

Form 5

Submission on notified proposal for policy statement or plan, change or variation.

Clause 6 of Schedule 1, Resource Management Act 1991

This is a submission on a private plan change.

Please complete this form if you wish to make a submission to The Rise private plan change.

Private plan change number: PPC83 | Private plan change name: The Rise Limited

Submissions must be received by 5pm on Wednesday 23 August 2023.

Overview of the Private Plan Change Proposal

The purpose of the private 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 protect ecological features and
- Apply any necessary consequential amendments to the KDP provisions.

You can read the Private Plan Change application documentation on the [Kaipara District Council website](#).

- **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.

You can make a submission on more than one provision using this form.

Each textbox can take up to 4000 characters. If your submission has more than 4000 characters, there is an option at the bottom of this page to upload your submission as a document.

- Please provide your details *

1A

Your first and last names	David Parker
Postal address	105 Devich Road, Mangawhai 0975
Contact phone	+64 21 278 7777
Email address for correspondence	d-parker@xtra.co.nz

- Please select your preferred method of contact *

1B

- Email
- Postal

- Do you have an agent who is acting on your behalf? *
1C

- Yes
- No

- If you have any attachments that relate directly to your submission on PPC83, you can upload the file/s
1E here

- [PPC 83 submission.pdf](#)

- 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 PPC83 that:

1. adversely affects the environment, and
2. does not relate to trade competition or the effects of trade competition.

Clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

- Trade competition and adverse effects - select one: *
2A

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

- Would you like to present your submission in person at a hearing? *
2C

- Yes
- No

- If others make a similar submission, will you consider presenting a joint case with them at the
2D hearing? *

- Yes
- No

- Please submit on ONE provision at a time. You can submit on further provisions in this form.

- **The specific provision of the proposal that your submission relates to:**
3A

(For example - Zoning)

Please refer to attached.

- Do you support or oppose the provision stated above?
3B

- Support
- Oppose

- What decision are you seeking from Council?
3C

- Retain
- Amend
- Add
- Delete

- Your reasons.
3D

Please refer to attached.

**Example -
supports
the growth
of
Mangawhai**

3E Do you want to make a submission on another provision? Add another submission point
 I'm finished

- Thank you for your submission, it has been forwarded to the District Planning Team who will contact you if any further information is required.

A copy of your responses will be emailed to you shortly so that you can save a copy for your files.

If you have any queries at all please email the District Planning
Team: districtplanreview@kaipara.govt.nz or phone 0800 727 059

- [PublicVoice](#)

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN CHANGE UNDER THE
FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: KAIPARA DISTRICT COUNCIL ("KDC")

SUBMITTER: DAVID FRANK PARKER

SUBMISSION ON: Private Plan Change 83 – The Rise Limited ("PPC 83")

1. The Rise Limited ("TRL") seeks rezone 56.9 hectares of land at Cove Road and Mangawhai Heads Road from Rural to Residential under Schedule 1 of the Resource Management Act ("RMA") ("PPC 83").
2. I am of the view that I am not in trade competition with TRL, although this submission does relate to proposed plan amendments relating to development outcomes in classes of property that I have potential to make a commercial return from.
3. Thus while I say that I could not gain an advantage in trade competition through this submission, in any event I confirm I am directly affected by 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.
4. I am thankful to the Kaipara District Council ("KDC") for the opportunity to provide this submission.

Korimako Projects Trust and Silvermist Limited

5. I am a Trustee of Korimako Projects Trust ("KPT"), who owns the land at 55 Cullen Street, Mangawhai Head (LOT 9 DP 191042 (CT NA120D/756) ("Property"), which neighbours the PPC 83 area to the east. KPT has resource consent to undertake a 42 Lot, 4 Stage subdivision on the Property.
6. In addition to this proposed development at the Property, as a director of Silvermist Limited I have completed a number of residential developments in and around Kopara Lane, Mangawhai and Devich Road, Mangawhai. These developments have been completed over the last two decades, placing me in a unique position to understand the temporal spatial development of Mangawhai.

Summary of Submission

7. Having reviewed PPC 83, I oppose the plan change application.
8. In summary I;
 - a) **Oppose** the proposed rezoning of 56.9ha of land at Cove Road and Mangawhai Heads Road from Rural Zone to Residential as, specifically in relation to infrastructure it:

- i. Will not promote sustainable management of resources, and therefore will not achieve the purpose and principles of the RMA;
- ii. Is contrary to Part 2 and other provisions of the RMA and the NPS-UD;
- iii. Will not meet the reasonably foreseeable needs of future generations;
- iv. Will not enable social, economic and cultural wellbeing;
- v. Is contrary to the purposes and provisions of the RMA and other relevant planning documents including the Northland Regional Policy Statement and the NPS-UD;
- vi. Is not necessary to avoid, remedy or mitigate adverse effects on the environment; and
- vii. Does not represent the most appropriate way to achieve the objectives of the Kaipara District Plan, in terms of section 32 of the RMA.

b) **Oppose** the creation of a Precinct over the top of the Residentially Zoned land as it:

- i. Undermines the provisions of the Kaipara District Plan;
- ii. Undermines the processes currently being undertaken by KDC in relation the Draft Kaipara District Plan; and
- iii. Is not consistent with the traditional “beach” settlement character within Mangawhai that is preserved within Mangawhai Structure Plan.

Proposed rezoning of 56.9ha of land at Cove Road and Mangawhai Heads Road from Rural Zone to Residential

- 9. The Northland Regional Policy Statement (“NRPS”) requires subdivision, use and development to be located, designed and built in a planned and coordinated manner, as well as being well-integrated with transport and three waters infrastructure. In addition, while it is true that the National Policy Statement on Urban Development (“NPS-UD”), promotes development capacity for housing, this must be on land that is *infrastructure-ready* to support development.
- 10. Under the NPS-UD development capacity is infrastructure-ready if, in relation to the short term, there is adequate *existing* development infrastructure to support the development of the land.
- 11. The implementation of PPC 83 does not provide a sustainable way to meet the objectives of the NRPS and NPS-UD in a way that achieve the purpose and principles of the RMA generally and more specifically in relation to its ability to be supported by the following infrastructure:
 - a) Traffic;
 - b) Three waters;
 - c) Power; and

d) Reserves and recreational spaces.

Traffic

12. The location of PPC 83, puts additional pressure on Cove Road (the coastal route connecting Mangawhai and Waipu/SH1), exasperated further by PPC 84 which seeks to rezone 218.3 hectares of land between Tara Road, Cove Road, Moir Road, and Old Waipu Road in Mangawhai.
13. Cove Road has already been identified as a high stress area within the KDC's Infrastructure Strategy, and without infrastructure investment by Council it would struggle to support the Residential zoning of PPC 83, specifically in addition to PPC 84 (which has not been addressed in the PPC 83 documentation).
14. Instead a more appropriate solution would be to have residential expansion to the southeast of the district. Most of Kaipara's growth has been focused around Mangawhai and the southeast of the district, particularly in the direction of Auckland. This trend has been exasperated by the extension of the Northern Motorway from Puhoi to Warkworth and will be further by the intended extension, bypassing the Dome Valley and reconnecting the SH1 north of Te Hana.
15. An area has been identified in the southeast of Mangawhai for residential development within the Mangawhai Spatial Plan and it is more in alignment to meet the needs of future generations by expanding Mangawhai in this direction.

Three Waters

16. The management of the three water is a critical issue which affects the rate and scale of which Mangawhai will be able to grow.
17. As has been identified in the KDC Structure Plan the waste water network only has capacity to provide for additional growth within the existing residential zone and this is expected to be fully utilised by 2026/2027. The KDC have released reports confirming that disposal capacity through the current Mangawhai Community Wastewater System (MCWWS) irrigation reticulation is at its limit and in order to increase connections to the plant, the reticulation needs to be extended to other parts of the drainage area.
18. It is evident that the infrastructure in relation to wastewater is not available to support PPC 83. While the Mangawhai Spatial Plan identifies the area for growth the existing environment does not.
19. In addition to wastewater, there are also issues in relation to flooding and stormwater run-off. PPC 83 is located within Catchment 13 of the Mangawhai Stormwater Infrastructure Strategy. This catchment comprises a large catchment of rural zoned land and a medium size catchment of residential zone land below Mangawhai heads Road. The catchment drains on to flat land that is subject to periodic flooding. The increased intensity of development has resulted in more stormwater discharges to the flat land, increasing the risk of flooding.
20. Stormwater runoff is currently not treated prior to discharge to land or water, the Mangawhai Spatial Plan has identified with urban development resulting in increased stormwater runoff that will need to be treated and absorbed by the environment. The downstream effects from a lack

of planning in relation to three waters will influence the health and wellbeing of the natural environment as well as the community's social, cultural and economic wellbeing.

21. Any plan change needs to undertake a comprehensive assessment of the hydrology of the entire stormwater catchment. This should include a flood hazard risk assessment.
22. Stormwater and flooding have become increasingly important issues within the Kaipara Region, especially due to the tragic events face earlier this year. It is not enough to say that stormwater management will be dealt with at the subdivision stage, as the plan change is what enables the increased density.

Power

23. My Property is located close to the PPC 83 area, and we currently have issues in relation to the supply to the Property, with Northpower stating that power will not be in the area until 2024. It is therefore unclear how the power supply can support the Residential zoning of the PPC 83 area.

Reserves and Recreational spaces

24. It is unclear how PPC 83 will be supported by sufficient reserves and recreational space. While two parks have been identified in the Concept plan for PPC 83, these are very small and are not sufficient support the residential development envisaged by PPC 83.
25. The Mangawhai Structure Plan recognises the importance of community facilities, and states that facilities such as neighbourhood reserves will occur in collaboration between Council and developers. Such an agreement would be required to support PPC 83.

Creation of a Precinct over the top of the Residentially Zoned land

26. PPC 83 intends to introduce the Operative District Plan's residential zone with a Precinct to include bespoke provisions. The transition and proposed zone interface, with the Rural Zone to the north is proposed to be managed through these specific Precinct provisions. This Precinct provisions however undermine the Kaipara District Plan and they will not appropriately mitigate the landscape and Rural Character Effects.
27. The Draft District Plan has this in the Low Density Residential Zone ("LRZ") promotes a residential rezoning of the proposed plan change area, with a minimum density and lot size of 750m² of net site area. This would be a more suitable solution for PPC 83 than the division between the two minimum lot size. The 750m² lot size smaller than the residential minimum net site area associated with each additional dwelling is being 600m².
28. If the 600m² minimum lot size it kept there is also concern that individuals would reduce the minimum lot size through resource consents, putting further pressure on Mangawhai ability to maintain appropriate Landscape and Rural Character Effects. The additional density created by PPC 83 as currently proposed is not consistent with the traditional "beach" settlement character within Mangawhai, which is given effect to in the Mangawhai Structure Plan. It would also interfere significantly with the area's the Brynderwyn Range interface.

29. Although the Mangawhai Spatial Plan foresees the PPC 83 area as 600m², this is in relation to central Mangawhai having smaller lot size to show a decrease in density from the centre zone. Until this high lot sizes are introduced within Mangawhai centre it does not makes sense to have this wider peripheral zones with the same density (even with the precinct provisions). At a very minimum the Precinct provisions should be extended over a larger proportion of the PPC 83 area to provide a greater buffer to the rural zones..

Relief sought

30. I seek the following decision from the Council:
- a) Decline PPC 83 in its entirety and retain the existing Rural zoning; and
 - b) Such additional or further consequential relief as is require to give effect to the primary relief sought.
31. I wish to be heard in support of this submission.
32. If others make a similar submission I would consider presenting a joint case with them at any hearing.

SIGNATURE:



DAVID FRANK PARKER

DATE:

23 August 2023