

Proposed Kaipara District Plan

Summary of Submissions

This document contains a summary of decisions requested by persons making submissions on the Proposed Kaipara District Plan in accordance with clause 7 of Schedule 1 of the Resource Management Act. The summary of decisions requested for Light was notified on 21 October 2025 and those submissions are therefore not included in this document.

Important Notes

- Where submissions are unclear, the summary of decisions requested contain the word *inferred*.
- This summary is **not a substitute** for reading the full submission. If you think your interests may be affected, please review the full submission online here: [PDP Submissions](#) - submissions are also available for viewing online at our offices and libraries in **Dargaville** or **Mangawhai**.
- Submission point numbers may not be sequential due to quality assurance checks.
- Submission numbers are unique identifiers and must be stated when making a further submission.

Guide to the Summary of Submissions

- Decisions are organized by provision number.
- Where specific wording changes have been requested in submissions, those changes shown as:
 - Underlined = new wording
 - ~~Strikethrough~~ = deletions

How to Make a Further Submission

- From 1 December to 15 December 2025, you can:
 - **Save time! Complete our easy online Form 6 here:** [PDP Online Form 6](#)
 - OR
 - **Download a pdf version of Form 6:** [Form 6 pdf version](#)
- THEN
- **Email it to:** districtplanreview@kaipara.govt.nz
- **Post it to:** Planning and Policy Team, Kaipara District Council, Private Bag 1001, Dargaville 0340
- **Deliver it to either Council office:** 32 Hokianga Road, Dargaville or 6 Molesworth Drive, Mangawhai

Deadline: Further submissions close at 5:00pm on Monday 15 December 2025.

Important: You must send a copy of your further submission to the original submitter **within 5 working days** of lodging it with Kaipara District Council. To access a list containing Submitter Contact Details, click [here](#).

Disclaimer:

This summary of submissions has been prepared and published in accordance with the Resource Management Act to assist the public in understanding the points raised by submitters. Kaipara District Council has used its best endeavours to accurately summarise the relief sought in the submissions, however, we cannot guarantee the accuracy or completeness of the information provided in this document.

Users are advised to take specific independent professional advice before taking any action as a result of information contained in this summary.

Please note that all original submissions and names of submitters are publicly available on the Council website. Submitters should read the full submission for themselves.

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Summary of Submissions for the topic of: Contaminated Land (in Provision order)

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
311.17	Fuel Companies (BP, Mobil & Z Energy)	CL-O1	Support	<p>DELETE CL-O1 and replace as follows: <u>CL-O1 Identify and manage contaminated land</u> <u>Contaminated land is identified and managed so that it remains acceptable and safe for human health and its intended use.</u> Refer also submission point 311.18 AND Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> The submitter supports the general intent of the contaminated land objectives. It is considered that the two objectives can be simplified to a single objective. The submitter supports an objective to protect human health and the intended use of the contaminated land. The submitter is concerned that the objective also extends to effects on the environment from contaminated land which is the responsibility of Northland Regional Council to maintain the Selected Land-use Register (SLR). The rules/methods in the Northland Regional Plan to investigate potentially contaminated land, remediating contaminated land, and discharging contaminants from contaminated land to soil, water and air. The policy framework of a contaminated land chapter, complementing the existing rules framework of the National Environmental Standards for Contaminated Land, would focus on human health effects from subdividing, changing use and developing contaminated land. No other contaminated land rules are proposed in the Proposed District Plan, so a broader objective/policy framework relating to effects on the environment is not required.
283.114	Northpower Limited and Northpower Fibre Limited	CL-O2	Amend	<p>AMEND CL-O2 as follows: Remediation and/or site management of contaminated land contributes:</p> <ol style="list-style-type: none"> To the health and wellbeing of communities; and <u>or</u> Increased development opportunities for future use and development; <u>or</u> <u>the establishment of new infrastructure, or the operation, maintenance, repair and upgrading of existing infrastructure.</u> <p>AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> The submitter supports this objective but seeks the balance recognition of infrastructure alongside new use and development. Electricity infrastructure can be located on historically contaminated land and remediation and site management for new and existing infrastructure should be provided for.
311.18	Fuel Companies (BP, Mobil & Z Energy)	CL-O2	Support	<p>DELETE CL-O2 and replace as follows: <u>CL-O1 Identify and manage contaminated land</u> <u>Contaminated land is identified and managed so that it remains acceptable and safe for human health and its intended use.</u> AND Any consequential or alternative relief required to achieve the same outcome. Refer also submission point 311.17</p>	<ul style="list-style-type: none"> Support the general intent of the contaminated land objectives. It is considered that the two objectives can be simplified to a single objective. Support an objective to protect human health and the intended use of the contaminated land. There is concern that the objective also extends to effects on the environment from contaminated land which is the responsibility of Northland Regional Council to maintain the Selected Land-use Register (SLR). The rules/methods in the Northland Regional Plan to investigate potentially contaminated land, remediating contaminated land, and discharging contaminants from contaminated land to soil, water and air. The policy framework of a contaminated land chapter, complementing the existing rules framework of the NESCS, would focus on human health effects from subdividing, changing use and developing contaminated land. No other contaminated land rules are proposed in the Proposed District Plan, so a broader objective/policy framework relating to effects on the environment is not required. There is a concern with CL-O2 that it seeks to increase development opportunities from the remediation and site management of contaminated land, however, this alone does not increase the development opportunity, nor is it related to Council's responsibility to protect human health associated with contaminated land. The two notified objectives should be deleted and replaced with a new objective.
283.115	Northpower Limited and	CL-P1	Support	<p>RETAIN CL-P1 as notified.</p>	<ul style="list-style-type: none"> The submitter supports this policy.

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	Northpower Fibre Limited				
311.19	Fuel Companies (BP, Mobil & Z Energy)	CL-P1	Support	<p>DELETE CL-P1 and replace as follows: <u>CL-P1 Identification of Contaminated Land</u> <u>To identify land that is, or is likely to be, subject to contamination as a result of current or historical land uses and activities at the time of subdivision, change of use, or development.</u> AND Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> Support general intent. In the National Environmental Standards for Contaminated Soil and the Ministry for the Environment contaminated land guidelines, identification relates to the 'piece of land', rather than the site and in some cases the entire site may not be a 'piece of land' and the title of the policy should be amended to "identify contaminated land". The policy should be aligned with Council's responsibility to identify contaminated land at the time of subdivision, change of use or development. A new policy is proposed to replace the notified policy.
283.116	Northpower Limited and Northpower Fibre Limited	CL-P2	Amend	<p>AMEND CL-P2 as follows: "Unless for the purpose of remediation or for the operational or functional need of new or existing infrastructure, discourage the disturbance of contaminated land, where the level, type and toxicity of the contamination could adversely affect human health and safety and the environment." AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> Earthworks on contaminated land need to be enabled for the operational and functional need of new and existing infrastructure.
304.58	Director General of Conservation	CL-P2	Amend	<p>AMEND CL-P2 to ensure earthworks do not have the potential to create adverse effects associated with kauri dieback. AND Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> Though the Policy generally discourages disturbing contaminated land where disturbance could adversely affect the environment, it does not mention adverse effects on kauri dieback.
311.20	Fuel Companies (BP, Mobil & Z Energy)	CL-P2	Oppose	<p>DELETE CL-P2. AND Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> Do not support intent of policy. The policy does not accord with the requirements of the National Environmental Standards for Contaminated Soil and not all disturbance will lead to a change in toxicity or have an effect on human health. For example, reg 8.1 of the National Environmental Standards for Contaminated Soil permits the removal or replacement of fuel storage systems, even if there is no contaminated land, and is not in itself remediation. The policy extends to effects on the environment from contaminated land, and as noted in the submission on the contaminated land objectives, the policy framework of a contaminated land chapter, should focus on human health effects from subdividing, changing use and developing contaminated land. Policy CL-P2 should be deleted and any effects on health dealt with through policy CL-P3, including in relation to remediation, subject to the submission amendments sought to that policy.
283.117	Northpower Limited and Northpower Fibre Limited	CL-P3	Amend	<p>AMEND CL-P4.3. as follows: "4. Disposal of contaminated soil must be carried out in a manner that protects <u>avoids further adverse effects on human health and safety, or on and the environment.</u>" AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> The use of "avoids further effects" as it is inconsistent with the objectives and does not recognise that avoidance is not achievable nor necessary in every scenario. The full range of the effect's hierarchy (avoid, remedy, mitigate) should be available.
304.59	Director General of Conservation	CL-P3	Amend	<p>AMEND CL-P3 to ensure the effects of kauri dieback are avoided, remedied, or mitigated using the rules in the the Biosecurity (National PA Pest Management Plan) Order 2022. AND Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> The submitter requests that CL-P3 is amended to provide assessment for kauri dieback.
311.21	Fuel Companies (BP, Mobil & Z Energy)	CL-P3	Support	<p>DELETE CL-P3 and replace as follows: <u>CL-P2 Human Health</u> <u>To ensure that land that is, or is likely to be, subject to contamination is safe for human health and suitable for the intended use through the following methods where appropriate:</u> 1. <u>Requiring a best practice approach to remediation and/or management of the piece of land.</u></p>	<ul style="list-style-type: none"> Support general intent but consider oversteps Council's responsibilities under the Resource Management Act and National Environmental Standards for Contaminated Soil, including the concerns raised on the contaminated land objectives and policy CL-P2 relating to effects on the environment from contaminated land. Clause (3) and (6) of the policy imply that some type of site investigation will be needed (e.g. a preliminary

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				<p>2. <u>Mitigating the risk posed by the contaminants to human health.</u></p> <p>3. <u>Transporting, tracking, and disposing soil and other materials where it cannot be appropriately managed in-situ.</u></p> <p>AND</p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	<p>site investigation (PSI) or detailed site investigation (DSI)) prior to any subdivision, change of use or development (that requires National Environmental Standards for Contaminated Soil consent).</p> <ul style="list-style-type: none"> The submitters consent requirements under the National Environmental Standards for Contaminated Soil would lead to the activity being considered contrary to this policy. The policy is also overly complex and does not accord with the best practice approach for the management or remediation of contaminated land. A new policy is proposed to replace the notified policy.
283.113	Northpower Limited and Northpower Fibre Limited	General	Oppose	<p>DELETE the Contaminated Land chapter in its entirety.</p> <p>OR</p> <p>AMEND the provisions contained within the Contaminated Land chapter as suggested in other submission points.</p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> The submitter considers the chapter unnecessary given its duplication with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.
287.33	Silver Fern Farms	General	Support	<p>RETAIN the approach in the Contaminated Land chapter to not include rules.</p> <p>OR</p> <p>Provisions or wording to similar effect.</p> <p>AND</p> <p>Any necessary and consequential amendments.</p> <p>AND</p> <p>All further relief necessary to give effect to the concerns raised in the submission.</p>	<ul style="list-style-type: none"> It is appropriate for the Contaminated Land chapter to not include rules and instead defer to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.
301.27	Channel Terminal Services Limited	General	Support	<p>RETAIN Contaminated Land chapter as notified.</p> <p>AND</p> <p>Any ancillary, or alternative and consequential relief as necessary or appropriate.</p>	<ul style="list-style-type: none"> The submitter generally supports the provisions in the Contaminated Land chapter, particularly the decision not to include any rules and to avoid unnecessarily duplicating the existing regulations under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 and the relevant provisions of the Northland Regional Plan.
309.50	Clarus	General	Support	<p>RETAIN the Contaminated Land chapter.</p> <p>AND</p> <p>Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.</p>	<ul style="list-style-type: none"> The provisions are appropriate and necessary.
311.16	Fuel Companies (BP, Mobil & Z Energy)	General	Support	<p>DELETE the Overview in the Contaminated Land chapter and replace with the following: <u>Contaminated soil in the District can have adverse effects on human health if it is not appropriately managed. Council has responsibilities under the Resource Management Act in relation to the subdivision, use or development of contaminated land. This includes observing and enforcing the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCSCS). The NESCSCS provides a national environmental standard for activities on land where soil may be contaminated. The NESCSCS seeks to ensure that contaminated pieces of land are appropriately identified and assessed when soil disturbance, subdivision or a change in land use takes place and, if necessary, remediated or managed to ensure the land is safe for human health and its intended use.</u></p> <p>There are no independent or additional rules in the District Plan to manage contaminated land. The purpose of this chapter is to provide a corresponding policy framework for assessing resource consent applications required under the NESCSCS.</p> <p><u>The Northland Regional Council has other responsibilities under the Resource Management Act in relation to contaminated land. This includes managing the effects of activities on the environment (such as the discharge of contaminants in soil into surface water or groundwater) and</u></p>	<ul style="list-style-type: none"> Support the intent of the overview however consider this could better state the purpose of the chapter to support the rules in the National Environmental Standards for Contaminated Soil.

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				<p><u>identifying and monitoring contaminated land through the Selected Land-use Register (SLR). The SLR is a regional database of sites that have been, or may have been, used for activities and industries included in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL).</u></p> <p><u>The Ministry for the Environment's website provides access to the NESCS, HAIL, NESCS Users' Guide, and documents incorporated by reference in the NESCS such as the Contaminated Land Management Guidelines.</u></p> <p>AND</p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	
311.22	Fuel Companies (BP, Mobil & Z Energy)	General	Support	<p>RETAIN the note in the Contaminated Land chapter that there are no rules for this chapter.</p> <p>AND</p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> Support that there are no rules in the Contaminated Land chapter. Does not duplicate the National Environmental Standards for Contaminated Soil.