



**Proposed Kaipara District Plan:
Form 6 - Further Submission**
Clause 7 of Schedule 1, Resource Management Act 1991

**If you require any assistance with completing this form,
please contact the District Planning Team:**

Phone: 0800 727 059

or

By Email: districtplanreview@kaipara.govt.nz

Privacy Act Note

All information provided in your further submission is considered public under the Local Government Official Information and Meetings Act 1987 and may be published to progress the process for the private plan change and may be made publicly available.

1. Further Submitter Details <i>(mandatory information)</i>			
Full Name of individual or organisation making further submission:	Kauri Point Farm Trust		
Contact Person <i>(if different from above)</i>	Gareth Blackmore		
Email address:	garethblackmore@me.com		
Preferred method of contact: <i>(select one)</i>	Email:	☒	
	Post	☐	
Submitter contact phone number:	021809223		
Do you have an Agent acting on your behalf?	Yes	☐	
	No	☒	
Agent name and email address:			
Who is all correspondence to go to?:	Submitter only ☒	Agent only ☐	Both ☒
2. Request to be heard at hearings			
☒ Yes, I wish to be heard at the hearing in support of my further submission			
☐ No, I do not wish to be heard at the hearing in support of my further submission			
If others make a similar submission, I will consider presenting a joint case with them at the hearing	Yes	☒	
	No	☐	
3. Eligibility to make a further submission <i>(for further information on this go to RMA Schedule 1, Clause 8)</i>			
I am (select ONE of the following options:			
☐ A person representing a relevant aspect of public interest.			
☒ A person who has an interest in the proposal greater than the interest that the general public has.			
☐ The local authority.			
4. My reasons for selecting the category ticked above are:			
<i>(For example: Any person representing a relevant aspect of the public interest would likely include public interest environmental groups.</i> OR <i>Any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has is likely to include owners of land and users of resources directly affected by plan provisions. It is also likely to include iwi and hapu where their interests are directly affected.)</i>			
Owners of land			

5. Further Submission/s for submission/s notified on the Proposed Kaipara District Plan:

Submission Point Number:	Submitter Name	Support OR Oppose	Reasons for supporting or opposing
<i>Example</i> 123.45	<i>Example</i> John Smith	<i>Example</i> Support	<i>Example</i> I support this because....
SEE ATTACHED DOCUMENTATION			

YOU ARE WELCOME TO PROVIDE THE REQUIRED INFORMATION ABOVE OR EXTRA INFORMATION ON A SEPARATE PAGE IF YOU WANT TO

Please return this further submission form and any attachments by:

Post to: Kaipara District Council, Private Bag 1001, Dargaville 0340

OR

Email: districtplanreview@kaipara.govt.nz

OR

Hand-deliver this further submission to:

Kaipara District Council, 32 Hokianga Road, Dargaville or

Kaipara District Council, 6 Molesworth Drive, Mangawhai

IMPORTANT!

You must serve a copy of your further submission on the original submitter **within five (5) working days after it is served** on Kaipara District Council. You will find the submitter's contact address on their submission.

KAURI POINT FARM TRUST

26 August 2026

Mr Mark Farnsworth MNZM
Chair
Independent Hearings Panel
Proposed Kaipara District Plan
c/- Kaipara District Council

Dear Commissioner Farnsworth and Members of the Independent Hearings Panel

Request for waiver and acceptance of late submission – Atlas Quarries Ltd and Hukatere Quarries Ltd, Submission 152

I write to respectfully request that the Independent Hearings Panel accept the attached late submission concerning the relief sought by Atlas Quarries Ltd and Hukatere Quarries Ltd under Submission 152, particularly the proposed 500 metre quarry buffer surrounding the Hukatere Quarry and the restrictions proposed for sensitive activities within that buffer.

We are the owners of **Lots 25, 26 and 6 Te Wairoa Lane, and Lots 31 and 32 Flounder Road, Tinopai**, all of which are directly affected by the proposed buffer.

Kauri Point Farm Park is a rural, gated subdivision located adjacent to Atlas Quarries' operations. The proposed buffer zone will directly affect our community and property interests.

We were only made aware of this proposal after another lot owner, **Luke Canton of 141 Te Wairoa Lane, received a letter dated 6 August**. Through correspondence with Luke, I became aware of the current situation and the potential impact of the proposal.

To the best of my knowledge, and based on conversations with other lot owners, Luke is currently the only owner who has received this notification. Furthermore, although the letter was dated **6 August**, it was not delivered to his mailbox until the **afternoon of 20 August**. This has significantly limited the opportunity for affected property owners to become aware of the proposal and provide feedback within the submission period.

Given that this proposal could have a direct and significant impact on Kauri Point Farm Park and its residents, we respectfully request that this late submission be accepted and that affected lot owners are given a fair opportunity to consider the proposal and make submissions.

We strongly oppose the proposal and do not support it proceeding in its current form. We believe that all directly affected property owners should be properly notified and given sufficient time to understand the potential impacts and have their views considered as part of the decision-making process.

986 Tinopai Road, Tinopai 0593

Until receiving that correspondence, we were not aware that Atlas was seeking provisions which could materially affect the ability to establish a dwelling on our existing property.

We have acted promptly following being told of this proposal. After considering the implications of the proposal over the following days, we are lodging this request and the attached submission on **26 August 2026**.

Reason for requesting the waiver

The relief sought by Atlas has the potential to have a significant and direct effect on existing properties surrounding the Hukatere Quarry.

Our concern is not with the continued operation of the quarry. We recognise that the quarry is an established activity and that reasonable planning provisions may be necessary to manage reverse sensitivity.

Our concern is that the proposed blanket 500 metre buffer appears to encompass existing lifestyle and residential properties, including properties accessed from **Te Wairoa Lane, Flounder Road and Oyster Lane**, and could materially restrict the ability of owners of those existing titles to construct a dwelling without incurring substantial extra costs.

In our case, we have an existing resource consent allowing for the creation of a further three titles, currently held under one balance lot. We simply wish to preserve our reasonable ability to construct dwellings on our existing titles, as well as on the three additional titles once they receive their Section 224(c) certification.

The proposed buffer zone could directly affect these existing development rights, despite them having already been approved under our current resource consent. (**Resource consent number RM200261**).

This is a significant issue for an affected landowner. Had we been aware during the original submission or further submission periods that this specific relief was being sought and that our property would be affected, we would have made a submission at that time.

Sections 37 and 37A Resource Management Act

We respectfully request that the Panel exercise the available power under sections 37 and 37A of the Resource Management Act to waive the failure to comply with the submission timeframe and accept the attached submission.

We consider acceptance appropriate because:

- we are directly affected by the relief sought;
- the delay was not deliberate and arose because we were unaware that this specific buffer and activity restriction was being sought over our property;
- we have acted promptly once directly notified of the proposal;

- the matters raised are directly relevant to relief already before the Panel through Submission 152;
- accepting the submission would assist the Panel in understanding the consequences of the proposed buffer for existing landowners;
- our submission does not seek to introduce an unrelated new planning issue;
- our submission is focused on achieving an appropriate balance between protection of an established quarry and the reasonable use of existing surrounding properties; and
- we do not consider that acceptance of the submission at this stage would cause unreasonable delay to the Proposed District Plan process.

We recognise that the Panel must also consider the interests of Atlas Quarries and any other potentially affected party. We have no objection to Atlas being provided with a copy of our submission and being given a reasonable opportunity to respond to the matters we raise.

Request

We therefore respectfully ask that:

1. the failure to lodge the attached submission within the prescribed submission period be waived;
2. the attached submission be accepted as a late submission on Atlas Quarries Ltd and Hukatere Quarries Ltd Submission 152;
3. the matters raised in our submission be considered as part of the relevant hearing concerning the proposed Hukatere Quarry buffer; and
4. we be given the opportunity to be heard by the Independent Hearings Panel in support of our submission.

Thank you for considering this request.

Yours faithfully,

Gareth Blackmore

Kauri Point Farm Trust

Owner – Lots 25, 26 and 6 Te Wairoa Lane, and Lots 31 and 32 Flounder Road, Tinopai

garethblackmore@me.com

021 809 223

Attachment: Late Submission – Atlas Quarries Ltd and Hukatere Quarries Ltd, Submission 152

PROPOSED KAIPARA DISTRICT PLAN

Late Submission concerning Atlas Quarries Ltd and Hukatere Quarries Ltd – Submission 152

Submitter: Gareth Blackmore / Kauri Point Farm Trust

Properties: Lots 25, 26 and 6 Te Wairoa Lane, and Lots 31 and 32 Flounder Road, Tinopai

Submission addressed: Atlas Quarries Ltd and Hukatere Quarries Ltd – Submission 152

Relevant submission points: Including Submission Points 152.2 and 152.5, and any associated relief relating to the proposed Hukatere Quarry buffer and restrictions on sensitive activities within that buffer.

Position

I oppose the proposed 500-metre quarry buffer in its current form.

I do not oppose the continued lawful operation of the Hukatere Quarry, nor do I oppose appropriate and proportionate measures to manage genuine reverse sensitivity effects.

However, I oppose a planning framework that would impose a blanket 500-metre buffer over existing neighbouring properties and materially restrict their current and future reasonable use, development and subdivision.

The proposed buffer directly affects five existing titles owned by us:

- Lot 25 Te Wairoa Lane;
- Lot 26 Te Wairoa Lane;
- Lot 6 Te Wairoa Lane;
- Lot 31 Flounder Road; and
- Lot 32 Flounder Road.

In addition, Lot 6 is subject to an existing resource consent that provides for the creation of a further three titles.

The proposed buffer, if adopted in its current form, could materially restrict our ability to construct dwellings on our existing titles, implement our existing subdivision consent, and reasonably develop or further subdivide our land in the future.

We therefore oppose the proposal in its current form.

Background

Our properties are located within, or are directly affected by, the proposed 500-metre buffer sought by Atlas Quarries Ltd and Hukatere Quarries Ltd.

We currently own five legally established titles. These titles represent existing property rights and were not created in response to, or as part of, any future residential encroachment proposed after the introduction of this buffer.

Lot 6 also has the benefit of an existing resource consent allowing for the creation of a further three titles. We have made decisions regarding the ownership, use and future development of this land on the basis of existing planning provisions and approved resource consents.

We seek to retain a reasonable and practicable ability to:

- construct dwellings on our existing titles;
- give effect to our existing resource consent for the further subdivision of Lot 6;
- construct dwellings on titles created under that consent; and
- retain the ability to consider reasonable future subdivision or development opportunities, subject to the planning framework and resource consent requirements applying at the relevant time.

The proposed buffer should not unnecessarily sterilise land or remove reasonable development opportunities without clear evidence that such restrictions are necessary and proportionate to the actual effects of quarry operations.

Reasons for Opposition

1. The proposal could sterilise existing property rights and approved development

The proposed buffer would not only affect hypothetical future development. It directly affects existing legally established titles and land that already benefits from an approved resource consent for further subdivision.

Lot 6 has an existing resource consent for the creation of three additional titles. The proposed buffer could undermine or materially restrict our ability to implement that consent and establish dwellings on those titles.

It would be unreasonable for a new planning restriction to effectively remove or significantly diminish the practical benefit of existing property rights and approved development without clear justification.

At a minimum, the Proposed District Plan should recognise and protect existing titles and approved subdivision rights.

2. Existing and consented development should not be treated the same as future intensification

There is an important distinction between:

- land that already exists as separate legal titles;
- subdivision that has already received resource consent;
- reasonable future development of existing land; and

- new or intensive residential development proposed in close proximity to quarry activities.

The proposed provisions appear capable of applying the same broad restriction regardless of these differences.

A planning framework designed to manage reverse sensitivity should not unnecessarily prevent existing landowners from making reasonable use of land they already own or implementing development that has already been approved.

Existing titles and consented subdivision should therefore be specifically recognised and protected.

3. A blanket 500-metre buffer is not sufficiently responsive to actual effects

A fixed 500-metre buffer treats all properties and all potential development within that area as presenting the same level of risk.

This does not take account of important site-specific factors, including:

- the actual location of quarry activities;
- the direction in which quarry operations may occur;
- topography and natural landforms;
- vegetation and existing screening;
- the location of potential building platforms;
- separation between a dwelling and the active quarry face or operational areas;
- noise and vibration levels at a particular location;
- dust effects;
- traffic routes;
- dwelling orientation and design; and
- available mitigation measures.

A property should not automatically lose reasonable development rights simply because it falls within an arbitrary distance measured from the quarry.

Any restrictions should be based on demonstrated effects and actual reverse sensitivity risks, rather than a blanket prohibition.

4. The proposal may have significant and inequitable effects on landowners

The proposed buffer could substantially reduce the practical use, development potential and value of existing properties.

For our properties, the consequences may extend beyond simply delaying development. The proposed rules could restrict our ability to build homes on existing titles, implement an existing subdivision consent and make reasonable decisions about the future use of our land.

These are significant consequences for neighbouring landowners.

Such restrictions should only be imposed where they are clearly necessary, supported by evidence and proportionate to the actual effects being managed.

The burden of protecting the quarry from reverse sensitivity should not disproportionately fall on neighbouring landowners through the effective sterilisation of their land.

5. The quarry and surrounding rural lifestyle properties have existed alongside each other

The affected properties are not simply new residential development encroaching on previously isolated quarry land.

There are already established rural and lifestyle properties in the Te Wairoa Lane, Flounder Road and Oyster Lane area.

The planning framework should recognise the existing character and pattern of development in the surrounding area.

A new 500-metre buffer should not retrospectively impose restrictions that fundamentally alter the reasonable expectations and use of existing neighbouring properties.

6. Reverse sensitivity can be managed without preventing reasonable development

There are less restrictive methods available to manage genuine reverse sensitivity effects.

Depending on the circumstances of an individual site, these may include:

- appropriate separation distances from active quarry operations;
- identification of suitable building locations;
- acoustic assessment;
- acoustic insulation and building design;
- orientation of dwellings and outdoor living areas;
- landscaping and screening;
- dust mitigation;
- site-specific consent conditions; and
- reverse sensitivity notices, covenants or other appropriate mechanisms.

These measures would allow the actual effects of a proposed dwelling or development to be considered on its merits.

A blanket rule that potentially prevents development across all affected land is unnecessarily restrictive.

7. The proposed buffer could unreasonably restrict future subdivision and development

While we have an existing resource consent for the further subdivision of Lot 6, the proposed provisions could also have wider consequences for the future use of our land.

We do not seek an unrestricted right to intensify or subdivide without appropriate planning assessment.

However, we oppose a rule that effectively predetermines that future subdivision or development within 500 metres of the quarry is unacceptable, regardless of the circumstances or the ability to manage actual effects.

Any future proposal should be assessed against the planning framework applicable at that time and on its individual merits.

The proposed buffer should not operate as a blanket sterilisation of land or permanently remove all reasonable future development opportunities.

Relief Sought

Primary Relief

I request that Submission 152 and the proposed 500-metre Hukatere Quarry buffer be **rejected in its current form**.

Alternatively, I request that the proposed provisions and mapping be amended so that they do not prevent or materially restrict:

1. the establishment of a dwelling on each existing legally established title;
2. the implementation of existing resource consents, including the approved subdivision of Lot 6 into three additional titles;
3. the establishment of dwellings on titles lawfully created under existing resource consents; and
4. reasonable future subdivision and development opportunities, subject to appropriate assessment of actual environmental and reverse sensitivity effects.

Alternative Relief

If the Panel considers that a quarry buffer is appropriate, I request that the buffer provisions be amended to provide a more proportionate and effects-based approach.

In particular, existing titles and titles created under existing resource consents should not be subject to a blanket prohibition or non-complying activity status solely because they fall within 500 metres of the quarry.

Where resource consent is required, development should be assessed on a site-specific basis, taking into account:

- the location and nature of quarry operations;
- separation from active quarry activities;
- topography;
- noise;
- vibration;
- dust;
- traffic;
- dwelling location and orientation;
- building design;
- acoustic treatment;
- landscaping and screening; and
- other reasonable mitigation measures.

Further or Consequential Relief

I seek any further, alternative or consequential amendments to the objectives, policies, rules, definitions, activity status, assessment matters or planning maps necessary to ensure that the proposed quarry buffer does not unnecessarily sterilise existing properties, undermine existing resource consents or unreasonably restrict future development opportunities.

Decision Sought

I ask the Independent Hearings Panel to recommend a planning framework that:

1. protects the continued lawful operation of the Hukatere Quarry from genuine and unreasonable reverse sensitivity effects;
2. does not impose a blanket 500-metre restriction that is broader than necessary to manage actual effects;
3. recognises and protects existing legally established titles;
4. preserves the ability to implement existing resource consents, including the approved further subdivision of Lot 6;
5. preserves the reasonable ability to establish dwellings on existing and consented titles;
6. does not unnecessarily sterilise neighbouring land from reasonable future subdivision or development;
7. distinguishes between existing and consented development and genuinely new or intensive residential encroachment; and

8. adopts an evidence-based, proportionate and site-specific approach to managing reverse sensitivity effects.

Hearing

I wish to be heard in support of this submission.

I am not a trade competitor of Atlas Quarries Ltd or Hukatere Quarries Ltd.

Signed: _____

Gareth Blackmore / Kauri Point Farm Trust

Date: 26/08/2026