

**MAY IT PLEASE THE HEARING PANEL**

**27 May 2024**

**From** Gerhardus Jacobus van Niekerk

**Subject** Private Plan Change 84: Mangawhai Hills Limited

**Statement**

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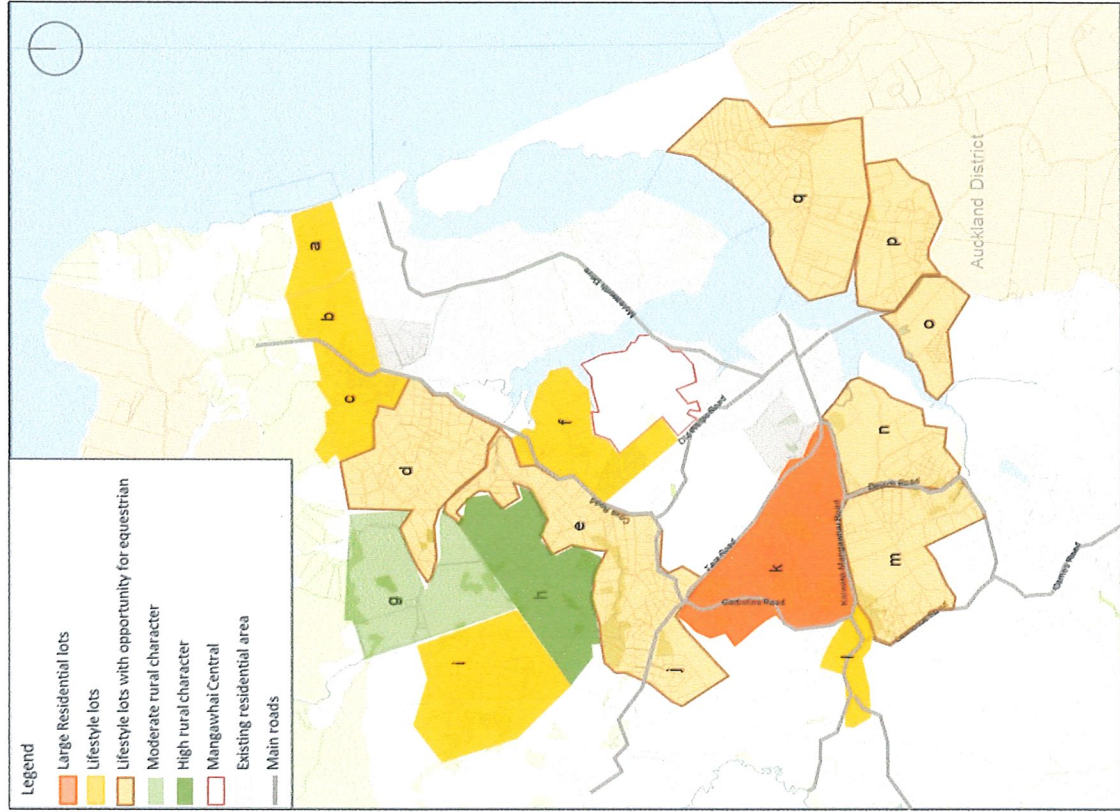
As mentioned in Mr Bangma's submission, I might as well become a similar "*submissional side-wind*", as described in *Motor Machinists v Palmerston North City Council* in that, should this application (PPC84) be granted a plan change as it stands, then "...there is a real risk that people affected by the plan change (if modified in response to the submission), would be denied an effective opportunity to participate in the planchange process."

From all the evidence, reports and submissions thus far submitted to Council and in front of the Hearing Panel there is clear tension between the existing Kaipara Operative Plan and the draft Mangawhai Spacial Plan and very well explained by the Section 42 Report and the legal submissions.

The Mangawhai Spacial Plan was assessed by all and each submitter gave their own interpretation of the effect on PPC84 although, they all concentrated on Area C and Area D of Appendix C, whereas my property (off Moana Views) falls within Area K, directly across Tara Road to the West of the northern area of the PPC84 application area. Within the 'Provisional Detailed Assessment...' of the Mangawhai Spacial Plan (Page A-8), the Zone Reference is listed as Large residential lots and there is a "Rationale" column with these words: "... large lot/lifestyle intensification should be considered. The lots on Tara Road borrow the landscape value of Frecklington Farm and so this should be a consideration when determining the design of Frecklington farm and its intensity."

Although the Mangawhai Spacial Plan might not be the highest ranked document in the assessment criteria for zoning requirements, it surely reflects the latest thinking within the Kaipara District Council and has been within the public domain for quite some time, so therefore it does carry some weight.

I request The Hearing Panel to consider allowing the development to proceed, but to modify the zoning of the Frecklington Farm to be Rural Residential, instead of Suburban Residential.



Area	Land area (ha)	Zone reference	Minimum lot size	Rationale
j	47.9	Lifestyle lot with opportunity for equestrian activity	0.4 - 0.8ha	Development in this area is somewhat constrained by topography (steep) and natural features (gullies and links to waterways). There is a high value wetland to the rear of this area which should not be developed. The area sits up on a ridge so existing developments are exposed and intensification has the potential to cumulatively erode the landscape values of this area including views of the Brynderwyns. The lot size is already small and development capacity has likely been fully absorbed. As such it is recommended that further intensification should not be sought.
k	250.1	Large residential lots	0.4 - 0.8ha	This area provides the opportunity for clear 'boundaries' to the more intensified large lot zone I. This area is somewhat constrained by topography and ecological values (Garbolino bush). This bush is very high quality and needs protection and buffering. A majority of this area is already intensified and mostly residential. The lot sizes are already small but the development capacity has not been fully absorbed. Therefore large lot/lifestyle intensification should be considered. The lots on Tara Road borrow the landscape value of Frecklington Farm and so this should be a consideration when determining the design of Frecklington farm and its intensity. Note: Council has recently upgraded both Tara Road and Cove road including a 50km/h zone so it signals that this area is higher density.
l	29.5	Lifestyle lot	0.8 - 2ha	This area has some undesirable intensification patterns that have been historically allowed. The area has views across the rural landscape in the mid-ground with the Brynderwyn ranges in the background. As this area is close to town, it is targeted for intensification, but the development of poor quality housing is cumulatively eroding the landscape values of this area. This should be acknowledged but not replicated. The development capacity has been full absorbed in the area and not further intensification should be considered. Note: Council is concerned about the cumulative adverse effects of residential intensification on both sides of Kaiwaka Mangawhai Road, due to visual impacts.