

Northpower Submission on PDP



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Date: 30 June 2025

Re: Submission on Proposed Kaipara District Plan (**PDP**) – Northpower Limited

Submission Information:

Northpower could not gain an advantage in trade competition through this submission.

The specific provisions of the Plan that Northpower's submission relates to are attached.

Northpower opposes/supports/seeks amendment to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions that Northpower wishes Kaipara District Council (**KDC**) to make to ensure the issues raised by Northpower are dealt with are also contained in the attached document.

Northpower wishes to be heard in support of this submission.

If others make a similar submission, Northpower will consider presenting a joint case with them at a Hearing.

Caroline Sharp, Legal Counsel, on behalf of

Northpower Limited

1.0 Introduction

Northpower owns and operates:

- the electricity distribution network supplying approximately 65,000 customers across the Whangārei and Kaipara districts (see **Figure 1**) including transmission lines;
- an ultra-fast fibre network, servicing urban areas across Whangārei and Kaipara, approximately 25,000 connected customers; and
- hydro and solar generation in Northland.

Northpower's key activities in the region include:

- (a) Building, upgrading and maintaining electricity and fibre infrastructure to ensure a safe, secure and reliable service to existing customers, other infrastructure providers and to support regional growth and development.
- (b) Overseeing the operation of infrastructure in real time, to ensure their effective operation and the safety of those interacting with them.
- (c) Construction and operation of renewable generation activities including hydro and solar; and
- (d) Connecting new customers to the network, including load customers and distributed generation.

Northpower's Whangārei and Kaipara electricity distribution network consists of around 5,200 kms of overhead lines and 1,300 kms of underground cables serving approximately 65,000 customer connections. The Fibre network (see **Figure 2**) consists of around 600 km of underground fibre cable and over 1000 km of aerial cable (excluding the distribution links between towns).

Northpower's networks traverse the full range of Northland environments. Asset location has historically been (and continues to be) determined by community demand for supply/service and network physical design constraints which typically require linear placement of assets.

Northpower is an electricity distributor under the Electricity Industry Act 2010 and an electricity operator under the Electricity Act 1992. Its electricity network links the national grid, owned by Transpower New Zealand Limited, to power consumers in Whangārei and Kaipara.

Northland communities depend on Northpower services all day, every day. The reliable, safe, resilient and efficient operation of Northpower's networks is critical to meeting the community's current and future needs.

Northpower also have responsibilities under the Civil Defence Emergency Management Act, and as a lifeline utility, are required to be able to function to the fullest possible extent during and after an emergency.

Northpower's network serves regionally significant infrastructure including Whangārei Hospital, Northport, Whangārei Airport, and Regional and District Council operations.

As New Zealand moves to decarbonise its energy system, electricity networks will increasingly be relied on to provide a reliable and essential supply, including to power vehicles, trade electricity between consumers, and supply electricity to decarbonised industrial energy process. This changing environment is expected to contribute to significant additional growth in demand for electricity over the next 30 years.

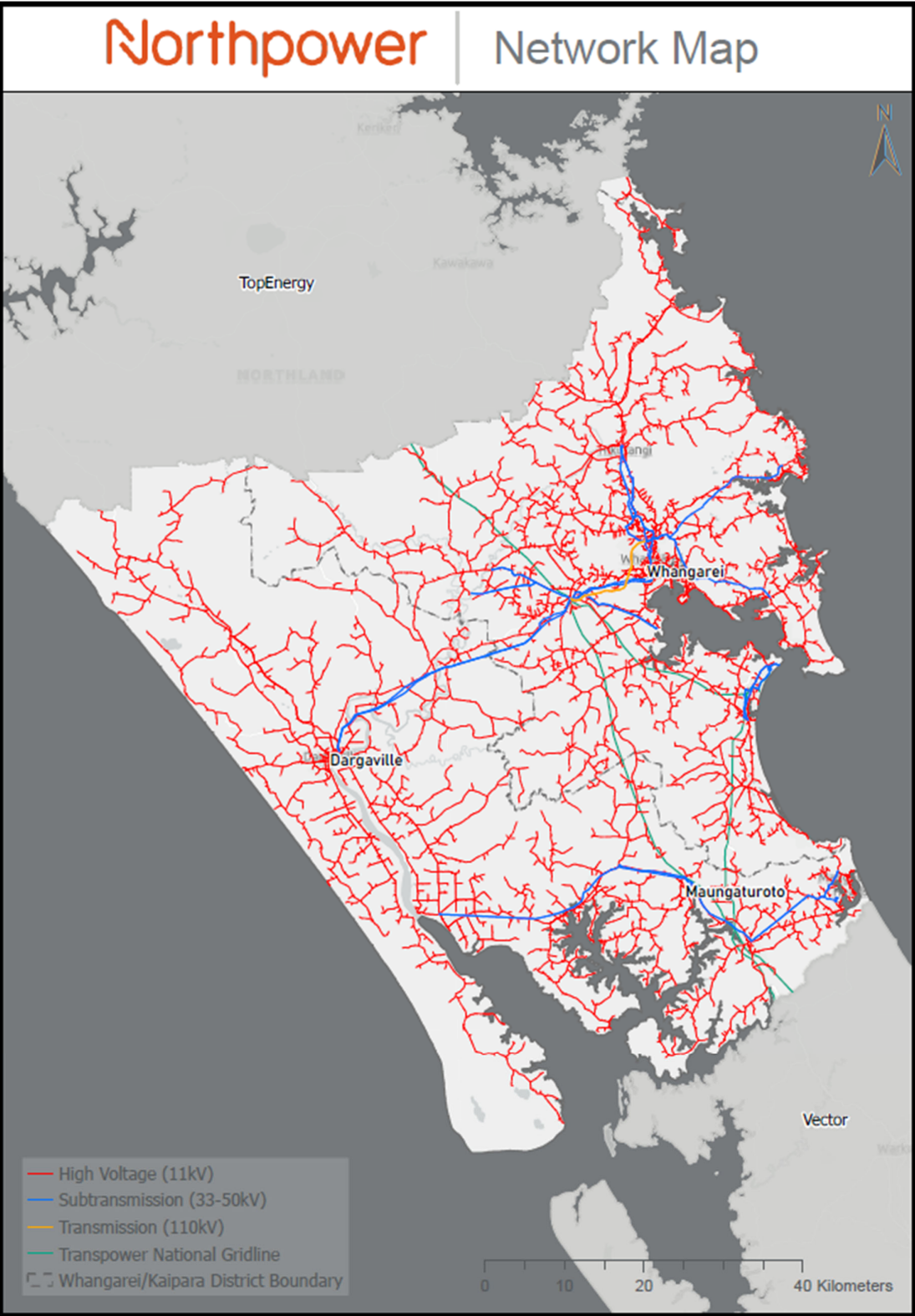


Figure 1 - Extent of Northpower's electricity distribution network

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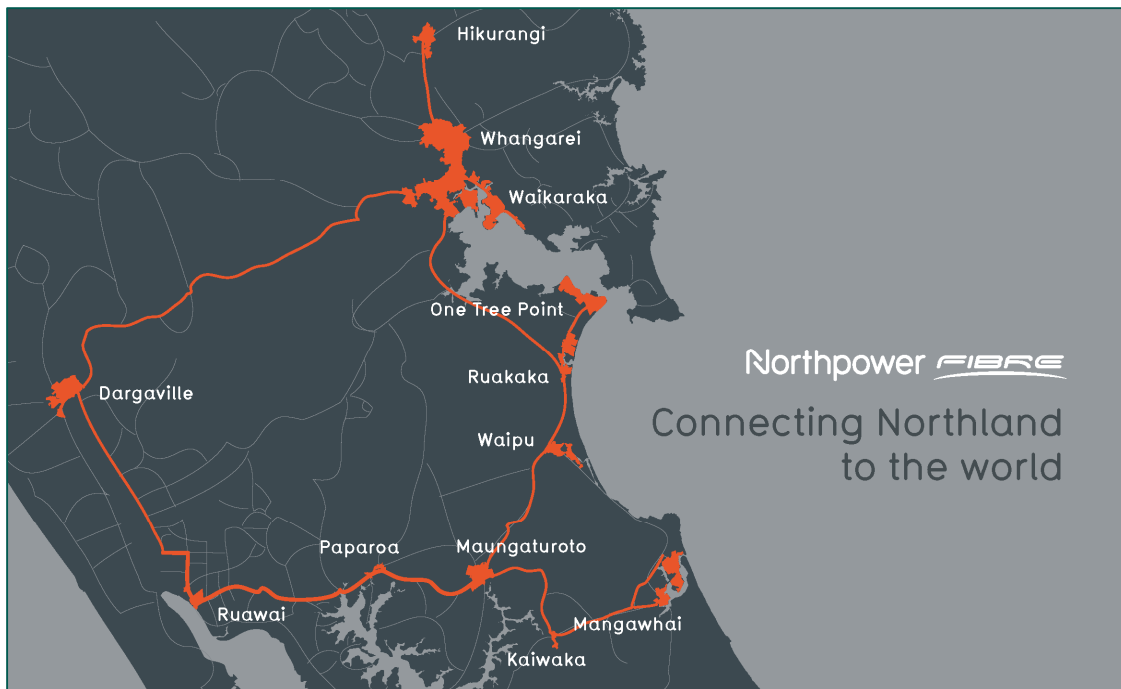


Figure 2 - Northpower's fibre network

It is recognised that electrification of the economy underpins the emissions reductions required by Government legislation. Northpower's networks are a key enabler of this transition. In recent years, Northpower has made and continues to make a significant investment in building and maintaining a resilient network that meets the growing demand of Kaipara while harnessing the region's renewable energy capacity. In particular:

- (a) In December 2024, Northpower completed the new 16.8MW solar farm, Te Puna Mauri ō Omaru in Ruawai. An expansion is due to be completed shortly in July 25 and adds an additional 2.5MW, totalling 19.3MW and powering approximately 3,400 homes.
- (b) In March 2024, Northpower completed the new 15MW Mangawhai Central Substation. This has increased the network capacity and reliability for Mangawhai, enabling current and future growth of the area. This cost \$11.2 million.

Consistent with the above, Central Government policy and legislative reform is underway to support a shift towards electrification and infrastructure development.

2.0 General Feedback

2.1 Part 1 – Introduction and General Provisions

2.1.1 How the Plan Works

Under the National Planning Standards, the How the Plan works chapter is crucial for understanding the mechanics and functions of a district plan. Northpower has noted in **Attachment 1** a number of discrepancies within the PDP resulting from a lack of definitions and inconsistent use of terminology throughout making it unclear what activities are provided for where.

Northpower has noted that there are no general rules about split zoning, or rules applying to only mapped locations. These are important matters that need to be addressed in this chapter to ensure that the interpretation and application of the District Plan is logical and consistent.

2.1.2 Definitions

In general, Northpower supports the definitions subject to the suggested changes and several new definitions as highlighted in **Attachment 1**, which seek to ensure definitions are sufficient to implement provisions to ensure a safe, efficient and resilient electricity and telecommunication distribution network that can continue to serve the Kaipara community. Instances where definitions appear to overlap, have been identified, and Northpower support a clear and well written plan to support ease of reading and implementation for plan users.

2.2 Part 2 – District-wide Matters

2.2.1 Strategic Direction

The Strategic Direction chapter is fundamental to the tone and direction of the PDP.

Northpower note that the Strategic Direction chapter mainly contains objectives for each topic, and not policies (with the exception of the Urban Form and Development section, which includes some policies establishing the zoning criteria for the various zones in the PDP). In Northpower’s view, the objectives need policies to demonstrate how they will be achieved in the Plan. It is also important at this strategic level of the PDP that the policies provide clear direction for the consideration of resource consents where there is conflict between different areas of strategic direction (e.g., for instance between the necessary provision of infrastructure, alongside the protection of the natural environment, or balanced against the risk of natural hazards). This is particularly relevant in the context of Northpower’s assets, given the role electricity has in decarbonizing our economy, and therefore the interdependency with any emissions reduction imperatives.

The Strategic Direction chapter is silent on objectives and policies for “Regionally Significant Infrastructure”, as defined and provided for in the Regional Policy Statement for Northland (**RPS**) and infrastructure more generally. While there are some objectives provided around making sure that development is supported by appropriate and affordable infrastructure, these do not recognise and provide for the benefits and development, operation, maintenance, upgrading and repair of infrastructure and renewable electricity generation activities in accordance with the NPS-REG and RPS. Northpower consider that it is important that strategic direction is provided at this level for these topics, and note that other District Plans in Northland¹ have specifically included strategic direction in this regard. Such an approach is required to give effect to the provisions of the RPS relating to Regionally Significant Infrastructure and infrastructure more broadly.²

¹ See Infrastructure and Electricity Strategic Direction in the Proposed Far North District Plan and District Growth and Development Objectives for Regionally Significant Infrastructure in the Operative Whangārei District Plan.

² See Regionally Significant Infrastructure provisions in the Northland RPS (e.g., Objective 3.7 and Policy 5.3.1) and more general infrastructure provisions (e.g., Objectives 3.8 and 3.9).

Northpower has provided detailed specific feedback in **Attachment 1** on the other relevant Strategic Direction.

2.2.2 Renewable Electricity Generation

Northpower is largely supportive of the general enabling framework provided in the Renewable Electricity Generation chapter, but suggests changes in **Attachment 1** to ensure integration between the objectives, policies and rules, and to ensure an appropriate balance between the provision of the renewable electricity generation activities, and the protection of sensitive environments.

2.2.3 Infrastructure

The Infrastructure Chapter is one of the most important with regard to Northpower's interests and assets in the PDP. Therefore, this contains the most detailed feedback on provisions in **Attachment 1**.

Generally, Northpower consider that the infrastructure chapter is unnecessarily long and complicated. Notwithstanding this, Northpower's feedback is focused on a number of amendments to provisions to ensure the efficient and necessary provision of infrastructure and regionally significant infrastructure, and in particular electricity and telecommunications infrastructure within the District.

2.2.4 Transport

The Transport chapter is not of significant interest to Northpower. However, it is important that recognition is made for the appropriate provision of infrastructure (e.g., electricity and telecommunications) in the transport network, in particular the roading corridor, as often this infrastructure is located within it. Rather than making detailed feedback on the chapter, Northpower seek that this is adequately addressed across the objectives, policies and rules in this chapter.

2.2.5 Contaminated Land

Northpower is largely supportive of this chapter, but has suggested some minor amendments regarding the recognition and provision of infrastructure.

2.2.6 Hazardous Substances

Whangārei District Council (**WDC**) has recently notified Plan Change 91 (**PC91**) to the Whangārei District Plan which proposes to retain objectives and policies relating to hazardous substances for the consideration at resource consent stage, but deletes any rules relating to hazardous substances.

Northpower supports the WDC approach which is consistent with the 2017 RMA amendments that removed explicit function for local authorities to control the adverse effects of the storage, use, disposal, and transportation of hazardous substances.

As outlined in Section 1.0 of this document, and visually depicted in **Figure 1** and **2**, Northpower's assets are spread across the Whangārei and Kaipara Districts. It is not logical for there to be different regimes for the management of hazardous substances across these neighbouring Districts, and Northpower would support cross boundary consistency by KDC applying the same approach proposed by WDC in PC91.

On this basis, Northpower has not made any specific comments on the objectives and policies for Hazardous Substances, and would welcome the opportunity to provide specific feedback, once KDC consider the overall relief sought above.

2.2.7 Natural Hazards

There is a disconnect between the Strategic Direction for Natural Hazards, and the objectives and policies of the Natural Hazards chapter. This needs to be addressed by the provision of additional direction in the Strategic Direction for Natural Hazards, but also adequately reflected in the Natural Hazards chapter.

Northpower understands the importance of the management of natural hazards, but considers that this needs to be balanced by the necessary operation, maintenance, repair and upgrading of existing infrastructure, and the provision of new infrastructure in areas subject to natural hazards where there is an operational or functional need for it to locate there. Further, specific submission points on the Natural Hazards Chapter are included in **Attachment 1**.

2.2.8 Historic Heritage

Northpower support and acknowledge the importance of protecting and maintaining historic heritage, but consider it is important for this to be balanced with enabling the safe and efficient use, development, maintenance, operation, repair and upgrading of existing infrastructure. Northpower's feedback in **Attachment 1** on the objectives, policies and rules is focused on achieving this balance within the Historic Heritage chapter.

2.2.9 Notable Trees

It is important that the protection of notable trees is balanced with enabling the safe and efficient use, development, maintenance, operation, repair and upgrading of infrastructure. Northpower's submission on the objectives, policies and rules within the Notable Trees chapter (see **Attachment 1**) is focused on achieving this balance.

2.2.10 Sites and Areas of Significance to Māori

Northpower support and acknowledge the importance and significance of Sites and Areas of Significance to Māori. Northpower acknowledge that the purpose of this chapter is to protect these sites from inappropriate subdivision and development. However, in some instances there is an operational and functional need for infrastructure to be located within areas identified as being of significance to Māori, particularly given the extent that some of these areas cover. It is important that this balance is achieved, and Northpower's specific feedback in **Attachment 1** focuses on this.

2.2.11 Ecosystems and Indigenous Biodiversity

Northpower support and acknowledge the importance of protecting significant indigenous vegetation and significant habitats of indigenous fauna, but consider it is important for this to be balanced with enabling the safe and efficient use, development, maintenance, operation, repair and upgrading of infrastructure. Northpower's feedback in **Attachment 1** on the objectives, policies and rules is focused on achieving this balance within the Ecosystems and Indigenous Biodiversity chapter.

2.2.12 Natural Character

Northpower support and acknowledge the importance of preserving and protecting natural character of wetland, lake and river margins, but consider it is important for this to be balanced with enabling the safe and efficient use, development, maintenance, operation, repair and upgrading of infrastructure. Northpower's feedback in **Attachment 1** on the objectives, policies and rules is focused on achieving this balance within the Natural Character chapter.

2.2.13 Natural Features and Landscapes

Northpower's feedback in **Attachment 1** on Natural Features and Landscapes largely focuses on the same matters as within the Ecosystems and Indigenous Biodiversity, and Natural Character Chapters. In particular, it highlights the need to provide for infrastructure, including regionally significant infrastructure in Outstanding Natural landscapes and Outstanding Natural Features both within and outside of the coastal environment. It also seeks recognition that in some instances there will be a functional and operational need for other infrastructure in these sensitive areas.

2.2.14 Subdivision

Northpower's feedback in **Attachment 1** on the Subdivision Chapter is focused on the efficient and orderly provision of services and infrastructure at the time of subdivision.

2.2.15 Coastal Environment

Northpower support and acknowledge the importance of preserving and protecting the natural character of the coastal environment, but consider it is important for this to be balanced with enabling the safe and efficient use, development, maintenance, operation, repair and upgrading of infrastructure. Northpower's feedback in **Attachment 1** on the objectives, policies and rules is focused on achieving this balance within the Coastal Environment Chapter.

2.2.16 Earthworks

Northpower's feedback on this chapter seeks to ensure that earthworks associated with new infrastructure and the maintenance and upgrade of existing infrastructure is adequately provided for.

2.2.17 Noise

Northpower's feedback on the Noise chapter focuses on the appropriate recognition of the RPS (see Policy 5.1.1) directive to "avoid" the potential for reverse sensitivity effects and seeks that noise generated by emergency generators is excluded from compliance with noise limits to ensure the continued operation of infrastructure during emergencies is enabled.

2.3 Part 3 – Area-specific matters

2.3.1 Zoning

Northpower's feedback on the zoning provisions does not go into any great detail, and focuses on supporting the exclusion for infrastructure provided by a network utility operator from compliance with the setbacks from the coastal marine area within various zones.

Northpower is also supportive of a compact urban form being achieved in the spatial extent of zoning to be applied in the PDP.

2.3.2 Designations

As part of its feedback on the Draft Plan, Northpower indicated the designations that it would require to be included, with or without modifications, in the PDP. On 3rd February 2025, KDC wrote to Requiring Authorities requesting that they formerly advise whether existing designations were to be included in the PDP with or without modification.

By notice dated 19th March 2025 Northpower confirmed the designations it required to be included in the PDP, and the modifications it required to some of those designations. The reasons for the modifications included:

- The removal of conditions due to no conditions currently existing for the majority of these designations within the ODP;
- To correct discrepancies in legal description references;
- To correct discrepancies in physical address references;
- To amend the spatial extent of NPL-D3; and
- The slight amendment to the name of NPL-D6 to Mangawhai North Substation.

The modifications sought by Northpower are generally reflected in the PDP as notified. Northpower requests that the designations remain as notified except for the following instances:

- NPL-D2 – Northpower seek for the physical address to be amended to 3A Wairere Road, Paparoa; and
- NPL-D7 – Northpower seek for the physical address to be amended to 8 Mountview Place, Dargaville, and for all conditions to be removed.

2.4 Other Matters

2.4.1 Small-scale supporting assets for above-ground and below-ground electricity reticulation and telecommunications

Northpower consider it important for a permitted pathway to be provided for small-scale electricity and telecommunication assets within the PDP as they follow development and support overhead reticulation or underground reticulation. With these assets, Northpower has little control over where they are installed, including when a development has been enabled within a sensitive environment such as a natural hazard area.

In relation to this, Northpower seek for all relevant chapters to be reviewed and updated to provide for these small-scale electricity and telecommunications assets as a permitted activity.

2.4.2 Critical Electricity Lines and Critical Fibre Optic Cables

Northpower attended a meeting with KDC on 18th June 2019 to discuss their concerns with the building of dwellings underneath, or near to Critical Electricity Lines in the Kaipara District, and sought for there to be a new suite of provisions and accompanying overlay that addresses Northpower's entire critical electricity network within the PDP. This was further supported by more detailed feedback that Northpower provided on the Draft Plan.

Northpower are highly disappointed that their feedback has not been addressed as part of the PDP process, particularly given the complete removal of the mapped Electricity Transmission Corridor within the ODP which did provide some protection for Northpower's electricity network from both land use and subdivision activities.

Since this meeting, Northpower have also identified the importance of protecting their Critical Fibre Optic Cables from both land use and subdivision activities.

In summary, Northpower are seeking within the PDP:

- The identification and mapping of Northpower's 11kV (meeting the Northland RPS criteria for Regionally Significant Infrastructure), 33kV, 50kV & 66kV lines as Critical Electricity Lines (CEL) in the PDP. Additionally, Northpower seek for 110kV lines to be identified and mapped as CEL to remain consistent with the Electricity Transmission Corridor within the ODP;
- The identification and mapping of Northpower's Critical Fibre Optic Cables (CFOC). These cables generally align with the High Voltage (11kV) electricity line route as per **Figure 3** below. This has been replicated in **Attachment 2**; and
- A new standalone chapter (to provide clarity to Plan users) providing a suite of new provisions which ensure protection of all electricity lines and fibre optic cables that Northpower consider critical to the electricity and telecommunications networks within the Kaipara District. Rules should require setbacks from the CEL and CFOC for earthworks, buildings and trees to protect the CFOC from reverse sensitivity effects.

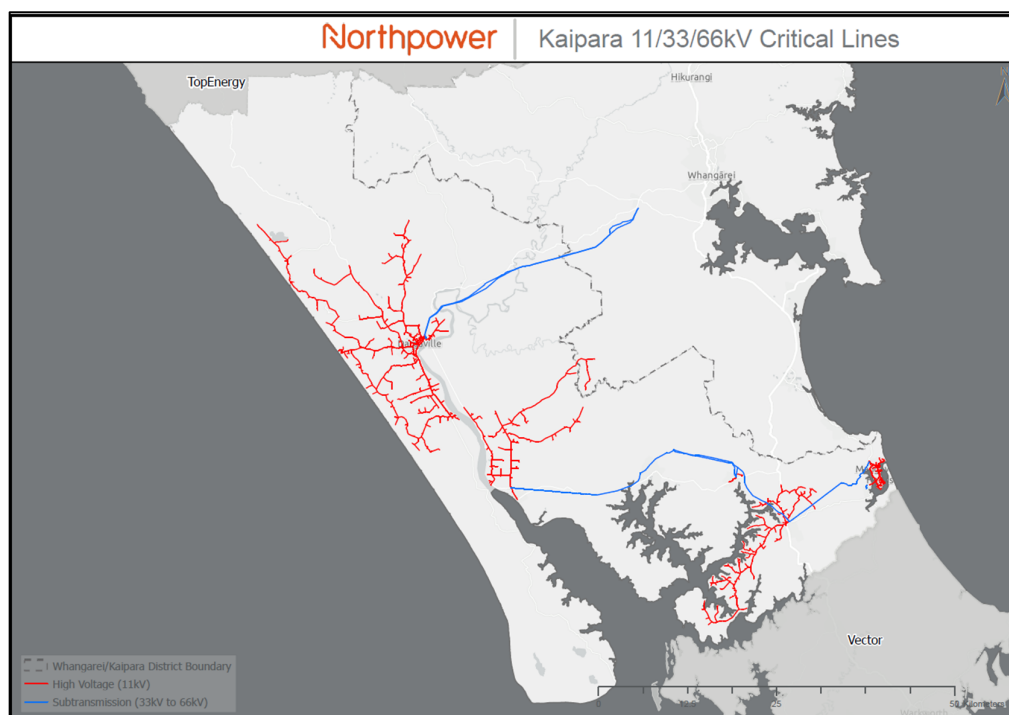


Figure 3: Map of Northpower's Critical Electricity Lines within the Kaipara District – see full scale version in Attachment 2.

It is considered that mapping CELs and CFOCs, and providing associated provisions is justified for the following reasons:

- It will give effect to the Northland RPS which seeks to identify Regionally Significant Infrastructure so that it can be protected for adverse effects including from new development, as well as ensuring that Northland's energy supplies are secure and reliable;

- Mapping CEL and CLOC will provide certainty to KDC and landowners as to the location of these lines and cables. When undertaking subdivision and development, these lines and cables will be clearly identifiable and the provisions will be consistently engaged with, unlike currently where ad hoc implementation of the Electricity (Hazards from Trees) Regulations 2003 and New Zealand Code of Practice for Electrical Safe Distance Regulations; and
- The provisions will achieve a degree of regional consistency with the Whangārei District which provides for CEL provisions for Northpower assets. It will also achieve regional consistency with the Far North District which provides for CEL provisions for Top Energy assets within the notified Proposed Far North District Plan.

Northpower consider that the whole electricity network is 'critical' due to the interdependence on each element of the network on the other. The protection of these CELs is critical to ensuring the reliability and improved resilience of the network, and subsequently a prosperous district (social and economically).

2.4.3 New and Amended National Direction

Following the notification of the PDP, on 29 May 2025, Central Government released its long anticipated amended and new national direction packages. There are four packages:

- Package 1: Infrastructure and development – the Government aims to make it easier for councils to plan and deliver infrastructure by making four new national direction instruments and amending four existing national direction instruments.
- Package 2: Primary sector – The Government aims to enable growth in the primary sector by making changes to eight existing national direction instruments.
- Package 3: Freshwater – The Government is seeking feedback on options to amend freshwater national direction to better reflect the interests of all water users, and on whether changes should be implemented under the existing RMA or under new resource management legislation.
- Package 4: Going for Housing Growth – The Government is seeking feedback on how the proposals in the first pillar of the Going for Housing Growth programme could fit into the new resource management system.

In terms of Northpower's interests and submission on the PDP, the Package 1 Infrastructure and development changes are particularly relevant and include:

- New National Policy Statement for Infrastructure;
- Amendments to the National Policy Statement for Renewable Electricity Generation;
- Amendments to the National Policy Statement on Electricity Transmission (change title to the National Policy Statement for Electricity Networks);
- Amendments to the National Environmental Standards for Electricity Transmission Activities (change title to National Environmental Standards for Electricity Network Activities);
- Amendments to the National Environmental Standards for Telecommunication Facilities; and
- New National Policy Statement for Natural Hazards.

The consultation process closes on 27 July 2025, following the submission period closing for the PDP, and the new and amended direction is intended to be in force before the end of 2025. The draft consultation version of these documents, outlines significant changes to the recognition and provision of infrastructure and renewable energy activities that will have implications on the PDP provisions. This means that by the time hearings for the PDP eventuate later this year or into 2026, new national direction will be in force that the PDP will be required to “give effect” to. This is an unfortunate result of the notification timeline for the PDP. While Northpower has undertaken a detailed analysis and submission in **Attachment 1** on the PDP provisions, it is highly likely that further significant redrafting of the provisions will be required throughout the process.

Northpower’s submission on this point is that these necessary changes are made throughout the process, and that further engagement is undertaken with infrastructure providers to ensure that the new direction regarding infrastructure is adequately given effect to in the PDP provisions.

3.0 Conclusion

In conclusion, Northpower seeks the following relief:

- (a) Northpower’s general feedback in Section 2.0 and specific feedback in **Attachment 1** is addressed and necessary changes incorporated into the PDP.
- (b) Any further necessary consequential amendments required to achieve (a) above.

Northpower looks forward to working collaboratively with KDC to address the above relief and is happy to meet with KDC policy staff or consultants to work through these matters as necessary.

Northpower Submission on PDP

Attachment 1 – Specific Submission Points on the PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
DEFINITIONS CHAPTER				
1	DEF1 Grouped nested definitions	Support	Northpower supports the inclusion of grouped nested definitions for commercial activities, industrial activities, residential activities and rural activities as notified.	Retain as notified.
2	Definitions - Antenna	Support	Northpower supports this definition as worded.	Retain as notified.
3	Definitions - Community Scale Renewable Electricity Generation Activities	Support	Northpower supports this definition as notified.	Retain as notified.
4	Definitions - Emergency tree works	Seek amendment	<p>In accordance with Northpower's feedback on the Draft Proposed Kaipara District Plan, Northpower considers that a definition of "emergency tree works" should be included in the KDP which is consistent with the definition used in the Whangārei District Plan.</p> <p>Although Northpower supports the inclusion of a new definition for "emergency tree works" within the KDP, they consider that the reference to "alteration" creates confusion as the definition for "alteration" relates specifically to any work to existing</p>	<p>Amend the definition of "Emergency tree works" as follows:</p> <p><i>"the alteration pruning, maintenance or removal of any tree or vegetation immediately necessary to avoid an actual and imminent threat to the safety of persons or damage to property or to maintain or restore utility services."</i></p>

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Northpower Submission on PDP

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			buildings or structures and is therefore unrelated to tree works. Northpower therefore seek the addition of “pruning” and “maintenance” to cover the relevant matters.	
5	Definitions - Functional Need	Support	Northpower supports this definition as worded.	Retain as notified.
6	Definitions – Green Infrastructure	Support	Northpower supports this definition as worded.	Retain as notified.
7	Definitions - Infrastructure	Support	Northpower supports this definition as worded as it is in alignment with Section 2 of the RMA.	Retain as notified.
8	Definitions - Large-Scale Renewable Electricity Generation Activities	Support	Northpower supports this definition as worded.	Retain as notified.
9	Definitions - Minor upgrading	Seek amendment	<p>Northpower largely supports the introduction of a new definition to provide for the upgrading of infrastructure, but consider that the definition of ‘minor upgrading’, particularly where it is based on utilising networks of a similar scale and character is ultra vires. Further, some of the upgrades to existing assets would not meet the definition of “minor upgrading”.</p> <p>The term ‘minor upgrading’ is also not consistent with the majority of wording and</p>	<p>Replace definition of ‘minor upgrading’ with a more generalised definition for ‘upgrading’, as follows (or to the same effect), and consequential amendments to references to ‘minor upgrading’ within the PDP provisions to be ‘upgrading’:</p> <p><u>“means, in relation to infrastructure, an increase in the capacity, efficiency, safety, security or resilience of existing infrastructure.”</u></p>

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			<p>approach used within the infrastructure chapter provisions.</p> <p>The only time 'minor upgrading' is referenced within the Infrastructure Chapter is within Rule INF-R4 (Minor upgrading of aboveground infrastructure). All other provisions within this chapter simply refer to the term 'upgrading'.</p> <p>There are a couple of other instances where the term 'minor upgrading' is used within the KDP (NH-R13 & NFL-S6), however, this term is not used to the same extent as the more generalised term of 'upgrading.'</p> <p>Therefore Northpower seek a new definition for 'upgrading' and that the use of the term is used consistently throughout the PDP provisions in replacement of references to 'minor upgrading'</p>	
10	Definitions – National Grid Subdivision Corridor	Support	Northpower supports this definition, noting that Transpower will be better placed to comment on the suitability of the exact wording.	Retain as notified.
11	Definitions – National Grid Yard	Support	Northpower supports this definition, noting that Transpower will be better placed to comment on the suitability of the exact wording.	Retain as notified.

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12	Definitions – Network Utility Operator	Support	Northpower supports this definition as worded as it is in alignment with Section 166 of the RMA.	Retain as notified.
13	Definitions – Operational Need	Support	Northpower supports this definition as notified.	Retain as notified.
14	Definitions – Regionally Significant Infrastructure	Seek amendment	<p>Northpower supports the inclusion of this definition.</p> <p>While it appears that an attempt has been made to duplicate the definition from the Northland RPS, it does not include the entire definition from the Northland RPS. Northpower considers that the definition of 'Regionally Significant Infrastructure' within the KDP should align and be consistent with the definition in the Northland RPS given it is a higher order document.</p> <p>Further, the definition does not make any reference that it has been duplicated from the Northland RPS definition.</p>	<p>Amend the definition of 'Regionally Significant Infrastructure', as follows:</p> <p><i><u>"means Regionally significant infrastructure as defined in Appendix 3 of the RPS:</u></i></p> <p><u>1. Energy, water, communication</u></p> <p>a. <i>Main pipelines for the distribution or transmission of natural or manufactured gas or petroleum and key delivery points and storage facilities;</i></p> <p>b. <i>Key facilities required for communication (including telecommunication, broadband, wireless networks and radio);</i></p> <p>c. <i>The 'national grid' as defined by the Electricity Industry Act 2010 including facilities for the transmission of electricity from the 'national grid' (such as substations, grid injection points etc.) to the 'network';</i></p>

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				<p>d. Network electricity lines and associated infrastructure that constitute the sub-transmission network;</p> <p>e. Electricity distribution assets which supply essential public services (such as hospitals or lifeline facilities), large (1MW or more) industrial or commercial consumers, 1000 or more consumers or are difficult to replace with an alternative supply if they are compromised;</p> <p>f. Electricity generation facilities (including Ngāwhā geothermal power station and Wairua hydroelectric power station) which supply electricity to either the national grid or the local distribution network;</p> <p>g. Regional and district council water storage, trunk lines and treatment plants;</p> <p>h. Regional and district council wastewater trunk lines and treatment plants and key elements of the stormwater network including treatment devices; or</p> <p>i. <u>Marsden Point oil refinery and truck loading facility.</u></p>

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				<p>j. Flood management / protection schemes managed by regional and / or district councils.</p> <p><u>2. Transport</u></p> <p>a. <u>State highways;</u></p> <p>b. <u>Roads as well as walking and cycling facilities that are of strategic significance as identified in the Regional Land Transport Strategy;</u></p> <p>c. <u>Whāngārei, Kaitiāia and Bay of Islands airports;</u></p> <p>d. <u>Installations and equipment for air navigation;</u></p> <p>e. <u>Northport, including the adjoining land used for the movement and storage of cargo;</u></p> <p>f. <u>Railway lines and associated railway facilities.</u></p> <p><u>3. Significant social and community facilities:</u></p> <p>a. <u>Flood management / protection schemes managed by regional and / or district councils;</u></p> <p>b. <u>Public hospitals;</u></p> <p>c. <u>The Northland Events Centre and Kensington Stadium;</u></p>

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				<p>d. <u>Northland Region Corrections Facility;</u></p> <p>e. <u>Northland Polytechnic – (NorthTech) main campuses and Auckland University Faculty of Education – Whāngārei;</u></p> <p>f. <u>Puwerā Regional Landfill Facility.”</u></p> <p>Infrastructure extends also to mean the site related components that enable the asset to function.</p>
15	Definitions – Renewable Electricity Generation Activities	Seek amendment	<p>Northpower is supportive of this definition, but considers that it should be amended to include “buildings” as well as structures because in some instances, transmission or storage technology (e.g., battery banks) may require to be stored in buildings.</p> <p>It should also specifically reference “distribution and transmission” in the first sentence to recognise and provide for the importance of the conveyance mechanism for the renewable energy generation, via either of transmission or distribution networks. The general premise is, while it is all well and good providing for generation, if the infrastructure to distribute, transmit, and store that electricity is not provided for, this will ultimately create issues and barriers</p>	<p>Amend the definition of Renewable Electricity Generation Activities as follows:</p> <p><i>“means the construction, operation and maintenance of <u>buildings or</u> structures associated with renewable electricity generation, <u>distribution and transmission</u>. This includes <u>but is not limited to</u>, small and community-scale distributed renewable generation activities, and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.”</i></p>

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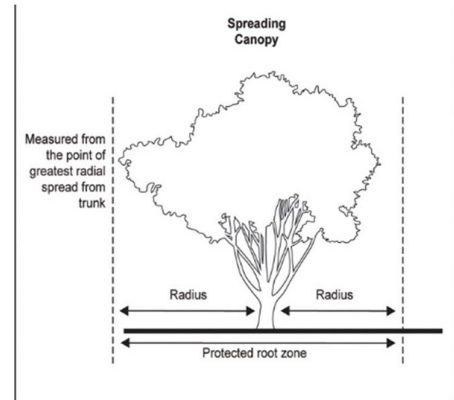
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			to the establishment and operation of these activities. Including the words “but is not limited to” will avoid an unintended narrowing of the definition.	
16	Definitions – Renewable Energy	Support	Northpower supports this definition as worded as it is in alignment with Section 2 of the RMA.	Retain as notified.
17	Definitions – Repowering Existing Wind and Solar Electricity Generation Activities	Seek amendment	Northpower supports the concept of this definition, but considers that the wording doesn’t make sense. In particular, the reference to “more than 50%.” The definition should be amended to delete this component so that invertedly, activities aren’t captured by the definition and associated rule in the Renewable Energy Chapter (REG-R10). There also appears to be an erroneous reference to “(source: new, to support rules)” which should be deleted.	Amend the definition of “Repowering existing wind and solar electricity generation activities” as follows: <i>“means replacing more than 50% of the structures at an existing renewable generation facility (source: new, to support rules).”</i>
18	Root Protection Zone	Seek amendment	Northpower is of the opinion that the proposed definition is unnecessarily complicated, and considers that it should be replaced with the definition of “Root Zone” from the WDP. This definition is easier to understand and apply, and will create cross boundary efficiency on this definition within the Whangārei and Kaipara Districts.	Delete the notified definition of Root Protection Zone and replace with the following definition and image from the WDP: <i>“<u>means the area of ground around a tree trunk created by taking a radius equal to the greatest radial spread of the canopy/foliage of the tree, measured from the trunk and</u></i>

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				<p><u>rotating that radius in a full circle around the trunk.”</u></p>  <p>The diagram illustrates a tree with a spreading canopy. A vertical dashed line marks the trunk. Two horizontal arrows labeled 'Radius' extend from the trunk to the edges of the canopy. A horizontal line below the trunk is labeled 'Protected root zone'. Text on the left indicates the radius is 'Measured from the point of greatest radial spread from trunk'.</p>
19	Definitions – Sensitive Activity	Support	Northpower supports this definition as worded.	Retain as notified.
20	Definitions – Small-Scale Renewable Electricity Generation	Support	Northpower supports this definition as worded.	Retain as notified.
21	Definitions – Structure	Support	Northpower supports this definition as worded as it is in alignment with Section 2 of the RMA.	Retain as notified.
22	Definitions – Technician Arborist	Seek amendment	Northpower considers that having two definitions for an arborist is unnecessary and ultimately creates confusion. It was also noted within the Draft KDP Feedback provided by Northpower that these terms, along with other terms such as “qualified arborist”, “suitably qualified and	Delete definitions of “Technician Arborist” and “Works Arborist” and include a new definition for “Arborist” as follows: <u>“ means a person who:</u> <u>a. Has a minimum of 24 months on the job experience, possesses a recognised</u>
23	Definitions – Works Arborist			

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			<p>experienced arborist” are used throughout the provisions. This creates even more unnecessary confusion.</p> <p>From Northpower’s perspective, there should be one single definition for an ‘arborist’ in the KDP. Whether this is titled a ‘works arborist’ or a ‘technician arborist’ is of little relevance, as long as the definition is appropriate and its application is used consistently in terms of the provisions.</p> <p>In this regard, Northpower has proposed a definition for arborist which it considers covers the necessary elements in terms of experience, competency or supervision, but also the flexibility of the range of arborists that Northpower or other infrastructure providers may use for the trimming, maintenance or removal of trees interfering with network utilities.</p>	<p><u>arboriculture certificate and is familiar with the tasks, equipment and hazards involved in arboriculture operations within arboricultural operations; or</u></p> <p>b. <u>Has demonstrated competency to Level 4 New Zealand Certificate in Horticulture Services (Arboriculture) standard (or to an equivalent arboriculture standard); or</u></p> <p>c. <u>Is working under the supervision of an arborist with demonstrated competency to Level 4 New Zealand Certificate in Horticulture Services (Arboriculture) standard (or to an equivalent arboriculture standard).”</u></p>
24	Definitions – Temporary Infrastructure	Support	Northpower supports this definition as worded.	Retain as notified.
25	Definitions – New Definition – Small-scale electricity and telecommunications assets	Seek amendment	Northpower seeks a new definition for “small-scale electricity and telecommunications assets” associated with above-ground and below ground electricity reticulation for clarity.	<p>Include definition for <u>‘Small-scale Electricity and Telecommunications Assets’</u> as follows (or wording to the same effect):</p> <p>a. <u>Electricity poles and/or assets mounted on, or associated with, poles;</u></p> <p>b. <u>Ground mounted electricity transformers, switchgear, and pillars; and</u></p>

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				c. <u>Underground electricity and fibre assets.</u>
STRATEGIC DIRECTION CHAPTER				
26	Strategic Direction – Overall lack of policy framework	Seek amendment	<p>Northpower notes that the Strategic Direction chapter mainly contains objectives for each topic, and not policies (with the exception of the Urban Form and Development section, which includes some policies establishing the zoning criteria for the various zones used in the KDP).</p> <p>In Northpower's view, the objectives need policies to demonstrate how they are going to be achieved in the PDP. It is also important at this strategic level of the PDP, that the policies provide clear direction for the consideration of resource consents where there is conflict between different areas of strategic direction (e.g., for instance between the necessary provision of infrastructure, alongside the protection of the natural environment, or balanced against the risk of natural hazards).</p>	Add policies to the Strategic Direction Chapter for the objectives, noting Northpower's submission below on the specific objectives relating to the provision of infrastructure, electricity and renewable energy generation activities.
27	Strategic Direction – Vision for Kaipara – SD-VK-02 Enabling and driving economic growth and development	Support	Northpower supports the intent of this objective, but seek that ensuring development is supported by adequate infrastructure is a key guiding principle for development.	<p>Amend SD-VK-02 as follows:</p> <p>"The guiding principles to support development include:</p> <ol style="list-style-type: none"> 1. <i>Facilitate growth by being flexible, accommodating and proactive when</i>

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				<p>dealing with growth and business opportunities;</p> <p>2. Be innovative and bold; and</p> <p>3. <u>Ensuring development is supported by adequate infrastructure; and</u></p> <p>4. Focus on relationships to respond to growth and development opportunities.”</p>
28	Strategic Direction – Vision for Kaipara – SD-VK-06 – Reverse sensitivity	Seek amendment	Northpower supports the inclusion of a strategic objective regarding reverse sensitivity, but highlights that the use of “avoided where practicable, or otherwise mitigated” is inconsistent with, and does not give effect to the Northland Regional Policy Statement, and in particular Policy 5.1.1(2) which requires that subdivision, use and development be located, designed and built in a manner that “should not result in incompatible land uses in close proximity <u>and avoids</u> the potential for reverse sensitivity” [our emphasis added].	<p>Amend SD-VK-06 as follows:</p> <p>“Reverse sensitivity effects between incompatible activities and zones are avoided where practicable, or otherwise mitigated.”</p>
29	Strategic Direction – Vision for Kaipara - SD-VK-08 Development is supported by affordable infrastructure	Seek amendment	Northpower supports the inclusion of a strategic objective requiring development to be supported by appropriate and affordable infrastructure, but considers that this objective should explicitly refer to “subdivision” as well.	<p>Amend SD-VK-08 as follows:</p> <p>“<u>Subdivision and</u> Development is integrated and phased with the provision of appropriate and affordable infrastructure.”</p>
30	Strategic Direction – Natural Environment – new objective	Seek amendment	The objectives for the Natural Environment Strategic Direction Chapter focus primarily on protection and preservation. While this is	Include a new objective as follows (or to similar extent):

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			appropriate, it is also important that the functional and / or operational need for infrastructure to locate in these areas, or if they are already situated in these areas, that their operation, maintenance, repair and upgrading is provided for. This should also be supported.	<u><i>“Recognise and provide for the operational and / or functional need of new infrastructure to locate in, and the ongoing operation, maintenance, repair and upgrading of existing infrastructure within, the District’s natural environments.”</i></u>
31	Strategic Direction – Natural Hazards – new objective	Seek amendment	<p>Currently the Natural Hazards Strategic Direction chapter has one objective which focuses on taking into account natural hazards risks for all new subdivision, use and development.</p> <p>While the objective does provide for the maintenance and upgrading of infrastructure assets that protect communities from natural hazard risks, Northpower considers that this is not sufficient when it comes to providing for new infrastructure, and the ongoing operation, maintenance, repair and upgrading of existing infrastructure more generally within the areas subject to natural hazards.</p>	<p>Include a new objective as follows (or to similar extent):</p> <p><u><i>“Recognise and provide for the operational and / or functional need of new infrastructure to locate in, and the ongoing operation, maintenance, repair and upgrading of existing infrastructure within, the areas subject to natural hazards.”</i></u></p>
32	Strategic Direction – Tangata Whenua / Mana Whenua – SD-TW-01	Support	Northpower supports this objective as worded.	Retain as notified.
33	Strategic Direction – Urban Form and	Support	Northpower supports the requirement for sufficient infrastructure capacity to be	Retain as notified.

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	Development – SD-UFD-O3 - Infrastructure		available to support the development of land when zoning land for urban activities.	
34	Strategic Direction – Urban Form and Development – SD-UFS-O5 – Urban consolidation and integration	Support	Northpower supports a compact urban form, and avoiding urban sprawl into rural areas. This is easier to service in terms of reticulated electricity and telecommunications infrastructure and has efficiencies to reduce the amount of infrastructure required in the District.	Retain as notified.
35	Strategic Direction – Urban Form and Development – SD-UFS-P1 – Housing and business land development capacity	Support	Northpower supports a compact urban form, and avoiding urban sprawl into rural areas. This is easier to service in terms of reticulated electricity and telecommunications infrastructure and has efficiencies to reduce the amount of infrastructure required in the District.	Retain as notified.
36	Strategic Direction – New objectives and policies for Regionally Significant Infrastructure and Infrastructure	Seek amendment	The Strategic Direction Chapter is silent on objectives and policies for Regionally Significant Infrastructure and Infrastructure more generally. Northpower considers that it is important that strategic direction is provided at this level for these topics, and notes that other District Plans in Northland ³ have specifically included direction in this	Add new objectives as follows for Regionally Significant Infrastructure. <i><u>“Regionally Significant Infrastructure is identified and protected.”</u></i> <i><u>The benefits of Regionally Significant Infrastructure are recognised and provided for.</u></i>

³ See Infrastructure and Electricity Strategic Direction in the Proposed Far North District Plan and District Growth and Development Objectives for Regionally Significant Infrastructure in the Operative Whangārei District Plan.

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			regard. Such an approach is required to give effect to the provisions of the Northland RPS relating to Regionally Significant Infrastructure and Infrastructure more broadly. ⁴	<u><i>Avoid, remedy, mitigate or offset adverse effects arising from the development, operation, maintenance, and upgrading of Regionally Significant Infrastructure.</i></u>
RENEWABLE ELECTRICITY GENERATION				
37	Renewable Electricity Generation – REG-O1	Seek amendment	<p>Northpower supports this objective, but seeks that the word “realised” be replaced with “recognised and provided for” to be in alignment with Policy 5.4.1 of the Northland RPS.</p> <p>Northpower also seeks to change the reference in the title from “renewable electricity generation” to “renewable electricity generation activities” to be consistent with the wording within the objective and Policy 5.4.1 of the Northland RPS.</p>	<p>Amend REG-O1 as follows:</p> <p><i>“Benefits of renewable electricity generation <u>activities</u>”</i></p> <p><i>The benefits of increasing renewable electricity generation activities at all scales are <u>recognised and provided for</u> realised in the Kaipara District.”</i></p>
38	Renewable Electricity Generation – REG-O2	Seek amendment	Northpower supports this objective, but seeks that the reference in the title be updated from “renewable electricity generation” to “renewable electricity generation activities” to be consistent with	Amend REG-O2 to change the reference in the title from “renewable electricity generation” to “renewable electricity generation activities.”

⁴ See Regionally Significant Infrastructure provisions in the Northland RPS (e.g., Objective 3.7 and Policy 5.3.1) and more general infrastructure provisions (e.g., Objectives 3.8 and 3.9).

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			the wording within the objective and Policy 5.4.1 of the Northland RPS.	
39	Renewable Electricity Generation – REG-O3	Seek amendment	Northpower supports this objective, but seeks that the reference in the title be updated from “renewable electricity generation” to “renewable electricity generation activities” to be consistent with the wording within the objective and Policy 5.4.1 of the Northland RPS.	Amend REG-O3 to change the reference in the title from “renewable electricity generation” to “renewable electricity generation activities.”
40	Renewable Electricity Generation – REG-O4	Support	Northpower supports this objective as worded.	Retain as notified.
41	Renewable Electricity Generation – REG-P1	Support	Northpower supports this policy as worded.	Retain as notified.
42	Renewable Electricity Generation – REG-P2	Seek amendment	<p>Northpower supports this policy, but considers that “recognise” should be added at the start to be consistent with the previous objectives and policies and the direction within Policy 5.4.1 of the Northland RPS.</p> <p>Northpower also seeks for the word “repair” to be included within the title and policy.</p>	<p>Amend REG-P2 as follows:</p> <p><i>“Enable the effective development, operation, maintenance, <u>repair</u> and upgrade of renewable electricity generation activities</i></p> <p><i><u>Recognise and Provide</u></i> <i>for the effective and efficient development, operation, maintenance, <u>repair</u> and upgrading of renewable electricity generation activities at a range of scales from solar and wind energy resources.”</i></p>
43	Renewable Electricity Generation – REG-P3	Support	Northpower supports this policy as worded.	Retain as notified.

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44	Renewable Electricity Generation – REG-P4	Support	Northpower supports this policy as worded.	Retain as notified.
45	Renewable Electricity Generation – REG-P5	Support	Northpower supports this policy as worded.	Retain as notified.
46	Renewable Electricity Generation – REG-P6	Support	Northpower supports this policy as worded.	Retain as notified.
47	Renewable Electricity Generation – REG-P7	Support	Northpower supports this policy as worded.	Retain as notified.
48	Renewable Electricity Generation – REG-P8	Seek amendment	Northpower supports this policy, but seeks an amendment to include “recognise and provide for” the benefits of enabling the repowering of existing wind and solar generation activities.	Amend REG-P8 as follows: <i>“Recognise and provide for the benefits of enabling the repowering of existing wind and solar generation activities, including: ...”</i>
49	Renewable Electricity Generation - REG-P9	Seek amendment	<p>The wording of this policy (i.e. avoid, or otherwise mitigate) is inconsistent with the direction REG-O4, but most importantly does not give effect to the approach required in the Northland RPS (see Policy 5.1.1) which is to “avoid” the potential for reverse sensitivity effects.</p> <p>The District Plan is required to give effect to the RPS and use of “requiring new sensitive activities to be designed and located to avoid, or otherwise mitigate, reverse sensitivity effects”, does not suitably give effect to the “avoid” directive in the RPS.</p>	<p>Amend REG-P9 as follows:</p> <p>Managing Avoiding reverse sensitivity</p> <p>Manage Avoid reverse sensitivity effects by:</p> <ol style="list-style-type: none">1. <i>Requiring new sensitive activities to be designed and located to avoid, or otherwise mitigate, reverse sensitivity effects on existing renewable electricity generation activities; and</i>2. <i>Requiring new renewable electricity generation activities to manage adverse</i>

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				<i>effects on existing sensitive activities in close proximity.</i>
50	Renewable Electricity Generation – REG-P10	Support	Northpower supports this policy as worded.	Retain as notified.
51	Renewable Electricity Generation - Notes	Support	Northpower supports the notes clarifying relevant matters.	Retain as notified.
52	Renewable Electricity Generation – REG-R1	Seek amendment	Northpower supports the inclusion of this rule for temporary wind generation investigation monitoring masts, but considers that it should be applied across all zones, not just the General Rural Zone, Light Industrial Zone, Heavy Industrial Zone or Māori Purpose Zone. Renewable Electricity Generation activities are located based on the availability and feasibility of the resource (e.g., wind and solar), and should not be constrained by artificial zoning lines on a map. The overlays will still apply, and can address any particular sensitivities in sensitive environments (e.g., height limits for masts in outstanding natural landscapes).	Amend REG-R1 to apply it to all zones.
53	Renewable Electricity Generation – REG-R2-R4	Support	Northpower supports these rules.	Retain as drafted.
54	Renewable Electricity Generation – REG-R5-R6	Seek amendment	Northpower supports these rules, but considers that they should be applied across all zones, not just the General Rural Zone,	Amend these rules to apply to all zones consistently.

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			<p>Light Industrial Zone, Heavy Industrial Zone or Māori Purpose Zone.</p> <p>Renewable Electricity Generation activities are located based on the availability and feasibility of the resource (e.g., wind and solar), and should not be constrained by artificial zoning lines on a map. The overlays will still apply, and can address any particular sensitivities in sensitive environments.</p>	
55	Renewable Electricity Generation – REG-R7	Seek amendment	<p>Northpower considers that the rule framework should be more enabling for community scale renewable electricity generation activities as this will better meet the intention of the National Policy Statement for Renewable Electricity Generation (NPS-REG) in terms of enabling renewable electricity generation activities of all types and scales.</p> <p>On this basis, Northpower seeks for community scale renewable electricity generation activities to be provided for as a permitted activity, subject to compliance with the various standards.</p> <p>This would also be aligned with the approach taken within Renewable</p>	<p>Amend REG-R7 as follows:</p> <p>1. Activity status: controlled <u>permitted</u></p> <p>Where:</p> <p>a. No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 30m;</p> <p>b. There are no more than three turbines on a site;</p> <p>c. Any wind generating structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site in different ownership or road;</p> <p>d. Any solar generating structure is setback at least 15m or three times the height of the structure (including supporting</p>

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			<p>Electricity Generation chapter of the Proposed Far North District Plan.</p> <p>Further, Northpower also considers that this should be applied across all zones, not just the General Rural Zone, Light Industrial Zone, Heavy Industrial Zone or Māori Purpose Zone.</p> <p>Renewable Electricity Generation activities are located based on the availability and feasibility of the resource (e.g., wind and solar), and should not be constrained by artificial zoning lines on a map. The overlays will still apply, and can address any particular sensitivities in sensitive environments.</p>	<p><i>structures) from the boundary of any other site in different ownership or road (whatever is the greater);</i></p> <p><i>e. All devices and supporting structures attached to land, including solar panels, cover a total area of no more than:</i></p> <p><i>i. 1 hectare per site where there is existing boundary vegetation that screens the development from view from the road and adjacent properties; or</i></p> <p><i>ii. 0.5 hectare per site where the development will be visible from the road or adjacent properties; and</i></p> <p><i>f. Compliance is achieved with NZS 6808:2010 Acoustics – Wind farm noise for any proposal involving wind generation (refer General District Wide Matters – Noise).</i></p> <p>2. Matters over which control is reserved:</p> <p>a. The location, scalar and intensity of the activity;</p> <p>b. Shadow flicker and glare;</p> <p>c. Noise and vibration effects;</p> <p>d. The extent to which any adverse effects are mitigated by design and</p>

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				<p>siting, colour, size of the proposal; and</p> <p>e. Any screening or visual mitigation provided by landscaping.</p> <p>Amend this rule to apply to all zones consistently.</p>
56	Renewable Electricity Generation – REG-R8	Seek amendment	<p>Northpower recognises that large scale renewable energy generation activities can give rise to more significant adverse effects and that these activities are therefore better managed via a consenting pathway. However, Northpower considers that adverse effects associated with large scale renewable electricity generation are readily understandable and therefore this activity should be enabled as a restricted discretionary activity with clear matters of discretion.</p> <p>Northpower also considers that non-compliance with this rule should result in a discretionary activity status, rather than a non-complying activity status.</p> <p>Further, Northpower considers that the rule title should be amended to replace 'large</p>	<p>Amend REG-R8 as follows:</p> <p><u>Large scale renewable energy electricity generation activities</u></p> <p>1. Activity status: Discretionary <u>Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <i>Compliance is achieved with NZS 6808:2010 Acoustics – Wind Farm noise for any proposal involving wind generation.</i></p> <p>2. <u>Matters over which discretion is restricted:</u></p> <p>a. <u>The location, scale and intensity of the activity;</u></p> <p>b. <u>Shadow flicker and glare;</u></p> <p>c. <u>Visual and landscape effects;</u></p> <p>d. <u>Noise and vibration effects;</u></p>

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			scale renewable energy generation activities' with 'large scale renewable electricity generation activities' to remain consistent with the other provisions in this chapter.	<p>e. <u>Functional need or operational need to be in the location;</u></p> <p>f. <u>The significant national or regional benefits associated with the activity;</u></p> <p>g. <u>Proposed measures to mitigate adverse effects, including siting, design, colour, finish, or landscaping; and</u></p> <p>h. <u>Proposed rehabilitation of the site at the end of the operational life of the activity.</u></p> <p>3. <u>Activity status when compliance not achieved: Non-complying Discretionary</u></p>
57	Renewable Electricity Generation – REG-R9	Seek amendment	Northpower supports the permitted activity status of this rule. However, Northpower considers that limiting any height increase to 10% is inappropriate. This provision applies to all types of renewable electricity generation, such as solar, wind and hydro. These types vary significantly in height. For example, solar panels can range from a height of around 1m to around 4m whereas wind turbines can reach beyond 200m. Limiting height by any defined metric will impose an inconsistent standard across these different generation types.	Amend REG-R9 to delete the height limit in subclause (b)(i).
58	Renewable Electricity Generation – REG-R10	Support	Northpower supports this rule as worded.	Retain REG-R10 as notified.
INFRASTRUCTURE				

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59	Infrastructure – INF-O1	Support	Northpower supports the recognition and provision of infrastructure sought in this objective.	Retain INF-O1 as notified.
60	Infrastructure – INF-O2	Seek amendment	<p>Northpower supports this objective, in particular the recognition of functional and operational need of infrastructure and positive effects.</p> <p>However, Northpower considers that the objective should be “recognising and providing for” these components and that “offsetting” needs to be provided for in situations where adverse effects of infrastructure on the environment cannot be avoided, remedied or mitigated.</p>	<p>Amend INF-O2 as follows:</p> <p><i>“The adverse effects of infrastructure on the environment are avoided, remedied, or mitigated, <u>or offset</u> while recognising <u>and providing for</u>:</i></p> <ol style="list-style-type: none"> <i>1. The functional need or operational need of infrastructure; <u>and</u></i> <i>2. That positive effects of infrastructure may be realised locally, regionally or nationally.”</i>
61	Infrastructure – INF-O3	Support	Northpower supports this objective and the recognition of not constraining infrastructure from incompatible land use, subdivision or development.	Retain INF-O3 as notified.
62	Infrastructure – INF-O4	Support	Northpower considers Transpower will be better placed to address this objective, but support the recognition of the significance of the National Grid.	Retain INF-O4 as notified.
63	Infrastructure – INF-P1	Seek amendment	Northpower supports the recognition of the benefits of infrastructure, however, consider that the wording should be “recognise and provide for” in alignment with the title of the group of policies and amendments sought to INF-O2.	<p>Amend INF-P1 as follows:</p> <p><i>“Recognise <u>and provide for</u> the benefits of infrastructure by:</i></p> <ol style="list-style-type: none"> <i>1. Allowing the development, upgrading, operation, maintenance, repair or removal of infrastructure; and</i>

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				2. <i>Providing for the functions and responsibilities of infrastructure, including as lifeline utilities during an emergency. “</i>
64	Infrastructure – INF-P2	Support	Northpower supports this policy as worded.	Retain INF-P2 as notified.
65	Infrastructure – INF-P3	Support	Northpower supports this policy as worded.	Retain INF-P3 as notified.
66	Infrastructure – INF-P4	Seek amendment	Northpower supports this policy, but seeks amendment aligned with previous amendments sought to “recognise and provide for” the benefits of new technologies in infrastructure.	Amend INF-P4 as follows: <i>“Recognise and provide for the benefits of new technologies in infrastructure that:</i> 1. <i>Improve access to, and efficient use and development of, networks and services;</i> 2. <i>Allow for the re-use of redundant services and structures;</i> 3. <i>Increase resilience, safety or reliability of networks and services; or</i> 4. <i>Result in environmental benefits and enhancements.”</i>
67	Infrastructure – INF-P5	Seek amendment	Northpower supports this policy, but considers that all infrastructure (not just regionally significant infrastructure) should be recognised and provided for within Overlays in order to be consistent with the other infrastructure enabling provisions within the Infrastructure Chapter.	Amend INF-P5 as follows: <i>“Provide for new regionally significant infrastructure and infrastructure within an Overlay where:</i> 1. <i>There is a demonstrated functional or operational need for the infrastructure to be located within the Overlay; and</i> 2. <i>It is demonstrated through an options assessment that locating within an Overlay is the best practicable option, having particular regard to the financial</i>

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				<i>implications, social, cultural and environmental effects of the preferred option, compared to other alternative options."</i>
68	Infrastructure – INF-P6	Seek amendment	<p>Northpower supports the intent of this policy, but considers that amendments are needed as follows:</p> <ul style="list-style-type: none"> To change "minimise" to "manage." "Minimise" is an unhelpful term in this policy, whereas "manage" highlights that the full effects management hierarchy is available in accordance with INF-P2. The use of "network utility" is out of place in this policy and should consistently refer to "infrastructure". 	<p>Amend INF-P6 as follows:</p> <p>"Minimise Manage the adverse effects of infrastructure on the environment, while having regard to:</p> <ol style="list-style-type: none"> <i>The functional need and operational need of the network utility infrastructure;</i> <i>The extent to which adverse effects have been addressed through site, route or method selection;</i> <i>The necessity of the infrastructure;</i> <i>The duration or frequency of adverse effects; and</i> <i>The location of existing infrastructure, including:</i> <ol style="list-style-type: none"> <i>The complexity and connectedness of the networks and services; and</i> <i>The potential for co-location and shared use of network utility infrastructure corridors."</i>
69	Infrastructure – INF-P7	Seek amendment	<p>Northpower generally supports this policy as worded but seeks the deletion of "significant" in clause 3 as this places an</p>	<p>Amend INF-P7 as follows:</p> <p><i>"Encourage new linear infrastructure in urban areas to be placed underground unless:</i></p>

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			arbitrarily high threshold on these factors which would be difficult to achieve.	<ol style="list-style-type: none"> 1. <i>The adverse effects on the environment are greater than placing the infrastructure above ground; or</i> 2. <i>A natural or physical feature or structure renders underground placement impractical or undesirable; or</i> 3. <i>There are significant operational, functional, technical, cultural, historic heritage or economic reasons that require the infrastructure to be above ground."</i>
70	Infrastructure – INF-P8	Support	Northpower supports this policy as notified.	Retain INF-P8 as notified.
71	Infrastructure – INF-P9	Seek amendment	<p>While Transpower are better placed to comment on the wording of this policy, Northpower are supportive of the operation, maintenance and minor upgrading and repair of the National Grid being enabled.</p> <p>However, Northpower considers that to remain consistent with all other references to “upgrade” or “upgrading” in the chapter, that the term “minor upgrade” be replaced with “upgrade.”</p>	<p>Amend INF-P9 as follows:</p> <p><i>“Enable the operation, maintenance and minor upgrade and repair of the National Grid.</i></p> <p><i>In the event of any conflict with any other policies within the plan, INF-P9 takes precedence.”</i></p>
72	Infrastructure – INF-P10	Support	Northpower supports this policy as notified, noting that Transpower are better placed to advise acceptability of specific wording.	Retain INF-P10 as notified.
73	Infrastructure – INF-P11	Seek amendment	The wording of this policy is inconsistent with the approach required in the RPS (see policy 5.1.1) which is to “avoid” the	Amend INF-P11 as follows:

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			<p>potential for reverse sensitivity effects. The District Plan is required to give effect to the RPS and the use of the word “minimise” does not suitably give effect to the “avoid” directive in the RPS.</p> <p>Otherwise, Northpower supports the reference to NZCEP 34:2001.</p>	<p><i>‘Ensure new sensitive activities are appropriately located and/or designed to <u>avoid</u> minimise reverse sensitivity effects on infrastructure, including by requiring compliance with New Zealand Electrical Code of Practice for Electrical Safe Distances NZCEP 34:2001.</i></p>
74	Infrastructure – INF-P12	Seek amendment	<p>Northpower supports this policy but considers that it should be broadened to refer to “infrastructure” more generally and not just “regionally significant infrastructure.”</p> <p>Furthermore, Northpower seeks that the term “minimise” in clause 4.c. is replaced with “avoid” in order to give effect to the direction regarding reverse sensitivity in the Northland RPS (see Policy 5.1.1) which is to “avoid” the potential for reverse sensitivity effects.</p> <p>The District Plan is required to give effect to the RPS and use of “minimise” in this context does not suitably give effect to the “avoid” directive in the RPS.</p>	<p>Amend INF-P12 as follows:</p> <p><i>“Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of <u>infrastructure, including</u> Regionally Significant Infrastructure, from being unreasonably compromised by:</i></p> <ol style="list-style-type: none"> <i>1. Only allowing sensitive activities within the Gas or Petroleum Pipeline Corridor where these are of a scale and nature that will not compromise the gas or petroleum products transmission network or result in reverse sensitivity effects;</i> <i>2. Requiring any buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances from <u>infrastructure, including</u> Regionally Significant Infrastructure;</i> <i>3. Managing earthworks in close proximity to <u>infrastructure, including</u> Regionally Significant Infrastructure;</i>

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				<p>4. Avoid, remedy or mitigate adverse effects of subdivision, land use or development of a site that contains or is adjacent to any <u>infrastructure, including</u> Regionally Significant Infrastructure other than the National Grid, including:</p> <p>a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;</p> <p>b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;</p> <p>c. The extent to which the subdivision design and consequential development will avoid <u>minimise</u> the potential reverse sensitivity effects on an amenity and nuisance effects of the infrastructure; and</p> <p>5. Requiring subdivision of site that contains or is adjacent to any <u>infrastructure, including</u> Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and</p>

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				<i>maintenance and repair of, that infrastructure."</i>
75	Critical Electricity Lines Overlay and Provisions	Oppose	<p>The PDP has not included Critical Electricity Lines Overlay mapping or associated provisions. Northpower considers this is a significant step back from what is provided in the Operative Plan as there is currently provision for the protection of the Electricity Transmission Corridor through the application of setback thresholds for both land use and subdivision activities within the relevant underlying zones.</p> <p>Northpower considers this disappointing given they provided feedback to Kaipara District Council in 2019 on this matter. There has been no response from Council to this significant decision, and no section 32 evaluation as to why this course of action has been determined.</p> <p>Northpower are seeking regional consistency with Whangārei District Council's approach, and Far North District Council's proposed approach who have introduced Critical Electricity Line mapping and provisions throughout their PDP process.</p>	<p>Include a new Critical Electricity Lines Overlay within the Proposed District Plan Mapping System which maps 11kV lines that meet the RPS criteria for Regionally Significant Infrastructure, 33kV lines, and any lines above 33kV lines (Northpower have some 55kV lines).</p> <p>Northpower also seek new provisions within the Infrastructure, Subdivision and Earthworks chapters which protect all of the district's critical electricity lines from inappropriate development. These provisions would relate to building platforms, new buildings and structures, extensions to existing buildings and structures, and earthworks within 10m of a Critical Electricity Lines Overlay.</p> <p>Northpower request the opportunity to work collaboratively with Kaipara District Council throughout the drafting of these provisions.</p>

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76	Critical Fibre Optic Cables Overlay and Provisions	Seek amendment	<p>Northpower seeks the identification and mapping of their Critical Fibre Optic Cables (CFOC) within the PDP.</p> <p>Northpower also seeks a suite of new provisions in the Infrastructure, Subdivision and Earthworks chapters which protect all of the district's critical fibre optic cables from inappropriate development.</p>	<p>Include a new Critical Fibre Optic Cables Overlay within the Proposed District Plan Mapping System.</p> <p>Northpower also seek new provisions within the Infrastructure, Subdivision and Earthworks chapters which protect all of the district's critical fibre optic cables from inappropriate development. These provisions would relate to building platforms, new buildings and structures, extensions to existing buildings and structures, and earthworks within 10m of a Critical Fibre Optic Cables Overlay.</p> <p>Northpower request the opportunity to work collaboratively with Kaipara District Council throughout the drafting of these provisions.</p>
77	Infrastructure – INF-S1 Radio Frequency Fields and INF-S2 Electric Magnetic Fields	Oppose	<p>Northpower seeks a discretionary activity status where compliance isn't achieved with INF-S1 and INF-S2. While non-compliance with these standards is unlikely, in the event that they are breached, it will be more likely than not be an operational or functional requirement necessary to ensure distribution of electricity and</p>	<p>Amend activity status for non-compliance with INF-S1 and INF-S2 throughout the Infrastructure Chapter from non-complying to discretionary.</p>

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			telecommunications to the District which are lifeline utilities, or to respond to updates in best practice in these areas. Given that these standards only apply to network utilities, Northpower considers discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects.	
78	Infrastructure – INF-R1	Seek amendment	Northpower supports the permitted activity status for operation, maintenance and repair, removal of above and underground infrastructure and ancillary vehicle access tracks in all zones, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
79	Infrastructure – INF-R2	Seek amendment	Northpower supports the permitted activity status for new underground infrastructure or upgrading of underground infrastructure in all zones, noting the amendments sought above for non-compliance with INF-S1 and INF-S2. However, Northpower seeks for this rule to also provide for above-ground infrastructure as a permitted activity.	Amend INF-R2 to include and provide for new “above-ground” infrastructure as a permitted activity. Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
80	Infrastructure – INF-R3	Seek amendment	Northpower supports the permitted activity status for new infrastructure in existing buildings, noting the amendments sought	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.

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			above for non-compliance with INF-S1 and INF-S2.	
81	Infrastructure – INF-R4	Oppose	<p>There are a number of issues with this rule as currently drafted:</p> <ul style="list-style-type: none"> The use of arbitrary numbers (e.g., within 5m of the existing alignment, 15 percent, pole heights of 15m and 20m, 25 percent and 30 percent footprint, diameter of more than 300mm). There is no justification for these limits that Northpower is aware of, and there are significant issues from a compliance perspective for infrastructure and network utility providers. For instance, telecommunication poles / towers can have an above ground height of 20-25 metres for various technical requirements and health and safety regulations (e.g., safe clearance distances). Any provisions or limits on height, diameter or alignment need to be grounded in reality and future proofed for changes in technology. Maintaining these arbitrary requirements will result in unnecessary consenting burdens and 	Amend INF-R4 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.

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			<p>ultimately additional costs and delays for the network utility and infrastructure providers for the delivery of necessary infrastructure for people and communities, without any clear reason or benefit.</p> <ul style="list-style-type: none"> References to poles, towers, replacement pole, telecommunication pole, pi pole with no definitions. These terms have various technical definitions and have been misused throughout this rule. References to increases in voltage. An increase in voltage does not necessarily result in any discernible change or effect from the wider or localised environment. This is an issue for Northpower, and not one that is necessary to be dealt with in a resource consent. The reference to “minor upgrading” in the rule title. This should be amended to “upgrading” to be consistent with all other provisions within the chapter. 	

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			<ul style="list-style-type: none"> As above, Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects. 	
82	Infrastructure – INF-R5	Seek amendment	Northpower supports the permitted activity status for temporary infrastructure, temporary electricity generator and self-contained power units, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
83	Infrastructure – INF-R6	Seek amendment	Northpower seeks the deletion of clause a and b. There is no need to require resource consent for a new tower or if the connection exceeds three additional poles within the General Residential Zone or Commercial Zone. This will result in unnecessary compliance costs and delays for customer connections in the applicable zones.	<p>Amend INF-R6 as follows:</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>a. The connection does not include a new tower;</p> <p>b. The connection does not exceed three additional poles; and</p> <p>c. There is no connection to a structure or building identified in SCHED1 – Historic Heritage Resources.</p>
84	Infrastructure – INF-R7	Seek amendment	Northpower supports the permitted activity status for infrastructure located on or within existing bridges and structures across waterways, noting the amendments sought	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.

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			above for non-compliance with INF-S1 and INF-S2	
85	Infrastructure – INF-R9	Seek amendment	<p>Northpower questions the figures in here and the justification of them. They appear arbitrary and restrictive.</p> <p>Further, Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects.</p>	<p>Delete arbitrary and unjustified limits in INF-R9.</p> <p>Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.</p>
86	Infrastructure – INF-R13	Seek amendment	<p>Northpower is supportive of the permitted activity status for below ground electricity distribution lines in all zones.</p> <p>However, Northpower considers that this rule should also provide for the small-scale electricity and telecommunications assets required for them to ensure that the electricity network remains safe, effective and efficient.</p>	<p>Amend the rule title of INF-R13 as follows:</p> <p><i><u>‘Below ground electricity distribution lines and Small-scale Electricity and Telecommunications Assets.’</u></i></p>
87	Infrastructure – INF-R14	Oppose	<p>There are a number of issues with this rule as currently drafted:</p> <ul style="list-style-type: none"> Northpower do not consider there is a need for the voltage restriction. An increase in voltage does not necessarily result in any discernible change or effect from the wider or 	<p>Amend INF-R14 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.</p>

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			<p>localised environment. This is an issue for Northpower, and not one that is necessary to be dealt with in a resource consent.</p> <ul style="list-style-type: none"> The 20m height limit in clause b. is not sufficient for current lines and support structures currently used. This should be increased to 25m. Northpower opposes the blanket restricted discretionary activity status for above ground electricity distribution lines and support structures in all zones apart from General Rural zone, Rural Lifestyle Zone, or road adjacent to zones other than General Rural Zone or Rural Lifestyle Zone. This will result in unnecessary compliance costs and delays, and electricity distribution lines and support structures often have the need to be located within these zones. 	
88	Infrastructure – INF-R15	Oppose	<p>There are a number of issues with this rule as currently worded:</p> <ul style="list-style-type: none"> Northpower do not consider there is a need for the voltage restriction. An 	Amend INF-R15 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.

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			<p>increase in voltage does not necessarily result in any discernible change or effect from the wider or localised environment. This is an issue for Northpower, and not one that is necessary to be dealt with in a resource consent.</p> <ul style="list-style-type: none"> • The 250m2 gross floor area limit is an arbitrary and unnecessary restriction. • The 10m height limit in clause b. is not sufficient for current lines and support structures currently used. • Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects. • Northpower opposes the blanket discretionary activity status for substations and associated transformers and switching stations in all zones apart from General Rural zone, Rural Lifestyle Zone, Light Industrial Zone, Heavy Industrial Zone, or road adjacent to zones other than 	

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			those zones mentioned above. This will result in unnecessary compliance costs and delays, and electricity distribution lines and support structures often have the need to be located within these zones.	
89	Infrastructure – INF-R21	Neutral	Northpower does not have a particular view on this on the basis that this rule solely relates to the National Grid and does not have any impact on Northpower's electricity assets. Northpower considers Transpower will be better placed to address this rule.	N/A
90	Infrastructure – INF-R22	Seek amendment	Northpower supports the permitted activity status for ancillary equipment, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
91	Infrastructure – INF-R23	Seek amendment	Northpower supports the permitted activity status for below ground telecommunication and radiocommunications facilities, lines, cables and ducts, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
92	Infrastructure – INF-R24- INF-R26	Oppose	There are a couple of issues with these rules as currently worded:	Amend INF-R24-INF-R26 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.

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			<ul style="list-style-type: none"> The use of arbitrary numbers for area and height of structures. Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects. 	
93	Infrastructure – INF-R27	Oppose	<p>There are several issues with this rule as currently worded:</p> <ul style="list-style-type: none"> The use of arbitrary numbers for area, height and diameter of structures. Northpower considers that a restricted discretionary activity status for non-compliance with clause a. to be appropriate and enable an adequate assessment of adverse effects. This would also be consistent with the approach taken in INF-R26. Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects. 	<p>Amend INF-R27 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.</p> <p>Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.</p>

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			<ul style="list-style-type: none"> Northpower opposes the blanket restricted discretionary activity status for antennas attached to a building or structure, not provided for in the NESTF In the General Residential Zone. This will result in unnecessary compliance costs and delays, and antennas often have the need to be located within these zones. 	
94	Infrastructure – INF-R28	Seek amendment	Northpower supports the permitted activity status for antennas inside new or existing buildings, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Retain INF-R28 as notified.
95	Infrastructure – INF-R29 – INF-R33	Oppose	<p>There are several issues with this rule as currently worded:</p> <ul style="list-style-type: none"> The use of arbitrary numbers for area, height and diameter of structures. Northpower considers a discretionary activity status for non-compliance with INF-S1 and INF-S2 to be appropriate and enable adequate assessment of adverse effects. 	<p>Amend INF-R29 – INF-R33 in collaboration with Network Utility operators and infrastructure providers to develop a workable rule that removes arbitrary and unnecessary restrictions on the provision of infrastructure.</p> <p>Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.</p>

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96	Infrastructure - INF-R34 – INF-R35	Seek amendment	Northpower supports the activity status for these activities, noting the amendments sought above for non-compliance with INF-S1 and INF-S2.	Amend activity status for non-compliance with INF-S1 and INF-S2 from non-complying to discretionary.
97	Infrastructure – INF-R37	Support	Northpower supports the controlled activity status for this activity.	Retain INF-R37 as notified.
98	Infrastructure – INF-R47 – 57	Neutral	Northpower does not have a particular view on these rules on the basis that they solely relate to the National Grid and do not have any impact on Northpower's electricity assets. Northpower considers Transpower will be better placed to address these rules.	N/A
TRANSPORT				
99	Transport Chapter – overall feedback	Seek amendment	The Transport Chapter is not of significant interest to Northpower. However, it is important that recognition is made for the appropriate provision of infrastructure (e.g., electricity and telecommunications) in the transport network, in particular the roading corridor, as often this infrastructure is located within it. Rather than making detailed submissions on the chapter, Northpower seeks that this is adequately addressed across the objectives, policies and rules in this chapter.	Review the transport provisions and provide for objectives, policies and rules that enable the construction, operation, maintenance, repair and upgrading of existing infrastructure and establishment of new infrastructure within the transport network, in particular the roading corridor.
100	Transport Chapter – New Objective	Seek amendment	Include a new objective to recognise and provide for the construction, operation,	Insert a new objective in the Transport Chapter (or wording to the same effect):

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			maintenance, repair and upgrading of infrastructure within the transport network, in particular the roading corridor.	<u><i>“Recognise and provide for the construction, operation, maintenance, repair and upgrading of other infrastructure including electricity and telecommunications infrastructure within the transport network, in particular the roading corridor.”</i></u>
101	Transport Chapter – New Policy	Seek amendment	Include a new policy to recognise and provide for the construction, operation, maintenance, repair and upgrading of infrastructure within the transport network, in particular the roading corridor by enabling these as a permitted activity.	Include a new policy in the Transport Chapter as follows (or wording to the same effect): <u><i>“Recognise and provide for other infrastructure by enabling the construction, operation, maintenance, repair and upgrading of infrastructure in the transport network as a permitted activity.”</i></u>
102	Transport Chapter – TRAN-R3	Oppose	Northpower seeks for clarification that ‘infrastructure’ is excluded from this rule and it’s permitted activity requirements.	Exclude ‘infrastructure’ from Rule TRAN-R3.
103	Transport Chapter – New Rule	Seek amendment	Include a new rule providing for the construction, operation, maintenance, repair and upgrading of electricity and telecommunications infrastructure within the roading corridor as a permitted activity.	Include a new rule in the Transport Chapter making the construction, operation, maintenance, repair and upgrading of electricity and telecommunications infrastructure within the roading corridor as a permitted activity.
CONTAMINATED LAND				
104	Contaminated Land – Overall Approach	Seek amendment	Northpower queries the necessity of this chapter given its duplication with the National Environmental Standard for	The deletion of this chapter in its entirety, or if deletion is not possible, adopt the changes requested by Northpower as per the below.

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			Assessing and Managing Contaminants in Soil to Protect Human Health 2011.	
105	Contaminated Land – CL-O2 – Management and Remediation of Contaminated Land	Seek amendment	Northpower supports this objective, but seeks the balance recognition of infrastructure alongside new use and development. Infrastructure, and in particular electricity infrastructure can be located on historically contaminated land, and it is important that provision is made for remediation and site management for new and existing infrastructure.	Amend CL-O2 as follows: <i>“remediation and/or site management of contaminated land contributes:</i> <i>1. To the health and wellbeing of communities; and-or</i> <i>2. Increased development opportunities for future use and development; or</i> <i>3. <u>the establishment of new infrastructure, or the operation, maintenance, repair and upgrading of existing infrastructure.</u>”</i>
106	Contaminated Land – CL-P1 – Identify Contaminated Sites	Support	Northpower supports this policy and the clear identification of contaminated sites.	Retain CL-P1 as notified.
107	Contaminated Land – CL-P2 – Earthworks on Contaminated Land	Seek amendment	Northpower considers that earthworks on contaminated land need to be enabled for the operational and functional need of new and existing infrastructure.	Amend CL-P2 as follows: <i>“Unless for the purpose of remediation <u>or for the operational or functional need of new or existing infrastructure</u>, discourage the disturbance of contaminated land, where the level, type and toxicity of the contamination could adversely affect human health and safety and the environment.”</i>
108	Contaminated Land – CL-P3 – Contaminated Land	Seek amendment	Northpower opposes the use of “avoids further effects” in clause 4. of this policy as it is inconsistent with the objectives, and	Amend CL-P4 as follows:

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	Management and Remediation		does not recognise that avoidance is not achievable nor necessary in every scenario. Northpower considers that the full range of the effect's hierarchy (e.g., avoid, remedy or mitigate) should be available.	<p><i>"Avoid, remedy or mitigate adverse effects on the health of people and the environment from the management or remediation of contaminated land by ensuring that:</i></p> <ol style="list-style-type: none"> <i>1. Contaminated land is managed and/or remediated to ensure that contaminants are at a level acceptable for the proposed land use.</i> <i>2. A best practice approach to remediation is applied, which does not pose a more significant risk to human health than if the remediation had not occurred.</i> <i>3. Contaminated land management approaches associated with the use, subdivision and development of contaminated land include where appropriate:</i> <ol style="list-style-type: none"> <i>a. Undertaking a site investigation of any land identified as actually or potentially contaminated, prior to any new subdivision or change of use of land, that could result in an increase in any adverse effects from the contamination of land;</i> <i>b. Remedial action plans;</i> <i>c. Site validation reports;</i> <i>d. Site management plans as appropriate for identifying, monitoring and managing land; and</i>

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				<p>e. Preliminary site investigations.</p> <p>4. Disposal of contaminated soil must be carried out in a manner that <u>protects</u> avoids further adverse effects on human health <u>and safety, or on and</u> the environment.</p> <p>5. ...</p> <p>6. ...”</p>
HAZARDOUS SUBSTANCES				
109	Hazardous Substances – Overall Approach	Oppose	<p>Whangārei District Council has recently notified Plan Change 91 to the Whangārei District Plan which proposes to retain objectives and policies relating to hazardous substances for the consideration at resource consent stage, but deletes any rules relating to hazardous substances.</p> <p>Northpower supports the WDC approach which is consistent with the 2017 RMA amendments which removed explicit function for local authorities to control the adverse effects of the storage, use, disposal, and transportation of hazardous substances.</p>	Delete rules for hazardous substances in the PDP and amend objectives and policies accordingly on the basis of there being no rules for hazardous substances in the PDP.
NATURAL HAZARDS				
110	Natural Hazards – NH-O1 – The risks from natural hazards are minimised	Support	Northpower supports this objective as worded.	Retain NH-O1 as notified.

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111	Natural Hazards – NH-O2 – Infrastructure is resilient to natural hazards	Seek amendment	Northpower supports the intent of this objective. Northpower designs all its assets to be safe, effective and resilient to hazards. Where assets are required in a natural hazard area in response to new developments, Northpower will manage any risks associated with natural hazards (e.g. mounting electrical fittings on poles above flood levels) to ensure that the asset performs in a reliable, safe and cost-effective way. The focus of resilience should be on the resilience of the service to the community rather than each individual asset. Therefore, Northpower seeks amendment to NH-O2 to accommodate this.	Amend NH-O2 as follows (or wording to the same effect): <i>“Infrastructure is located, designed and maintained to <u>support the community's be resilient resilience</u> to natural hazards.”</i>
112	Natural Hazards – NH-P6 – Manage subdivision and development in that may be affected by flood hazards and overland flow	Seek amendment	Northpower supports this policy in requiring that any new subdivision, land use and development is managed to avoid or mitigate the risks of flood hazards by requiring, and the measures included. Northpower seeks amendment to ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure. This is necessary because those earthworks could cause issues for electricity and telecommunications assets, such as: <ul style="list-style-type: none"> Excessive cover over existing cables making them impossible to repair in 	Amend NH-P6 as follows: <i>“1. Within a River Flood Hazard Area:</i> <ol style="list-style-type: none"> <i>All new buildings designed to accommodate sensitive activities to have a minimum freeboard of at least 500mm above the 1 in 100-year flood height;</i> <i>New commercial and industrial buildings to have a minimum freeboard of at least 300mm above the 1 in 100-year flood event or alternatively are designed and constructed so they will be resilient to flood hazards having regard to</i>

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			<p>fault conditions as well as preventing them from being detected by locating devices. The Health and Safety at Work (Excavation Operations) Regulations 2016 require notification to Worksafe if people have to work in an excavation that is more than 1.5m deep. The excessive cover also thermally de-rates the cable resulting in less current being able to be transmitted down the cable.</p> <ul style="list-style-type: none"> • Reduction in overhead electricity line to ground clearance, which breaches the New Zealand Electrical Code of Practice 34:2001. • Changing the natural flow of surface water flooding over electrical assets or eroding around assets making them unstable. • Burying pillars making them impossible to locate, maintain and disconnect under emergencies and planned work. • Inhibiting access to assets. 	<p><i>matters including the frequency, depth and velocity of flood waters;</i></p> <p><i>c. Areas for storage and containment of hazardous substances to be designed so that they are not inundated in a 1 in 100-year flood event;</i></p> <p><i>d. Earthworks (other than earthworks associated with flood control works) are assessed as not diverting flood flow onto surrounding properties and not reducing flood plain storage capacity within the 1 in 10-year flood hazard area;</i></p> <p><i>e. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure;</u></i></p> <p><i>f. Buildings, building platforms, access and services to be located and designed to minimise the need for hazard protection structures;</i></p> <p><i>g. The provision of safe vehicle access within the site during a flood event; and..."</i></p>
113	Natural Hazards – NH-P7 – Manage subdivision and development in coastal	Seek amendment	Northpower supports this policy. However, as above, Northpower seeks amendment to ensure that any earthworks associated with raising a freeboard above flood levels will	<p>Amend NH-P7 as follows:</p> <p><i>1. New buildings and building platforms located within the spatial extent of a</i></p>

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	erosion hazard areas and coastal flood hazard areas		avoid infrastructure for the reasons outline above.	<p><i>Coastal Erosion Hazard Area and Coastal Flood Hazard Area are designed and constructed so that:</i></p> <ul style="list-style-type: none"> <i>a. The building platform height is set above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise);</i> <i>b. The building platform is located and engineered to protect against erosion;</i> <i>c. The finished floor level of any building accommodating a sensitive activity is at least 500mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); and</i> <i>d. The finished floor level of any building for commercial or community use is at least 300mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise).</i> <i>e. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u></i>
114	Natural Hazards – NH-P10 – Infrastructure	Seek amendment	Northpower supports the recognition that infrastructure may need to locate in known hazard areas to service the needs of the	<p>Amend NH-P10 as follows:</p> <p><i>“Manage new infrastructure by ensuring it:</i></p>

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			<p>community, and seeks the provision of resilient infrastructure.</p> <p>Northpower seeks amendment to NH-P10 to avoid the requirement that an activity must be demonstrated to have either a functional or operational need to be located in a hazard area, rather than in an area that happens to be subject to a hazard.</p> <p>Northpower also seeks amendment to refer to management of effects rather than resilience, further to the above submission point.</p>	<ol style="list-style-type: none"> 1. <i>Is not located in a Coastal Erosion Hazard Area or Coastal Flood Hazard Area, or River Flood Hazard Areas unless there a functional need or operational need to be in that location locate in that area and this location is the most appropriate to service the needs of the community;</i> 2. <i>Is designed and constructed to be resilient to manage the effects of natural hazards, recognising:</i> <ol style="list-style-type: none"> a. <i>Not all natural hazards are known or mapped;</i> b. <i>Some natural hazard events may result in the temporary disruption to the operation of the infrastructure;</i> c. <i>Potential changes in hazards and a risk, including as a result of sea level rise and climate change; and</i> 3. <i>Does not transfer hazard risks to other locations and mitigates risks to people, property, other infrastructure and the environment."</i>
115	Natural Hazards – NH-R2 – # Additions and alterations to an existing building	Seek amendment	Northpower supports this rule. However, Northpower seeks amendment to ensure that any earthworks associated with raising	Amend NH-R2 as follows:

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	within a river flood hazard area		a freeboard above flood levels will avoid infrastructure, further to the submission points above.	<p><i>For all additions and alterations:</i></p> <p>a. <i>The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event-;</i></p> <p>b. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure;</u></p> <p>...</p> <p>3. Matters over which discretion is restricted:</p> <p>a. <i>The effects of flood hazards on the building;</i></p> <p>b. <i>The hazard risks to people or property;</i></p> <p>c. <i>Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites;</i></p> <p>d. <u>Effects on existing infrastructure services;</u></p> <p>e. <i>Any measures proposed to mitigate the effects of the hazard; and</i></p> <p>f. <i>The use of the building, including the storage and use of hazardous</i></p>

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				<i>substances, and any management/ mitigation requirements associated with that use.</i>
116	Natural Hazards – NH-R4 – # New buildings (other than accessory buildings) in a river flood hazard area	Seek amendment	Northpower supports this rule. However, Northpower seeks amendment to ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure, further to the submission points above.	<p>Amend NH-R4 as follows:</p> <p><i>For new buildings not containing sensitive activities:</i></p> <ul style="list-style-type: none"> a. <i>The building has a minimum finished floor level of 300mm above the maximum water level in 1 in 100-year flood event-; <u>and</u></i> b. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> <p><i>For new buildings containing sensitive activities:</i></p> <ul style="list-style-type: none"> a. <i>The building is not in a High-Risk River Flood Hazard Area; <u>and</u></i> b. <i>The building has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event-; <u>and</u></i> c. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure</u> <p>...</p>

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				<p>4. Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The effects of flood hazards on the building; b. The purpose of the building and its vulnerability or resilience to the flood hazard; c. The hazard risks to people or property; d. Cumulative effects and the potential to create, transfer or intensify hazard risks on adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; e. <u>Effects on existing infrastructure services;</u> f. The effectiveness of any mitigation proposed; g. The storage and use of hazardous substances and any management/ mitigation requirements; and h. Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event.

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117	Natural Hazards – NH-R6 – Additions and alterations to an existing building within a coastal erosion hazard area or coastal flood hazard area	Seek amendment	Northpower supports this rule. However, Northpower seeks amendment to ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure, further to the submission points above.	<p>Amend NH-R6 as follows:</p> <p><i>For buildings not containing sensitive activities:</i></p> <p>b. <i>The addition/alteration is not in a High-Risk Coastal Hazard Area; and</i></p> <p>c. <i>The addition/alteration has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise)-; and</i></p> <p>d. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure</u></p> <p><i>For buildings containing sensitive activities:</i></p> <p>e. <i>The addition/alteration is not in a High-Risk Coastal Hazard Area; and</i></p> <p>f. <i>The addition/alteration has a minimum finished floor level of 500mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise)-; and</i></p> <p>g. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u></p> <p>...</p> <p>3. <i>Matters over which discretion is restricted:</i></p>

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				<ul style="list-style-type: none"> a. The effects of coastal hazards on the building; b. The hazard risks to people or property; c. The effectiveness of any mitigation measures including freeboard above predicted coastal flood levels; d. <u>Effects on existing infrastructure services;</u> e. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; and f. The use of the building, including the storage and use of hazardous substances, and any management/mitigation requirements associated with that use.
118	Natural Hazards – NH-R8 – New buildings (other than accessory buildings) in a coastal erosion hazard area or coastal flood hazard area	Seek amendment	Northpower supports this rule. However, Northpower seeks amendment to ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure, further to the submission points above.	<p>Amend NH-R8 as follows:</p> <p>For new buildings not containing sensitive activities:</p> <ul style="list-style-type: none"> a. The building is not in a High-Risk Coastal Hazard Area; and b. The building has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); and

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				<p>c. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u></p> <p>For new buildings containing sensitive activities:</p> <p>d. The building is not in a High-Risk Coastal Hazard Area; and</p> <p>e. The building has a minimum finished floor level of 500 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); and</p> <p>f. <u>No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u></p> <p>...</p> <p>4. Matters over which discretion is restricted:</p> <p>a. The effects of coastal hazards on the building;</p> <p>b. <u>Effects on existing infrastructure services;</u></p> <p>c. The purpose of the building and its vulnerability or resilience to coastal hazards;</p> <p>d. Hazard risks to people or property;</p> <p>e. The effectiveness and durability of any mitigation, including the ability to relocate the building in response to future changes in hazard risk;</p>

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				<p>f. The storage and use of hazardous substances and any management/mitigation requirements; and</p> <p>g. Methods to manage activities and uses within the site, including safe egress from buildings and structures or the site and the management of people and property.</p>
119	Natural Hazards – NH-R13 – Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area	Oppose	<p>Northpower supports the recognition that infrastructure may be located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area.</p> <p>Northpower is strategic and careful about how they expand their network to meeting the growing demand of the Kaipara District. However, on the smaller scale, where new assets are required in response to the electricity needs of a new development, Northpower does not have the same control or discretion over where these assets are located. Some assets may be required within a natural hazard area and consequently be captured by the consenting requirements under this rule.</p> <p>Given this, Northpower considers that new infrastructure, and the operation, maintenance, repair and upgrading of</p>	<p>Delete NH-13 and replace with a new rule as follows (or to similar extent):</p> <p><u>“New and existing Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area</u></p> <p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Operation, maintenance, repair and/or upgrading of above ground infrastructure and below ground infrastructure;</u></p> <p>b. <u>Below ground electricity distribution lines and support structures;</u></p> <p>c. <u>Above ground electricity distribution lines and support structures;</u></p> <p>d. <u>Below ground telecommunications lines and support structures; and</u></p> <p>e. <u>Above ground telecommunications lines and support structures.</u></p>

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			<p>existing infrastructure within these areas should be a permitted activity, rather than a restricted discretionary or discretionary activity so that this infrastructure can continue to be developed, operated, maintained, repaired and upgraded in such circumstances without requiring unnecessary costly and time-consuming resource consents to be applied for.</p> <p>The consenting requirement for minor upgrading of above-ground infrastructure under this rule also imposes an inhibitive cost for these asset upgrades and new small-scale assets, which follow development that has already been enabled within the natural hazard area. As mentioned previously, some of Northpower's upgrades wouldn't even meet the definition of "minor upgrading", and the reference to this is therefore suggested to be replaced with "upgrading" as per the new suggested definition above.</p> <p>Further, Northpower considers that electricity transformers and switching stations, and electricity and telecommunications pillars are essential support structures for below ground and above ground electricity distribution lines</p>	<p><u><i>Note: This rule only applies to the construction, operation, maintenance, repair and upgrading of infrastructure undertaken by a network utility operator.</i></u></p> <p><u><i>2. Activity status where compliance not achieved: Restricted Discretionary</i></u></p> <p><u><i>3. Matters over which discretion is restricted:</i></u></p> <p><u><i>a. Whether there is a functional need or operational need for the infrastructure to be in that location within the natural hazard area;</i></u></p> <p><u><i>b. Cumulative effects and the potential to create, transfer or intensify natural hazard risks on adjoining sites including as a result of any proposed mitigation;</i></u></p> <p><u><i>c. The nature and extent of the natural hazard, the resilience of the infrastructure to the effects of the hazard and the effectiveness and durability of any mitigation; and</i></u></p> <p><u><i>d. Methods to manage activities within the site, including safe access to and from the infrastructure during a hazard event.</i></u></p>

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			and should be provided along with these as a permitted activity.	
HISTORIC HERITAGE				
120	Historic Heritage – General	Seek amendment	The historic heritage chapter is not of significant relevance to Northpower. However, it is important that recognition is made within the chapter for the appropriate provision of infrastructure (e.g., electricity and telecommunications) for the establishment, operation, maintenance, repair and upgrading of Infrastructure within sites containing scheduled Heritage Resources, or in close proximity to scheduled Heritage Resources.	Review Historic Heritage provisions to provide for objectives, policies and rules that enable the construction, operation, maintenance, repair and upgrading of existing infrastructure as a permitted activity within the Historic Heritage provisions.
121	Historic Heritage – New Policy	Seek amendment	Include a new policy to recognise and provide for the operation, maintenance, repair and upgrading of existing infrastructure within sites containing scheduled Historic Heritage Resources.	Include a new policy in the Historic Heritage Chapter as follows (or wording to the same effect): <u><i>“Recognise and provide for the operation, maintenance, repair and upgrading of infrastructure and connections to buildings for network utilities within sites containing scheduled Heritage Resources in a manner that avoids, remedies or mitigates adverse effects on the heritage values of the resource.”</i></u>

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122	Historic Heritage – New Policy	Seek amendment	Include a new policy to recognise and provide for the establishment of new infrastructure in proximity to a scheduled Historic Heritage Resource.	<p>Include a new policy in the Historic Heritage Chapter as follows (or wording to the same effect):</p> <p><u>“Recognise and provide for the establishment of new infrastructure in proximity to a scheduled Heritage Resource, where all of the following apply:</u></p> <p><u>a. there is a functional need or operational need for its establishment;</u></p> <p><u>b. there is no practicable alternative;</u></p> <p><u>c. the infrastructure will provide a public benefit that could not otherwise be achieved; and</u></p> <p><u>d. significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated on the heritage values of the scheduled Heritage Resource.”</u></p>
123	Historic Heritage – HH-R2 Works within heritage item setting	Support, seek amendment	<p>Northpower supports the specific reference in HH-R2.1.d.ii for earthworks for the purpose of “repair, replacement or maintenance of existing underground infrastructure, drains or water races.”</p> <p>However, this approach should be expanded to include making the operation, maintenance, repair and upgrading of all existing infrastructure a permitted activity.</p>	Include a new rule (see below) making the operation, maintenance, repair and upgrading of existing infrastructure a permitted activity.

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124	Historic Heritage – New Rule	Seek amendment	Include a new rule for providing for the operation, maintenance, repair and upgrading of existing infrastructure as a permitted activity.	<p>Include a new rule in the Historic Heritage Chapter as follows (or wording to the same effect):</p> <p><u>“Operation, maintenance, repair and upgrading of existing infrastructure containing a Scheduled Heritage Resource</u></p> <p><u>Activity Status: Permitted”</u></p>
125	Historic Heritage – New Rule	Seek amendment	Include a new rule providing for new electricity and telecommunications infrastructure as a restricted discretionary activity.	<p>Include a new rule in the Historic Heritage Chapter as follows (or wording to the same effect):</p> <p><u>“Infrastructure within a site containing a Scheduled Heritage Resource</u></p> <p><u>Activity Status: Restricted Discretionary</u></p> <p><u>This rule shall not apply to:</u></p> <ol style="list-style-type: none"> <u>1. Infrastructure that is located underground;</u> <u>2. Maintenance, repair or upgrading of any existing above ground infrastructure that is located within 5m either side of the original location;</u> <u>3. Connections to buildings or structures for network utilities; or</u> <u>4. New above ground infrastructure that is wholly located within the road reserve.</u>

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				<p><u>Matters of discretion are restricted to:</u></p> <p>a. <u>The operational and functional needs of the infrastructure to be located within the site containing the scheduled Heritage Resource;</u></p> <p>b. <u>Whether a scheduled Heritage Resource will be adversely affected by the proposed works;</u></p> <p>c. <u>Location, scale, design of the proposed works;</u></p> <p>d. <u>Any adverse effects on any archaeological site;</u></p> <p>e. <u>Any landscaping or fencing to maintain heritage boundary treatments and curtilage;</u></p> <p>f. <u>The location and relationship of works in relation to adjoining sites and the road;</u></p> <p>g. <u>Any assessments or advice from a suitably qualified and experienced heritage or cultural expert (where provided); and</u></p> <p>h. <u>Any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua (where provided). “</u></p>
NOTABLE TREES				

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126	Notable Trees – TREE-O1 – Notable Trees	Seek amendment	It is important that the protection of notable trees is balanced with enabling the safe and efficient use, development, maintenance, operation and upgrading of infrastructure and network utilities. Northpower considers that TREE-O1 should be amended to include wording to this effect.	Amend TREE-O1 as follows: <i>“Protect and retain notable trees which contribute to the character, ecological, visual, and historical or amenity values of the Kaipara District, <u>while enabling the safe and efficient use, development, maintenance, operation and upgrading of infrastructure</u>”</i>
127	Notable Trees – TREE-P2 – Activities within the root protection zone of a notable tree	Seek amendment	TREE-P2 needs to be amended to: <ul style="list-style-type: none"> • More appropriately reference the presence of infrastructure within it. • To remove the “and” at the end of clause 2. This implies that all three clauses need to be met, which does not appear to be the intent, as there are likely scenarios where one or the other apply, but not necessarily all. 	Amend TREE-P2 as follows: <i>“Manage activities within the root protection zone of the notable tree to:</i> <ol style="list-style-type: none"> <i>1. Ensure the continuing health, structural integrity and amenity value of the tree;</i> <i>2. Ensure the safety of people, <u>infrastructure</u> and <u>or</u> property; and <u>or</u></i> <i>3. Enable maintenance, <u>operation, repair or upgrading</u> of existing infrastructure.</i>
128	Notable Trees – TREE-P3 – Maintaining the values of a notable tree	Seek amendment	Northpower are supportive of this policy in that it enables the safe and efficient use, maintenance or operation of infrastructure. However, Northpower considers that this policy should also enable the safe and	Amend TREE-P3 as follows: <i>“Protect and maintain the values of notable trees listed within SCHED2 – Notable Trees by ensuring any maintenance or pruning of a notable tree:</i>

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			efficient development and upgrading of infrastructure.	<ol style="list-style-type: none"> 1. Ensures that the natural shape and form of the tree is retained; 2. Maintains or improves the health of the tree; 3. Is necessary to improve public safety or to prevent damage to property <u>or infrastructure</u>; or 4. Enables the safe and efficient use, <u>development</u>, maintenance, <u>or</u> operation, <u>repair and upgrading</u> of infrastructure.”
129	Notable Trees – TREE-P4 – Removal of notable tree	Support	Northpower supports TREE-P4 as worded.	Retain TREE-P4 as notified.
130	Notable Trees – Arborist references	Seek amendment	The provisions inconsistently refer to “Technician Arborist” and “Works Arborist”. In Northpower’s opinion, there needs to be consistency in the arborist references and what constitutes an arborist. As currently drafted, the two different references will create confusion, and lead to inconsistent implementation. Northpower has added a definition for “Arborist” in the definitions section feedback that is considered will be suitable for use in the Notable Trees Chapter.	Delete multiple references to different types of arborists, and use one consistent definition, for “arborist” as outlined in the definitions section feedback.
131	Notable Trees – TREE-R2 – Maintenance and Pruning	Seek amendment	Northpower supports the exclusion for works required under R3 (see comments below), and the maintenance or pruning of a notable tree where it is necessary to	Amend TREE-R2 as follows (or to the same effect):

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			<p>enable the safe and efficient use and operation of infrastructure as a permitted activity. However, Northpower notes that there are still some issues with the wording of this rule that should be addressed including:</p> <ul style="list-style-type: none"> The restriction on branch diameter to 50mm is unnecessarily restrictive, and inconsistent with other recent district plans in Northland. Northpower considers that 200mm is a more reasonable branch diameter. Essentially, to maintain a notable tree adjacent to Northpower assets at 50mm diameter, they would need to prune it annually, which is chargeable to KDC (after the first trim) or KDC need to employ someone to prune it annually. Trimming allowances need to be increased to provide for this. A 200mm branch diameter is consistent with the WDP and the Proposed Far North District Plan following s42A reporting recommendations. The restriction to 10% of live foliage annually is also unnecessarily restrictive. 	<p><i>"maintenance or pruning of a tree listed in SCHED2 – Notable Trees, except where provided for by TREE-R3 (rule for trimming close to power lines).</i></p> <p>Where:</p> <ol style="list-style-type: none"> <i>The trimming and/or maintenance is necessary to:</i> <ol style="list-style-type: none"> <i>Prevent a serious threat to people, <u>infrastructure</u> or property; or</i> <i>Enable the safe and efficient use, and operation, <u>development, maintenance, repair and upgrading</u> of infrastructure; or</i> <i>Improve or maintain tree health; and</i> <i>Is limited to one or more of the following:</i> <ol style="list-style-type: none"> <i>Pruning of roots less than 50 <u>200</u> mm in diameter at the point of severance; or</i> <i>Pruning of roots less than 80mm in diameter at the point of severance, under the supervision of a Works Arborist; or</i>

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			<p>Northpower considers that 33% is appropriate as it is consistent with industry standards.</p> <ul style="list-style-type: none"> Provision should be made for emergency tree works with no limit on root or branch diameter, in accordance with the definition sought by Northpower above in the Definitions Section. 	<p>iii. Removal of broken branches, deadwood, or diseased vegetation; and</p> <p>c. In any single consecutive 12 month period, involves no more than <u>33%</u> of live foliage:</p> <p>i. With a maximum branch diameter not exceeding 50<u>200</u>mm at the point of severance; or</p> <p>ii. 80mm when under the supervision of a Works Arborist; or</p> <p>d. <u>Are required for emergency tree works, then a.-c. do not apply.</u></p>
132	Notable Trees – TREE-R3 – Work to a notable tree located close to power lines	Seek amendment	Northpower supports the permitted activity rule for work to a notable tree located close to power lines. However, Northpower seeks that the rule be amended to refer to the Electricity (Hazards from Trees) Regulations 2003 and the Telecommunications Act 2001 without specific clause references as there are other relevant provisions in those instruments.	<p>Amend TREE-R3 as follows:</p> <p>“Activity status: Permitted</p> <p>Where:</p> <p>a. The works are required under, and carried out in accordance with clause 14 of the Electricity (Hazards from Trees) Regulations 2003, or clause 128 of the Telecommunications Act 2001; and</p> <p>b. The works are undertaken by, or under the supervision of, a Works Arborist</p>

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				employed or contracted by the Council or a network utility operator."
133	Notable Trees – TREE-R4 – Earthworks within the root protection zone of a notable tree	Seek amendment	<p>Northpower supports earthworks associated with installing underground network utilities being a permitted activity, however TREEOR4.e is problematic in that the maximum earthworks area is 1m².</p> <p>There does not appear to be any justification for the use of arbitrary numbers such as this that Northpower is aware of, and there are significant issues from a compliance perspective for infrastructure and network utility providers.</p>	<p>Amend TREE-R4 as follows:</p> <p>"Where:</p> <ol style="list-style-type: none"> <i>They are for maintenance and repair of existing structures, tracks and footpaths, lawns, gardens, fences and other established activities;</i> <i>Maximum area of earthworks is no more than 10% of the RPZ and is not within 3m from the trees trunk;</i> <i>The values for which the tree is scheduled and the health or structural integrity are not compromised;</i> <i>Any infrastructure is installed by hand-dogging or trench-less means (such as air spade or directional drilling methods); and</i> <i>The maximum area of eEarthworks for the purpose of installing, replacing, repairing and maintaining underground network utilities is 1m² and:</i> <ol style="list-style-type: none"> <i>Within 3 meters of the tree trunk under the supervision of a Works Arborist; or</i>

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				ii. <i>Outside three meters of the tree trunk, no supervision is required.</i>
134	Notable Trees – TREE-R5 Removal of an unsafe notable tree	Seek amendment	<p>There are two issues with this provision for Northpower that need to be addressed:</p> <ul style="list-style-type: none"> It is unclear what “unsafe notable tree” means as this is not a defined term. The provision should simply refer to “notable tree”. As with pruning and maintenance, provision needs to be made for “emergency tree works” as a permitted activity. 	<p>Amend TREE-R5 as follows:</p> <p>Title – Remove reference to “unsafe” from heading.</p> <p>“Where:</p> <ol style="list-style-type: none"> <i>The removal is required in an emergency <u>or is emergency tree works</u>; or</i> <i>The tree is certified as:</i> <ol style="list-style-type: none"> <i>Dead;</i> <i>At risk of imminent failure;</i> <i>Having a significant loss of structural integrity and poses an unacceptable risk to safety; and</i> <i>The work is to be undertaken by a Works or Technician Arborist; and</i> <i>Within ten working days after completing the work, the responsible arborist delivers to council, for its records, a written certificate that the work was necessary.”</i>

SITES AND AREAS OF SIGNIFICANCE TO MĀORI

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135	Sites and Areas of Significance to Māori – New Objectives, policies and rules	Seek amendment	Northpower acknowledges the importance and significance of these sites to tangata whenua / mana whenua. Northpower acknowledges that the purpose of this chapter is to protect these sites from inappropriate subdivision and development. However, in some instances there is an operational and functional need for infrastructure to be located within areas identified as being of significance to Māori, particularly given the extent that some of those areas cover.	<p>Include additional objectives and policies that recognise the need for the location of new infrastructure, within Sites and Areas of Significance to Māori where there is an operational and functional need and any adverse effects are adequately managed.</p> <p>Include additional objective that provides for the operation, maintenance, repair and upgrading of infrastructure within sites and areas of significance to Māori.</p> <p>Amend rules to allow the suitable provision of new infrastructure where there is an operational and functional need, and the ongoing operation, maintenance, repair and upgrading of infrastructure within sites and areas of significance to Māori.</p>
136	Sites and Areas of Significance to Māori – SASM-P3 – Activities enabled on scheduled sites	Seek amendment	Northpower supports the enablement of the maintenance, operation and repair of existing infrastructure within scheduled sites and areas of significance to Māori. However, infrastructure footprints can change slightly over time as technology improves, and accordingly upgrades to existing infrastructure also needs to be enabled so as to avoid unnecessary consenting requirements.	<p>Amend SASM-P3 as follows:</p> <p><i>“Enable the following activities to occur on scheduled sites and areas of significance to Māori where the associated cultural, spiritual and historical values and relationships will be protected:</i></p> <ol style="list-style-type: none"> <i>1. Land disturbance;</i> <i>2. Animal grazing, pasture management and pest management;</i>

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				3. Cultivation and small-scale earthworks; 4. Maintenance, repair, alteration, demolition of existing buildings and structures; 5. Maintenance, operation, <u>upgrading</u> , and repair of existing infrastructure; 6. Cultural practices carried out in accordance with tikanga Māori."
137	Sites and Areas of Significance to Māori – SASM-P5 – Destruction or demolition of a site or area of significance to Māori	Support	Northpower supports the destruction or demolition of a site or area of significance to Māori if it is necessary to prevent serious threat to infrastructure.	Retain SASM-P5 as notified.
ECOSYSTEMS AND INDIGENOUS BIODIVERSITY				
138	Ecosystems and Indigenous Biodiversity – ECO-O1	Seek amendment	<p>It is important that the protection of significant indigenous vegetation and significant habitats of indigenous fauna is balanced with enabling the safe and efficient use, development, maintenance, operation and upgrading of infrastructure and network utilities. Northpower considers that ECO-O1 should be amended to include wording to this effect.</p> <p>Further to this, it is important that a policy (in this case ECO-P3) implements an objective.</p>	<p>Amend ECO-O1 as follows:</p> <p><i>"Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected, <u>while enabling the safe and efficient use, development, maintenance, operation and upgrading of infrastructure.</u>"</i></p>

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139	Ecosystems and Indigenous Biodiversity – ECO-P3	Seek amendment	<p>Northpower acknowledges the importance of the protection, maintenance and restoration of indigenous biodiversity. Northpower recognises that the purpose of this chapter is to protect significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, land use and development.</p> <p>Northpower supports the inclusion of a policy which recognises the operational and functional need for regionally significant infrastructure to be located within these areas. However, Northpower considers that all infrastructure should be recognised in order to be consistent with the infrastructure enabling provisions in other chapters of the PDP. Northpower also seeks for the policy to also provide for the 'upgrading' of infrastructure.</p>	<p>Amend ECO-P3 as follows:</p> <p><i>“Manage subdivision, land use and development to protect significant indigenous vegetation and significant habitat of indigenous vegetation and maintain indigenous biodiversity in a way that:</i></p> <ol style="list-style-type: none"> <i>1. Does not unreasonably restrict existing primary production activities, particularly on highly productive land;</i> <i>2. Recognises the operational need or functional need of regionally significant infrastructure <u>and infrastructure</u> to traverse or locate within areas of significant indigenous vegetation and significant habitat of indigenous fauna where there are no practical alternative locations;</i> <i>3. Allows for operation, use, <u>repair, upgrading and</u> and maintenance of existing structures, including infrastructure; and</i> <i>4. Enables land to be used and developed to support the social, economic and cultural well-being of people and communities.”</i>
140	Ecosystems and Indigenous Biodiversity – ECO-R1	Seek amendment	<p>Northpower supports the inclusion of a permitted activity rule which enables the clearance of indigenous vegetation and any associated land disturbance for the</p>	<p>Amend clause I of ECO-R1 as follows:</p> <p>“ ...</p>

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			operation, repair or maintenance of existing infrastructure. However, Northpower seeks for the rule to also provide for the 'upgrading' of infrastructure as a permitted activity.	<i>I. clearance for the operation, <u>use</u>, repair, <u>upgrading</u> or maintenance of the following activities where they have been lawfully established:</i> <i>i. Fences;</i> <i>ii. Infrastructure;</i> <i>iii. Buildings;</i> <i>iv. Driveways and access;</i> <i>v. Walking tracks;</i> <i>vi. Cycling tracks;</i> <i>vii. Farming tracks; and</i> <i>viii. Farm drains."</i>
NATURAL CHARACTER				
141	Natural Character – General	Seek amendment	Northpower understands that this chapter seeks to manage the natural character associated with the margins of waterbodies (wetlands, lakes and rivers). It is unclear how this Chapter interacts with the National Environmental Standard for Freshwater Management (NES-FW) in regard to natural wetlands, and whether consideration has been given to the potential for duplication of consenting requirements under these frameworks.	Clarify the relationship between this Chapter and the NES-FW.
142	Natural Character – NATC-O1	Seek amendment	It is critical that the preservation and protection of natural character of wetland, lake and river margins is balanced with enabling the safe and efficient use,	Amend NATC-O1 as follows: <i>"The natural character of wetland, lake and river margins is preserved, and protected</i>

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			<p>development, maintenance, operation and upgrading of infrastructure and network utilities. Northpower considers that NATC-O1 should be amended to include wording to this effect.</p> <p>Further to this, it is important that policies (in this case NATC-P2 and NATC-P3) implement objectives.</p>	<p><i>from inappropriate subdivision, use and development, <u>while enabling the safe and efficient use, development, repair, maintenance, operation and upgrading of infrastructure.</u></i></p>
143	Natural Character – NATC-P2	Seek amendment	<p>Northpower supports that indigenous vegetation clearance and earthworks within wetland, lake and river margins are enabled where it is for the safe clearance for existing overhead powerlines.</p> <p>However, for clarity and to remain consistent with infrastructure enabling provisions within other chapters of the PDP, Northpower considers that the wording of this policy should be amended to specifically enable the operation, maintenance, repair and upgrading of infrastructure generally.</p>	<p>Amend NATC-P2 as follows:</p> <p><i>“Enable indigenous vegetation clearance and earthworks within wetland, lake and river margins where it is for:</i></p> <ol style="list-style-type: none"> <i>1. The repair or maintenance of lawfully established activities;</i> <i>2. <u>The use, operation, maintenance, repair and upgrading of existing infrastructure;</u></i> <i>3. Safe clearance for existing overhead powerlines;</i> <i>4. Health and safety of the public;</i> <i>5. Biosecurity reasons; and</i> <i>6. The sustainable non-commercial harvest for customary activities.”</i>
144	Natural Character – NATC-P3	Seek amendment	<p>Northpower supports that buildings or structures are enabled within wetland, lake and river margins where there is a</p>	<p>Amend NATC-P3 as follows:</p> <p><i>“Enable buildings or structures, <u>including infrastructure</u> and additions and alterations</i></p>

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			<p>functional need or operational need for a building or structure to be in that location.</p> <p>However, for clarify and to remain consistent with infrastructure enabling provisions within other chapters of the PDP, Northpower considers that the wording of this policy should be amended to specifically enable new infrastructure.</p>	<p>to existing buildings or structures, <u>including infrastructure</u> within wetland, lake and river margins where:</p> <ol style="list-style-type: none"> 1. There is a functional need or operational need for a building or structures, <u>including infrastructure</u> to be in that location; 2. Public access, customary access and recreational use is maintained or enhanced; and 3. Any adverse effects on natural character are avoided, remedied or mitigated in accordance with NATC-P1.
145	Natural Character - new rules	Seek amendment	<p>Northpower considers it critical that the development, operation, maintenance, repair and upgrading of the electricity distribution network is appropriately provided for to ensure the continued resilience of this lifeline service throughout Northland.</p>	<p>Northpower seeks the inclusion of the following two additional new rules:</p> <ul style="list-style-type: none"> • A permitted activity rule to enable new infrastructure within wetland, lake and river margins where there is an operational and functional need, and adverse effects are adequately managed; and • A permitted activity rule to enable the ongoing operation, maintenance, repair and upgrading of existing infrastructure within wetland, lake and river margins.

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146	Natural Character – NATC-R3	Seek amendment	<p>Northpower supports that earthworks within wetland, lake and river margins are enabled where it is required for utility connections.</p> <p>However, 'utility connections' is not defined in the PDP, unlike 'Infrastructure.' Therefore, for clarity and to remain consistent with infrastructure enabling provisions within other chapters of the PDP, Northpower considers that the wording of this rule should be amended to specifically enable the operation, maintenance, repair and upgrading of infrastructure.</p> <p>Northpower also seeks to replace 'and' with 'or' so that the operation, maintenance, repair and upgrading of existing infrastructure is not subject to permitted earthworks thresholds.</p>	<p>Amend NATC-R3 as follows:</p> <p><i>"1. Activity Status: Permitted</i> Where:</p> <ul style="list-style-type: none"> a. <i>The earthworks complies with NATC-S2-Earthworks; and</i> b. <i><u>The use, operation, maintenance, repair and upgrading of existing infrastructure; or</u></i> c. <i>The earthworks is for the maintenance of lawfully established roads, fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks."</i>
147	Natural Character – NATC-R4	Seek amendment	<p>Northpower supports that indigenous vegetation clearance within wetland, lake and river margins is enabled where it is required for utility connections.</p> <p>However, 'utility connections' is not defined in the PDP, unlike 'Infrastructure.' Therefore, for clarity and to remain consistent with infrastructure enabling</p>	<p>Amend NATC-R4 as follows:</p> <p><i>"1. Activity Status: Permitted</i> Where:</p> <ul style="list-style-type: none"> a. <i>The activity complies with NATC-S3-Indigenous Vegetation Clearance; or</i>

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			provisions within other chapters of the PDP, Northpower considers that the wording of this rule should be amended to specifically enable the operation, maintenance, repair and upgrading of infrastructure.	<p>b. <u>The operation, maintenance, repair and upgrading of existing infrastructure; or</u></p> <p>c. <i>The indigenous vegetation clearance is for the maintenance of lawfully established roads, fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks."</i></p>
NATURAL FEATURES AND LANDSCAPES				
148	Natural Features and Landscapes – General	Seek amendment	Northpower seeks to ensure consistency between the direction provided for infrastructure in sensitive environments (overlays) in the Infrastructure Chapter and those within the Outstanding Natural Features and Landscapes should Council continue to consider it necessary to have specific direction in both.	Ensure consistency between provisions in the Natural Features and Landscapes and Infrastructure Chapter.
149	Natural Features and Landscapes – NFL-P5	Seek amendment	<p>Northpower supports this policy to enable the regionally significant infrastructure, but notes that no provision has been made for the establishment of new regionally significant infrastructure or the repair of existing regionally significant infrastructure.</p> <p>Further, Northpower considers that all infrastructure (not just regionally significant infrastructure) should be recognised and</p>	<p>Amend Policy NFL-P5 as follows:</p> <p><i>"Enable the <u>establishment</u>, operation, maintenance, <u>repair</u> and upgrading of regionally significant infrastructure <u>and infrastructure</u> in Outstanding Natural Features or Outstanding Natural Landscapes where:</i></p> <p>1. <i>There is an operational need or functional need to be in that particular location; and</i></p>

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			provided for in order to be consistent with the infrastructure enabling provisions in other chapters of the PDP.	2. <i>Adverse effects on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are avoided, remedied or mitigated in accordance with NGL-P3 and NFL-P4."</i>
150	Natural Features and Landscapes – New Objectives	Seek amendment	<p>Include a new objective to recognise and provide for the operational and functional need for Regionally Significant Infrastructure to be located in these environments where adverse effects are appropriately managed.</p> <p>Include a new objective that recognises and provides for the operational and functional need for all electricity infrastructure to be located in these environments where adverse effects are appropriately managed.</p> <p>The inclusion of these additional objectives would result in better alignment within Policy NFL-P5, the RPS, NZCPS (where relevant), and the Infrastructure Chapter.</p>	<p>Include a new objective to recognise and provide for the operational and functional need for Regionally Significant Infrastructure to be located in these environments where adverse effects are appropriately managed.</p> <p>Include a new objective that recognises and provides for the operational and functional need for all electricity infrastructure to be located in these environments where adverse effects are appropriately managed.</p>
151	Natural Features and Landscapes – NFL-R2	Seek amendment.	Northpower supports the permitted activity status for buildings and structures associated with regionally significant infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features in the coastal environment.	Amend NGL-R2.6 to also apply to Regionally Significant Infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features outside of the coastal environment.

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			However, Northpower seeks clarification that this permitted activity status also applies to regionally significant infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features outside of the coastal environment.	
152	Natural Features and Landscapes – NFL-R3	Seek amendment	<p>Northpower supports the inclusion of a permitted activity rule (with no thresholds) which enables the clearance of indigenous vegetation for the operation, repair or maintenance of existing infrastructure within outstanding natural landscapes outside the coastal environment.</p> <p>However, Northpower seeks for the rule to also provide for the ‘upgrading’ of infrastructure as a permitted activity.</p> <p>Northpower also seeks that this permitted activity status also applies to indigenous vegetation clearance for the operation, repair, upgrading or maintenance of existing infrastructure within both Outstanding Natural Features and Outstanding Natural Landscapes in the coastal environment. There is some confusion at present as there is no rule for indigenous vegetation</p>	<p>Amend NFL-R3 as follows: “1. Activity status: Permitted Where:</p> <ul style="list-style-type: none"> a. The activity complies with NFL-S5 Indigenous vegetation clearance; or b. Clearance for the operation, upgrading, repair or maintenance of the following activities where they have been lawfully established: <ul style="list-style-type: none"> i. Fences; ii. Infrastructure, including effluent disposal systems; iii. Buildings and swimming pools; iv. Driveways, parking areas and access; v. Walking tracks; vi. Cycling tracks; vii. Farming and forestry tracks; and viii. Farm drains.

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			<p>clearance within Outstanding Natural Features within the coastal environment.</p> <p>Northpower also seeks clarification that this permitted activity status also applies to regionally significant infrastructure outside of the Coastal Environment.</p>	<p>c. <u><i>The indigenous vegetation clearance is associated with regionally significant infrastructure.</i></u></p> <p>4. Activity status: Permitted</p> <p>Where:</p> <p>a. <i>The indigenous vegetation clearance is associated with regionally significant infrastructure; or</i></p> <p>b. <u><i>The indigenous vegetation clearance is for the operation, maintenance, repair and upgrading of existing infrastructure.</i></u></p> <p>Amend left hand column of NFL-R3 as follows:</p> <p><i>"ONL and ONF outside the coastal environment"</i></p> <p><i>"ONL and ONF within the coastal environment"</i></p>
153	Natural Features and Landscapes – NFL-R4	Seek amendment	<p>Northpower supports that earthworks associated with the maintenance of utility connections is a permitted activity.</p> <p>However, 'utility connections' is not defined in the PDP, unlike 'Infrastructure.' Therefore, for clarity and to remain consistent with infrastructure enabling</p>	<p>Amend NFL-R4 as follows:</p> <p>"1. Activity status: Permitted</p> <p>Where:</p> <p>a. <i>The earthworks complies with NFL-S4 Earthworks; or</i></p> <p>b. <i>The earthworks is for the operation, maintenance, repair or upgrading of lawfully established roads, fences,</i></p>

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			<p>provisions within other chapters of the PDP, Northpower considers that the wording of this rule should be amended to specifically enable the operation, maintenance, repair and upgrading of <u>infrastructure</u>.</p> <p>Northpower also seeks a permitted activity status for earthworks associated with regionally significant infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features in the Coastal Environment. This would be in better alignment with the provisions in the Natural Features and Landscapes Chapter which enables indigenous vegetation clearance associated with regionally significant infrastructure within Outstanding Natural Landscapes in the coastal environment as a permitted activity.</p> <p>Northpower also seeks clarification that this permitted activity status also applies to regionally significant infrastructure outside of the Coastal Environment.</p> <p>Northpower also seeks that this permitted activity rule applies to earthworks associated with the operation, maintenance, upgrading and repair of existing infrastructure within Outstanding</p>	<p>utility connections, <u>infrastructure</u>, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; <u>or</u></p> <p>c. <u>The earthworks is associated with regionally significant infrastructure.</u></p> <p>...</p> <p>4. Activity status: Discretionary Permitted</p> <p>Where:</p> <p>a. <i>The earthworks is associated with regionally significant infrastructure;</i></p> <p><u>or</u></p> <p>b. <u>the earthworks is for the operation, maintenance, repair or upgrading of existing infrastructure."</u></p>

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			Natural Features and Outstanding Natural Landscapes in the coastal environment. This will be aligned with the rules within the Ecosystems and Indigenous Biodiversity Chapter.	
154	Natural Features and Landscapes – NFL-R5	Seek amendment	<p>Northpower supports a permitted activity rule for the maintenance and upgrading of existing network utilities, parks and community infrastructure.</p> <p>Northpower, however, considers that the following amendments should be made:</p> <ul style="list-style-type: none"> This rule should be amended to apply to 'infrastructure' as this is a term defined within the PDP unlike 'network utilities'; Title amended to reference 'operation' and 'repair'; and An exemption for operation, maintenance, repair and upgrading of infrastructure from permitted standards. 	<p>Amend NFL-R5 as follows:</p> <p><u>"Operation, maintenance, repair and upgrading of existing infrastructure and network utilities, parks and community infrastructure"</u></p> <p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p><u>a. The activity complies with the following standards:</u></p> <p><u>i. NFL S1 Building and Structure Height;</u></p> <p><u>ii. NFL S2 Gross Floor Area;</u></p> <p><u>iii. NFL S3 Exterior Colour and Reflectivity; and</u></p> <p><u>iv. NFL S6 Minor Upgrading.</u></p> <p>2. NFL-R1 to NFL-R2 do not apply to the activities provided for in this rule."</p>
155	Natural Features and Landscapes – New Rule	Seek amendment	Include a new rule providing for new electricity and telecommunications infrastructure that is not regionally	Include a new rule in the Natural Features and Landscapes Chapter as follows (or wording to the same effect):

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			significant infrastructure as a restricted discretionary activity.	<p><u><i>"Infrastructure within a site containing an Outstanding Natural Landscape or Outstanding Natural Feature"</i></u> <i>Activity Status: Restricted Discretionary</i></p> <p><u><i>This rule shall not apply to:</i></u></p> <ol style="list-style-type: none"> <u><i>1. Infrastructure that is located underground;</i></u> <u><i>2. Operation, maintenance, repair or upgrading of any existing above ground infrastructure;</i></u> <u><i>3. Connections to buildings or structures for network utilities;</i></u> <u><i>4. New Small-scale Electricity and Telecommunications Assets; or</i></u> <u><i>5. New above ground infrastructure that is wholly located within the road reserve.</i></u> <p><u><i>Matters of discretion are restricted to:</i></u></p> <ol style="list-style-type: none"> <u><i>a. The matters in NFL-P6; and</i></u> <u><i>b. The positive effects of the activity.</i></u>
SUBDIVISION				
156	Subdivision – General	Seek amendment	In general, Northpower seeks to ensure that adequate provision for electricity and telecommunications infrastructure is provided at the time of subdivision to ensure planned and coordinated development, and that existing	Amend subdivision chapter to ensure that electricity and telecommunications infrastructure is adequately provided for at the time of subdivision and reverse sensitivity effects on existing infrastructure are avoided as sought below.

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			infrastructure is protected from inappropriate development and future land use.	
157	Subdivision – SUB-O4	Support	Northpower supports an objective which seeks for subdivision to be integrated with infrastructure services.	Retain SUB-O4 as notified.
158	Subdivision – SUB-P1	Seek amendment	Northpower seeks to ensure that existing electricity and telecommunications infrastructure is not compromised. Given the regional significance of most of the electricity infrastructure network, protection of this infrastructure is required to achieve alignment with the RPS.	<p>Amend SUB-P1 as follows: <i>'Enable subdivision that is designed and located to:</i></p> <ol style="list-style-type: none"> <i>1. Incorporate and respond to existing site features and characteristics. Including landforms, vegetation, buildings and cultural and amenity values;</i> <i>2. Ensure the size and shape of allotments can accommodate anticipated land used;</i> <i>3. Avoid or appropriately mitigate the risks of natural hazards;</i> <i>4. Provide efficient multi-modal transport connections in urban areas; and</i> <i>5. Promote the efficient use of infrastructure.; and</i> <i>6. <u>Protect the electricity and telecommunications infrastructure networks from reverse sensitivity effects.</u></i>

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159	Subdivision – SUB-P2	Support	Northpower supports the requirement for subdivision and development to be appropriately serviced and for infrastructure to be provided in an integrated and coordinated manner.	Retain SUB-P2 as notified.
160	Subdivision – New Policy	Seek amendment	Northpower seeks a new policy which directs the protection of critical electricity lines and critical fibre optic cables from reverse sensitivity effects generated by inappropriate subdivision and future land use to achieve alignment with Policy 5.1.1 of the RPS.	<p>Include a new policy as follows (or to the same effect):</p> <p><u>“SUB-PX</u> <u>Ensure that subdivision and future land uses do not generate reverse sensitivity effects on the electricity and telecommunications infrastructure network by:</u></p> <ol style="list-style-type: none"> <u>1. Ensuring suitable setbacks are achieved at the time of subdivision from all electricity and telecommunications infrastructure; and</u> <u>2. Requiring setbacks at the time of subdivision from mapped Critical Electricity Lines and Critical Fibre Optic Cables.”</u>
161	Subdivision – SUB-S5	Seek amendment	Northpower supports the requirement of this standard for all new allotments to be serviced in terms of three waters infrastructure and a reticulated electricity supply.	<p>Amend SUB-S5 as follows:</p> <p><u>“1. All new allotments, except allotments for access, roads, utilities or reserves must be provided with:</u></p> <ol style="list-style-type: none"> <u>a. Three waters infrastructure complying with the Kaipara District Council Engineering Standards 2011; and</u>

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			<p>However, Northpower considers that the following amendments need to be made to this standard:</p> <ul style="list-style-type: none"> • 'The option to' should be replaced with 'the ability to' to ensure more directive language; • Connection to a reticulated electricity supply should specify 'above ground or underground' supply to provide for flexibility for the type of solution depending on the circumstances and constraints of the site being subdivided and developed; and <p>All new allotments should also be required to connect to a telecommunications supply. Provision also needs to be made for wireless technology which is often used in more remote areas of the Kaipara District.</p>	<p>b. The option to <u>ability to</u> connect <u>above ground or underground</u> to a reticulated electrical supply network at the net-site area boundary or demonstrate that this can be generated and supplied on-site; <u>and</u></p> <p>c. <u>The ability to connect to a wireless telecommunications system, or an above ground or underground connection to a telecommunications system at the boundary of the net site area."</u></p>
162	Subdivision – new standard	Seek amendment	<p>Standards SUB-S9 and SUB-S10 require that a building platform associated with the subdivision of land be located entirely outside of the National Grid Yard or at least 20m from the gas pipeline or any above ground station when located within the Gas Transmission Pipeline Corridor.</p>	<p>Include a new standard which requires any proposed building platform to be located at least 20m from the centerline of a Critical Electricity Line or Critical Fibre Optic Cable.</p> <p>Any non-compliance with this standard is to result in a Discretionary activity status.</p>

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			Northpower seeks that the same protection be provided to Northpower's electricity distribution & telecommunications networks. It is noted that the national grid needs to be supported by a sufficient local distribution network to reach isolated people and communities, which the Kaipara District has a number of, especially to the Western Coast. Ensuring that Northpower's electricity distribution network is afforded the same protection at subdivision stage to avoid being compromised by future built development is a critical component of this.	
COASTAL ENVIRONMENT				
163	Coastal Environment – CE-O1	Seek amendment	It is critical that the preservation and protection of the natural character of the coastal environment is balanced with enabling the safe and efficient development, use, maintenance, operation, upgrading and repair of infrastructure. Northpower considers that CE-O1 should be amended to include wording to this effect.	Amend CE-O1 as follows: <i>"The characteristics, qualities and values of the natural character of the coastal environment are preserved and are protected from inappropriate subdivision, use and development, <u>while enabling the safe and efficient use, development, maintenance, operation, upgrading and repair of infrastructure.</u>"</i>
164	Coastal Environment – CE-P5	Seek amendment	While Northpower supports the recognition and provision for the operational need or functional need for regionally significant infrastructure to be located in the coastal environment, they consider that there needs to be an additional policy that	Include an additional policy to recognise and provide for infrastructure within the coastal environment when there is an operational or functional need and where adverse effects are appropriately managed.

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			<p>acknowledges the operational or functional need to locate other electricity infrastructure in the coastal environment where adverse effects are appropriately managed.</p> <p>Regionally Significant Infrastructure needs to be supported by a sufficient local distribution network to reach isolated people and communities, which the Kaipara District has a number of, especially in the West coast. There are inevitably instances where necessary infrastructure is located in coastal environments in this District given the pattern of coastal development.</p> <p>Northpower highlights Policy 6 of the NZCPS which specifically directs Councils to recognise this as an activity in the coastal environment and specifically notes that transmission of electricity is important to the social, economic and cultural wellbeing of people and communities.</p> <p>The inclusion of such a policy would also reflect the direction of the RPS, in particular Policy 5.1.2(d).</p>	
165	Coastal Environment – CE-R2	Seek amendment	Northpower seeks a permitted activity status for buildings and structures	Amend CE-R2 as follows:

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			<p>associated with regionally significant infrastructure within Outstanding Natural Character Areas in the Coastal Environment.</p> <p>This would be in better alignment with the provisions in the Natural Features and Landscapes Chapter which enable buildings and structures associated with regionally significant infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features in the coastal environment as a permitted activity.</p> <p>Northpower also seeks clarification that this permitted activity status also applies to regionally significant infrastructure within the Coastal Environment generally (i.e. when not located within an Outstanding Natural Character Area).</p>	<p>“... 4. Activity status: Discretionary Permitted Where: a. <i>The building or structure is associated with regionally significant infrastructure.</i>”</p> <p>Amend second left hand column of CE-R2 as follows: <u>“All coastal environment (including ONCA)”</u></p>
166	Coastal Environment – CE-R3	Seek amendment	<p>Northpower supports the inclusion of a permitted activity rule (with no thresholds) which enables the clearance of indigenous vegetation for the maintenance of existing utility connections within the coastal environment.</p> <p>However, ‘utility connections’ is not defined in the PDP, unlike ‘Infrastructure.’ Therefore, for clarity and to remain</p>	<p>Amend CE-R3 as follows:</p> <p><i>“1. Activity status: Permitted</i> <i>Where:</i> a. <i>The activity complies with CE-S6 Maximum area of indigenous vegetation clearance; or</i> b. <i>The indigenous vegetation clearance is for the <u>operation, maintenance, repair or</u></i></p>

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			<p>consistent with infrastructure enabling provisions within other chapters of the PDP, Northpower considers that the wording of this rule should be amended to specifically enable the operation, maintenance, repair and upgrading of <u>infrastructure</u>.</p> <p>Northpower also seeks for indigenous vegetation clearance for the operation, repair, upgrading and maintenance of all infrastructure within Outstanding Natural Character Areas in the coastal environment to be a permitted activity. This will be aligned with the rules within the Ecosystems and Indigenous Biodiversity Chapter.</p> <p>Northpower also seeks a permitted activity status for indigenous vegetation clearance associated with regionally significant infrastructure within Outstanding Natural Character Areas in the Coastal Environment. This would be in better alignment with the provisions in the Natural Features and Landscapes Chapter which enables indigenous vegetation clearance associated with regionally significant infrastructure within Outstanding Natural Landscapes in the coastal environment as a permitted activity.</p>	<p><u>upgrading</u> of lawfully established roads, fences, utility connections <u>infrastructure</u>, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; <u>or</u></p> <p>c. <u>The indigenous vegetation clearance is associated with regionally significant infrastructure.</u></p> <p>...</p> <p>4. Activity status: Discretionary <u>Permitted</u></p> <p>Where:</p> <p>a. The indigenous vegetation clearance is associated with regionally significant infrastructure; <u>or</u></p> <p>b. <u>The indigenous vegetation clearance is for the operation, maintenance, upgrading or repair of existing infrastructure."</u></p>

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			Northpower also seeks clarification that this permitted activity status also applies to regionally significant infrastructure within the Coastal Environment generally (i.e. when not located within an Outstanding Natural Character Area).	
167	Coastal Environment – CE-R4	Seek amendment	<p>Northpower supports the inclusion of a permitted activity rule (with no thresholds) which enables earthworks for the maintenance of existing utility connections within the coastal environment.</p> <p>However, ‘utility connections’ is not defined in the PDP, unlike ‘Infrastructure.’ Therefore, for clarity and to remain consistent with infrastructure enabling provisions within other chapters of the PDP, Northpower considers that the wording of this rule should be amended to specifically enable the operation, maintenance, repair and upgrading of <u>infrastructure</u>.</p> <p>Northpower also seeks that earthworks for the operation, repair, upgrading and maintenance of all infrastructure within Outstanding Natural Character Areas in the coastal environment to be a permitted activity. This will be aligned with the rules</p>	<p>Amend CE-R4 as follows:</p> <p>“1. Activity status: Permitted Where:</p> <ul style="list-style-type: none"> a. <i>The earthworks complies with the following standards:</i> <ul style="list-style-type: none"> i. <i>CE-S4 Maximum earthworks volume; and</i> ii. <i>CE-S5 Maximum height of cut and fill; or</i> b. <i>The earthworks is for the <u>operation, maintenance, upgrading or repair</u> of lawfully established roads, fences, utility connections <u>infrastructure</u>, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks.</i> c. <i><u>The earthworks is associated with regionally significant infrastructure.</u></i> ... 4. Activity status: permitted Where:

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			<p>within the Ecosystems and Indigenous Biodiversity Chapter.</p> <p>Northpower also seeks clarification that this permitted activity status also applies to regionally significant infrastructure within the Coastal Environment generally (i.e. when not located within an Outstanding Natural Character Area).</p>	<p>a. <i>The earthworks is associated with regionally significant infrastructure; <u>or</u></i></p> <p>b. <i><u>the earthworks is for the operation, maintenance, repair or upgrading of existing infrastructure.</u></i></p>
168	Coastal Environment – New Rule	Seek amendment	<p>Include a new rule providing for new electricity and telecommunications infrastructure that is not regionally significant infrastructure as a restricted discretionary activity.</p>	<p>Include a new rule in the Coastal Environment Chapter as follows (or wording to the same effect):</p> <p><u>“Infrastructure within the Coastal Environment (including OCNA)</u> <u>Activity Status: Restricted Discretionary</u></p> <p><u>This rule shall not apply to:</u></p> <ol style="list-style-type: none"> <u>1. Infrastructure that is located underground;</u> <u>2. Operation, maintenance, repair or upgrading of any existing above ground infrastructure;</u> <u>3. Connections to buildings or structures for network utilities;</u> <u>4. New Small-scale Electricity and Telecommunications Assets; or</u>

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				<p>5. <u>New above ground infrastructure that is wholly located within the road reserve.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>a. <u>The matters in CE-P6; and</u></p> <p>b. <u>The positive effects of the activity.</u></p>
EARTHWORKS				
169	Earthworks – EW-O1	Support	Northpower supports the direction within this objective that infrastructure should not be compromised by earthworks.	Retain Objective EW-O1 as notified.
170	Earthworks – EW-P1	Seek amendment	<p>Northpower supports the direction within this policy that earthworks should be enabled where they provide for the construction, maintenance, operation and upgrading of infrastructure.</p> <p>However, Northpower seeks that this policy also enables earthworks where they provide for the 'repair' of infrastructure.</p>	<p>Amend EW-P1 as follows:</p> <p><i>"Enable earthworks where they provide for:</i></p> <ol style="list-style-type: none"> <i>1. Urban land uses and development within urban zones;</i> <i>2. Rural land uses and development within the rural zones;</i> <i>3. Conservation and recreation activities;</i> <i>4. Land drainage and flood control works; and</i> <i>5. The construction, maintenance, operation, <u>and</u> upgrading <u>and repair</u> of infrastructure."</i>
171	Earthworks – EW-P5	Support	Northpower supports the direction within this policy that earthworks do not	Retain Policy EW-P5 as notified.

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			compromise the safe, effective and efficient operation of all infrastructure.	
172	Earthworks – EW-R1 & EW-R2	Support	Northpower supports that earthworks and land disturbance are enabled within all zones.	Retain Rule EW-R1 & Rule EW-R2 as notified.
173	Earthworks – EW-S1	Seek amendment	<p>Northpower supports that this standard does not apply to earthworks for the operation, maintenance and repair of existing infrastructure.</p> <p>However, Northpower consider that this standard should also not apply to earthworks for the ‘upgrading’ of existing infrastructure.</p>	Amend EW-S1 so that it does not apply to earthworks for the operation, maintenance, <u>upgrading</u> and repair of existing infrastructure.
174	Earthworks – EW-S3	Seek amendment	<p>Northpower supports that this standard does not apply to earthworks for the installation and upgrading of utility connections and infrastructure.</p> <p>However, Northpower consider that this standard should also not apply to earthworks for the ‘operation, maintenance and repair’ of existing infrastructure.</p>	Amend EW-S3 so that it does not apply to earthworks for the installation, <u>operation</u> , <u>maintenance</u> , upgrading and <u>repair</u> of existing infrastructure.
NOISE				
175	Noise – Rules, Notes	Seek amendment	Northpower seeks to ensure that an exemption from the noise rules and standards is provided in all zones for emergency use of generators required to	<p>Amend Notes as follows:</p> <p><i>“1. For certain activities, consent may be required by rules in more than one</i></p>

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Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
			ensure continued supply of electricity. It is considered that having to apply the rules of the Noise Chapter and potentially apply for consents in emergency situations is impractical and inefficient.	<p>chapter in the District Plan. See Part 1 – General Approach.</p> <p>2. Noise from commercial forestry is regulated by the National Environmental Standards for Commercial Forestry 2017 (NES-CF).</p> <p>3. <u>The noise rules and standards do not apply to the noise generated by the use of generators and mobile equipment (including vehicles) where they are operated by emergency services or lifeline utilities as defined in the Civil Defence Emergency Management Act 2002 for:</u></p> <p>a. <u>Emergency purposes;</u></p> <p>b. <u>Testing and maintenance; or</u></p> <p>c. <u>The ongoing supply of electricity during planned maintenance on the electricity network.</u></p>
176	Noise – NOISE-R10	Seek amendment	In alignment with Northpower's request above, it is sought to remove the 'testing of emergency generators between the hours of 7.00am and 6.00pm' from this rule.	<p>Amend NOISE-R10 as follows:</p> <p>"1. Activity status: Permitted</p> <p>Where:</p> <p>a. The noise is from:</p> <p>± Emergency service activities and sirens during emergencies; or</p>

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				<p>ii. Testing of emergency generators between the hours of 07:00am and 6:00pm; and</p> <p>b. Except as permitted in a., the noise is not from permanent depots or bases such as fire stations, police stations or the base for emergency aircraft.</p>
ZONES				
177	Zones – General	Support	<p>As a general comment, Northpower supports that the zone chapters in Part 3 – Area Specific Matters do not apply to infrastructure activities unless specifically referred to in the Infrastructure Chapter.</p> <p>Northpower also supports the exclusion for infrastructure provided by a network utility operator from compliance with the setbacks from the Coastal Marine Area in the various zones.</p>	Retain as notified.
DESIGNATIONS				
178	Designations – NPL-D1	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D1 as notified.
179	Designations – NPL-D2	Seek amendment	The physical address has not been amended to <u>3A Wairere Road</u> , Paparoa as requested.	<p>Amend NPL-D2 as follows:</p> <ul style="list-style-type: none"> Physical address – Paparoa Oakleigh <u>3A Wairere</u> Road, Dargaville.

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Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
180	Designations – NPL-D3	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D3 as notified.
181	Designations – NPL-D4	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D4 as notified.
182	Designations – NPL-D5	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D5 as notified.
183	Designations -NPL-D6	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D6 as notified.
184	Designations – NPL-D7	Seek amendment	<p>The physical address has not been amended to <u>8</u> Mountview Place Dargaville as requested.</p> <p>The conditions have not been removed as requested and advised would be the case by KDC staff. Northpower opposes the introduction of conditions relating to the tower as it has already been established on the site as outlined in the Designations review by Northpower provided to Council on 19 March 2025.</p>	<p>Amend NPL-D7 as follows:</p> <ul style="list-style-type: none"> Physical address – 10-8 <u>8</u> Mountview Place, Dargaville; and Remove all conditions.
185	Designations – NPL-D8	Support	Northpower supports this designation as worded and identified on the PDP maps.	Retain NPL-D8 as notified.

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Attachment 2 – Northpower CEL 11/33/66kV Critical Lines Map

