



Form 5

Submission on a notified proposal for Private Plan Change 83 – The Rise Limited

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Please note that any fields with an asterisk () are required fields and must be completed)*

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Please select your preferred method of contact*

By email

By post

Correspondence to*

Submitter (you)

Agent

Both

Submission on application

This is a submission on a private plan change

Please complete this form if you wish to make a submission to a current plan change that is open for submissions.

Plan change number: **PPC83**

Plan change name: **The Rise Limited**

The purpose of the plan change is to rezone an area north of Mangawhai to a Residential Zone. The key features of the plan change are:

- Rezone 56.9ha of land at Cove Road and Mangawhai Heads Road from Rural Zone to Residential Zone, including consequential amendments to the Operative Kaipara District Plan Maps;
- The creation of a Precinct over top of the Residentially Zoned land with core provisions that to protect ecological features, promote high quality urban design, provide open space and connectivity; and
- Any necessary consequential amendments to the Operative Kaipara District Plan provisions.

Trade competition and adverse effects (select one of the following options)*

I could I could not gain an advantage in trade competition through this submission.

If you ticked 'I could' above, please answer this question by selecting one option below:

I am I am not directly affected by an effect of the subject matter of the submission that:

- adversely affects the environment; and
- does not relate to trade competition or the effects of trade competition.

Note:

If you are a person who could gain an advantage in trade competition through making a submission on PPC83 you may only make a submission if you are directly affected by an effect of PC83 that adversely affects the environment; and does not relate to trade competition of the effect of trade completion: Clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Would you like to present your submission in person at a hearing?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

If others make a similar submission, will you consider presenting a joint case with them in the hearing?

Please complete a line for every submission point, adding as many additional lines as you need.

Note: This form is intended for brief submission only, if you wish to provide us with more in-depth content, please do this on a separate page and attach it to this form when returning it to us.

The specific provisions of the proposal that my submission relates to (e.g. provision number, map)	Do you: • Support? • Oppose?	What decision are you seeking from Council? Select which action you would like: • Retain • Amend • Add • Delete	Reasons
<i>Example:</i> Zoning	<i>Example:</i> Support	<i>Example:</i> Retain zoning for proposal	<i>Example:</i> Supports the growth of Dargaville

Your signature: Adal Date: 21/8/23
 (A signature is not required if you make your submission by electronic means.)

Please return this submission form and any attachments **no later than 5pm Wednesday 23 August 2023** to Kaipara District Council by:

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

Email to: planchanges@kaipara.govt.nz or

Hand-deliver to: Kaipara District Council, 32 Hokianga Road, Dargaville or 6 Molesworth Drive, Mangawhai

PRIVACY ACT NOTE: Please note that all information provided in your 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.

Submission on The Rise Private Plan Change 83

Introduction

PPC 83 seeks to rezone 56.9 ha of land at Cove Road and Mangawhai Heads Road from rural to residential.

This Submission is made by Annette and Vern Dark of 60 Lakeview Lane, The Sanctuary, Mangawhai Heads.

Submission

As Members we strongly support the Submission of the Sanctuary Residents Association (attached) and would add the following observations:

The Applicant for the Plan Change appears to have done the bare minimum to achieve approval for such a Plan Change, rather than ensuring, as it states, doing what is necessary to achieve a "viable and sustainable" residential zoning. No doubt the Applicant is looking to maximise the capital gain should the Plan Change be approved. We are also surprised and disappointed neither the Applicant, Council Management nor the Councillors have taken into account the Environment Court mediated settlement related to the Mangawhai Central Plan Change Application. We are aware the Environment Court deliberations for that particular Change do not apply to other than Mangawhai Central, however it will provide a useful precedent for future action.

The Applicant claims to have consulted neighbouring landowners but to our knowledge this has not been the case, with even the current The Rise landowners who are directly impacted by the proposed Plan Change having been contacted. A somewhat arrogant approach by the Applicant, we would suggest.

In conclusion we are of the view the Plan Change should be denied until an over-arching infrastructure plan is established and defined for any future subdivision.



Annette and Vern Dark



Submission on The Rise Private Plan Change 83

Introduction

PPC 83 seeks to rezone 56.9 ha of land at Cove Road and Mangawhai Heads Road from rural to residential.

This is a submission on behalf of the Sanctuary Residents Association by the Board of the Association.

The Sanctuary Residents Association

The Sanctuary is a gated community comprising some 81 lots on Cove Road, a little north of the Mangawhai Heads Road junction. Currently approximately two thirds of the lots have dwellings and residents in place. It is located opposite Pigeonwood Place, the only current access road into The Rise.

The Sanctuary Residents Association (better known as the SRA) is an Incorporated Society tasked for the purpose of owning and administering the communal facilities of The Sanctuary in accordance with the Rules of the Association. All lot owners are Members of the Association.

A major object of the Association is "to maintain, preserve and enhance the unique character, size and recreational capabilities of the Sanctuary Estate as a premium international standard residential lifestyle community", and also "to do all things as may appear necessary to achieve the objects of the Association.

At its AGM the Members of the Association elect the Board which consists of three to five members. Under the Rules "the affairs of the Association shall be managed by the Board, which may exercise all powers of the Association and to act on its behalf all such acts it may deem necessary".

It is noted in the s32 report that the applicant claims to have consulted with neighbouring landowners. This has certainly not happened with the SRA or its Members.

Submission

The SRA does **not** support the Plan Change, but will not oppose the Plan Change providing the necessary infrastructure facilities are defined and incorporated as future requirements. The SRA is disappointed, although the determination only applied to Mangawhai Central, that the KDC has not taken into account the outcome of the Mangawhai Central Plan Change Environment Court determination in considering approving Plan Change 83.

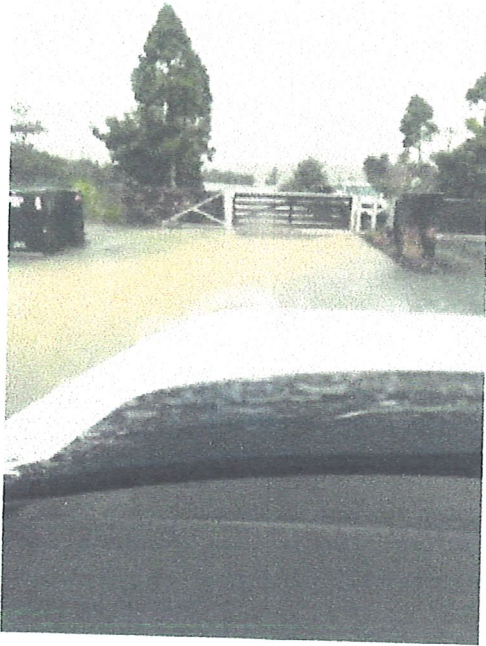
The Plan Change relies on the future subdivision developers to design and undertake the necessary infrastructure. In this way this potentially future fragmented ownership will not consider the overall requirements of the whole of The Rise, rather the proportion each subdivider owns.

Housing Density

It should be noted the SRA is not against growth in Mangawhai but is of the view that any development should retain the coastal nature of the area. The Plan Change allows housing lots down to 400m² in area which is totally inadequate to cater for a reasonably sized house, the ability to turn round and store vehicles, parking on-site, storage of jet skis and/or boats, as well as having enough roof collection area and storage for domestic water consumption.

Storm Water

The land at The Rise is similar to that at The Sanctuary with little topsoil on a deep bed of clay which does not drain well. The Plan Change indicates 60% of the developed area will be impermeable. With the remaining soils having poor drainage it is inevitable there will be stormwater run-off at times during inclement weather. This has already occurred twice this year with the present The Rise development, with stormwater from that development running down its entrance road, crossing Cove Road and flooding The Sanctuary entrance. (see photos). The resultant water incursion destroyed The Sanctuary gate motors preventing residents from entering or leaving the property. This problem of uncontrolled stormwater has been taken up with Council Management as yet with no response that addresses the issue. It is imperative a comprehensive stormwater system is designed at this early stage to ensure run-off is well controlled, kept within The Rise and silt is not allowed to enter the Estuary. Climate change will likely exacerbate the situation.



Wastewater

It is good that the Plan Change recognises that the Council wastewater treatment plant is at capacity and that the cost of any capacity increase will be borne by the new section owners. The Plan Change should specify that no subdivision is permitted until such additional capacity is in place. It is noted that the Plan Change advises that Lot sizes above 850m² will be able to have their own wastewater treatment. This is considered very small when compared to the wastewater dripper fields in The Sanctuary which are at least 300m² and up to 500m² area to compensate for the poor soil permeability.

Traffic

The Plan Change outlines a second road coming onto Cove Road from The Rise and two other roads onto Mangawhai Heads Road. The proposed right turning bay from Pigeonwood Place onto Cove Road is almost directly opposite The Sanctuary entrance/exit. This will cause difficulties when traffic is turning right into both The Rise and The Sanctuary. The traffic assessment undertaken appears to have been done during the Covid epidemic, which bears little resemblance to normal traffic flows. In winter one regularly has to queue up to 10 cars deep to enter Cove Road from Mangawhai Heads Road, and in summer longer queues are a daily occurrence. As a consequence the SRA is of the view that the Mangawhai Heads Road/Cove Road junction requires a roundabout to also cater for the additional traffic from The Rise. It also has to be taken into account that Cove Road becomes the substitute SH1 when there are problems with the Brynderwen highway. This year when the Brynderwen route was closed on a number of occasions, long waiting times were encountered to exit The Sanctuary. There are several hundred exits per day from The Sanctuary, this will be further aggravated once the development of The Rise occurs.

Walking Paths

The Private Plan Change proposes pathways on both Cove and Mangawhai Heads Road with a pedestrian crossing to link with the existing pathway on the southern side of Mangawhai Heads Road before Jack Boyd Drive. The SRA supports this initiative.

Environmental

There is a small area of covenanted land on the northern end of The Rise and some streams, wetlands and bush. These should be protected to offer corridors for wildlife between the Brynderwen foothills, estuary and areas of bush. There have been kiwi sightings in both the Sanctuary foothills and Bream Tail Farm. The Plan Change area is close enough such that domestic animals should be strictly controlled. The SRA view is that both cats and dogs should be banned from such a sensitive area. Permanent predator control should also be required to support the control being undertaken in adjoining areas.

Conclusion

In conclusion the SRA is strongly of the view that infrastructure involving water collection, stormwater, wastewater and traffic management should be designed for the whole of The Rise as part of the Plan Change and be a requirement for future subdivisions. In this way the coastal nature of Mangawhai Heads can be maintained and perhaps enhanced and the purpose claimed by the applicant to create "viable and sustainable" residential zoning can be achieved.