

Section 42A Report

Designations

Prepared for the

Proposed Kaipara District Plan

Report prepared by: [Sarah Horton and Venessa Anich](#)

[15 May 2026](#)

List of submitters and further submitters addressed in this report:

Submission Number	Submitter
283	Northpower Limited and Northpower Fibre Limited
292	Transpower New Zealand Limited
301	Channel Terminal Services Limited
309	Clarus
323	KiwiRail Holdings Limited
330	New Zealand Transport Agency
FS80	New Zealand Transport Agency

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APPENDIX A: RECOMMENDATIONS FOR EACH SUBMISSION POINT ON THE DESIGNATION
CHAPTER

APPENDIX B: RECOMMENDED AMENDMENTS TO THE DESIGNATION CHAPTER

List of abbreviations used in this report

Abbreviation	Term
Channel	Channel Terminal Services Limited
KDC	Kaipara District Council
KDC RA	Kaipara District Council Requiring Authority
KiwiRail	KiwiRail Holdings Ltd
MCOU	Minister for Courts
MEDU	Minister of Education
MPOL	Minister of Police
Northpower	Northpower Limited and Northpower Fibre Limited
NOR	Notice of Requirement
NPS	National Policy Statements
NRC	Northland Regional Council
NZTA	New Zealand Transport Agency
ODP	Operative Kaipara District Plan
PDP	Proposed Kaipara District Plan
RA	Requiring Authority
RMA	Resource Management Act 1991
S32	Section 32 of the Resource Management Act
S42A	Section 42A of the Resource Management Act
Transpower	Transpower New Zealand Limited

Executive Summary

- i. This section 42A report considers submissions and Notices of Requirement (**NoRs**) relating to designations in the Proposed Kaipara District Plan (**PDP**). The report has been prepared to assist the Hearings Panel in evaluating submissions received, assessing NoRs under Part 8 and section 171 of the Resource Management Act 1991 (**RMA**), and making recommendations to Kaipara District Council and relevant Requiring Authorities.
- ii. As notified, the PDP includes 59 designations across 10 Requiring Authorities, all of which are rollovers from the Operative Kaipara District Plan 2013, either with or without modification. No new designations are sought as part of the PDP process. Seven designations were withdrawn at the request of Requiring Authorities and are not included in the PDP.
- iii. Submissions were received from six Requiring Authorities, comprising seven (7) submissions and eighteen (18) submission points, with two further submission points received. The submissions generally support the retention of existing designations, with a limited number of requests for minor amendments, including:
 - correcting errors or inconsistencies in designation mapping or addresses;
 - updating references to superseded regional planning instruments;
 - refining designation purposes; and
 - modifying or adding conditions to better align with current operational requirements and district plan rules.
 - Most designations attracted no submissions, indicating a general level of acceptance of their continuation into the PDP.

Key Issues Considered

The principal issues addressed in this report include:

- The appropriateness of minor modifications sought to designation purposes, conditions, or mapping;
- Considerations under sections 168(3) and 171 RMA (which are identical in any event)
- Integration of designations with underlying zoning and overlays, including Outstanding Natural Landscapes; and
- Ensuring that designations are accurate, up to date, and aligned with the National Planning Standards and current regional planning instruments.
- No submissions raised substantive concerns about adverse environmental effects, alternative sites or routes, or the overall necessity of the designations.

Summary of Recommendations

- iv. Overall, the reporting officers consider that all designations considered in this report can be confirmed, subject only to limited, targeted modifications where justified. The recommendations are summarised as follows:

- v. **New Zealand Transport Agency (NZTA)** - confirm all three State Highway designations as notified.
- vi. **Northpower** - confirm all eight designations, subject to minor address corrections and removal of conditions where facilities are already established.
- vii. **Transpower** - confirm the Maungatūroto Substation designation as notified.
- viii. **Channel Terminal Services Limited** - confirm the pipeline designation, subject to updating references to the operative Northland Regional Plan.
- ix. **Clarus (First Gas Limited)** - confirm the designation, with modifications to include decommissioning within the purpose and a tailored condition allowing minor works without an outline plan, subject to compliance with relevant PDP permitted activity standards, particularly in Outstanding Natural Landscapes.
- x. **KiwiRail Holdings Limited** - confirm the rail corridor designation, subject to updating the mapped extent using the corrected GIS shapefile supplied prior to the hearing.
- xi. **Kaipara District Council (as Requiring Authority)** - confirm all 18 KDC designations as notified.
- xii. **Minister of Police** - the two police station designations are rolled over without modification and, in the absence of submissions, must be included without recommendation.
- xiii. **Minister for Courts** - confirm the courthouse designation with minor updates as notified.
- xiv. **Minister of Education** - confirm 23 education designations with minor updates and conditions and note the withdrawal of one designation from the PDP.
- xv. A cross-section reference to where the matters is addressed in the report and whether it is accepted or rejected is set out in **Appendix A**, and Recommended amendments to are included in **Appendix B**.

Overall Conclusion

- xvi. The reporting officers conclude that the Designation chapter of the PDP is largely appropriate and fit for purpose, and that the recommended modifications will improve clarity, accuracy, and current statutory context. The designations collectively continue to provide for essential national, regional, and local infrastructure while appropriately managing environmental effects.

1. Introduction

1.1 Qualifications and Experience

1. This report has been prepared by two reporting officers, Sarah Horton and Venessa Anich, with details as follows.
2. Sarah Horton: My full name is Sarah Alice-Eva Horton. I joined the Policy and Planning Team at Kaipara District Council (**KDC**) in November 2025 as a Senior Planner – Plan Development. My role in preparing this report is as an expert in planning. I had no involvement in the preparation of the Designation chapter or Section 32 evaluation report prior to notification but became the s42A reporting officer for this topic in January 2026. I have reported on the Hazardous Substances chapter and the Contaminated Land chapter for the Kaipara PDP.
3. I hold a Bachelor of Planning (Hons) at the University of Auckland and am a Full Member of the New Zealand Planning Institute since 2013.
4. I have 20 years' experience in statutory planning across local government, private consultancy and independent practice. My professional experience contains extensive assessment and processing of resource consents, including complex and notified applications, within Auckland and Northland. During my time at Auckland Council, I was involved in the New Lynn Regeneration project, processing the consents for the undergrounding of the New Lynn Rail Station and electrification of the rail corridor western side. I have also worked independently and was on the supplier panel for Auckland Council and Whangarei District Council resource consent teams and providing resource management advice.
5. Venessa Anich: My name is Venessa Anich. I am a Senior Planner – Plan Development at KDC. I am assisting KDC with the Proposed Kaipara District Plan (**PDP**). My role in preparing this report is an expert in planning. I was not directly involved in the preparation of the Designations chapter prior to notification. I have had previous involvement with the PDP as a submitter (S99) and representing clients as submitters to the PDP (refer to section 1.4 Conflict of Interest). None of these submissions include points on the Designation chapter.
6. I hold a Masters of Resource and Regional Planning from the University of Otago and I am an Intermediate Member of the New Zealand Planning Institute.
7. I have approximately 25 years' experience in statutory planning across local government and private consultancies. My professional experience includes the assessment and processing of small and large-scale subdivision and land use developments mostly in Northland, as well as resource consent applications and plan change applications for complex and notified applications. I was part of the team that delivered the Operative Kaipara District Plan, from

review, notification, hearings and Environment Court mediations until the Plan was made fully operative in 2013.

1.2 Preparation of the report

8. Sarah Horton and Venessa Anich are authorised by KDC to prepare this report under section 42A of the RMA to assist the PDP Hearings Panel. The purpose of this report is to both assist the Hearings Panel in hearing and making recommendations on submissions and Notice of Requirements made to the PDP, and to assist submitters in understanding how their submission is being considered as part of the PDP process. This report includes recommendations on matters raised in submissions, and any changes to the PDP that Sarah Horton and Venessa Anich consider to be appropriate having considered the statutory requirements.
9. The data, information, facts, and assumptions considered in forming the professional opinions have not omitted to consider material facts known that might alter or detract from the opinions expressed.
10. For the avoidance of doubt, it should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel. It should not therefore be assumed that the Hearings Panel will reach the same conclusions or recommendations having considered all the submissions, evidence from submitters and Notice of Requirements. The final recommendation ultimately lies with the Hearings Panel.

1.3 Code of Conduct

11. While this is not a hearing held by the Environment Court, both Sarah Horton and Venessa Anich confirm to have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2023 and to have complied with it when preparing this report. Other than stated to rely that on the advice of another person, this evidence is within the expertise of both Sarah Horton and Venessa Anich.

1.4 Conflict of Interest

12. Sarah Horton: I confirm that I have no real or perceived conflict of interest.
13. Venessa Anich: I have had previous involvement with the PDP before my employment by KDC. My previous involvement with the PDP is as a submitter (S99) and representing clients as submitters (S 133, 160, 161, 165, 261). This is outlined in detail in the Register of Interests. None of these submissions include points on the Designation chapter, therefore there is clear separation. As such, I consider that there are no real or perceived conflict of interest issues in relation to my recommendations on the Designation submission points.

2. Scope of Report

2.1 Matters addressed by this report

14. The scope of this report is to consider the submissions and Notice of Requirements (**NOR**) regarding the designations in the PDP. It is important to note that Council as two separate and distinct roles and functions under the RMA in relation to designations. First, as a territorial authority, Council has a role to make recommendations in relation to designations of other requiring authorities notified as part of the PDP. Secondly, as a requiring authority itself, Council as decision making powers in respect of its own designations notified as part of the PDP. These separate roles are discussed in further detail below. Overview of the chapter
15. As notified, the PDP Designation chapter contains designations by ten requiring authorities (refer **Table 1**) over land used for public works and projects by central government, KDC, and network utility operators. Within the Designation chapter there is a sub-chapter for each requiring authority which includes a description of the land, works or project that the designation authorises to take place there. The designation is also shown on the PDP Planning Maps.
16. Most of the designations in the PDP were 'rolled over' (carried forward) from the Operative Kaipara District Plan (**ODP**), with or without modification consistent with the requirement from each relevant requiring authority. Some designations were withdrawn at the Requiring Authorities request. Further details are provided in the Designation Overview Report.

Table 1: *Requiring Authorities with designations in Kaipara District with their unique identifiers.*

Unique Identifier	Requiring Authority
CTS	Channel Terminal Services Limited
FGL	First Gas Limited
KDC	Kaipara District Council
KRH	Kiwi Rail Holdings Limited
MCOU	Minister of Courts
MEDU	Minister of Education
MPOL	Minister of Police
NZTA	New Zealand Transport Agency
NPL	Northpower Limited
TPR	Transpower New Zealand Limited

2.2 Statutory Context

17. This report is prepared under the RMA 1991. At the end of 2025, the Government introduced two new pieces of legislation that the RMA will be replaced with:
 - a. A Natural Environment Act – focused on managing the natural environment
 - b. A Planning Act – focused on planning to enable development and infrastructure.
18. The Government has announced their intention to proceed with the Select Committee process at pace through the first half of 2026, with both bills intended to be passed into law before the 2026 general election. Although the signalled intent is for a quick transition to the new resource management system by the end of 2029, the RMA continues to be in effect until this new replacement legislation is passed, with planning documents prepared under the RMA remaining in effect until new national direction instruments are prepared, standardised plan content developed and new plans prepared (including Regional Spatial Plans, Natural Environment Plans and Land Use Plans).
19. The Operative Kaipara District Plan is thirteen years old and drafted in a manner that is misaligned with both the National Planning Standards and other district plans in the Northland region (being Whangarei and Far North District Plans). Substantive work is required to better align it with other planning provisions in the region, as well as with the style, content and format of plans that are likely to be required under the new planning system. The Schedule 1 hearing process for the PDP is an important part of modernising the district plan and achieving clear and consistent provisions that will better integrate into the new planning system.
20. Once the new legislation is passed, the direction of the new legislation will be considered when making recommendations and alignment will be sought with this direction where it is within the scope of submissions to do so. As the new legislation is not yet in force and the content is not finalised, this section 42A report does not consider the direction contained in the new bills. This report does not rely on or give effect to proposed legislation that is not yet in force.
21. This report is prepared under the RMA. The Designation Overview Report provided detail of the relevant statutory considerations with respect to Part 2 of the RMA and other higher order documents relevant to the Designation chapter. We do not repeat all of the detail of the Designation Overview report, but we note that:
 - a. The process for making and finalising designations is detailed in the RMA, Part 8. Section 166 defines a designation as a provision made in a district plan to give effect to a requirement made by a requiring authority.

- b. Although the Northland Regional Policy Statement (**RPS**) does not deal with designations directly it does promote a collaborative and consistent approach to enhance and manage regionally significant infrastructure which may include infrastructure such as:
- i. Significant utility services (water, energy, waste);
 - ii. Renewable electricity generation;
 - iii. Strategic communications facilities;
 - iv. Strategic transport networks;
 - v. Major health care institutions including hospitals;
 - vi. Significant educational facilities; and
 - vii. Other infrastructure of importance to Northland.

There are a number of RPS objectives and policies that relate to infrastructure and refer to designations, for example Objectives 3.8 and 3.9 and Policy 5.

- c. The National Environmental Standards for Telecommunication Facilities 2016 has taken over the designation function through regulations separate from district plans.

22. Kaipara District contains seven Iwi Authorities, as follows:

- a. Te Uri o Hau Settlement Trust;
- b. Te Roroa Whatu Ora Trust;
- c. Te Kawerau ā Maki Iwi Tribal Authority;
- d. Ngāti Manuhiri Settlement Trust;
- e. Te Runanga o Ngāti Whātua;
- f. Ngātiwai Trust; and
- g. Te Rūnanga Ā Iwi O Ngāpuhi.

23. Four have been established under Treaty Settlement Claims legislation, with the remaining three established under other legislative mechanisms. These three Iwi Authorities are still progressing their own Treaty settlements with the Crown.

24. A list of the formally recognised Iwi and Hapu Management Plans (**IHEMP**) for the Kaipara District is provided below:

- a. Te Uri o Hau Kaitiakitanga o te Taiao (Te Uri o Hau);

- b. Ngā Ture mō Te Taiao o Te Roroa (Te Roroa);
 - c. Te Kawerau ā Maki Iwi Management Plan (Te Kawerau a Maki Iwi Tribal Authority); and
 - d. Patuharakeke Hapū Environmental Management Plan 2018 (Patuharakeke).
25. The four iwi hapū management plans relevant to the Kaipara District were considered as part of developing the PDP, as set out in Section 2.5 of the Section 32 Overview Report. The s32 reports on Strategic Directions, Sites and Areas of Significance to Māori, as well as the Māori Purpose Zone contain the most relevant content, but all chapters of the PDP take the IHEMPs into account to some extent.
26. It is noted that Te Roroa have recently initiated the process for a Mana Whakahono Agreement with Kaipara District Council. Mana Whakahono ā Rohe are statutory iwi participation arrangements provided for under sections 58L to 58U of the Resource Management Act 1991. Their purpose is to give iwi authorities and local authorities a mechanism to discuss, agree and record how tangata whenua will participate in resource management and decision-making processes under the RMA, and to assist councils to meet their statutory duties, including under sections 6(e), 7(a) and 8. The statutory framework emphasises enduring arrangements, integrated processes, good faith, open communication, shared expertise, and minimising delay and cost. The Mana Whakahono Agreement between Kaipara District Council and Te Roroa is not yet finalised.

2.3 Procedural matters

27. When reviewing a district plan, the Council is required to invite requiring authorities that have an existing designation that has not lapsed in the ODP to give written notice to the Council, stating whether the requiring authority requires the Council to include the designation in its proposed district plan, with or without modification (Clause 4, Schedule 1 RMA). If a requiring authority does not respond the Council's invitation, the designation is not included in the proposed district plan. All requiring authorities with designations in the ODP responded (clause 4(5), Schedule 1).
28. In January 2025 the Council formally invited requiring authorities to withdraw, rollover or rollover with modification their existing designations and/or to supply notices of requirement for any new designations sought. Notices of Requirement from the ten requiring authorities with existing designations in the ODP were served on the Council within 40 working days of the Council notifying the PDP and were therefore included in the PDP. The requiring authorities required some or all of their existing designations to be either included the PDP, with or without modification, or be withdrawn. This resulted in a total of 59 designations in the PDP (refer **Table 2**). The submission process on designations is now running in parallel to the submission process on all other content in the PDP.

29. In addition to roll-over designations, a requiring authority may also give written notice requesting a new site to be designated. The territorial authority can then include this requirement in the PDP pursuant to clause 4(5) of Schedule 1. None of the requiring authorities sought new designations.
30. Clause 4(6) of Schedule 1 provides that a TA may include in its PDP any request for a designation or existing designation that the territorial authority has responsibility for in its district. The PDP includes 18 Council designations.
31. Of the 59 designations included in the PDP, 12 of these are rollovers without modification and 47 of these are rollovers with modification. Seven designations were withdrawn and not rolled over from the ODP (refer Table 5.1 in the Designation Overview Report). A summary of the designations sought by each requiring authority is provided in the Designation Overview report, refer Table 5.2. The designations included in the PDP are summarised in **Table 2** below:

Table 2: Summary of Designations Required by each Requiring Authority in the Proposed Kaipara District Plan

Requiring Authority	Rollover without modifications	Rollover with modifications	Total designations
Channel Terminal Services	1		1
Clarus (First Gas Ltd)		1	1
Kaipara District Council	2	16	18
Kiwi Rail		1	1
Minister for Courts		1	1
Minister of Education	1	22	23
Minister of Police	2		2
New Zealand Transport Agency		3	3
Northpower	5	3	8
Transpower	1		1

Requiring Authority	Rollover without modifications	Rollover with modifications	Total designations
Total	12	47	59

Territorial authority as requiring authority

Clause 9(2) of Schedule provides that the territorial authority must make its decision on provisions included in a proposed district plan under clause 4(6) in accordance with section 168A(3) of the RMA.

This means if the notice of requirement is received from the Council in its capacity as a requiring authority (referred to as “KDC RA” in this report), the Hearings Panel hears the notice of requirement (Designation Hearing) and makes a recommendation to KDC RA.

The matters to be taken into consideration under section 168A(3) when KDC is the requiring authority are the same as those matters under section 171 which apply when the requiring authority is someone other than a territorial authority.

Under section 168A(4) the territorial authority may decide to:

- (a) Confirm the requirement;
- (b) Modify the requirement;
- (c) Impose conditions;
- (d) Withdraw the requirement.

Recommendations made to Requiring Authorities other than KDC

Clause 9(1) of Schedule 1 provides that a territorial authority must make and notify its recommendation in respect of any provisions included in a PDP under clause 4(5) of schedule 1 to the appropriate authority in accordance with section 171 RMA.

32. This means for notices of requirement lodged by requiring authorities other than KDC, the Hearings Panel hears the notice of requirement (Designation Hearing) and makes a recommendation to the Council. The Council then decides to accept or reject this recommendation. If the Hearings Panel recommendation is accepted, the Council then makes

that recommendation to the requiring authority. The requiring authority then makes the decision whether to accept the recommendation, accept it in part, or reject it, with reasons and advises the Council of this decision. If the Hearings Panel recommendation is rejected by the Council, then the Council decides the next steps e.g. return the matter to the Hearings Panel for further consideration or be re-heard.

33. Pursuant to section 171(2) of the RMA, the territorial authority may recommend, giving reasons, to the requiring authority , that it:
- a. confirm the requirement;
 - b. modify the requirement;
 - c. impose conditions; or
 - d. withdraw the requirement.

The requiring authority must notify the territorial authority whether it accepts or rejects the territorial authority's recommendation within the statutory timeframe.

Statutory considerations

34. When making a recommendation on a notice of requirement, regardless of who the requiring authority is, the Hearing Panel / Council must have regard to matters listed in Section 171 of the RMA The Hearing Panel / Council must provide reasons for the recommendation.

Section 171 of the RMA

(1A) When considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition.

(1) When considering a requirement and nay submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to –

- a) *Any relevant provisions of –*
 - i. *A national policy statement;*
 - ii. *A New Zealand coastal policy statement;*
 - iii. *A regional policy statement or proposed regional policy statement;*
 - iv. *An infrastructure design solution;*
 - v. *A plan or proposed plan; and*

b) *If the requiring authority does not have an interest in the land sufficient for undertaking the work –*

- i. *Whether adequate consideration has been given to any alternative sites, routes, or methods of undertaking the work; and*
- ii. *Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*

c) *[Repealed]*

d) *Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*

(1B) The effects to be considered may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the designation, as long as those effects result from measures proposed or agreed to by the requiring authority.

35. Clause 9(3) of schedule 1 to RMA provides that nothing in that clause shall allow the territorial authority to make a recommendation or decision in respect of any existing designations that are included without modification and on which no submissions are received, instead Council must simply include the 'roll over' designation in the PDP. For this PDP process, this accounts for only one requiring authority, the Minister of Police for its two designations MPOL-D1 Police Station Ruawai and MPOL D-2 Police Station Dargaville.

36. One prehearing meeting was undertaken between KiwiRail and KDC representatives 23 April 2026, where it was agreed that KiwiRail would provide accurate GIS data of the KiwiRail designation. KiwiRail provided this information on 24 April 2026. No further prehearing meetings were undertaken associated with the designations. There has been no further consultation undertaken since notification.

2.4 Organisation of the report

37. This report has been organised by requiring authority so that all designations relevant to that requiring authority are considered concurrently.

2.4.1 Submissions and further submissions

38. Seven submissions containing 20 submission points and 2 further submissions were received. The summary of submissions and further submissions pertaining to this section 42A report, and our recommendations for each are attached as **Appendix A**. The original submission documents can be found on KDC's website.

39. While all submissions (and NORs) have been read and considered in the summary of submissions (**Appendix A**), responses have not necessarily been written for each individual

submission point. To assist the Hearings Panel in achieving clause 10(2) of the First Schedule of the RMA, we have provided reasons for our recommendations to confirm, modify, impose conditions or withdraw Notice of Requirements.

2.4.2 Recommended changes

40. Where we have recommended modifying or imposing conditions on the designations as a result of considering the Notice of Requirement and submissions, these are contained as tracked changes in **Appendix B**. Text that is recommended to be amended is shown as **red text**, with deletions being ~~struck through~~, and additional text underlined. Any recommended changes are coloured **red** for ease of locating.

41. Our recommended changes to maps will be illustrated in **Appendix B** also.

2.4.3 Section 32AA evaluation report

42. No section 32AA evaluation is required for a designation process.

3. Topic 1: NZTA - New Zealand Transport Agency

3.1 Introduction

43. Topic 1 reporting has been undertaken by Venessa Anich.

44. New Zealand Transport Agency (**NZTA**) submission requests the retention of its three designations, NZTA D-1, NZTA D-2 and NZTA D-3, for State Highways 1, 12 and 14 as notified in the PDP, including the mapping [330.110, 330.111, 330.112, 330.116, 330.117, 330.118].

3.2 Analysis

45. The three NZTA designations for State Highway 1, 12 and 14 are rollovers from the ODP with minor modifications, as detailed in Table 5.2 of the Designation Overview Report.

46. Given that the three NZTA designations are rollovers from the ODP with only minor modifications, no other submissions were received and having particular regard to the matters in section 171(1)(a) and (b) and (1B), I consider that the effects on the environment of allowing the requirement are acceptable.

3.3 Recommendations

47. I recommend that submission points 330.110, 330.111, 330.112, 330.116, 330.117, 330.118 are accepted, and that the requirement for NZTA D-1, NZTA D2 and NZTA D-3 is confirmed as notified in the PDP.

48. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from NZTA is confirmed as notified.

3.4 Recommendations

49. I recommend that submission points 330.110, 330.111, 330.112, 330.116, 330.117, 330.118 are accepted, and that the requirement for NZTA D-1, NZTA D2 and NZTA D-3 is confirmed as notified in the PDP.
50. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from NZTA is confirmed as notified.

4. Topic 2: Northpower

51. Topic 2 reporting has been undertaken by Sarah Horton.

4.1 Introduction

52. Northpower has eight designations for regionally significant infrastructure at various locations in the Kaipara District, namely for Electricity Substations and Telecommunications Operations.
53. The Northpower designations are:
- a. NPL D-1 Kaiwaka Substation
 - b. NPL D-2 Mareretu Substation
 - c. NPL D-3 Ruawai Substation
 - d. NPL D-4 Dargaville Substation
 - e. NPL D-5 Maungatūroto Substation
 - f. NPL D-6 Mangawhai North Substation
 - g. NPL D-7 Dargaville Communications
 - h. NPL D-8 Mangawhai Central Substation

54. Northpower has submitted on the PDP and with submission reference S283. Northpower requests that the designations remain as notified except for the following minor corrections:
- a. NPL-D2 – Northpower seek for the physical address to be amended to 3A Wairere Road, Paparoa; and
 - b. NPL-D7 – Northpower seek for the physical address to be amended to 8 Mountview Place, Dargaville, and for all conditions to be removed from NPL – D7, as communicated to Kaipara District Council 19 March 2025.

55. Northpower requests the retention of their eight designations as notified in the PDP, including the mapping (refer submission points [S283.186], [S283.187], [S283.188], [S283.189], [S283.190], [S283.191], [S283.192], [S283.193].

NPL-D2

56. Northpower seeks to amend Designation NPL-D2 relating to the Mareretu substation to correct the address as follows:

NPL D-2

Site name: Mareretu Substation

Legal description:

Lot 2 DP104982 PID 4853602

Physical address – ~~Paparoa-Oakleigh~~ 3A Wairere Road, Dargaville.

57. NPL-D-7

58. Northpower has requested minor corrections to the address for NPL-D7 relating to Dargaville telecommunications and removal of the conditions for NPL-D7 as the tower has already been established. The address correction and condition removals are as follows:

NPL-D7

Site name: Dargaville Communications

Legal description:

Lot 2 DP331615

Physical address – ~~10-8~~ Mountview Place, Dargaville

Describe the conditions here and that they relate to any pole, mast, aerial, panel, element, dish or support structure

4.2 Analysis

59. The address corrections are required to ensure the designation description is correct and the removal of the conditions will be consistent with the NPL- D1 to NPL-D6 which do not have conditions as the facilities have been constructed.

4.3 Recommendations

60. Given that the eight Northpower designations are primarily rollovers from the ODP with minor modifications, and no other submissions were received, I consider that all relevant matters in s171 are appropriately addressed or provided for to the point that there are less than minor effects on the environment of allowing the requirement.

61. I recommend that submission points 283.186, 283.187, 283.188, 283.189, 283.190, 283.191, 283.192, 283.193, are accepted, and that the requirement for NPL D-1, NPL D-2, NPL D-3, PL D-4, NPL D-5, NPL D-6, NPL D-7, NPL D-8, subject to the address corrections for NPL-D2, NPL-D7, and conditions removal for the constructed facility associate with NPL-D7, is confirmed as notified in the PDP.
62. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirements from Northpower is confirmed.

5. Topic 3: Transpower

63. Topic 3 reporting has been undertaken by Sarah Horton.

5.1 Introduction

64. Transpower New Zealand Limited has one designation in the Kaipara District, being TPR D-1, relating to an electricity substation at Maungatūroto. Transpower seeks retention of the designation as notified in the Proposed Kaipara District Plan, including its identification on the planning maps [292.77].

TPR D-1 Designation purpose Electricity Substation (Maungatūroto)

Site Name: Maungatūroto Substation Legal Description:

Lot 1 DP136110 PID 4845121

Physical Address: George Road, Maungatūroto Site Description: Maungatūroto Substation

65. In submission point [S292.77] Transpower stated its support for the rollover of the designation and its identification in the planning maps.

5.2 Analysis

66. Transpower's designation TPR D-1 is a rollover from the Operative Kaipara District Plan with no modifications. Transpower supports the rollover of the designation and its identification on the planning maps and does not seek any changes [292.77].
67. Given that the designation is a rollover with no modifications, and no other submissions were received, I consider that all relevant matters under section 171 of the Resource Management Act 1991 have been appropriately addressed or provided for and that the designation remains reasonably necessary for achieving the objectives of the requiring authority.

5.3 Recommendations

68. I recommend accepting submission point [S292.77] and retaining the designation TPR D-1 relating to the Maungatūroto Substation as notified.
69. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from Transpower New Zealand Limited is confirmed.

6. Topic 4: CTS - Channel Terminal Services Limited

6.1 Introduction

70. Topic 4 reporting has been undertaken by Venessa Anich.
71. Channel Terminal Services Limited (**Channel**) submission [301.30] requests the retention of its designation CTS D-1, for the Kaipara District portion of its Ruakaka to Auckland pipeline asset, as notified in the PDP. It requests a minor typographical error in the maps of the PDP is corrected. Channel's designation unique identifier is incorrectly shown as 's' on the PDP maps, when it should be 'CTS D-1'. I note that this is being addressed through the Infrastructure hearing topic.

6.2 Analysis

72. The Channel designation CTS D-1 is a rollover from the ODP with no modifications. Given this, and that there are no other submissions received, and having particular regard to the matters in section 171(1)(a) and (b) and (1B), I consider that the effects on the environment of allowing the requirement are acceptable.
73. Advice Note 7 refers to the Northland Regional Council Water and Soil Plan for Northland. This plan has been replaced by the Regional Plan for Northland, which was made fully operative on 25 March 2026. I recommend that this update is included in the recommendations to this Requiring Authority as a clause 16 minor amendment.

6.3 Recommendations

74. I recommend that submission point 301.20 is accepted, and that CTS D-1 is retained as notified in the PDP except for an update to the name of the Operative Regional Plan for Northland.
75. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from Channel Terminal Services Limited is modified, as noted above.

7. Topic 5: FGL - Clarus

7.1 Introduction

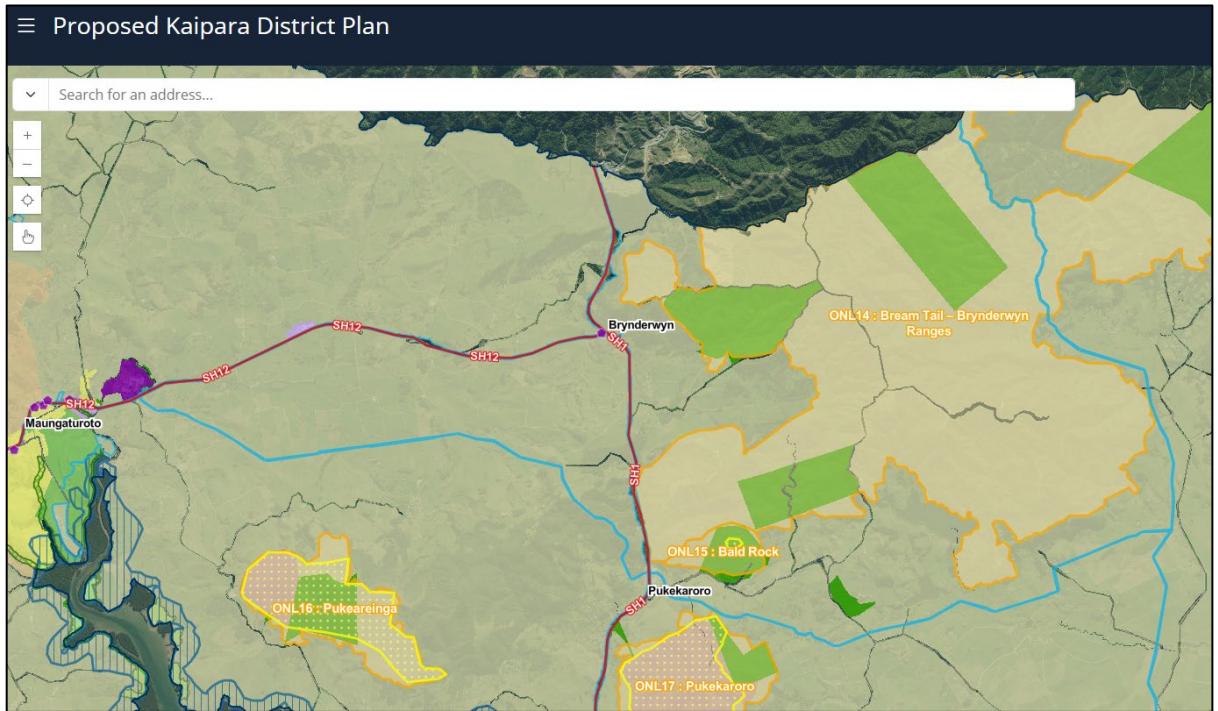
76. Topic 5 reporting has been undertaken by Venessa Anich.
77. Clarus submission [309.96] requests the retention of its designation FGL D-1 for the Kaipara District portion of its Firstgas Transmission pipeline asset, as notified in the PDP. Clarus also requests [309.97] that two conditions are amended. First, that condition 1(1) is amended to extend the purpose of the designation to include decommissioning of the pipeline, should this be necessary in the future. Second, that a new condition 12 is added that allows minor works to be undertaken without the need for an outline plan of works or a waiver for an outline plan of works.

7.2 Analysis

78. Regarding an amendment to the purpose of the designation to include decommissioning, I consider that this is consistent with the purpose and intent of designation FGL D-1. I consider that providing for the activity of decommissioning of the pipeline and above ground structures from service and associated works, if necessary in the future, is an appropriate activity to be undertaken in this designation.
79. When considering s171 matters and the effects on the environment of allowing the requirement (amendment to condition 1(1)), I consider that the decommissioning activity is not inconsistent with any Part 2 matter nor with any of the plans or documents listed in s171(1)(a). It is understood that Clarus, as the Requiring Authority, has sufficient interest in the land the pipeline route is located on to undertake the decommissioning works. I do not consider that there is any other matter reasonably necessary in order to make a recommendation on the requirement.
80. Based on this, I recommend that the requirement is amended so that the purpose of the designation includes decommissioning.
81. Regarding the addition of a twelfth condition that allows minor works to be undertaken without the need for an outline plan of works or a waiver for an outline plan of works, the submission lists two types of minor works associated with the pipeline and above ground structures. First, earthworks of no more than 50 lineal metre of the pipeline excavated at any particular time, best practice sediment controls are installed, and Council is given 10 working days prior notice of the activity being undertaken. And second, that temporary structures may be erected for the purpose of allowing maintenance or repair of existing structures or equipment for a one-month period, unless written confirmation is obtained from Council for an alternate timeframe.

82. Refer to Figure 1 for the spatial extent of the pipeline designation and the underlying zone, which is General Rural with the northern extent also traversing Outstanding Natural Landscape Bream Tail – Brynderwyn Ranges (ONL 14). The southern portion of the pipeline is not shown in Figure 1 as it continues to traverse the General rural zone with no other Overlays.

Figure 1: Firstgas pipeline designation FGL D-1 (light blue line) through Kaipara District



83. A comparison between the Firstgas requirement for minor works involving earthworks and temporary structures and the PDP rules and standards for the same activities is demonstrated in **Table 3**.

Table 3: Earthworks and Temporary Structures comparison between Firstgas requirement and the Proposed Kaipara District Plan

Firstgas Requirement	Proposed Kaipara District Plan Permitted Activity thresholds
Earthworks	
50 lineal meters	<u>General Rural Zone:</u> 5,000m ² and 2,500m ³ per site

Firstgas Requirement	Proposed Kaipara District Plan Permitted Activity thresholds
	<p><i>EW-R1 Earthworks and EW-S1 Maximum earthworks thresholds</i></p> <p>The maximum earthworks thresholds do not apply to - Earthworks for the operation, maintenance and repair of existing infrastructure</p> <p><i>EW-S1 Maximum earthworks thresholds - Exception 2.c</i></p> <p>1.5m cut height or fill depth or 2.5m if retained by a building or structure</p> <p><i>EW-R1 Earthworks and EW-S2 Cut height and fill depth</i></p> <p>As soon as possible, but not later than six months after completion of earthworks or stages of earthworks, the earthworks area must be stabilised.</p> <p><i>EW-R1 Earthworks and EW-S5 Site reinstatement</i></p> <p><u>Outstanding Natural Landscape:</u></p> <p>Earthworks are permitted where the earthworks are for the maintenance of lawfully established utility connections</p> <p><i>NFL-R4.1.b Earthworks</i></p> <p>For operation and repair activities: 150m³ per site and maximum cut height or fill depth must not exceed 2m</p> <p><i>NFL-R4 Earthworks and NFL-S4 Earthworks</i></p>
Excavation	<p><u>General Rural Zone and Outstanding Natural Landscapes:</u></p>

Firstgas Requirement	Proposed Kaipara District Plan Permitted Activity thresholds
	Included in Earthworks rules and standards above.
Best practice sediment controls are installed	<p><u>General Rural Zone:</u></p> <p>EW-S4 Dust, silt and sediment control.</p> <p>For the duration of the earthworks, measures must be implemented to:</p> <ul style="list-style-type: none"> • Prevent silt or sediment entering the stormwater system, overland flow paths or roads; and • Prevent the creation of a dust nuisance. <p><u>Outstanding Natural Landscapes:</u></p> <p>No controls</p>
For operation, maintenance, repair	<p><u>General Rural Zone:</u></p> <p>All activities included in rules and standards</p> <p><u>Outstanding Natural Landscapes:</u></p> <p>Operation and repair included in rules and standards</p> <p>An exception provides for maintenance as a permitted activity</p>
At any particular time	<p><u>General Rural Zone and Outstanding Natural Landscapes:</u></p> <p>12-month period</p>
Prior notice given	<p><u>General Rural Zone and Outstanding Natural Landscapes:</u></p>

Firstgas Requirement	Proposed Kaipara District Plan Permitted Activity thresholds
	No requirements
Temporary Structures	
<p>Temporary structures erected for the purpose of allowing maintenance or repair of existing structures or equipment</p> <p>1 month duration, unless obtain approval for longer</p> <p>Removed when finished</p>	<p><u>All Zones</u></p> <p>Temporary buildings and structures ancillary to construction work permitted where:</p> <ul style="list-style-type: none"> • They are located on same site as the associated construction work; • The maximum gross floor area does not exceed 50m² where the site is located within or adjoins GRZ; • They are removed from the site upon completion of construction works or within 12 months; and • They comply with the height recessive plane and setback rule standards of the zone where the activity is located. <p><i>TEMP-R3 Temporary buildings and structures ancillary to construction work</i></p>

Earthworks

84. By way of a summary for the General Rural Zone earthworks rules when applied to this activity, there are volume and area maximums, but these do not apply to Earthworks for the operation, maintenance and repair of existing infrastructure (refer EW-S1 Maximum earthworks thresholds - Exception 2.c). My interpretation is that the earthworks proposed by Firstgas fits within the 2.c exception. However, the following standards do apply:

- EW-S2 Cut height and fill depth: 2.5m cut height or fill if retained by a building or structure, or 1.5m depth/height where there is no retaining with a consented building;

- EW-S4 Dust, silt and sediment control; and
 - EW-S5 Site reinstatement: no later than 6 months after completion of the earthworks.
85. For earthworks rules in an Outstanding Natural Landscape when applied to this activity, the exception for maintenance of network connections (refer NFL-R4.1.b Earthworks) is not considered applicable because a utility connection is not the same as a network utility operator, and a gas transmission line is not a utility connection. The PDP does not define 'utility connection' however it is considered that a utility connection is the physical linking of a property (home, building, or development site) to essential public services—such as electricity, water, gas, sewage, and telecommunications—allowing these services to function.
86. Therefore, maintenance must still comply with NFL-S4 Earthworks, as does operation and repair activities. Collectively, they are permitted activities when the earthworks is no more than 150m³ per site and the maximum cut height or fill depth does not exceed 2m (refer NFL-S4 Earthworks).
87. The restriction of no more than 50 lineal meters of pipeline to be excavated at any particular time is an existing requirement for this designation. It is a condition on the purpose for when renewals are undertaken (refer Designation condition 1.2.a). There are existing designation conditions regarding sediment and erosion measures (refer condition 3.5), timing of works (refer condition 3.6), and noise (refer condition 3.8). There is an existing advice note that regional consent may need to be sought in accordance with the provisions of the Northland Regional Council Water and Soil Plan for Northland.
88. As the Water and Soil Plan for Northland has been replaced by the Regional Plan for Northland (made fully operative on 25 March 2026), I recommend that Advice Note 4.7 is updated accordingly.
89. On balance, I agree with the Clarus requirement that no outline plan of works is necessary when undertaking minor works involving earthworks for the operation, maintenance and repair of the pipeline that is located in the GRUZ. This is because the proposed minor works are likely to be within the cut and fill permitted activity thresholds set in the PDP earthworks standard EW-S2.
90. For the portion of the pipeline located in the ONL, NFL-R4 Earthworks and NFL-S4 Earthworks manages earthworks associated with maintenance, operation and repair. 50 lineal meters of earthworks could potentially exceed these thresholds as no depth or width dimensions have been provided by the Requiring Authority.
91. When considering s171 matters and the effects on the environment of allowing the requirement (an additional condition), I consider that allowing earthworks associated with minor works, provided sensitive areas like ONLs are taken into consideration, is not inconsistent with any Part 2 matter nor with any of the plans or documents listed in s171(1)(a). It is understood that Clarus,

as the Requiring Authority, has sufficient interest in the land the pipeline route is located on, to undertake the decommissioning works. I do not consider that there are any other matters reasonably necessary in order to make a recommendation on the requirement.

92. Based on this, I recommend that the requirement for a new condition 12 is modified to include that the district plan relevant permitted activity standards will be complied with (in particular earthworks in an ONL), similar to the existing purpose of designation 1.2.b.

Temporary Structures

93. The temporary structures Firstgas require for minor works are provided for as a permitted activity under TEMP-R3. The Firstgas designation has existing limitations on any upgrade works to adding or replacing above ground components provided the district plan relevant permitted activity standards are complied with (refer 1.2.b). I consider this is an appropriate addition to new condition 12 of the Firstgas designation in regard to temporary structures.
94. When considering s171 matters and the effects on the environment of allowing the requirement (an additional condition), I consider that allowing temporary structures associated with minor works, is not inconsistent with any Part 2 matter nor with any of the plans or documents listed in s171(1)(a). It is understood that Clarus, as the Requiring Authority, has sufficient interest in the land the pipeline route is located on, to undertake the decommissioning works. I do not consider that there are any other matters reasonably necessary in order to make a recommendation on the requirement.
95. Based on this, I recommend that the requirement for a new condition 12 is modified to include that the district plan relevant permitted activity standards will be complied with (in particular TEMP-R3 Temporary buildings and structures ancillary to construction work), similar to the purpose of designation 1.2.b.

7.3 Recommendations

96. I recommend that submission point 309.96 is accepted, and that FGL D-1 is retained as notified in the PDP. I recommend that submission point 309.97 is accepted in part, and that the purpose of FGL D-1 is modified to include decommissioning, and that a new condition is added to provide for minor works to not require an outline plan of works, provided district plan relevant permitted activity standards are complied with, in particular earthworks in an Outstanding Natural Landscape and TEMP-R3.
97. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from Clarus is modified, as noted above.

8. Topic 6: Kiwi Rail

98. Topic 6 reporting has been undertaken by Sarah Horton.

8.1 Introduction

99. KiwiRail Holdings Limited (**KiwiRail**) is a requiring authority with one designation in the PDP, being KRH D-1. The designation relates to rail infrastructure within the Kaipara District and has been notified effectively as a rollover from the Operative Kaipara District Plan. The designation KRH D-1 authorises works and activities associated with KiwiRail's rail corridor and associated infrastructure and is shown on the PDP Planning Maps.

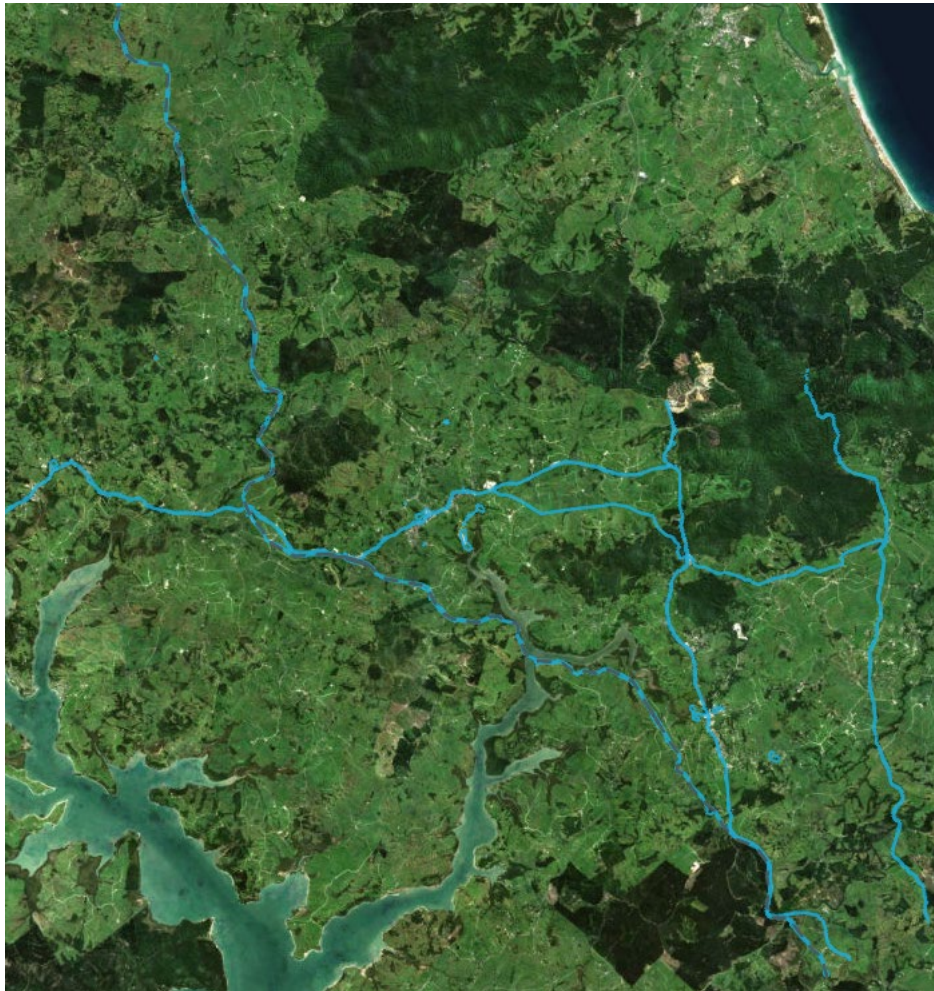


Figure 1 – Partial image of KRH D1 rail designation. Rail designation shown as black dash. (Source Kaipara District Council GIS)

100. KiwiRail submitted a clause 4(1) notice for the rollover of KiwiRail designations with corrections and a GIS shapefile to Council 29 October 2020.

101. Kaipara District Council identified to KiwiRail that the GIS shapefile did not match the designation and outlined several potential issues with the current KiwiRail designation spatial data used in the PDP, including misalignment with cadastral boundaries, overlap with other designations (such as NZTA), railway alignment exceeding designation extent, inconsistent treatment of detached railway reserve parcels, and incorrect inclusion of certain land parcels.
102. During the notification period NZTA filed a further submission with two submission points FS80.17 and FS80.18 that opposed KiwiRail submission points 323.82 and 323.83. The matters raised in the further submission included, potential impact on any overlap areas with state highways and uncertainty due to a lack of a GIS shapefile being provided to Kaipara District Council.
103. Various discussions were held with KDC and KiwiRail since 2020, with the most recent discussions including prehearing meeting being held with KiwiRail on 23 April 2026. The meeting minutes are appended to this report.
104. Following the prehearing meeting, KiwiRail submitted an updated shapefile to KDC on 24 April 2026 prepared by a geospatial specialist based on the LINZ CRS. This has been provided to NZTA, confirmation of it being acceptable to NZTA has not yet been communicated to KDC. The extent of the designation has been standardised to 5m from centre of rail off set where the rail passes over a hydro parcel or a road. A 5m off set has not been applied to any privately owned land.

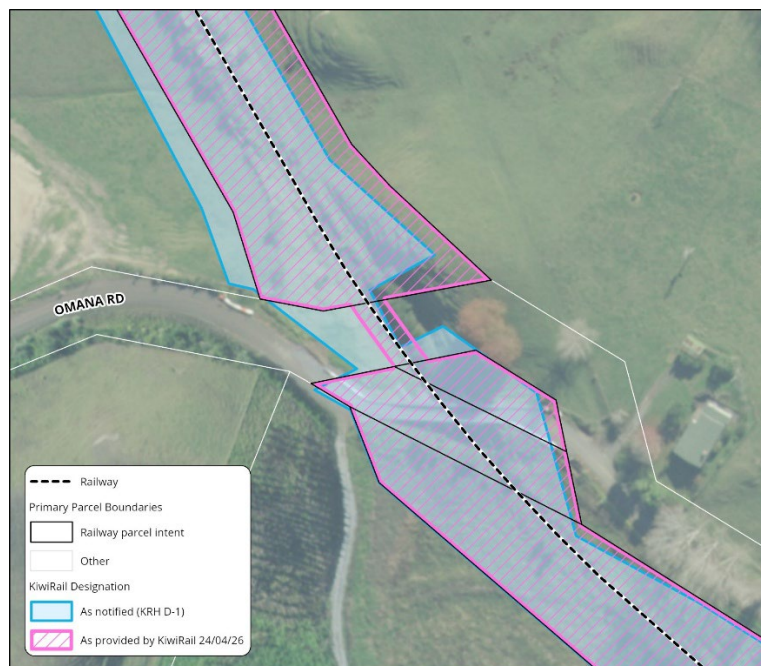


Figure 2 – Example of improved KRH D1 rail designation mapping. Source Kaipara District Council GIS Specialist)

8.2 Analysis

105. The proposed designation is generally similar to the existing designation; however, the updated shape file is an improvement to resolve some errors that were apparent in previous data sets. No changes in the wording for the designation are required.

s171(1)(a) – Relevant objectives and policies of the proposed plan

106. The designation provides for a strategic rail network utility, which is generally supported by district plan frameworks through the use of designations. The proposed amendment improves spatial accuracy, aligning the designation with the physical rail corridor and resolving mapping errors (misalignment, overlaps, incorrect parcels). This supports plan effectiveness, certainty, and reduces unintended constraints on land. Conclusion: The amendment is consistent with and gives better effect to the objectives and policies supporting infrastructure and plan clarity. Confirmation of the replacement GIS layer (24 April 2026 shapefile) by KiwiRail would assist plan certainty.

s171(1)(b) – Consideration of alternative sites, routes, or methods

107. The proposal is not a new designation or route selection, but a technical correction to mapping. The updated shapefile adopts a proportionate methodology (5m offset only over road/hydro parcels, with the intention of no extension onto private land). Effects are primarily administrative rather than environmental. Accordingly, a detailed alternatives assessment is not required to the same extent as for a new designation.
108. Conclusion: Adequate consideration of alternatives is not triggered to a significant degree; the proposed method is appropriate and reasonable.

s171(1)(c) – Whether the designation is reasonably necessary to achieve the requiring authority's objectives

109. Accurate spatial definition is essential to the functioning of a designation. The amendment resolves identified GIS errors and ensures the designation properly reflects the operational rail corridor. This reduces conflict with other designations and improves certainty. Without correction, the designation may not function as intended and KiwiRail's activities in the future may be impeded if the works are located outside the designation. Conclusion: The amendment is reasonably necessary to achieve KiwiRail's objectives of maintaining and operating the rail network.

s171(1)(d) – Other relevant matters

110. Relevant considerations include:

- Resolution of overlaps with other designations (e.g., NZTA);
- Improved GIS integrity and cadastral alignment;
- A robust process, including iterative engagement since 2020 and a specialist-prepared shapefile (2026), which has been sent to NZTA. These factors support improved plan administration and reduced dispute risk.

111. Conclusion: Other relevant matters support the amendment, particularly improved certainty, accuracy, and coordination between requiring authorities.

s171(2) – Conditions

112. No changes to designation purpose or wording are proposed.
113. Given the amendment is spatial/technical, conditions are not strictly required.
114. However, confirmation of the authoritative GIS layer (24 April 2026 shapefile) would assist plan certainty.
115. Conclusion: No substantive condition changes required, but GIS confirmation is appropriate for implementation clarity.

8.3 Recommendations

116. I recommend that submission point 323.83 is accepted in part, and that the spatial extent of the designation KRH D-1 is amended to match the physical location of the rail lines. No changes to the wording in the designation are required.
117. I recommend accepting submission points 323.82 and 323.83 be accepted in part, confirmation between NZTA and KiwiRail has not yet been provided but is anticipated to be resolved as much as practicable during the hearings process.
118. Confirmation of the authoritative GIS layer (24 April 2026 shapefile) would assist plan certainty.

9. Topic 7: MPOL - Minister of Police

9.1 Introduction

119. Topic 7 reporting has been undertaken by Venessa Anich.
120. The Minister of Police's (**MPOL**) notice requested the rollover of its designations from the ODP into the PDP with no modifications. The Ruawai Police Station is shown as MPOL D-1 while the

Dargaville Police Station is shown as MPOL D-2 in the PDP. No submissions were received regarding these designations.

9.2 Analysis

121. The MPOL designation was included in the PDP without modification and Council has received no submissions on these two designations. Therefore, in reliance on clause 9(3) of Schedule 1, the Council is not allowed to make a recommendation, it must simply include the 'roll over' designation in the PDP.

9.3 Recommendation

122. As noted above, there is no recommendation or decision required for the two MPOL designations. and MPOL D1 and MPOL D-2 is required to be confirmed in the PDP.

10. Topic 8: MCOU - Minister for Courts

10.1 Introduction

123. Topic 8 reporting has been undertaken by Venessa Anich.

124. The Minister for Court's (**MCOU**) notice requested the rollover of its one designation from the ODP into the PDP with minor modifications to the name of the Requiring Authority (it was Ministry of Justice, now it is Minister for Courts) and the purpose of the designation. The purpose in the ODP was 'Justice', but was notified in the PDP as:

Judicial, court, tribunal and related purposes including collection of fines and reparation, administration, support, custodial services, and ancillary activities. Works include development and operation of land and buildings for aforementioned purposes.

125. The Dargaville Courthouse is shown as MCOU D-1 in the PDP. No submissions were received regarding this designation.

10.2 Analysis

126. The MCOU designation is a rollover from the ODP with minor modifications. Given this, and that no submissions received, and having particular regard to the matters in section 171(1)(a) and (b) and (1B), I consider that the effects on the environment of allowing the requirement are acceptable.

10.3 Recommendations

127. My recommendation is that the Hearing Panel recommend to Kaipara District Council that the requirement from the Minister for Courts is confirmed as notified.

11. Topic 9: Minister of Education

11.1 Introduction

128. Topic 9 reporting has been undertaken by Venessa Anich.
129. The Minister of Education (**MEDU**) notice requested the rollover of 23 of its 24 designations from the ODP into the PDP with
- a. minor modifications and mapping updates;
 - b. an update to the Education Purposes meaning; and
 - c. the addition of conditions for MEDU D-23 Te Kura Kaupapa Māori o Ngāringamatariki in Kaiwaka.
130. The Ministry requested that one designation is removed – for the Dargaville Community College Outpost. No submissions were received regarding these designations.

11.2 Analysis

131. The MEDU designations are a rollover from the ODP with minor modifications and updates, and the inclusion of conditions for one designation. Given this, and that no submissions were received, and having particular regard to the matters in s171(1)(a) and (b) and (1B), I consider that the effects on the environment of allowing the requirement are acceptable.

11.3 Recommendations

132. My recommendation is that the Hearing Panel recommend to Kaipara District Council that the designations of the Minister of Education are confirmed as notified.

12. Topic 10: Kaipara District Council

12.1 Introduction

133. Topic 10 reporting has been undertaken by Venessa Anich.
134. Pursuant to clause 4(6) of Schedule 1 of the RMA, KDC in its role as territorial authority rolled over into the PDP 18 of their 22 designations from the ODP, referred to as KDC D-1 to KDC D-18 inclusive. Four designations in the ODP were not included in the NOR for inclusion in the PDP as they were no longer required. Of the 18 designations included in the NOR, two had no modifications, while the remaining 16 had minor modifications. Details are contained in Table 5.2 of the Designation Overview Report. No submissions were received regarding the 18 designations included in the PDP.

12.2 Analysis

135. The KDC RA designations included in the PDP are a rollover from the ODP with either minor modifications or no modifications. Given this, and that no submissions were received, and having particular regard to the matters in section 168A(3) and (3A), I consider that the effects on the environment of allowing the requirement are acceptable.

12.3 Recommendations

136. I recommend that designations KDC D-1 to KDC D18 inclusive are retained as notified in the PDP.
137. Therefore, my recommendation is that the Hearing Panel recommend to Kaipara District Council that the KDC designations be confirmed as notified. We note the decision is for Council to make in its capacity as a requiring authority.