual owners and an expensive and lengthy process to acquire a mere 1.6180 hectares of land.

Retaining our land as a residential zone is therefore a more feasible option. We suggest that rezoning other undeveloped rural land east of the existing light industrial zone would be an easier option for enabling land supply.

## 8. EXISTING RESIDENTIAL STATUS

Another reason to oppose changing our land to a light industrial zone is the *effect of industrial noise, odour, dust, fumes and smoke and associated activities* on the quality of our lives. If KDC changed our land from a residential to light industrial zone, it would instantly remove from us our existing right for the quiet enjoyment of our land, etc. Our rural outlook lifestyles should be taken into consideration before decisions are made to change them.

For the above reasons, we oppose the rezoning of our land from residential to light industrial.

Furthermore, as the zoning change will have a significant impact on the land use, the land value and on how the annual rates are charged, we require more time to seek representation so that we can be sure of our legal position, as we haven't had a chance to do that within the available time frame.

We are also asking the Council if you are sure that rezoning will achieve its intended purpose or has it made a mistake? If the Council isn't mistaken, we are asking you how would the rezoning actually work?

We would also welcome the opportunity to meet with the Council collectively to discuss the questions raised above.

All residents and/or property owners have given their verbal support for this submission to me and the ones below have given me their written consent to have their names added below:

**NAMES OF PROPERTY OWNERS AND/OR RESIDENTS OPPOSED TO LAND ZONE CHANGE:**

- 1 Lynda Von-Lyn
- 2 Grant Hobson
- 3 Stuart Broughton
- 4 Janette Allen
- 5 Suzanne Cooper
- 6 Sheena O'Sullivan
- 7 Gerrin Tauroa
- 8 Ben Crawford

**Relief sought**

Do not change the land use zone from residential to light industrial.

---

**Point 75.2**

**Address:**

1058 SH12 Maungaturoto-Paparoa, Otamatea/Central

**Submission:**

See Point 1

**Relief sought**

We want the Council to retain the residential zone for our land not change it to light industrial and to consult

with us collectively before any decision is made.