

Further Submission on the Proposed Kaipara District Plan by Kāinga Ora – Homes and Communities

Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Planning and Policy Team, Kaipara District Council
districtplanreview@kaipara.govt.nz

Name of Further Submitter: Kāinga Ora – Homes and Communities

1. **Kāinga Ora – Homes and Communities (“Kāinga Ora”)** makes this further submission on the **Proposed Kaipara District Plan (“PDP”)** in support of / in opposition to original submissions on the **PDP**.
2. Kāinga Ora has an interest in the PDP that is greater than the interest the general public has, being an original submitter on the PDP, with respect to its interests as the Crown entity responsible for the provision of public housing, and its housing portfolio in the Kaipara district.
3. Kāinga Ora makes this further submission in respect of submissions by third parties on the PDP.

Reasons for further submission

4. The submissions that Kāinga Ora supports or opposes are set out in the table attached as **Appendix A** to this further submission.
5. The reasons for this further submission are:
 - (a) The reasons set out in the Kāinga Ora primary submission on the PDP.
 - (b) In the case of the Primary Submissions that are opposed:
 - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”);

- (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
 - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - (iv) The Primary Submissions are inconsistent with the policy intent of the Kāinga Ora Primary Submission.
- (c) In the case of Primary Submissions that are supported:
- (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - (ii) The reasons set out in the Primary Submissions; and
 - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
6. Without limiting the generality of the above, the specific relief in respect of each Primary Submission that is supported or opposed is set out in **Appendix A**.
7. Kāinga Ora wishes to be heard in support of its further submission.
8. If others make a similar submission, Kāinga Ora will consider presenting a joint case with them at a hearing.

DATED 15 December 2025

Kāinga Ora – Homes and Communities



Brendon Liggett

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Appendix A – Further Submission Table

Submission Point No.	Submitter	Plan Section	Position	Summary of Decision Requested	Reasons	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
FS61.1	Graeme Wrack	General Residential Zone	Amend	ADD stronger design controls to GRZ-R12 to ensure high-quality outcomes multi-housing developments, including: <ul style="list-style-type: none"> Minimum architectural design standards that reflect the character of the beachside and rural environments. This could be achieved by mandating that all multi-unit developments are designed by a Registered Architect. Privacy protections between dwellings through appropriate setback, screening and window placement. A design review is carried out by a Kaipara District registered Architect as part of the Resource Consent application. 	<ul style="list-style-type: none"> Submitter supports multi-unit developments as necessary and inevitable, giving greater affordability and housing options, contributing to the district's economic and social resilience. Submitter supports strong design controls to avoid pitfalls with these types of developments. 	Oppose	Kāinga Ora believes that the existing rule and referenced matters of discretion (subject to the amendments sought in the Kāinga Ora submission) are sufficient in ensuring quality outcomes. The additional controls sought by the submitter are considered to contribute to an unnecessarily onerous and costly consenting process.	Disallow
FS61.2	Graeme Wrack	General Residential Zone	Amend	AMEND provisions to mandate the use of permeable paving for driveways and shared surfaces to reduce stormwater runoff and support sustainable land management.	<ul style="list-style-type: none"> Submitter supports multi-unit developments as necessary and inevitable, giving greater affordability and housing options, contributing to the district's economic and social resilience. Submitter supports strong design controls to avoid pitfalls with these types of developments. 	Oppose	Kāinga Ora considers that landowners / developers should have flexibility in choosing how they meet the impermeable surfaces requirement on-site without mandating the use of a single solution.	Disallow
FS61.3	Graeme Wrack	General Residential Zone	Amend	AMEND provisions to require dedicated storage areas for bicycles, beach equipment, and gardening tools to support liveability in compact housing formats.	<ul style="list-style-type: none"> Submitter supports multi-unit developments as necessary and inevitable, giving greater affordability and housing options, contributing to the district's economic and social resilience. Submitter supports strong design controls to avoid pitfalls with these types of developments. 	Oppose	Kāinga Ora considers that landowners / developers should have flexibility in choosing how they accommodate storage on-site.	Disallow
FS61.4	Graeme Wrack	General Residential Zone	Amend	AMEND provisions to restrict multi-unit housing developments to walkable catchments around existing town centres and amenities to reduce car dependency and enhance community connectivity. I.e. Limit the areas suitable for Multi-Unit housing on the planning to within a 10-15 minute walk of a Settlement/Town Centre.	<ul style="list-style-type: none"> Submitter supports multi-unit developments as necessary and inevitable, giving greater affordability and housing options, contributing to the district's economic and social resilience. Submitter supports strong design controls to avoid pitfalls with these types of developments. 	Oppose in part	Whilst Kāinga Ora supports higher density living within walkable catchments around existing town centres, the multi-unit housing provisions are not considered to provide for a density that should only be applicable to walkable catchments.	Disallow in part
FS61.5	Graeme Wrack	General Residential Zone	Amend	AMEND the district plan to prioritise "density done well" (best practice) ensuring that intensification contributes positively to the character, function, and sustainability of Kaipara's Settlements.	<ul style="list-style-type: none"> Submitter supports multi-unit developments as necessary and inevitable, giving greater affordability and housing options, contributing to the district's economic and social resilience. Submitter supports strong design controls to avoid pitfalls with these types of developments. 	Oppose in part	Kāinga Ora supports density done well, however the submission is considered ambiguous. Kāinga Ora is concerned that the proposed development standards of the submitter are too onerous and would increase consenting barriers and cost.	Disallow in part
FS61.6	Cabra Mangawhai Ltd & Pro Land Matters Ltd	Definitions	Oppose	AMEND the definition of "Soft Landscaping" to remove reference to fences and paths, and ADD a definition for "Hard Landscaping" which refers to fences and paths.	<ul style="list-style-type: none"> The definition is confusing. There is no definition for "Hard Landscaping" and this needs to relate to the definition of landscaping. If there is a definition for "Soft Landscaping" there needs to be a definition for "Hard Landscaping". 	Support	Kāinga Ora considers that the amendments sought are helpful for clarification purposes.	Allow

FS61.7	217.33	Cato Bolam Consultants Limited	Financial Contributions	Oppose	<p>AMEND FC-P3 to make use of development contributions only. AND Any other relief that is consistent with and/or consequential to the submission.</p>	<ul style="list-style-type: none"> The submitter has opposed this policy in part, and requested the above relief for the following reasons: <ul style="list-style-type: none"> It is not clear that developers shall not be double charged for overlapping off-site network works already covered under development contributions, by specifying a credit mechanism or threshold in the financial contributions framework to limit risking objections under s108AA of the Resource Management Act. Financial contributions charged are not ringfenced to be spent in the area where it has been generated from. Financial contributions create uncertainty for developers. 	Support	Kāinga Ora supports this submission point and seeks confirmation that there is no 'double dipping' of contributions for the same infrastructure and services.	Allow
FS61.8	217.34	Cato Bolam Consultants Limited	Financial Contributions	Oppose	<p>AMEND FC-P8 to make use of development contributions only.</p>	<ul style="list-style-type: none"> The submitter has opposed this policy in part, and requested the above relief for the following reasons: <ul style="list-style-type: none"> It is not clear that developers shall not be double charged for overlapping off-site network works already covered under development contributions, by specifying a credit mechanism or threshold in the financial contributions framework to limit risking objections under s108AA of the Resource Management Act. Financial contributions charged are not ringfenced to be spent in the area where it has been generated from. Financial contributions create uncertainty for developers. 	Support	Kāinga Ora supports this submission point and seeks confirmation that there is no 'double dipping' of contributions for the same infrastructure and services.	Allow
FS61.9	217.54	Cato Bolam Consultants Limited	Subdivision	Support	<p>AMEND SUB-P1.4. as follows: Encourage provision of Provide efficient multi-modal transport connections in urban areas; AND AMEND SUB-P1.5 to make "efficient" use of infrastructure clearer. Taking into consideration the drafting of the rules. AND Any other relief that is consistent with and/or consequential to the submission.</p>	<ul style="list-style-type: none"> The submitter has sought this relief without limiting the scope of the submission on the details in other Proposed District Plan chapters or maps. SUB-P1.4 requirements may be unclear or too limiting depending on how the rules are drafted. SUB-P1.5 the term 'efficient' use of infrastructure may be unclear depending on how the rules are drafted. 	Support	<p>Kāinga Ora supports the amendments sought by the submitter as the notified provisions are ambiguous.</p> <p>Kāinga Ora also notes that providing efficient multi-modal connections is dependent on more than what occurs on-site and should not be the sole responsibility of the landowners / developers.</p>	Allow
FS61.10	222.16	Kaipara District Council	General	Amend	<p>AMEND all zones and chapters to replace the Kaipara District Council Engineering Standards 2011 with an updated set of standards OR ADD engineering standards within the Proposed District Plan AND Review all zones and chapters that reference the Kaipara District Council Engineering Standards 2011 and amend to reflect any decision made by Council on alternative engineering standards.</p>	<ul style="list-style-type: none"> The Kaipara District Council Engineering Standards 2011 are outdated. These are proposed to be replaced by an updated document that better reflects current standards. 	Oppose	<p>The submission is unclear as to the standards that would be applied in the district plan. As such, submitters are unable to test the implications of those potential standards on the cost and feasibility implications for development.</p> <p>Kāinga Ora is concerned that there is insufficient information in the submission for a cost-benefit analysis to be undertaken.</p>	Disallow

FS61.11	222.40	Kaipara District Council	Financial Contributions	Amend	AMEND the Financial Contributions calculation formulae and justifications; AND Consider adding Financial Contributions for permitted activities as provided for in the Act.	<ul style="list-style-type: none"> Legislation amendments provide for financial contributions on permitted activities. Currently the proposed plan does not include any specific permitted activities and further work would need to be undertaken before including provisions. 	Oppose	The submission is unclear as to the standards that would be applied in the district plan. As such, submitters are unable to test the implications of those potential standards on the cost and feasibility implications for development. Kāinga Ora is concerned that there is insufficient information in the submission for a cost-benefit analysis to be undertaken.	Disallow
FS61.12	222.41	Kaipara District Council	Subdivision	Amend	ADD a point to the matters of control/discretion for all relevant subdivision rules as follows: <u>XX Financial contributions in accordance with the Financial Contributions chapter.</u>	<ul style="list-style-type: none"> As notified, the subdivision rules are not clear that financial contributions are a consideration in every case. 	Support in part	Kāinga Ora supports this submission point to the degree that it provides clarity for plan users.	Allow in part
FS61.13	222.50	Kaipara District Council	Definitions	Amend	DELETE the definition for "Impermeable Surfaces" and instead rationalise the definition with the definition of "Impervious surfaces". AND Review all provisions to identify where "Impermeable Surfaces" is used and replace with "Impervious Surfaces".	<ul style="list-style-type: none"> There are two definitions (Impervious surfaces and Impermeable surfaces) and only one is required. They are both used in different sections of the plan. 	Support	Kāinga Ora supports this to avoid duplication and confusion.	Allow
FS61.14	222.52	Kaipara District Council	Subdivision	Amend	AMEND subdivision rules and standards to include overland flow paths.	<ul style="list-style-type: none"> There is no mention in the Subdivision chapter in either rules or matters of control or discretion for consideration of overland flow paths. 	Support in part	Kāinga Ora supports the management of overland flowpaths and associated risks. Kāinga Ora is unclear on what the specific amendments are that the submission proposes and considers that further specific confirmation would be required for a cost-benefit analysis to be undertaken.	Allow in part
FS61.15	222.58	Kaipara District Council	Transport	Amend	DELETE Rule TRAN-R4.1.c.	<ul style="list-style-type: none"> This is a double up with TRAN-R4.1.b. 	Support	Kāinga Ora supports this to avoid duplication and confusion.	Allow
FS61.16	260.31	The Rise Limited	Definitions	Amend	ADD a definition for "Multi-unit Development" as follows: <u>means development of three or more principle residential units on a site.</u> AND Any further necessary consequential amendments required to achieve the relief sought.	<ul style="list-style-type: none"> No definition is provided for 'Multi-unit Development' and groups minor residential units as subsets of a residential unit. The submitter requests a definition is added to avoid interpretation difficulties and aid cross-referencing to Precinct rules. 	Support	Kāinga Ora supports this amendment in clarifying what multi-unit development means. It however notes a misspelling - Should be "principal" instead of "principle".	Allow
FS61.17	292.19	Transpower New Zealand Limited	Definitions	Amend	ADD a new definition for "Reverse sensitivity" as follows: <u>means the potential for the operation of an existing, permitted, lawfully established or approved activity to be compromised, constrained, or curtailed by establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing, permitted, lawfully established or approved activity.</u> AND Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.	<ul style="list-style-type: none"> To provide clarity for plan users. 	Oppose	Kāinga Ora seeks deletion of "alteration" and "perceived" from the definition.	Disallow

FS61.18	315.20	Horizon Surveying & Land Development	General	Amend	<p>ADD zones or precinct overlays to recognise diversity of residential environments within the district from larger urban centres such as Mangawhai and Dargaville to smaller coastal settlements such as Pahi and Whakapirau. For example, add the Medium density residential zone back into the PDP as per the Exposure Draft District Plan to support appropriate intensification in areas such as Mangawhai Village.</p>	<ul style="list-style-type: none"> The application of a single General residential zone across all residential areas fails to reflect the diversity of residential environments within the district and a 'one-size fits all' approach is not appropriate. 	Support in part	Kāinga Ora supports the introduction of a Medium Density Zone, but would not support any lower density residential zones than that proposed within the PDP.	Allow in part
FS61.19	330.72	New Zealand Transport Agency	Subdivision	Support	<p>RETAIN SUB-O2. AND AMEND SUB-O2 as follows: Subdivision in urban zones: 1. Responds sympathetically to the context and characteristics of the site; 2. Creates allotments that can accommodate anticipated land use activities; 3. Consolidates urban development; X. For large subdivisions utilises <u>structure planning to achieve land use and infrastructure integration and coordinated delivery</u>; 4. Promotes the health, safety and wellbeing of communities; ... AND Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.</p>	<ul style="list-style-type: none"> Objective is supported particularly point 3 to 'consolidate urban development' within urban zones. Supports urban development and subdivision occurring within locations identified for growth, and in particular where those growth areas have progressed through a structure plan, master plan or similar process. These processes achieve integration between land use and infrastructure (particularly State Highways), to coordinate timing and form of infrastructure upgrades, and to achieve good urban design outcomes. The extent of General Residential Zone areas proposed are currently well in excess of projected demand over the ten year 'life' of the district plan and will not promote consolidated urban development. The use of structure planning will provide a means to achieve the coordinated delivery of infrastructure and integration between land use and infrastructure. 	Oppose in part	Kāinga Ora seeks further clarity in terms of what a 'large subdivision' would be considered in this instance. Kāinga Ora questions how structure planning would apply to consent applications.	Disallow in part
FS61.20	330.73	New Zealand Transport Agency	Subdivision	Support	<p>RETAIN SUB-O4. AND AMEND SUB-O4 as follows: Subdivision is integrated with infrastructure services in an efficient, effective and coordinated manner through use of <u>structure planning to achieve land use and infrastructure integration</u>. AND Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.</p>	<ul style="list-style-type: none"> Objective is supported. Formulation of a structure plan, master plan or similar process provides a means to achieve integration between land use and infrastructure (particularly State Highways). Enables coordination of timing and the form of infrastructure upgrades, and to achieve good urban design outcomes. Particularly important given the context of the substantial over-supply of 'live' zoned General Residential Zone land proposed. 	Oppose in part	Kāinga Ora seeks further clarity in terms of what scale of development would be considered in this instance. Kāinga Ora questions how structure planning would apply to consent applications.	Disallow in part

FS61.20

330.91	New Zealand Transport Agency	Noise	Support	<p>AMEND NOISE-R13. AND AMEND NOISE-R13 as follows:</p> <p>NOISE-R13 - Noise <u>sensitive activities in proximity to</u> from State Highways and Rail Corridor (new buildings)</p> <p>...</p> <p>2. a. ii. is located so the nearest exterior façade of that part of the building is at least 25m50m from the formed carriageway of the State Highway and 25m50m from the formed railway track, and there is a solid building, fence, wall or landform that blocks the line of sight from windows and doors to...</p> <p>...</p> <p>4. Matters over which discretion is restricted:</p> <p>a. Adverse effects on health and amenity of people indoors due to the non-compliance with <u>the performance standard within the Noise Control Boundary overlay;</u></p> <p>b. Alternative options for building design or location that would achieve compliance with the standards in NOISE-S15 Table 1;</p> <p>c. Adverse effects on the continuing operation of the State Highway network, or railway corridor as a result of non-compliance with the standards;</p> <p>d. Any natural or built features of the site or surrounding area that will mitigate noise effects; and</p> <p>e. The outcome of any consultation undertaken with NZTA or KiwiRail.</p> <p>AND</p> <p>Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.</p>	<ul style="list-style-type: none"> • Supports the rule in part with several amendments sought to enhance the efficiency and effectiveness: • The rule heading is misleading and requires amendment to focus on 'noise sensitive activities' near State Highway and rail corridors, and also erroneously focuses on 'new' buildings which is not the focus of the rule as it also includes 'additions' and 'changes in use'. • Clause 2.a.ii. of the rule has wrongly adapted a standard provision proposed by NZTA nationally and that has been generally accepted as the appropriate distance threshold for this compliance pathway, being a 50 metre distance and not 25 metres. The 50 metre distance for this compliance pathway is also the distance supported by the technical evidence available, see Attachment A. (refer to submission for attachment) • The statutory impact of clause 2.a. is constructed around the 'or' statements to provide several means of achieving compliance, being either the building being outside the distance threshold, or a report from a suitably qualified practitioner demonstrating compliance with standards is achieved. • Clauses 2.b., 2.c. and 3. of the rule are supported without amendment. • In respect of the matters of discretion, in 4.a., a minor amendment is sought to enhance clarity. • 4.b is irrelevant as if compliance with the standard is achieved then there is no resource consent. • 4.d is not relevant and should be deleted as these factors have already been accounted for within the performance standard, so in effect this is simply 're-litigating' the health based criteria relied on for formulating the standard. 	Oppose	Subject to the Kāinga Ora submission, Kāinga Ora does not support the proposed 'blanket approach' to the increase in setbacks or other the other changes proposed in this submission.	Disallow
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