



Kaipara te Orangahui • Two Oceans Two Harbours

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 #:80

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

Submitter:

David Clarke

Contact person and address for service:

David Clarke
27 Hinamoki Drive Kaiwaka 0573
New Zealand

Electronic address for service: dave.clarke@waicomm.co.nz

Attachments:

Submission_Opposition_Rural_Lifestyle_Zoning_Oneriri.docx

I wish to be heard: No

I am willing to present a joint case: No

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

- **No**

Submission points

Point 80.1

Section: Rural Lifestyle Zone

Sub-section: Objectives

Provision:

The Rural lifestyle zone is used predominantly for low density [residential activities](#) and small-scale [primary production activities](#) that are compatible with the rural lifestyle character and [amenity values](#) of the zone.

Support / Amend / Oppose: Oppose

Submission:

The Rural lifestyle zone is used predominantly for low density [residential activities](#) and small-scale [primary productionactivities](#) that are compatible with the rural lifestyle character and [amenity values](#) of the zone.

Relief sought

see attached document

Submission on the Proposed Kaipara District Plan 2025

Opposition to Rural Lifestyle Zoning in the Oneriri Area

To: Kaipara District Council

From: David Clarke

Contact: 27 Hinamoki Drive,

dave.clarke@waicomm.co.nz ,

021 625543

Date: 29th June 2025

Subject: Opposition to the Proposed Rural Lifestyle Zoning in the Oneriri Area

I am writing to formally oppose the proposed rezoning of land in the Oneriri area to Rural Lifestyle Zone under the Proposed Kaipara District Plan 2025.

1. Environmental and Ecological Concerns

The Oneriri Peninsula is home to ecologically sensitive environments, including native bush, wetlands, and coastal ecosystems. Rezoning this area to allow for increased subdivision and development (down to 4,000m² lots) poses a significant risk to these habitats. The intensification of land use would likely lead to habitat fragmentation, increased runoff, and degradation of water quality in nearby estuarine and marine environments, contrary to the sustainable management principles of the Resource Management Act 1991 (RMA).

2. Conflict with Existing Resource Consents and Covenants

The proposed rezoning of the Oneriri area to Rural Lifestyle Zone is in direct conflict with the legally binding covenants and constitution of the Hinamoki Estate Residents Society Incorporated. These covenants were established to preserve the unique character, ecological sensitivity, and infrastructure limitations of the estate. Key conflicts include:

1. Density and Land Use Restrictions

The covenants explicitly limit development to one principal dwelling per lot, with strict controls on additional structures (e.g., guest or manager's accommodation). The proposed rezoning to allow subdivision down to 0.4 hectares would violate these restrictions and undermine the low-density, high-value character of the estate.

2. Design and Architectural Controls

All development within the estate is subject to approval by a Design Control Committee, which enforces strict architectural and landscaping guidelines to maintain aesthetic and

environmental standards. The proposed zoning would bypass these controls, leading to inconsistent and potentially inappropriate development.

3. Environmental and Ecological Protections

The Society is responsible for compliance with ecological assessments, landscape rehabilitation plans, and pest control as conditions of existing resource consents. Increased subdivision and development would jeopardize these obligations and the ecological integrity of the area.

4. Infrastructure Limitations

The estate relies on a decentralized wastewater system, private roading, and limited utility infrastructure. The covenants require all members to maintain and comply with these systems. The proposed rezoning would place unsustainable pressure on these systems, which are not designed to support higher-density development.

5. Community Governance and Covenants

All landowners are bound by a constitution that includes restrictions on fencing, signage, noise, and land use, and mandates membership in the Society. The proposed zoning would introduce landowners who may not be subject to or aware of these rules, leading to governance challenges and potential legal conflicts.

6. Contradiction of Original Development Vision

The estate was marketed and developed as a premium, ecologically sensitive lifestyle community, with covenants designed to protect that vision. The proposed rezoning would fundamentally alter the nature of the community and breach the trust of current landowners who purchased under these assurances.

3. Geological Unsuitability and Infrastructure Limitations

The land in the Oneriri area is geologically unsuitable for intensive development. Much of the terrain consists of marginal hill country with poor soil stability and limited capacity for on-site wastewater treatment. Subdividing land to 0.4 hectares would increase the risk of erosion, slope failure, and contamination of groundwater and surface water systems.

Additionally, the infrastructure in the Oneriri area is inadequate to support the proposed level of development. The road from the gate to the end of Hinamoki is privately maintained by the Hinamoki Estate and is already under significant pressure from current development. This road is not suitable for further development, and the costs of upgrading and maintaining it would be substantial for landowners. Increased development would also lead to significant runoff issues, making the road unmaintainable.

Furthermore, much of the land proposed for development is owned by the estate as part of the greenspace requirements for our resource consent. These lands include required ecological planting areas and our septic field, which cannot be developed. The proposed rezoning would compromise these essential areas and the overall sustainability of the estate.

4. Inadequate Infrastructure

The current infrastructure in the Oneriri area is not capable of supporting the level of development proposed under the Rural Lifestyle Zone. The local roading network is narrow and unsealed in parts, with limited capacity for increased traffic. There is no reticulated water, wastewater, or stormwater infrastructure, and power and telecommunications services are already under strain. The cost of upgrading infrastructure to support this rezoning would be significant and is not addressed in the plan.

5. Inconsistency with the Council's Original Vision

The original vision for the Oneriri area, as reflected in previous planning documents and community consultations, was to maintain it as a high-value, low-density lifestyle estate. The proposed rezoning contradicts this vision and risks eroding the unique character and amenity of the area.

6. Contradiction with National Policy on Highly Productive Land

Although the Oneriri area may not fall under the strict definition of Highly Productive Land (HPL), the Section 32 report acknowledges the importance of protecting rural land from fragmentation and reverse sensitivity effects. Allowing lifestyle development in this area would contribute to land fragmentation and reduce the viability of surrounding rural production activities.

Relief Sought:

I respectfully request that the Kaipara District Council:

- Remove the proposed Rural Lifestyle zoning from the Oneriri area;
- Retain the current zoning that supports low-density, high-value rural lifestyle living;
- Undertake further geotechnical and ecological assessments before considering any future rezoning proposals in this area;
- Engage meaningfully with affected landowners and communities to ensure that future planning decisions reflect local values and environmental constraints.

Thank you for the opportunity to submit on this important matter.

Ngā mihi,
David Clarke