

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 Mangawhai Hills private plan change.

Private plan change number: PPC84 | Private plan change name: Mangawhai Hills Limited

Submissions must be received by 5pm on Tuesday 26 September 2023.

Overview of the Private Plan Change Proposal

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

- Rezone 218.3 hectares of land between Tara Road, Cove Road, Moir Road, and Old Waipu Road in Mangawhai.
- The creation of a Mangawhai Development Area 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 Kaipara District Plan Maps.

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
Street number and name	155 Devich Road
Town	Mangawhai
Contact phone	+64 21 278 7777

**Email address for
correspondence (one email
address only)**

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 PPC84, you can upload the file/s
1E here

- [20230925141528.pdf](#)

- If you are a person who could gain an advantage in trade competition through making a submission on PPC84 you may only make a submission if you are directly affected by an effect of PPC84 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. Please check your spam, updates and promotion folders if it does not appear in your inbox.

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 84 – Mangawhai Hills Limited ("PPC 84")

1. Mangawhai Hills Limited ("MHL") seeks to rezone 218.3 hectares of land between Tara Road, Cove Road, Moir Road, and Waipu Road in Mangawhai to Residential under Schedule 1 of the Resource Management Act ("RMA") ("PPC 84").
2. I am of the view that I am not in trade competition with MHL, 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"), and KPL 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 84, I oppose the plan change application.
8. In summary I;

Submission Point 11.1 a) **Oppose** the proposed rezoning of 218.3 hectares of land between Tara Road, Cove Road, Moir Road, and Waipu Road 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 Mangawhai Development Area, as it:

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

Proposed rezoning of 218.3 hectares of land between Tara Road, Cove Road, Moir Road, and Waipu Road

- 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 84 does not provide a sustainable way to meet the objectives of the NRPS and NPS-UD in a way that achieves 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; and

- c) Reserves and recreational spaces.

Submission Point 11.2 Traffic

12. The location of PPC 84, puts additional pressure on Cove Road (the coastal route connecting Mangawhai and Waipu/SH1), exasperated further by PPC 83 which seeks to rezone 56.9 hectares of land at Cove Road and Mangawhai heads from Rural to Residential.
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 84, specifically in addition to PPC 83 (which has not been addressed in the PPC 84 section 32 report, except for in the abbreviations).
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 exasperated further by the intended extension, bypassing the Dome Valley and reconnecting the SH1 north of Te Hana.

Three Waters

15. The management of the three water is a critical issue which affects the rate and scale of which Mangawhai will be able to grow.

Submission Point 11.3

16. 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.
17. It is evident that the infrastructure in relation to wastewater is not available to support PPC 84, and it has not been identified as a urban-residential growth area in its entirety within the Mangawhai Spatial Plan. In relation to PPC 84 Chester has identified the potential constraints to service capacity which would require upgrading to accommodate future growth – it does not make sense to enable the plan change until this has occurred.

18. In addition to wastewater, there are also issues in relation to flooding and stormwater run-off.

Submission Point 11.4

19. PPC 84 is located within Catchment 17/18 of the Mangawhai Stormwater Infrastructure Strategy. The flat land is generally poorly drained with a number of piped systems installed as part of specific developments conveying stormwater to the estuary. The hills are typical farm and rural residential land that drain via a number of watercourses to the estuary. The increased intensity of development will therefore result 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 more comprehensive 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 / resource consent stage, as the plan change is what enables the increased density.

Reserves and Recreational spaces

Submission Point 11.5

23. It is unclear how PPC 84 will be supported by sufficient reserves and recreational space. While some potential common amenity area has been identified, this is very small and is not sufficient to support the residential development envisaged by PPC 84.
24. 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 84.

Submission Point 11.6

Creation of a Mangawhai Development Area

25. PPC 84 intends to introduce the Operative District Plan's large lot residential zone amongst other bespoke provisions. A Mangawhai Development Area with core provisions is proposed that to protect ecological features, promote high-quality urban design, provide open space and connectivity. This however undermines the Kaipara District Plan and the Draft Kaipara District Plan and they will not appropriately mitigate the landscape and Rural Character Effects.
26. Under the Draft District Plan the plan change area is zoned a mix of General Rural Zone (GRZ) and Medium Density Residential (MDRZ), with no overlays. The draft GRZ promotes a minimum density of one residential unit per site, or two residential units per site where it is equal to or greater than 40ha and is less than 80ha and three residential units per site where the site is equal to or greater than 80ha. The draft MDRZ promotes a minimum density of 400m² net site area and up to three units per site as a permitted activity. This would be a more suitable solution for PPC 84 than the minimum net site area of 1,000m² per residential unit.
27. If the 1000m² 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's ability to maintain appropriate Landscape and Rural Character Effects. The additional density created by PPC 84 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 natural interface with ecological areas and streams.

28. Although the Mangawhai Spatial Plan foresees part of the PPC 84 as a growth area, this a very small part of the PPC 84 area and is in relation to central Mangawhai having smaller lot sizes to show a decrease in density from the centre zone. Until these higher lot sizes are introduced within Mangawhai centre it does not makes sense to expand past what is contemplated in the Mangawhai Spatial Plan.

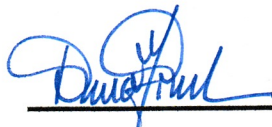
NPS-HPL

29. PPC 84 has also failed to undertake an analysis under the National Policy Statement for Highly Productive Land ("NPS-HPL"). It has identified LUC 3 land on the property however has stated that this is not classed as highly productive land ("HPL") as the land is not predominantly LUC 1-3 land that forms a large and geographically cohesive area. However, this is an incorrect assessment as HPL is defined under clause 3.5(7) of the NPS-HPL until the consenting authority has incorporated maps into their regional policy statement. It does not matter how small or isolated the piece of HPL is on the property.
30. The PPC 84 area has also not been identified for future urban development in terms of clause 3.5(7) of the NPS-HPL as the Mangawhai Structure Plan and the Mangawhai Spatial Plan have longer temporal perspectives than 10 years and are not strategic planning documents in terms of the NPS-HPL.
31. The guidance provided by the Ministry for the Environment states that where there is a piece of HPL on a piece of land assessment must be made over the entire property. PPC 84 is therefore require to undertake an assessment against the relevant clauses of the NPS-HPL, being clauses 3.7 and 3.10.

Relief sought

32. I seek the following decision from the Council:
- a) Decline PPC 84 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.
33. I wish to be heard in support of this submission.
34. If others make a similar submission I would consider presenting a joint case with them at any hearing.

SIGNATURE:



DAVID FRANK PARKER

DATE:

26 September 2023