



## 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)*

First name*					
Surname*					
Agent (if applicable)					
Postal address*					Postcode
Contact phone	Daytime phone			Mobile phone	
Email address for Submitter*					
Email address for Agent (if applicable)					
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:

- (a) adversely affects the environment; and
- (b) 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 type="checkbox"/>	No
If others make a similar submission, will you consider presenting a joint case with them in the hearing?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

**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: <ul style="list-style-type: none"> <li>Support?</li> <li>Oppose?</li> </ul>	What decision are you seeking from Council? Select which action you would like: <ul style="list-style-type: none"> <li>Retain</li> <li>Amend</li> <li>Add</li> <li>Delete</li> </ul>	Reasons
<b>Example:</b> Zoning	<b>Example:</b> Support	<b>Example:</b> Retain zoning for proposal	<b>Example:</b> Supports the growth of Dargaville

Your signature: ..... *CK Phillips* ..... Date: .....

*(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](mailto: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.

**Form 5**

**Submission on a notified proposal for Private Plan Change 83 – The Rise Limited**  
*Clause 6 of Schedule 1, Resource Management Act 1991*

To: Kaipara District Council Auckland Council – [planchanges@kaipara.govt.nz](mailto:planchanges@kaipara.govt.nz)

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+64 21 302340

This is a submission on Private Plan Change 83 – The Rise Limited at Cove Road and Mangawhai Heads Road (**PPC83**):

Bream Tail Residents Association (BTRA) and Northern Farms Limited is not a trade competitor for the purposes of Clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

The specific parts of Private Plan Change 83 that the submission relates to are:

- **Opposition to Private Plan Change 83 to convert rural zoned lane to residential.**



**The submission is:**

### **The Land Holdings:**

Bream Tail Residents Association Incorporated (BTRA) is the governing body for 39 properties that comprise Bream Tail Farm. A list of these properties is located at Appendix 1 of this submission. The governing body was set up to manage the 39 properties and associated farming operation required by resource consent RM030224.

Together the properties comprise 459 hectares, including 273 Ha of farmland and 186 Ha of native bush and forest. The bush and forest are recognised in the District Plan and by the Department of Conservation as having regional significance. The 39 properties contain a range of consent notices which include limiting building development to within the nominated building platforms, design guidelines, height restrictions, limit on accessory buildings and use of site for forestry, archaeological restrictions and requirement for these restrictions to be managed by the Residents Association (BTRA).

One of the main considerations and management requirements of the Residents Association (BTRA) is the management of the farming operations within Bream Tail Farms. Each owner has the exclusive use over their nominated building platform, with the remainder of their land in either bush covenant or available for grazing for the sheep and beef operations to be managed by the Residents Association (BTRA) with each landowner a share. It is noted that farm is managed by a full-time farm manager, who undertakes the day-to-day management of the farming operation.

It is also relevant that each landowner cannot independently manage their land outside their exclusive building platforms, which is spelt out in the consent notice requirements that apply to the sites.

In addition to the Residents Association (BTRA) bylaws, there are legal requirements that each landowner must abide by.

### **Effects of Private Plan Change 83**

#### **Reverse Sensitivity**

Reverse sensitivity is a serious concern for the submitter. The submitter's property is an operating farm. Each owner has the exclusive use over their nominated building platform, with the remainder of their land in either bush covenant or available for grazing for the sheep and beef operations to be managed for the Residents Association (BTRA) through its 100% owned company Northern Farms Limited. As noted above, the farm is managed by a full-time farm manager, who undertakes the day-to-day management of the farming operation.

The introduction of residential land and associated urban usage will unfairly impact the ongoing use of the submitter's property for permitted rural activities.

Any potential impact or restrictions either commercial or otherwise could have a serious consequence on the submitter's ability to both maintain and manage its commitment and obligations under its resource consent conditions.

Viability of the farming operation would be greatly impacted by PPC83, given the proximity to the proposed urban environment which will result in increased pest animals (domestic animals – cats and dogs), as well as likely generating complaints about the on-going rural activities at Bream Tail Farm.

The submitter privately funds a significant ongoing conservation programme (Te Paepae-O-Tu Bream Tail Farm Community Ecological Restoration Plan). This programme would be greatly impacted by the introduction of domestic animals along one of Bream Tail Farm's boundaries.

The submitter commits significant resources (over a hundred thousand dollars annually) to implement this comprehensive ecological programme to protect and enhance the bush and forest and the flora and fauna residing within it. The submitter engages a professional Independent Ecologist to design and manage the ecological programme. Deployment of toxins, the culling of pest animals on the submitter's property, along with the removal of pest weed species is undertaken by independent contractors carrying out this work on a regular and programmed basis. The owners themselves also contribute significant volunteer hours into the ecological programme to protect and enhance the bush and forest. They also must not keep domestic cats given the danger to the delicate native fauna at Bream Tail Farm. Allowing PPC83 residential activities and the keeping of domestic animals, will put those domestic animals at risk should they venture on to submitter's property, as well as undermining both the farming and ecological activities occurring on Bream Tail Farm.

Further concerns relate to complaints from new urban property owners due to on-going and permitted noise and activities from the farm. This includes rural smells, noise from farm machinery, motorbikes, agricultural equipment, and the farm animals themselves and associated activities. People in a rural environment envisage and accept these rural types of noises, smells and activities. People from urban environments appreciate urban activities, but they are not necessarily agreeable to rural activities, smells and noise.

PPC83 fails to address the need for the ongoing use of the submitter's land for productive farming and the reverse sensitivity effects that the development generates.

The submitter does not support the plan change. However, at a minimum it expects the following measures to be promulgated within PPC83 to ensure that activities can continue regardless of what the adjacent land is zoned:

1. A 2-metre planted buffer within PPC83 land along the common boundary with the submitter's land.
2. No complaints covenants on the titles of all lots contained within PPC83 advising them that farming and pest control activities are operated, with rural noises, smells and activities being undertaken near the proposed subdivision.
3. No cats or mustelids are allowed on any lots within the PPC83.
4. Predator fencing shall be erected to ensure that no cats or mustelids can enter the submitter's land.

### Environmental

As a result of the PPC83, there are environmental implications for the submitter's land holdings. As noted above, the submitter's property has large areas subject to conservation covenants, that require stringent ongoing management.

The submitter's properties are zoned 'General Rural' under the current planning regime with various overlays. PPC83 is not clear on how the environmental impacts on the submitter's site will be avoided or mitigated, including the ability to contain sediment, weed and animal pest species, including domestic animals.

Bream Tail Farm is recognised as containing areas of Outstanding Natural landscape, and is part of the coastal environment including coastal features, flora and fauna, cultural heritage as well as productive pastoral capacity.

The submitter under its resource consent conditions manages a very delicate balance between Residential, Farming and Conservation obligations within their property.

The submitter's property is also recognised as being part of the Piroa/Brynderwyn High Value Biodiversity Area spanning some 22,000 hectares. This is highly valued, endorsed and supported by the Northland Regional Council. The submitter's property acts as a natural corridor for birds from the offshore islands to the Brynderwyn Hills. The BTRA has a strong interest in continuing to play its part in supporting the restoration of biodiversity in the Brynderwyn Hills and environs, alongside other community-led conservation projects. As a result of the significant pest control work of the BTRA and surrounding local conservation groups, the submitter's property now contains populations of kiwi.

### Social

The submitter's have owned the land holdings for a number of years and have been working to a long-term plan for how the rural production activities will operate economically now and in the future. PPC83 as proposed will disrupt that long-term planning perspective, as well as emotional and economical perspectives on how the properties are to be managed in an on-going way.

### Traffic

The submitter is concerned with the increase in traffic along the local roads, including Cove Road, and the ability for the site and transportation network to accommodate this proposed increase. It is up to Council to address how and where those roads are located, and how the properties are integrated with existing residential zoned land. However, from the submitter's perspective, the increase in development will have a negative flow on effect in terms of congestion.

### Infrastructure

Water Supply – The proposal does not seek to connect to Council's reticulated water supply. Given the dry nature of this coastal area, it is considered that the implications of needing to access offsite water supply through tanker delivery, will result in effects on the aquifers. While the applicant acknowledges that there will be on-site rainwater tanks on each lot, some of this water will need to be in part dedicated to fire-fighting supply. For a site to be appropriate for residential development, the development must be able to be accommodated within the three waters reticulation, particularly given the small size of the lots being proposed as part of the PPC83 standards.

Wastewater – PPC83 does not provide any clear indication that the existing or even proposed reticulated system will be able to accommodate the development of the land once rezoned to urban. The Land Development Report<sup>1</sup> has based wastewater demand to be engineered on-site for lots having an average area of 600m<sup>2</sup>, whereas the proposed planning standards in Appendix 09 proposed 400m<sup>2</sup> for the majority of the site. The submitter has serious concerns with the ability of the land to accommodate approximately 390 additional dwellings with on-site wastewater as described in the land development report. The impact on the submitter's property from an environmental perspective, including leaching into the soils, has not been assessed within PPC83. On-site wastewater disposal is better suited to rural properties, not urban properties. In response to further information requests, the applicant states that no development is proposed as part of the plan change. While this is correct,

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<sup>1</sup> Land Development Report – JAS Civil Ltd – Page 14

the plan change if confirmed will give property owners the ability to apply an urban standard to the property, rather than the current rural standards.

While the Mangawhai Spatial Plan (MSP) and Exposure Draft Kaipara District Plan have shown PPC83 sites as potential urban, infrastructure is not yet in place to accommodate the increased use of Council's infrastructure, and the proposed plan (with lower proposed densities) is yet to be notified.

### Rural Character

To determine if PPC83 may adversely affect the rural character of an area, the elements making up "rural character" should be noted including the predominance of natural features over man-made features, a very high ratio of space not built upon (open space) to built space on individual sites, the presence of large areas of vegetation, in the form of grass, trees, crops and indigenous vegetation, the presence of large numbers of farmed animals and extensive areas of plant or fruit crops and plantation forests.

A general absence of urban scale and urban type infrastructure, such as roads with full kerb and channel, sealed footpaths and vehicle crossings, streetlights, electricity transformers, bus shelters, telephone cabinets and demarcated car parking areas on roads, further define the character of the area as rural.

There is the potential for the rural character of an area to be adversely affected when the rural environment is fragmented through subdivision. If Council approves PPC83 from its current rural zoning to an urban zoning, the submitter can expect a significant increase in housing, accessory buildings, land modification, roads and traffic than is currently envisaged.

The introduction of an urban zone through PPC83 will affect the existing and envisaged character of area and have flow on effects to the submitter's site, including reverse sensitivity. PPC83 will result in urban development that is not otherwise envisaged and at a much greater intensity than even the current or proposed district planning documents. From the submitter's perspective, this means the existing and envisaged rural character cannot be retained, and with it the supporting suite of current objectives and policies.

While PPC83 land is generally devoid of any outstanding features or overlays, the increase in population will impact upon existing features within the submitter's property, and in turn will have an adverse effect on the submitter's appreciation of the expected rural character of this area.

### Amenity

The RMA defines Amenity Values as:

*"Amenity values are those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."*

PPC83 and associated subdivision that will occur is considered to result in adverse effects on the submitter's amenity values and appreciation of their property. This includes the impact from the increase in traffic, urban noise and infrastructure which is considered to have adverse effects on the appreciation of this environment that is considered more than minor. If PPC83 is approved, these effects will happen and will compromise the on-going amenity of the submitter.

The landscape effects assessment to support PPC83 downplays the effects of the plan change on the submitter's property, stating that ... *the proposal will result in this flank being populated with a low density of rural residential settlement*<sup>2</sup>." When the author incorrectly states 'low density of rural residential settlement', it would appear to be correctly identified as medium to high density, with the ability for 40 lots over 18 hectares, then 350 high density lots over the remaining part of the site, based on the current rules. Further, the submitter considers the location and sensitivity of its property to the changes proposed by PPC83 to be unacceptable on their amenity values.

## **Statutory Assessment**

### **National Policy Statements**

As outlined in the Section 32<sup>3</sup> report in support of PPC83, there are three National Policy Statements relevant to the site:

- National Policy Statement on Urban Development;
- National Policy Statement for Freshwater Management; and
- National Policy Statement for Highly Productive Land.

#### *National Policy Statement on Urban Development*

The section 32 report to support PPC83 addresses the National Policy Statement on Urban Development. However, it should be noted that the site for PPC83 is not an Urban Environment as it is not zoned as such.

#### *National Policy Statement for Freshwater Management*

The section 32 report to support PPC83 addresses the National Policy Statement for Freshwater Management. PPC83 notes that the land contains a number of wetlands, intermittent and permanent streams located along the southern and eastern boundary, which are to be managed. The Ecology Report makes a number of recommendations for the on-going management of these features when the sites are subdivided.

#### *National Policy Statement for Highly Productive Land*

The section 32 report to support PPC83 addresses the National Policy Statement for Highly Productive Land. It is recognised that the land contained within the plan change area is not class 1, 2 or 3 (prime or elite) soils, so does not restrict the development of this site.

### **Regional Policy Statement and Plans**

#### *Northland Regional Policy Statement*

The section 32 report to support PPC83 addresses the Northland Regional Policy Statement (NRPS). Whilst the PPC83 property may not contain any overlays, the submitter's property does. The submitter's site is part of the Piroa/Brynderwyn High Value Biodiversity Area spanning some 22,000 hectares that is highly valued, endorsed and supported by the Northland Regional Council. The introduction of urban zoned land in such close proximity to the submitter's site compromises the overarching objectives and policies of the NRPS.

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<sup>2</sup> Page 18 of Assessment of Landscape Effects prepared by Simon Cocker Landscape Architecture

<sup>3</sup> Section 32 Report Prepared by B & A dated November 2022

Issue 2.2 of the NRPS<sup>4</sup> outlines the key pressures on indigenous terrestrial, freshwater, and coastal marine ecosystems and species. These include sediments, pathogens, pest species, including domestic animals such as cats and dogs. This issue is supported by objective 3.4 and 3.14 of the NRPS.

Objective 3.4 seeks to ...*Safeguard Northland's ecological integrity by:*

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species."*

Objective 3.14 seeks ...*to protect from inappropriate subdivision, use and development;*

- (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;*
- (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes...*

The submitter's property is recognised as containing areas of Outstanding Natural landscape, part of the coastal environment including coastal features, flora and fauna, cultural heritage as well as productive pastoral capacity. Locating inappropriate urban development on the boundary of such a property is not in keeping with the direction of the NRPS.

Issue 2.3 of the NRPS<sup>5</sup> notes that Northland has limiting factors such as subdivision, particularly residential subdivision that can compromise the existing and future productive activities and use of land. This issue is supported by objective 3.10 of the NRPS.

Issue 2.4 of the NRPS<sup>6</sup> notes that unplanned and un-coordinated development, and poor urban design, can lead to reduced levels of amenity, higher infrastructure costs, and reduced community wellbeing. This issue is supported by objectives 3.6 and 3.11 the NRPS.

Objective 3.6 of the NRPS states that ...*The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:*

- (a) Reverse sensitivity for existing:*
  - (i) Primary production activities;"*

The submitter's property is primary production activity being an operating farm, with a full time farm manager. The viability of the farming operation would be greatly impacted as a result of PPC83, given the proximity to urban environment and reverse sensitivity impacts. Further the resulting increase in pest animals (domestic cats and dogs) as well as complaints about on-going rural activities are of concern to the submitter. These impacts are inconsistent with the direction of the NRPS.

Issue 2.8 of the NRPS<sup>7</sup> notes that many of Northland's natural features and landscapes, natural character, and historic heritage have been compromised and remain at risk as a result of the impacts of inappropriate subdivision, use and development. This issue is supported by objectives 3.4 and 3.14 the NRPS.

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<sup>4</sup> Northland Regional Policy Statement – Issue 2.2 Indigenous ecosystems and biodiversity

<sup>5</sup> Northland Regional Policy Statement – Issue 2.3 Economic potential and social wellbeing

<sup>6</sup> Northland Regional Policy Statement – Issue 2.4 Regional Form

<sup>7</sup> Northland Regional Policy Statement – Issue 2.8 Natural character, features / landscapes and historic heritage

Overall, it is considered that the development of high density urban development within a rural zone is in this case contrary to the direction and objectives of the Northland Regional Policy Statement.

### *Operative Kaipara District Plan*

#### Chapter 2 District Wide Resource Management Issues

Chapter 2 outlines the district wide resource management issues objectives and policies, which seeks: *...to maintain and enhance opportunities for sustainable resource use, to enable economic development and growth...* (objective 2.4.1), it also seeks to *...recognise and enhance the amenity and character of the District, while providing for sustainable resource use...* (objective 2.4.5).

The location of the plan change is 'Rural' and does not reflect the existing or envisaged rural character or amenity values or represent an effect use of the land resource.

Further the plan seeks: *...to recognise and protect from inappropriate use and development those environments of the District which are the most sensitive to land use and development and which significantly contribute to the District's, Region's and/or Nation's identity.*" (objective 2.4.4).

The submitter's property contains covenanted land that is of regional significance as previously described and the on-going protection of these areas is considered to be compromised by PPC83, given it will result in urban land on the boundary with no buffer to these covenanted areas. It is the submitter's opinion that PPC83 is contrary to the relevant objectives and policies contained within this chapter of the plan.

#### Chapter 3A Mangawhai Growth Area

Chapter 3A, outlines the methods to implement the Mangawhai Structure Plan (adopted by Council in January 2005). Structure Plans provide a strategic framework to help guide decisions on development, infrastructure management and environmental matters for Mangawhai. The majority of the land contained within PPC83 is largely located within the Rural Residential Policy Area. The northern portion of the site adjacent to the submitter's property is located within the Conservation Policy Area. It is the submitter's opinion that PPC83 is contrary to the Mangawhai Structure Plan as it proposes urban development.

#### Chapter 4 Overlays

Chapter 4 seeks to ensure that *...land use and development in the Mangawhai Harbour Overlay significantly contributes to the social and economic wellbeing of the community. However, some activities in the Overlay have the potential to degrade the values of these sensitive environments...* (4.3.9), which is supported by objective 4.4.1 which seeks *...to promote the preservation, restoration, rehabilitation and enhancement of the natural character of the coastal environment...* This chapter also seeks to ensure that *...subdivision, land use and development in the Overlays, where it recognises and provides for:*

- *The protection of natural character; and*
- *Maintenance or enhancement of the water quality of receiving environments; and*
- *Maintenance or enhancement of amenity values; and*
- *Any other specific values identified in an Overlay."*

It is the submitter's opinion that PPC83 is contrary to the Mangawhai Harbour Overlay direction within the plan, given the site is rural and is being developed for urban, without maintaining the existing amenity values and character of the area.



## Chapter 12 Rural

PPC83 does not address in any way the objectives and policies and direction of Chapter 12. Clearly, the direction of rural zoned properties are *...to maintain the rural character and amenity, including the:*

- *Sense of openness;*
- *Low dominance of built form;*
- *Pasture and Commercial Forest Areas;*
- *Areas of indigenous vegetation and significant fauna; and*
- *Unmodified natural landforms.* (Objective 12.5.2)

*...To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna so as to avoid, remedy or mitigate the decline of indigenous vegetation and fauna.”* (Objective 12.5.3).

In the submitter’s opinion this includes effects on existing protected areas which exist on the submitter’s site.

It is therefore submitter’s opinion that PPC83 is contrary to the Rural Chapter.

### Other Documents

#### *Mangawhai Spatial Plan (MSP)*

The land contained within PPC83 to the west of the submitter’s property is shown in this document as appropriate for lifestyle lots with a suggested minimum lot size of 0.8 – 2.0 hectares. Based on the land area this would result in approximately 22 lots within the 18 hectares of land under the MSP. PPC83 would result in 40 lots based on approximately 4 hectares of land in the northern large lot sub-precinct (1000m<sup>2</sup> lots), with the remainder of the lots being 400m<sup>2</sup>. This would result in approximately 350 lots on the remainder of the northern part of the site. This is a very significant increase of urban activities on the boundary of the submitter’s property, generating significant adverse reserve sensitivity and character effects as previously discussed.

#### *Exposure Draft Kaipara District Plan*

PPC83 land under the EDKDP has been zoned Low Density Residential. This document has not been notified for submissions. However, based on this draft plan, the submitter could expect low density residential, provided infrastructure is provided, which appears to be in doubt.

### Decision Sought

Bream Tail Residents Association and Northern Farms Limited seeks that PPC83 be **declined**.

Whilst the submitter does not support PPC83 in any form, should the Council approve PPC83, the following additional minimum standards and controls must be incorporated:

1. **A 2-metre planted buffer within PPC83 land along the common boundary with the submitter’s land.**
2. **No complaints covenants on titles of all lots contained within PPC83 advising them that farming and pest control activities are operated, with rural noises, smells and activities being undertaken near the proposed subdivision.**



3. No cats or mustelids are allowed on any lots within PPC83.
4. Predator fencing shall be erected to ensure that no cats or mustelids can enter the submitter's land.
5. Suggested changes to Chapter 13 Residential Performance Standards:
  - a. Rule 13.10.3a(2) – Exclude any minor dwellings or accessory buildings not contained within a single building.
  - b. Rule 13.10.7(3) – Setback from submitter's land – 20 metres
  - c. Rule 13.10.7a(1) – Predator Fencing shall be constructed along the common boundary between PPC83 and the submitter's land.
  - d. Rule 13.10.11(2) – Increase the amount of private open space to 50% of the gross floor area of the dwelling.
  - e. Rule 13.10.13 – Reduce building coverage to 35%.
  - f. Rule 13.13 – Subdivision – Every proposed allotment within the Northern Area as shown on Precinct Map 1, or where a boundary is shared with the submitter's property, shall have a minimum net site area of 8000m<sup>2</sup> .

'Bream Tail Residents Association and Northern Farms Limited' wish to be heard in support of its submission.

If others make a similar submission, Bream Tail Residents Association and Northern Farms Limited will consider presenting a joint case with them at a hearing.



(person authorised to sign  
on behalf of submitter)

Date 21 August 2023

Address for Service:

Claire Phillips (Agent)

Planner / Director

CPPC Planning

[claire.phillips1@xtra.co.nz](mailto:claire.phillips1@xtra.co.nz)

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## APPENDIX 1 – BREAM TAIL RESIDENTS ASSOCIATION INCORPORATED PROPERTIES

1 Tangaroa Road	4786241	719441	Fee Simple, 1/1, Lot 1 Deposited Plan 493396, 82,200 m2
3 Tangaroa Road	4280658	199092	Fee Simple, 1/1, Lot 24, 34, 45 Deposited Plan 348513, 206,328 m2
4 Tangaroa Road	4280659	199093	Fee Simple, 1/1, Lot 25 Deposited Plan 348513, 15,140 m2
6 Tangaroa Road	4280667	199101	Fee Simple, 1/1, Lot 42 Deposited Plan 348513, 74,890 m2
8 Tangaroa Road	4280668	199102	Fee Simple, 1/1, Lot 43 Deposited Plan 348513, 71,540 m2
10 Tangaroa Road	4280669	199103	Fee Simple, 1/1, Lot 44 Deposited Plan 348513, 61,570 m2
12 Tangaroa Road	4280660	199094	Fee Simple, 1/1, Lot 26 Deposited Plan 348513, 41,150 m2
14 Tangaroa Road	4280661	199095	Fee Simple, 1/1, Lot 27 Deposited Plan 348513, 45,110 m2
16 Tangaroa Road	4280662	199096	Fee Simple, 1/1, Lot 28 Deposited Plan 348513, 42,490 m2
19 Tangaroa Road	4280644	199078	Fee Simple, 1/1, Lot 10 Deposited Plan 348513, 206,470 m2
21 Tangaroa Road	4605684	532001	Fee Simple, 1/1, Lot 9 Deposited Plan 435202, 218,390 m2
23 Tangaroa Road	4280642	199076	Fee Simple, 1/1, Lot 8 Deposited Plan 348513, 39,690 m2
24 Tangaroa Road	4280635	199069	Fee Simple, 1/1, Lot 1 Deposited Plan 348513, 40,410 m2
25 Tangaroa Road	4539332	462117	Fee Simple, 1/1, Lot 41 Deposited Plan 348513, 192,630 m2
27 Tangaroa Road	4280663	199097	Fee Simple, 1/1, Lot 29, 40 Deposited Plan 348513, 54,687 m2
28 Tangaroa Road	4539331	462116	Fee Simple, 1/1, Lot 2 Deposited Plan 348513, 28,150 m2
29 Tangaroa Road			101
30 Tangaroa Road	4280638	199072	Fee Simple, 1/1, Lot 4 Deposited Plan 348513, 12,390 m2
31 Tangaroa Road	4605683	532000	Fee Simple, 1/1, Lot 5 Deposited Plan 435202, 41,930 m2
33 Tangaroa Road	4280640	199074	Fee Simple, 1/1, Lot 6 Deposited Plan 348513, 56,710 m2
34 Tangaroa Road			
36 Tangaroa Road	4280637	199071	Fee Simple, 1/1, Lot 3 Deposited Plan 348513, 41,620 m2
39 Tangaroa Road	4280641	199075	Fee Simple, 1/1, Lot 7 Deposited Plan 348513, 50,090 m2
1 Tuaraki Road	4280656	199090	Fee Simple, 1/1, Lot 22 Deposited Plan 348513, 201,840 m2
2 Tuaraki Road	4280657	199091	Fee Simple, 1/1, Lot 23 Deposited Plan 348513, 201,420 m2
9 Tuaraki Road	4494778	415610	Fee Simple, 1/1, Lot 8 Deposited Plan 404525, 100,300 m2
11 Tuaraki Road	4494777	415609	Fee Simple, 1/1, Lot 7 Deposited Plan 404525, 100,270 m2
12 Tuaraki Road	4510109	431113	Fee Simple, 1/1, Lot 2 Deposited Plan 408561, 58,530 m2
13 Tuaraki Road	4494776	415608	Fee Simple, 1/1, Lot 4 Deposited Plan 404524, 112,940 m2
15 Tuaraki Road	4493918	414744	Fee Simple, 1/1, Lot 6 Deposited Plan 400385, 100,897 m2
17 Tuaraki Road	4493917	414743	Fee Simple, 1/1, Lot 5 Deposited Plan 400385, 100,817 m2
19 Tuaraki Road	4494775	415607	Fee Simple, 1/1, Lot 3 Deposited Plan 404524, 97,670 m2
21 Tuaraki Road	4510108	431112	Fee Simple, 1/1, Lot 1 Deposited Plan 408561, 151,340 m2
23 Tuaraki Road	4280651	199085	Fee Simple, 1/1, Lot 17 Deposited Plan 348513, 225,510 m2
24 Tuaraki Road	4280650	199084	Fee Simple, 1/1, Lot 16 Deposited Plan 348513, 214,110 m2
26 Tuaraki Road	4280649	199083	Fee Simple, 1/1, Lot 15 Deposited Plan 348513, 229,640 m2
28 Tuaraki Road	4280648	199082	Fee Simple, 1/1, Lot 14 Deposited Plan 348513, 217,110 m2
30 Tuaraki Road	4280647	199081	Fee Simple, 1/1, Lot 13 Deposited Plan 348513, 233,220 m2
33 Tuaraki Road	4280646	199080	Fee Simple, 1/1, Lot 12 Deposited Plan 348513, 205,350 m2



**SECTION 220 AMALGAMATION COVENANT**

That the owners of Lots 31 and 35 hereon shall not without the consent of Council transfer or lease any of those parcels or any part thereof except in conjunction with the other.

The Kaipara District Council hereby certifies that no part of a legal road is included within the area under survey on this plan.

Authorised Officer

**MEMORANDUM OF EASEMENTS IN GROSS**

Purpose	Shown	Servient Tenement	Grantee
Approved	(A)	Lot 23 hereon	Northpower Limited
	(B)	Lot 22 hereon	
	(C)	Lot 15 hereon	
	(D)	Lot 16 hereon	
	(E)	Lot 17 hereon	
	(F)	Lot 18 hereon	
	(G)	Lot 19 hereon	
	(H)	Lot 14 hereon	
	(I)	Lot 13 hereon	
	(N)	Lot 32 hereon	
	(P)	Lot 5 hereon	
	(Q)	Lot 28 hereon	
	(R)	Lot 29 hereon	
	(S)	Lot 43 hereon	
	(T)	Lot 25 hereon	
	(U)	Lot 41 hereon	
(V)	Lot 40 hereon		
(W)	Lot 9 hereon		
(X)	Lot 4 hereon		
(Y)	Lot 4 hereon		
(Z)	Lot 11 All Lot 11 hereon		

New C/s't Allocated

Lot 1 - 199069	Lot 21 - 199059
Lot 2:2641 - 199070	Lot 22 - 199090
Lot 3 - 199071	Lot 23 - 199091
Lot 4 - 199072	Lot 24,34&45 - 199092
Lot 5 - 199073	Lot 25 - 199093
Lot 5 - 199074	Lot 26 - 199094
Lot 7 - 199075	Lot 27 - 199095
Lot 8 - 199076	Lot 28 - 199096
Lot 9 - 199077	Lot 29&40 - 199097
Lot 10 - 199078	Lot 30 - 199098
Lot 11&32 - 199079	Lot 31 - 199099
Lot 12 - 199080	Lot 33 - Reserve to Vest
Lot 13 - 199081	Lot 35 - 199100
Lot 14 - 199082	Lot 36 - To Vest
Lot 15 - 199083	Lot 37 - Road
Lot 16 - 199084	Lot 38 - Road
Lot 17 - 199085	Lot 39 - Road
Lot 18 - 199086	Lot 42 - 199101
Lot 19 - 199087	Lot 43 - 199102
Lot 20 - 199088	Lot 44 - 199103

**MEMORANDUM OF EASEMENTS**

Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Transmit Electricity	(A)	Lot 23 hereon	Northpower Limited
	(B)	Lot 22 hereon	
	(C)	Lot 22 hereon	
	(D)	Lot 15 hereon	
	(E)	Lot 16 hereon	
	(F)	Lot 17 hereon	
	(G)	Lot 18 hereon	
	(H)	Lot 19 hereon	
	(I)	Lot 19 hereon	
	(J)	Lot 18 hereon	
	(K)	Lot 17 hereon	
	(L)	Lot 16 hereon	
	(M)	Lot 15 hereon	
	(N)	Lot 14 hereon	
	(O)	Lot 13 hereon	
	Right to Transmit Telecommunications	(A)	
(B)		Lot 22 hereon	
(C)		Lot 22 hereon	
(D)		Lot 15 hereon	
(E)		Lot 16 hereon	
(F)		Lot 17 hereon	
(G)		Lot 18 hereon	
(H)		Lot 19 hereon	
(I)		Lot 19 hereon	
(J)		Lot 18 hereon	
(K)		Lot 17 hereon	
(L)		Lot 16 hereon	
(M)		Lot 15 hereon	
(N)		Lot 14 hereon	
(O)		Lot 13 hereon	
(P)		Lot 32 hereon	
(Q)	Lot 32 hereon		
(R)	Lot 28 hereon		
(S)	Lot 29 hereon		
(T)	Lot 43 hereon		
(U)	Lot 43 hereon		
(V)	Lot 43 hereon		
(W)	Lot 25 hereon		
(X)	Lot 43 hereon		
(Y)	Lot 42 hereon		
(Z)	Lot 25 hereon		
(AA)	Lot 41 hereon		
(AB)	Lot 40 hereon		
(AC)	Lot 32 hereon		
(AD)	Lot 9 hereon		
(AE)	Lot 4 hereon		
(AF)	Lot 4 hereon		
(All)	Lot 11 All Lot 11 hereon		

**Approvals** Roads shown as legal

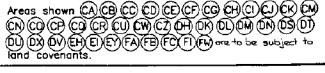
I hereby certify that this plan was approved by the Kaipara District Council pursuant to Section 223 of the Resource Management Act 1991 on the 11th day of December 2005 subject to the granting or reserving of the easements set out in the Memorandum hereon and subject to the amalgamation conditions set out hereon and certifying that the owners have entered into a covenant pursuant to Section 220 of the above Act.

Authorised Officer

**AMALGAMATION CONDITIONS**

That Lots 29 and 40 hereon be held in the same Certificate of Title.  
 That Lots 11 and 32 hereon be held in the same Certificate of Title.  
 That Lots 24, 34 and 45 hereon be held in the same Certificate of Title.  
 That Lots 2 and 41 hereon be held in the same Certificate of Title.

See 421361



Areas shown (A) to (Z) are to be subject to land covenants.

Class of Survey: Lots 2, 4, 8, 11, 25, 29, 33, 34, 37, 38, 39, 41 - Class II

Lots 1, 3, 5, 6, 7, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 32, 36, 40, 42, 43, 44, 45 - Class III

Lot 35 - Class IV (Limited as to Parcels) Parcel Diagram Only

For Conservation Covenant Schedules see Sheet 2  
 For Existing Easement Schedules see Sheet 9

Total Area 470.1031ha

Comprised in CT 49/56, CT587/104(Lid), CT277/234 CT 19A/1393, CT 19C/77, CT 141/123, CT 144/100

I, Ian David Gillespie of Whangarei being a person entitled to practice as a licensed cadastral surveyor, certify that -  
 (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2;  
 (b) This dataset is accurate, and has been created in accordance with that Act and those Rules.

*(Signature)* 24/12/2005 (Date)

Field Book p. Traverse Book p.  
 Reference Plans

Examined Correct

Approved as to Survey by Land Information NZ on 22/14/2005

Deposited by Land Information NZ on 24/12/2005



