



Submitter No.43

Form 5

Submission on a notified proposal for Private Plan Change 84 – Mangawhai Hills 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* **'Mangawhai Church Trust' operating as the Causeway Church**

Surname*

Agent (if applicable) **CPPC Planning**

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Daytime phone

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Email address for Submitter* **'Colin Chitty' <colin@causewaychurch.org.nz>**

Email address for Agent (if applicable) **claire.phillips1@xtra.co.nz**

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: **PPC84**

Plan change name: **Mangawhai Hills Limited**

The purpose of the plan change is to rezone the location 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 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 PPC84 you may only make a submission if you are directly affected by an effect of PPC84 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 checked="" type="checkbox"/>	Yes	<input 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?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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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
Example: Zoning	Example: Support	Example: Retain zoning for proposal	Example: Supports the growth of Mangawhai
See attached written submission	Oppose in Part Support in Part	See submission	See Submission

Your signature: *CK Phillips* Date: 19-06-23

(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 Tuesday 26 September 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.

Form 5

Submission on a notified proposal for Private Plan Change 84 – Mangawhai Hills Limited
Clause 6 of Schedule 1, Resource Management Act 1991

To: Kaipara District Council Council – planchanges@kaipara.govt.nz
Submitter: ‘Mangawhai Church Trust’ operating as the Causeway Church (“**Submitter**”)
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Claire Phillips (Agent)
Planner / Director
CPPC Planning
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This is a submission on Private Plan Change 84 – Mangawhai Hills Limited at Tara Road, Cove Road, Moir Road and Old Waipu Road (**PPC84**):

Mangawhai Church Trust (MCT) 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 84 that the submission relates to are:

- **Support the Private Plan Change 84 in part to convert rural zoned land to residential subject to provision of appropriate infrastructure connections.**
- **Oppose the proposed roading within the submitter’s property in its entirety.**

The submission is:

The Land Holdings:

Submission
Point 43.2
(part 1 of 3)

Mangawhai Church Trust (MCT) is the governing body for 9.5582 hectares of land located off Urlich Drive, Mangawhai Village legally described as Lot 1 DP 15117.

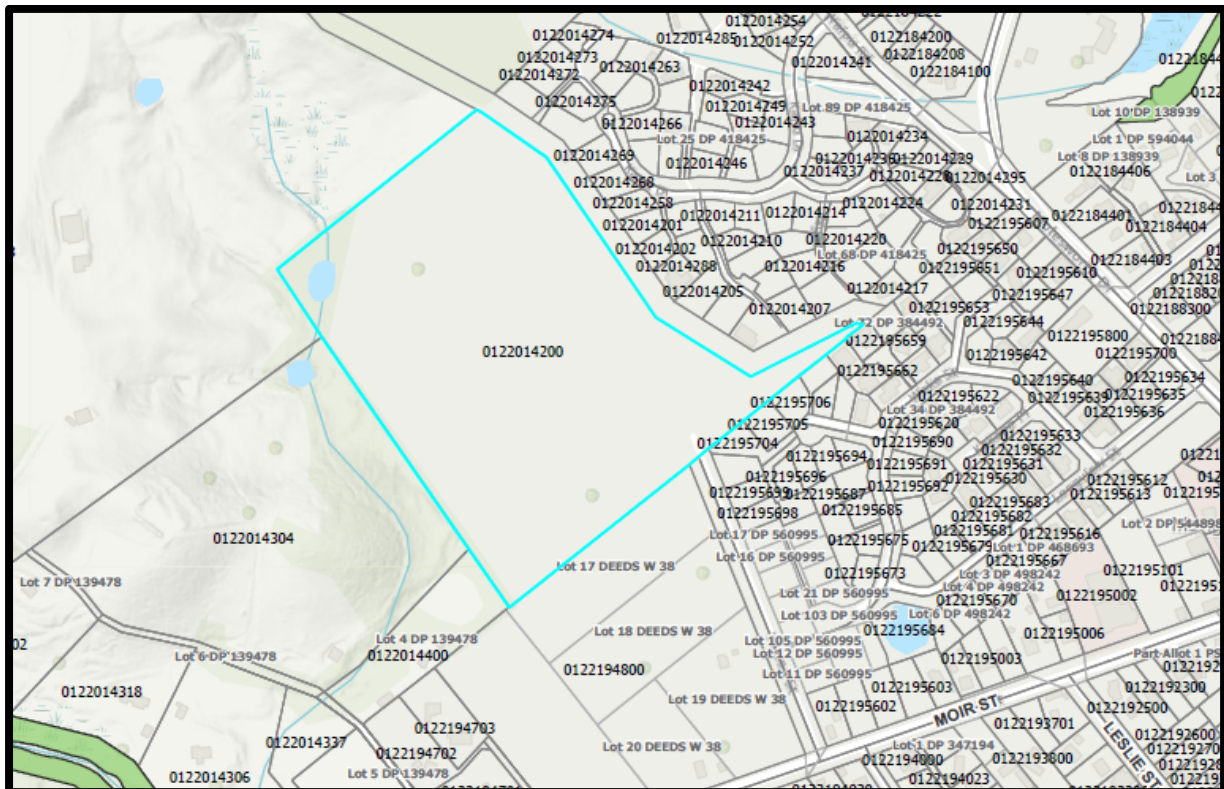


Figure 1: Cadastral Map showing the location of the submitters property off Urlich Drive

Figure 1 above shows the land holding of MCT and it also shows an existing paper road to the east of the site, owned by Council and set aside for future roading.

Urlich Drive is the only access to MCT land and has a carriage way formation of 6.0 metres, which provides for two-way traffic and limited space for on-street parking. Urlich Drive was formed and sealed by MCT to access their site for church activities and is fit for this purpose.

It must be noted that MCT has only recently been approached by Mangawhai Hills Limited to comment on PPC84 and that no previous involvement with design or consultation has been undertaken.

MCT is not opposed to their property being re-zoned residential for the purposed of the plan change, however opposes the configuration of roading proposed through their site in its entirety.

MCT have a current resource consent for:

- The construction of a new church building having a gross floor area of 2,480m² and capacity for a 502-seat auditorium and a 100-seat chapel.
- The construction of a separate childcare centre having a gross floor area of 567m², that will cater for up to 100 children.
- The continue use of the existing office building that has a floor area of 141m², which contains a kitchen and bathroom facilities.
- The construction of a formed and sealed car park for 126 vehicles, including 7 accessible spaces and 1 bus park.

In addition to the above approved resource consent, MCT also have long terms plans for the property, which will be severely compromised by the location of the roading network proposed as part of PP84.

Effects of Private Plan Change 84

Submission
Point 43.2
(part 2 of 3)

Transportation

MCT land has been shown to contain a Primary Road and another Secondary Road as part of PPC84.

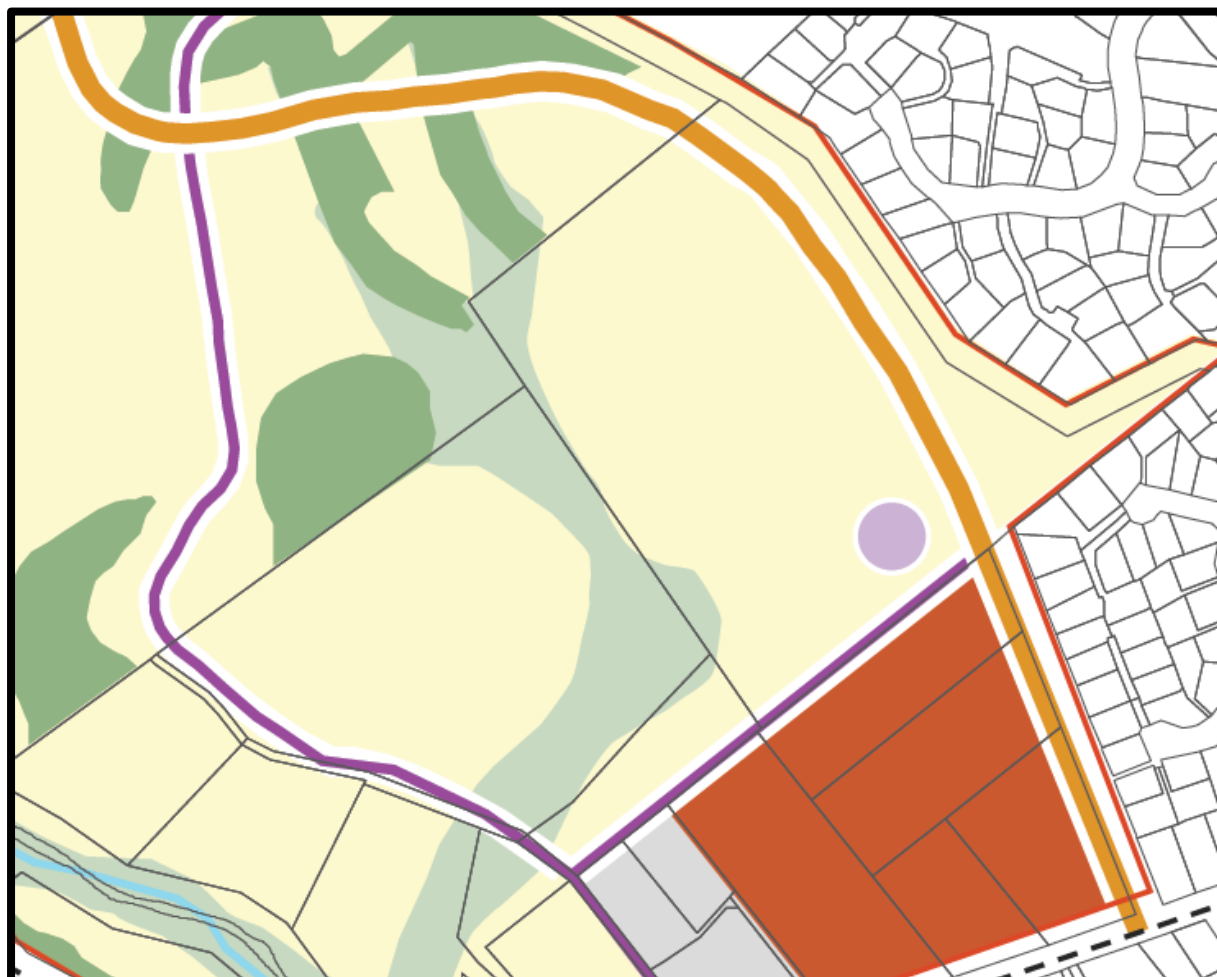





Figure 2: Section of PPC84 Structure Plan showing the submitters property off Ulrich Drive

-  Indicative Primary Road
-  Indicative Secondary Road
-  Institutional (Church and Cemetery)

The above map shows the Indicative Primary Road, which effectively cuts off a third of the property from the consented church activities within the MCT property. The development of land contained within PPC84 is envisaged to result in the vicinity of between 425 – 650 new sites. Based on The Kaipara District Plan Traffic Intensity Factors¹ a residential unit has 6 daily one-way vehicle movements. Further the TPC Traffic Assessment states that *...overall, the site is estimated to generate 4,920 daily trips and 540 peak hour trips...*². The TPC report goes onto provided trip distributions, with 70% of traffic expected to head east via Moir Street and Mangawhai Central Future Connections. So based

¹ Appendix 25F Traffic Intensity Factor Guidelines

² TPC – Traffic Assessment – Page 12, bullet 3.1.

on 70% of 4920 daily trips, could potentially result in 3444 daily movements on the Primary Road traversing the submitters property,³ which is a significant effect on the submitter.



Figure 3: Section of PPC84 Structure Plan showing other main access points existing roading network.

Figure 3 above shows that PPC84 has the ability to access Mangawhai Village, Mangawhai Central and Mangawhai Heads through access onto Tara Road, Cove Road and through the proposed future connection to Old Waipu Road. Given the existing consented activities operating from the submitters property, any additional or the proposed access through their land is not necessary to allow for the functional or transportation connections necessary when rezoning land from rural to urban to provide those critical connections to existing and proposed communities.

In addition to the above, the submitter is concerned with the increase in traffic along the local roads, including Cove Road, Tara Road and Moir Street and their ability to accommodate the significant increase in traffic. 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 in the Mangawhai Area in general.

Further it is the submitters opinion that the proposed roading network (both primary and secondary roads) as outlined by PPC84 will remove the tranquillity of the submitters site. As noted above the site is being utilised for a church and ancillary childcare from a purpose built road accessed off Moir

³ TPC – Traffic Assessment – Page 12, bullet 3.2.

Street. It is the submitters opinion that it is not appropriate to have a primary road with close to 3500 daily movements in such close proximity to a childcare, where small children are being tended to.

The location of the proposed road will affect the planned future projects for the church site, which form part of the master plan for the site.

Whilst any subdivision of the land will be at the submitter's discretion, they do not want any notice of requirement or be forced into developing a road that for the most part will only benefit Mangawhai Hills Ltd owned land, rather than the submitters land. Ironically, the Urban Design statement prepared by Barker and Associates shows the design of road alignments to follow the contours, which would be the existing paper road and depicted in Figure 4 below.⁴

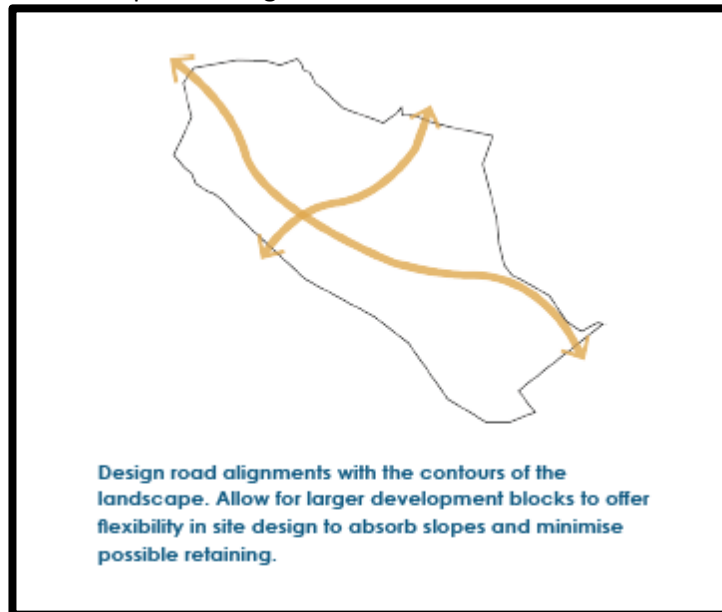


Figure 4: Section of Page 22 – B & A Urban Design Statement

It is the submitters opinion that there is no need for the road network alignment as depicted by PPC84 structure plan through MCT land for the following reasons:

- There is an existing 20 metre wide paper Road to the east of the submitters property. This paper road was provided for the exact purpose of connecting land should this transportation/roading connection. Given this is located to the east of the submitter's property, there is not need to amend the alignment.
- There are multiple other main access roads or 'Primary Roads' that can connect land within the Frecklington Farm to all parts of Mangawhai, including the use of Tara Road, Cove Road and a future connection through Old Waipu Road, which are already main thoroughfares.

Based on the above, relief sought is to remove any primary and secondary roads from the submitter's property in their entirety.

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."

⁴ Barker and Associated Urban Design Statement – Page 22)

PPC84 and associated subdivision that will occur is considered to result in adverse effects on the submitter's amenity values and appreciation of their property and consented activities. This includes the impact from the proposed roading alignment and 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 PPC84 is approved, these effects will happen and will compromise the on-going amenity of the submitter.

Infrastructure

**Submission
Point 43.3**

Water Supply – PPC84 acknowledges that Mangawhai is not serviced with a reticulated water network⁵. The proposal does not seek to connect to a reticulated water supply, rather on-site tanks supply is proposed. Given the dry nature of the Mangawhai coastal area, it is considered that the implications of needing to access offsite water supply through tanker delivery, will result in effects on 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. Whilst Mangawhai have coped with on-site provision, given the recent number of private plan changes and increasing pressure from developers to create residential lot, a more sustainable water supply for Mangawhai needs to be established. To rely upon aquifers for summer supply when tanks are emptied is not sustainable in the long term. Further for a site to be appropriate for residential development, the development must be able to be accommodated within the three waters reticulation.

**Submission
Point 43.4**

Wastewater – PPC84 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. Mangawhai lacks infrastructure for this type of development and the submitter has serious concerns with the ability of the land to accommodate approximately 600 additional dwellings within the existing or any proposed wastewater upgrades. Further approximately 160 hectares of PPC84 land is not shown within the area of benefit for any upgrades to the Council's reticulated wastewater system.⁶

On-site wastewater disposal is better suited to rural properties, not urban properties.

**Submission
Point 43.5**

Statutory Assessment

National Policy Statements

As outlined in the Section 32⁷ report in support of PPC84, 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 PPC84 addresses the National Policy Statement on Urban Development. However, it should be noted that the site for PPC84 is not an Urban Environment as it is not zoned as such.

National Policy Statement for Freshwater Management

⁵ Chesters - Engineering Report – 23 February 2023 – Page10

⁶ Chesters - Engineering Report – 23 February 2023 – Page19

⁷ Section 32 Report Prepared by B & A dated 5 March 2023

The section 32 report to support PPC84 addresses the National Policy Statement for Freshwater Management. PPC84 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 and are generally supported.

National Policy Statement for Highly Productive Land

The section 32 report to support PPC84 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, with the exception of 1.5% of land located adjacent to Moir Street, which is LUC3 soils, thus for the most part, there are no restrictions to the development of this site.

Regional Policy Statement and Plans

Northland Regional Policy Statement

The section 32 report to support PPC84 addresses the Northland Regional Policy Statement (NRPS).

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) and *...development and operation of utilities, utility networks and the transport network (including the state highway network) throughout the District, particularly where this is undertaken in conjunction with land use development and change...* (Objective 2.4.9)

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 whilst PPC84 recognises transportation, it does not utilise the existing paper road, rather seeks to fragment the submitters property with primary and secondary roads, which will compromise the existing activities consented for the site.

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 PPC84 is largely located within the Rural Residential Policy Area, with this document providing guidance to growth nodes.

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 PPC84 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

PPC84 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)*

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 PPC84 is contrary to the Rural Chapter.

Other Documents

Mangawhai Spatial Plan (MSP)

The MSP identifies the plan change area as urban expansion area and rural residential, with the submitters land shown as residential.

Exposure Draft Kaipara District Plan

The submitters land under the EDKDP has been zoned Medium Density Residential, with the Freklington Farm land shown as to be zoned ‘General Rural Zone. This document has not been notified for submissions. However, based on this draft plan, the submitter could expect Medium density residential and rural zoned land, provided infrastructure is provided, which appears to be in doubt.

Summary and Decision Sought

Mangawhai Church Trust seeks that PPC84 be amended where by:

- **Support for the Private Plan Change 84 in part to convert rural zoned lane to residential subject to provision of appropriate infrastructure connections.**
- **Oppose the proposed roading within the submitter’s property in its entirety.**

Mangawhai Church Trust **wish to be heard in support** of its submission.

If others make a similar submission, Mangawhai Church Trust will consider presenting a joint case with them at a hearing.

CK Phillips

(person authorised to sign on behalf of submitter)

Date 19 September 2023

Address for Service:

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Planner / Director

CPPC Planning

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