

# **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: 29/06/2025

**Submission Reference Number #:85** 

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

## Submitter:

Dominic Leigh

# Contact person and address for service:

Dominic Leigh owners Rehutai Road, LOT 3 DP 425236 93 Queen Street Northcote Point Auckland 0627 New Zealand

Electronic address for service: dominicleigh1969@gmail.com

## Attachments:

owners Rehutai Road, LOT 3 DP 425236.pdf

owners Rehutai Road, LOT 3 DP 425236.pdf

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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 85.1** 

Section: Subdivision

Sub-section: Standards

**Provision:** 

SUB-S14 Subdivision of a site within a natural character, coastal environment, outstanding

natural feature (ONF) or outstanding natural landscape (ONL) overlay

Support / Amend / Oppose: Oppose

#### **Submission:**

SUB- Subdivision of a site within a natural character, coastal environment, outstanding natural

S14 feature (ONF) or outstanding natural landscape (ONL) overlay

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S14 feature (ONF) or outstanding natural landscape (ONL) overlay

Relief sought

We could not submit through the checklists in Kaipara Council system as our block would not come up in addresses. It does in the plan map but not in the address map the web site leads to so this submission has been created and attached.

We are the ownersRehutai Road, LOT 3 DP 425236 comprising 113.5 hectares with approximately 1.1 km of riparian beach front.Our block bridges Rehutai Rd to Mahuta Rd to the South. We have a full legal road width entry on both sides (unformed south).

The existing HNCA and ONCA effect our block over a significant area which we have not opposed but the proposed new coastal environment zone (CE)significantly covers our block for hundreds of meters back bck from the coast (over a kilometer to the North side) covering areas for vast areas not visible from the coastwith the visual areas functionally covered by the existing 2 zones.

We oppose in full and in part many aspects of this proposed Coastal Environment Zone based on these objections and reasons

Oppose in part

CE-01, CE-01 & CE-P1

This has been covered by the HNCA and ONCA zones and this should have been covered previously.

As landowners we have had the coast fenced of where it was previously open when we purchased and we have stopped the previous very poor practice of farmers dumping rubbish at the coastal front. The coastal front of our block is constantly under attack from motor vehicles and it can seem a bit rich for council proposing they need to protect the coast from owners of private land when they are the ones allowing coastal degradation by allowing unrestricted vehicle access and minimal policing.

The council should first be managing adverse coastal effects on the coast before putting so much added cost and restriction on private land owners beyond what already exists . It does seem a bit hypocritical. To own a block like ours is to respect nature and the coast! It is not just a job we are paid to do. Oppose in part CE-P2 & CE-P3 The existing coastal settlements are limited and do not account for what people may want (bigger lifestyle oppourtunites). We have spoken to many people who would love to have a piece of land on the coast (not just a suburban sized section). The proposed CE zone does not have much direction on sub division possibility other than it will probably cost more even though there are already controls in place. Our coastal block is low production land which would be bestsuited for human enjoyment with coastal respect rather than production land which it is not suited as . If council wants the vast area kept as some sort of coastal reserve as per CE-P3 then they should be buying the coastal blocks for parks! Oppose CE-P6 point 7. Who gets to determine whether there is a functional need for a building or activity (mostly building) to be in the coastal environment. The area that council has proposed covering our block in coastal environment means we could build without this resource consent requirement is a driveway, a swampy paddock or well over 1 kilometer from the coast where the waves can be barely heard. This is a private land holding and this provision suggests way to much opinion by a third party who could leave council at any time over a private land owners choices and reasonable desires. Oppose CE-R1 and R2 To go from permitted to restricted discretionary for the vast areas of CE without really showing how the word restricted is applied is not appropriate. For large block like ours with large CE cover with no houses or sheds this leaves a very unknown pathway with the council information clearly stating that a property owner can apply for resource consent themselves but the paperwork is onerous. Advise professional help, in other words money. Money that could be used on the land is instead used for paperwork even when a proposal is not connected to the visual coast. Oppose

CE-R3, CE-R4, CE-S4 and CE-S6

With a lot size used this does not consider size and position. Vast areas of our block in the CE zone is paddocks or more reasonably called Rural land. Treating the land away from the coast differently from all other rural land is not reasonable. All rural land has indigenous plants most with a far greater biodiversity than the west coast so why are these treated different? If there is a restriction it should be based on area not lots. The removal amount on ablock our size is tiny and ureasonbale.

Oppose

CE-S1

How can it possibly be reasonable to chop 1.5m of peoples building rights (height). The CE rural is just that rural land and it is grossly inappropriate and not unfair to say morally wrong to treat it any different than any other rural land building requirement. It should be 10m like all rural zone.

As an example of how inappropriate this is the block to our South above Maules Gorge could build a 10m dwelling in full view from the coast closer than large areas of our block yet we are restricted to 8.5m for vast areas away from the existingHNCA and ONCA zones mostly completely out of view from the coast. This is wrong.

Oppose in Part the

Coastal Environment Zone

This proposed zone encroaches excessively on private land use rights when it judges land purely based on how much sand it has and whether it has greener grass (all the coastal land has high sand content). The Ripiro Beach Coast line is quite straight and as such a coastal environment zone should also be straight if it is based on concern for excessive and inappropriate development. The plan talks about the effect of development as viewed from the coast so the only consideration should be this, view from coast. Any zone should be based on a fair and even line parallel to the coast with view from the coast being the only other consideration. Our block has hundreds of unseen meters of land covered in CE zone and this seems grossly inappropriate when the visual effect is not a consideration. This new zone is a great added cost to land owers such as us, unfairly restrictive when compared to other rural areas and does not appear to have been created in the planswithin its own guidelines. As an example planning a small manmade water retention pond just of our title has been mapped into the CE zone. It is man made just for the dairy farm its on. It is not a coastal or sand lake. That is poor assessment.

**Point 85.2** 

Section: SCHED7 - Coastal Environment Assessment Criteria

Provision:

SCHED7 - Coastal Environment Assessment Criteria

Support / Amend / Oppose: Oppose

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Oppose in part

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#### previously.

As landowners we have had the coast fenced of where it was previously open when we purchased and we have stopped the previous very poor practice of farmers dumping rubbish at the coastal front. The coastal front of our block is constantly under attack from motor vehicles and it can seem a bit rich for council proposing they need to protect the coast from owners of private land when they are the ones allowing coastal degradation by allowing unrestricted vehicle access and minimal policing.

The council should first be managing adverse coastal eects on the coast before putting so much added cost and restriction on private land owners beyond what already exists. It does seem a bit hypocritical.

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# Oppose in part

**CE-P2 & CE-P3** 

The existing coastal settlements are limited and do not account for what people may want (bigger lifestyle oppourtunites). We have spoken to many people who would love to have a piece of land on the coast (not just a suburban sized section). The proposed CE zone does not have much direction on sub division possibility other than it will probably cost more even though there are already controls in place. Our coastal block is low production land which would be best suited for human enjoyment with coastal respect rather than production land which it is not suited as . If council wants the vast area kept as some sort of coastal reserve as per CE-P3 then they should be buying the coastal blocks for parks!

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#### **Oppose**

CE-P6 point 7.

Who gets to determine whether there is a functional need for a building or activity (mostly building) to be in the coastal environment. The area that council has proposed covering our block in coastal environment means we could build without this resource consent requirement is a driveway, a swampy paddock or well over 1 kilometer from the coast where the waves can be barely heard. This is a private land holding and this provision suggests way to much opinion by a third party who could leave council at any time over a private land owners choices and reasonable desires.

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# **Oppose**

CE-R1 and R2

To go from permitted to restricted discretionary for the vast areas of CE without really showing how the word restricted is applied is not appropriate. For large block like ours with large CE cover with no houses or sheds this leaves a very unknown pathway with the council information clearly stating that a property owner can apply for resource consent themselves but the paperwork is onerous. Advise professional help, in other words money. Money that could be used on the land is instead used for paperwork even when a proposal is not connected to the visual coast.

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# **Oppose**

CE-R3, CE-R4, CE-S4 and CE-S6

With a lot size used this does not consider size and position. Vast areas of our block in the CE zone is paddocks or more reasonably called Rural land. Treating the land away from the coast dierently from all other rural land is not reasonable. All rural land has indigenous plants most with a far greater biodiversity than the west coast so why are these treated dierent? If there is a restriction it should be based on area not lots. The removal amount on a block our size is tiny and ureasonbale.

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#### Oppose

CE-S1

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#### Relief sought

The system would not allow entry based on the lot for our block so have had to use this section

**Point 85.3** 

Section: Coastal Environment

Provision:

CE - Coastal Environment

Support / Amend / Oppose: Oppose

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Oppose in part

CE-01, CE-01 & CE-P1

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the coastal front. The coastal front of our block is constantly under attack from motor vehicles and it can seem a bit rich for council proposing they need to protect the coast from owners of private land when they are the ones allowing coastal degradation by allowing unrestricted vehicle access and minimal policing.

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# Oppose in part

CE-P2 & CE-P3

The existing coastal settlements are limited and do not account for what people may want (bigger lifestyle oppourtunites). We have spoken to many people who would love to have a piece of land on the coast (not just a suburban sized section). The proposed CE zone does not have much direction on sub division possibility other than it will probably cost more even though there are already controls in place. Our coastal block is low production land which would be best suited for human enjoyment with coastal respect rather than production land which it is not suited as . If council wants the vast area kept as some sort of coastal reserve as per CE-P3 then they should be buying the coastal blocks for parks!

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### Oppose

CE-P6 point 7.

Who gets to determine whether there is a functional need for a building or activity (mostly building) to be in the coastal environment. The area that council has proposed covering our block in coastal environment means we could build without this resource consent requirement is a driveway, a swampy paddock or well over 1 kilometer from the coast where the waves can be barely heard. This is a private land holding and this provision suggests way to much opinion by a third party who could leave council at any time over a private land owners choices and reasonable desires.

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Oppose in part

CE-P2 & CE-P3

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# Oppose

#### CE-S1

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