KAIPARA DISTRICT COUNCIL

Section 32 Report

Part 2

Infrastructure

Prepared for the

Proposed Kaipara District Plan

Prior to Notification

28 April 2025

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ATTACHMENTS (TO THIS DOCUMENT)

ATTACHMENT 1 – National Policy Statement relevant provisions

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ATTACHMENT 3 – Iwi planning document provisions

ATTACHMENT 4 – Feedback on the draft Proposed District Plan

ATTACHMENT 5 – Management plans and strategies prepared under other Acts

ABBREVIATIONS USED IN THIS REPORT

Kaipara District Council Operative District Plan	KDP
National Environmental Standards	NES
National Policy Statements	NPS
New Zealand Coastal Policy Statement	NZCPS
Northland Regional Council	NRC
Northland Regional Policy Statement	NRPS
National Policy Statement on Urban Development	NPS-UD
Proposed Kaipara District Plan	PDP
Resource Management Act 1991	RMA
Section 32 of the RMA	s32
Section 42A of the RMA	s42A

1. INTRODUCTION

1.1 Overview

1. This report details the pre-notification evaluation undertaken by Kaipara District Council (**KDC**) in relation to Infrastructure for the Proposed Kaipara District Plan (**PDP**). The report has been prepared in accordance with the requirements of section 32 of the Resource Management Act (**s32**).

1.2 Topic Description

2. The Infrastructure chapter contains the objectives and policies and rules that relate to infrastructure; however it does not relate to on-farm infrastructure that do not have a public or group infrastructure purpose. The provisions within the INF infrastructure chapter of the District Plan apply across the District in all the zones. The zone chapters in Section 3 Area Specific Matters do not apply to infrastructure activities unless specifically referred to within this chapter. For efficiency and consistency, Council has opted to apply the chapters and provisions in Section 2 District-wide matters to infrastructure such as earthworks, lighting and subdivision. The overlay provisions such as Outstanding Natural Landscapes apply where infrastructure is proposed to be located within an overlay.

1.3 Scale and Significance of the Effects

3. The s32 evaluation must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. In order to determine the scale and significance, the following criteria have been used:

TABLE 1: ASSESSMENT OF SCALE AND SIGNIFICANCE OF EFFECTS		
Criteria	**Summary of effects**	**Evaluation** (1 is low and 5 is high)
Reason for change	• 10-year review • Giving effect to higher level RMA documents including the NRPS, NPS-ET and NPS-UD	1
Degree of shift from status quo	• The revised provisions do add a degree of complexity but better reflect the broad range of infrastructure and any effects.	2

	• Enables underground infrastructure as a permitted activity. • Increased activity status for more significant structures. • Continued reliance on the Kaipara Engineering Standards 2011	
Who and how many will be affected, geographic scale of effects	• Low level of general public interest and engagement in issue despite the importance of efficient infrastructure • High degree of interest by infrastructure providers • Whole District will be affected • Low degree of impact on private property	3
Degree of impact on or interest from Maori	• Modest level of interest from iwi/Māori engagement with iwi on the issue • Infrastructure will better serve Māori communities and developments • Any impact on sites, areas or resources of significance to iwi/Māori is addressed through the Sites and Areas of Significance to Māori chapter • The provisions are largely consistent with iwi management plans	1
Timing and duration of effects	• Ongoing into the future	2
Type of effect:	• Positive effect in that essential infrastructure is enabled • The more stringent activity status for more significant infrastructure allows any adverse and positive effects to be considered • Infrastructure is essential for social, cultural and economic well-being	2

	• There may be negative effects on Part 2 matters where infrastructure is proposed within an overlay (which are largely s6 matters)	
Degree of risk or uncertainty:	• The effects of infrastructure are well understood.	1
Total (out of 35):		12

4. The level of detail in this evaluation report is appropriate for the level of effects anticipated.

2. Summary of Advice Received from Iwi

5. S32 requires evaluation reports to summarise all advice concerning the proposal received from iwi authorities under Clauses 3(1)(d) and 4A of Schedule 1 of the RMA. The s32 evaluation reports must summarise the response to the advice received, including any provisions of the proposal that are intended to give effect to the advice. The table below summarises the consultation undertaken and advice received from iwi authorities in relation to Infrastructure.

TABLE 2: SUMMARY OF ADVICE RECEIVED FROM IWI		
Details of the consultation process	**Summary of advice concerning the proposal received from iwi authorities**	**Summary of the response to the advice received**
Feedback from Ngai Tai Ora on the draft PDP	Reconsider approach to the management of three waters infrastructure, increasing the policy direction and provisions with respect to: (a) Reticulated three waters infrastructure capacity to service development; (b) Sustainable private three waters systems, with consideration of integration into reticulated three waters	Management of three water servicing is delivered by a combination of the Subdivision chapter and the Infrastructure chapter. The subdivision chapter ensures that each development is appropriately services by water, stormwater and water supply while the Infrastructure chapter manages the bulk / municipal supply.

	infrastructure systems, avoidance of onsite wastewater disposal in hazard prone areas; (c) Resilience of public reticulated three waters infrastructure within hazard prone areas; (d) Consideration of integrated three waters assessments being required at the time of subdivision and development; (e) Consideration of land use provisions to manage provision of and connection to three waters infrastructure; (f) Consideration of policy direction to require developers to undertake upgrades or contribute to costs of any upgrades and extensions of public three waters infrastructure that may be attributed to development, particularly in the absence of development contributions; and (g) Consideration of greater protection of drinking water catchments, shellfish harvest areas and recreational water use area from incompatible land use.	The Infrastructure chapter will achieve comment (b) through the objectives and policies which seek integration between infrastructure and subdivision, use and development.
Feedback from Ngai Tai Ora on the draft PDP	Subdivision and development should be supported and co-ordinated with efficient and effective infrastructure as a key component of achieving positive public health outcomes for urban	INF-O1.4 seeks to provide infrastructure that is integrated with development, so this matter is addressed in the INF chapter.

	and rural environments and Identified at a strategic level. SDO16 is the only objective relating to provision of infrastructure, which does not comfortably fit with the Infrastructure Chapter policy direction.	
Te Uri o Hau	Review chapter to ensure SASM are afforded equal weight within ONFs and ONLs i.e. wording of INF-P13 relating to ONL and ONF is stronger and more directive than the wording of INF-P11 relating to SASM despite both being s6 matter.	The structure of the INF chapter has been amended so that the overlay chapters (such as SASM) will apply where infrastructure is proposed to be located in those overlays.
Te Uri o Hau	Fundamental concept of Te Mana o te Wai recognised in the chapter which is particularly relevant for stormwater and drainage.	While this is a matter particularly for stormwater, it is more a matter to be addressed through the regional plan. The policies for stormwater management support low impact stormwater design and facilities (INF-P16) and establish a series of policy directions for the management of stormwater.

3. Evaluation of Objectives

3.1 Appropriateness in Terms of Purpose of RMA

6. Council must evaluate in accordance with s32 of the RMA the extent to which each objective proposed in the PDP is the most appropriate way to achieve the purpose of the RMA.

7. The following objectives are proposed for Infrastructure, the reasons for which are detailed in Table 1:

TABLE 3: S32 ASSESSMENT OF PROPOSED INFRASTRUCTURE OBJECTIVES
Proposed Infrastructure Objectives
INF-O1 Effective, resilient, efficient and safe infrastructure across the Kaipara District that: 1. Provides essential and secure services, including in emergencies; 2. Facilitates local, regional, national or international connectivity; 3. Contributes to the economy and support a high standard of living; 4. Integrates with subdivision, use and development ; and 5. Enables people and communities to provide for their health, safety and wellbeing.
INF-O2 The adverse effects of infrastructure on the environment are avoided, remedied or mitigated, while recognising: 1. The functional need or operational need of infrastructure; 2. That positive effects of infrastructure may be realised locally, regionally or nationally.
INF-O3 The safety, efficient operation, maintenance, repair or upgrading of infrastructure is not constrained or compromised by new incompatible land use, subdivision or development.
INF-O4 1. The national significance and benefits of the National Grid are recognised and provided for; and 2. The National Grid is not compromised by other subdivision, use and development.

8. Part 2 of the RMA outlines the purpose and principles of the RMA, and Table 2 identifies the relevant sections of Part 2 of the RMA for each of the objectives in Infrastructure.

		TABLE 4: RELEVANCE OF PROPOSED INFRASTRUCTURE OBJECTIVES WITH PART 2 OF THE RMA			
		Proposed Infrastructure Objectives			
		INF-O1	INF-O2	INF-O3	INF-O4
RMA Part 2 Sections	5(2)	✓	✓	✓	✓
	5(2)(a)	✓	✓	✓	✓
	5(2)(b)				
	5(2)(c)		✓		
	6(a)				
	6(b)				
	6(c)				
	6(d)				

	6(e)				
	6(f)				
	6(g)				
	6(h)				
	7(a)				
	7(b)	✓		✓	✓
	7(c)		✓		
	7(d)				
	7(e)				
	7(f)		✓		
	7(g)				
	7(h)				

Section 5 RMA

INF-O1

9. Infrastructure consists of the physical structures and networks that support and provide essential services to the communities of the district. The efficient use and management of infrastructure as a physical resource is critical to the District's economic productivity, environmental outcomes and wellbeing of the community. The benefits of infrastructure to the functioning of the district are therefore substantial.

10. Connected and reliable infrastructure is vital to the functioning of the District. It enables people and communities to provide for their social, economic and cultural wellbeing in accordance with Section 5(2) of the Act.

11. The efficient development, maintenance and operation of the physical resources of infrastructure is fundamental to both present and future communities. In this respect the Objective achieves Section 5(2)(a) of the Act.

12. The continuing use of infrastructure through enabling the operation, maintenance and development enables people and communities to provide for their health and well-being in accordance with Section 5(2) of the Act. An example is the electric distribution network which enables people to stay warm and cook and therefore stay healthy.

13. The integration and co-ordination of land uses with infrastructure will enable people and communities to provide for their social, economic and cultural well-being in accordance with Section 5(2) of the Act. This objective ensures that the network is appropriate (both existing and future) to service the current and future land uses. It also ensures that development is in appropriate and accessible locations to be serviced.

INF-O2

14. This objective recognises that infrastructure may generate adverse environmental effects. These effects may result from establishing the infrastructure or be associated with the maintenance and operation of the infrastructure. Such activities may adversely affect landscape values, ecological resources, indigenous vegetation, amenity, streetscape, and public health and safety. This objective achieves s5(2)(c) by avoiding, remedying, or mitigating any adverse effects of activities on the environment.

15. This objective achieves s5(2) in that it recognises the positive effects of infrastructure. Infrastructure is necessary to support the social and economic well-being of people and communities. The objective is specifically focused on the protection of physical and natural resources as described in s5 Purpose of the RMA. The objective seeks to protect the environment by addressing the potential effects of development through the appropriate location, design, and operation of important infrastructure.

INF-O3

16. The protection of the infrastructure from reverse sensitivity effects is critical to the District's economic productivity, environmental outcomes and wellbeing of the community. The benefits of this infrastructure to the functioning of the district are substantial. The matter of reverse sensitivity is not just relevant to the properties adjacent to the infrastructure; the mitigation of reverse sensitivity could have implications for the wider network. For example, the relocation of a sub-station due to reverse sensitivity issues can impact on the wider electricity distribution network.

17. Reliable and well-functioning infrastructure is vital to the functioning of the District. It enables people and communities to provide for their social, economic and cultural wellbeing in accordance with Section 5(2) of the Act. In this respect the Objective achieves this part of Section 5 (s5(2)(a)) sustain the potential of natural and physical resources to meet needs of future generations.

18. Protecting infrastructure from reverse sensitivity issues also ensures the health and safety of people and communities in accordance with Section 5(2) of the Act. Activities such as building a dwelling too close to an electricity distribution line (for example) can adversely affect the health of the occupants. In addition it can compromise the integrity of the network with increased risk of flashovers.

National Grid INF-O4

19. The National Grid consists of the physical structures and networks that support and provide essential electricity to the communities of the district. The recognition and protection of the National Grid as a physical resource is critical to the District's economic productivity, environmental outcomes and wellbeing of the community. The benefits of this infrastructure to the functioning of the district are therefore substantial.

20. A secure and reliable electricity supply is vital to the functioning of the District. It enables people and communities to provide for their social, economic and cultural wellbeing.

21. The recognition and protection of the National Grid is fundamental to both present and future communities. In this respect the Objective achieves this part of Section 5 (s5(2)(a)) sustain the potential of natural and physical resources to meet needs of future generations). It also achieves Section 5(2) which seeks to enable people and communities to provide for their social, economic and cultural well-being.

22. While the National Grid can have significant local, regional and national benefits, there is potential for some activities undertaken in the vicinity of the National Grid to lead to adverse reverse sensitivity effects on the lawful operation of existing infrastructure. Protecting the National Grid from reverse sensitivity issues also ensure the health and safety of people and communities in accordance with Section 5(2) of the Act. Activities such as building too close to the transmission lines can cause flashovers and endanger the occupants of the building. In addition, the National Grid generates electric and magnetic fields which can affect people's health and safety.

23. The importance of the National Grid is recognised by both the NPS-ET and the RPS. This Objective gives effect to both of these higher order planning documents. The NPS-ET Objective is to "To recognise the national significance of the electricity transmission network…". The potential for reverse sensitivity effects is also recognised by both the NPS-ET and the RPS.

Section 7 RMA

24. The objectives specifically provide for the management of infrastructure, which is a physical resource, and which in turn allows people and communities to provide for their wellbeing. This is through the supply of water, electricity and telecommunications, the removal of wastewater and management of stormwater. The objectives assist with achieving s7(b) the efficient use and development of physical resources by identifying network utilities and the distribution of services as essential.

25. INF-O3 assists with achieving s7(b) the efficient use and development of physical resources by identifying that other activities may adversely impact the operation and security of important infrastructure, and that by protecting it, it can allow it to operate more efficiently. It includes consideration of the efficient use of existing capacity within network utilities, particular as it applies to the three waters,

and also the efficient use of existing physical resources i.e. such as existing networks. INF-O1 seeks to provide effective and efficient network utilities and therefore achieves section 7(b).

Section 8 RMA

26. Section 8 has limited relevance to Infrastructure. As outlined in the overarching section 32 evaluation report, Council has engaged with mana whenua and obtained feedback on the issues and provisions which has informed the drafting of the PDP.

27. Having assessed the proposed objectives against Part 2 of the RMA it is considered that they are the most appropriate way to achieve the purpose of the RMA.

4. Evaluation of the Provisions

28. S32 assessments must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives. In this instance, Infrastructure proposes four objectives and this s32 assessment must assess whether the proposed provisions are the most appropriate to achieve those proposed objectives. This must include the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.

29. The Infrastructure chapter proposes a number of new provisions, including policies, rules, standards, assessment criteria and maps. The following sections of this report will identify the range of options available, and the efficiency and effectiveness of the preferred provisions.

30. 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values. As discussed in Table 1, the scale and significance of the effects of proposed changes for the Infrastructure chapter are assessed as being low. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for infrastructure. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social, and cultural benefits and costs anticipated from the provisions.

31. The ODP takes a very simple approach with two objectives and five policies. The two objectives seek to provide for network utilities and recognise the benefits. The policies address:

    a. Adverse effects while taking into consideration the functional, technical and operational needs of network utilities;

    b. Electric and magnetic fields and radio frequency radiation;

c. Providing for network utility service corridors;

d. The route or site selection process, and scale and design avoid mitigate or remedy adverse effects;

e. Encouraging network utilities to be placed underground.

32. Many of the ODP provisions have been retained but have been restructured to implement the National Planning Standards. In addition, rules which may have been in other chapters such as buildings in close proximity to the National Grid have been centralised into the Infrastructure chapter instead of the zone chapters.

33. The PDP Infrastructure provisions address three different outcomes / matters and this s32 evaluation assesses each individually:

a. Enabling the operation and development of infrastructure whilst managing any adverse effects;

b. Effects of other activities on infrastructure including reverse sensitivity; and

c. Integration of land use and infrastructure.

4.1 Enabling development of infrastructure whilst managing any adverse effects

34. The following broad options have been identified and assessed with enabling development of infrastructure whilst managing any adverse effects:

Option 1 – Status Quo: Retain the existing provisions in the ODP

Option 2 – Review provisions to enable infrastructure whilst managing adverse effects: This option entails:

a. Policies to maintain safety and effectiveness of the infrastructure networks;

b. Additional policies with more detail to guide the development of infrastructure;

c. Policies to recognise regionally significant infrastructure;

d. Tailoring rules for each structure and network;

e. Explicitly enabling amateur radio;

f. Retaining the enabling rules for enabling the development of underground infrastructure; and

35. In order to identify other reasonably practicable options, the Council has undertaken the following:

a. Reviewed other relevant district plan provisions;

b. Reviewed the NRPS;

c. Received feedback from the district plan working group;

d. Received feedback from elected members;

e. Sought feedback from Council asset managers;

f. Sought feedback from Council consent planners; and

g. Obtained feedback on the draft PDP which included iwi and key stakeholders such as Transpower, telecommunications operators and North Power.

36. The preferred option is Option 2 because the ODP does not give effect to the NPRS or the NPS-UD. Option 2 includes the following provisions:

a. INF-P1

b. INF-P3 through to INF-P10

c. INF-P15 through to INF-P18

d. INF-R1 through to INF-R47

e. INF-S1 and S2

TABLE 5: EVALUATION OF PROVISIONS Enabling the operation and development of infrastructure whilst managing any adverse effects	
Option(s)	**Option 2 – Review provisions to enable infrastructure whilst managing adverse effects**

Benefits	Economic: • Recognises the critical importance of infrastructure to the functioning of the district. • Development of infrastructure is essential for economic development. The provisions largely enable the operation, maintenance and development of infrastructure except where it is to be located within an overlay (and this is managed elsewhere in the PDP by the relevant chapter). • Reduces the costs of undertaking maintenance by reducing consenting costs. • The ability to develop the network in response to demand. • Anticipated economic benefits from improved recognition of regionally significant infrastructure as upgrading, maintaining and extending regionally significant infrastructure assets will now be better supported by the policy structure. • Enables the ongoing operation and maintenance of existing infrastructure. This not only reduces the costs for the infrastructure operator but ensures a well-functioning network. • Recognises the operational, functional and technical constraints of infrastructure. Social: • Enables infrastructure which supports social well-being of individuals and the community. It supports communication, connectivity and healthy homes. Environmental: • Ensures that infrastructure in more sensitive areas is assessed through a consent process • Limits the effects on the environment by a tiered activity status. A more stringent activity status allows environmental effects to be assessed for the larger above-ground structures. • Enables upgrades and maintenance which may reduce the environmental effects • Encouraging undergrounding of infrastructure with a more enabling activity status. This has reduced visual effects. • Potential environmental benefits from improved integration of the infrastructure chapter with other chapters that protect historical, cultural, natural environment and coastal values.

TABLE 5: EVALUATION OF PROVISIONS Enabling the operation and development of infrastructure whilst managing any adverse effects	
Option(s)	**Option 2 – Review provisions to enable infrastructure whilst managing adverse effects**
	• Policy encouraging co-location of important infrastructure, including within the road reserve, will minimise the spread of important infrastructure across the landscape and confine environmental effects to more limited geographic areas. • Potential to reduce the existing adverse effects as part of any substantial upgrade • Avoids infrastructure that does not meet the following for electric and magnetic fields and radio frequency fields, thus ensuring health and safety of people. • Promotes water conservation measures. • Ensures effective management of stormwater. This keeps people and property safe. • Enables effective flood management works which keeps people and property safe. Cultural: • New infrastructure located in sensitive environments may require a consent and can be assessed in terms of the effects.

TABLE 5: EVALUATION OF PROVISIONS Enabling the operation and development of infrastructure whilst managing any adverse effects	
Option(s)	**Option 2 – Review provisions to enable infrastructure whilst managing adverse effects**
Costs	Economic: • May place limitations on the infrastructure in terms of location and increase costs for the infrastructure operator. • May result in alternative routes or alignments with greater cost. • Increased cost of maintenance with undergrounding. • More difficult to undertake maintenance with underground infrastructure. Social: • There are no social costs. Environmental: • There will still be environmental effects associated with the establishment, operation, maintenance and upgrading of infrastructure. • Avoiding one particular area for the location of infrastructure may increase the environmental effects of another location • May result in routes or locations with significant environmental effects (e.g. substantially increased earthworks) Cultural: • There are no cultural costs.
Opportunities for economic growth	The provisions are unlikely to result in economic growth, but there will be economic benefits for individuals and communities that benefit from more reliable and effective infrastructure.
Opportunities for employment	The provisions are unlikely to result in employment growth.
Certainty and sufficiency of information	There is no uncertainty or insufficiency of information.

TABLE 5: EVALUATION OF PROVISIONS Enabling the operation and development of infrastructure whilst managing any adverse effects	
Option(s)	**Option 2 – Review provisions to enable infrastructure whilst managing adverse effects**
Risk of acting or not acting if there is uncertainty or insufficient information.	Not applicable as there is certain and sufficient information.
Effectiveness in achieving the objective(s)	The approach enables maintenance activities to be carried out without further regulation through consents. The standards set acceptable parameters within which the activities must be carried out. A policy and rule framework guides the development of the infrastructure and is an effective way of only requiring structures with unknown effects or those with a higher probability of effects to obtain resource consent. Provisions relating to regionally significant infrastructure will be more effective than the operative provisions and better aligned with higher order documents, namely the NPS-ET and NRPS. The proposed provisions are the most effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objective. The provisions are consistent with the purpose and principles of the RMA, and recognise and provide for 5, and 7(b), 7(c), and 7(f). The proposed provisions are considered to be the most effective means of achieving the objectives as together they will: • give effect to the NPS on Electricity Transmission, • supports the implementation of the NESETA and NESTF; • give effect to the objectives and policies in the NRPS; • assist in implementing the Strategic Directions; • enable the Council to fulfil its statutory obligations, including the principles of the act, and is consistent with its functions under s31 of the RMA; • ensure adverse effects are appropriately managed; and • enable the Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner.

TABLE 5: EVALUATION OF PROVISIONS Enabling the operation and development of infrastructure whilst managing any adverse effects	
Option(s)	**Option 2 – Review provisions to enable infrastructure whilst managing adverse effects**
Efficiency in achieving the objective(s)	The proposed provisions have considerably more benefits, they implement the requirements of the relevant NPS's, NES's and RPS's. The provisions clearly set out the permitted activities as well as those which require closer assessment through the consenting process. The inclusion of most of the provisions that pertain to infrastructure in one place in the PDP will also be administratively efficient. The approach efficiently enables operation and maintenance of infrastructure as a permitted activity, while establishing a framework for further development and new structure. Clearer direction in the PDP will assist Council staff having to balance competing objectives for provision of infrastructure with protecting key environmental values.

4.2 Effects of other activities on infrastructure including reverse sensitivity

37. The following broad options have been identified and assessed with regard to managing the effects of other activities on infrastructure, including reverse sensitivity:

Option 1 – Status Quo: Retain the existing provisions in the ODP

Option 2 – Review provisions to better control the effects of other activities on infrastructure, including reverse sensitivity: This option entails:

a. Additional policies to protect the effectiveness and efficiency of existing and planned regionally significant infrastructure; and

b. Additional policies which manage sensitive activities;

c. Additional policies and comprehensive rules that manage buildings, activities and earthworks in close proximity to the National Grid;

d. Additional policies and comprehensive rules that manage buildings, activities and earthworks in close proximity to the gas or petroleum pipeline; and

e. Relocation of provisions relating to buildings, activities and earthworks near the National Grid or gas or petroleum pipeline into a single location in the Plan.

38. In order to identify other reasonably practicable options, the Council has undertaken the following:

a. Reviewed other relevant district plan provisions;

b. Reviewed the NRPS;

c. Received feedback from the district plan working group;

d. Received feedback from elected members;

e. Sought feedback from Council asset managers;

f. Sought feedback from Council consent planners; and

g. Obtained feedback on the draft PDP which included iwi and key stakeholders such as Transpower, telecommunication operators and North Power.

39. The preferred option is Option 2 because the ODP does not give effect to the NPRS or the NPS-UD. The provisions that comprise Option 2 include:

a. INF-P3

b. INF-P11

c. INF-P12

d. INF-P13

e. INF-P14

f. INF-R48 though to INF-R58

TABLE 6: EVALUATION OF PROVISIONS Effects of other activities on infrastructure, including reverse sensitivity	
Option(s)	**Option 2 – Review provisions to better control the effects of other activities on infrastructure, including reverse sensitivity**
Benefits	Economic: • Increased security of regionally significant infrastructure. • Ensures continuous infrastructure supply such as electricity, water and communications which is essential for economic activity • Increased ease of access for inspection, operation and maintenance for the infrastructure operator. • Increased security of the supporting structures by limiting earthworks in close proximity to the National Grid and oil or petroleum pipelines. Social: • Protects buildings and structures from flashovers, and electrical shorts. • Public safety is better maintained. • An increased level of amenity for those living in close proximity to infrastructure. • Raises public awareness of the location of high voltage lines. • In the case of greenfield development, the corridor can be used for other purposes such as roading or public open space Environmental: • Keeps people and property safe. Cultural: • There are no cultural benefits.

TABLE 6: EVALUATION OF PROVISIONS Effects of other activities on infrastructure, including reverse sensitivity	
Option(s)	**Option 2 – Review provisions to better control the effects of other activities on infrastructure, including reverse sensitivity**
Costs	Economic: • May constrain the potential development of land in close proximity to regionally significant infrastructure. • Reduced value of properties in close proximity to regionally significant infrastructure. • The provisions may also potentially result in additional costs to landowners where subdivision is proposed. Social: • Sub-optimal arrangement of a site in terms of location of buildings • In the case of brownfield development, is likely to create unusable "dead space" on sites. • Allowing public open space within the corridor could potentially result in increased numbers of people carrying out recreational activities in close proximity to the lines. • Restricting development potential in certain areas near or under electricity lines could affect the ability for a person to enjoy and develop their land as they wish to. Environmental: • May result in development with more adverse effects on other matters, such as amenity and landscape Cultural: • May constrain the development of Māori land • May constrain undertaking cultural activities
Opportunities for economic growth	The provisions are unlikely to result in economic growth, although a secure and reliable infrastructure network is needed to support economic growth.
Opportunities for employment	The provisions are unlikely to result in employment growth.
Certainty and sufficiency of information	There is no uncertainty or insufficiency of information.

TABLE 6: EVALUATION OF PROVISIONS Effects of other activities on infrastructure, including reverse sensitivity	
Option(s)	**Option 2 – Review provisions to better control the effects of other activities on infrastructure, including reverse sensitivity**
Risk of acting or not acting if there is uncertainty or insufficient information.	Not applicable as there is certain and sufficient information.
Effectiveness in achieving the objective(s)	The provisions will be highly effective at reducing the risk to regionally significant infrastructure, particularly the National Grid and the oil or petroleum pipeline. The corridors over the two networks are clearly delineated on the PDP maps. The rules set out the activities that are of little risk which can be undertaken as a permitted activity, and those that require closer scrutiny through a resource consent application due to a higher risk to the network or risk of reverse sensitivity.
Efficiency in achieving the objective(s)	The proposed policies and rules will better achieve the objectives than the status quo. The status quo does not make provision for the National Grid or the oil or petroleum pipeline in accordance with best practice. The economic and social benefits which can be attributed to reliable services are significant. With respect to electricity supply, the benefits to the community of reliable electricity supply outweighs the costs to individuals who may need to make a resource consent application for structures, activities or subdivision within the National Grid Corridor or within a protection corridor for the oil or petroleum pipeline. The provisions efficiently set out the activities which are of least risk as permitted, with gradually more restrictive activity status for those activities which pose the greatest risk to the integrity of the National Grid and oil or petroleum pipeline and the safety of people and property. The benefits of having a Yard and Corridor approach outweighs the costs and are a transparent way of managing the risk.

4.3 Integration of infrastructure and land use

40. The following broad options have been identified and assessed with regard to integration of infrastructure and land use activities. It should be noted that there are provisions in other PDP chapters which also support this objective, such as the subdivision chapter.

    Option 1 – Status Quo: Retain the existing provisions in the ODP

    Option 2 – Review provisions to better integrate infrastructure and land use activities: This option entails additional policies which recognise the integration of infrastructure with land use activities.

41. In order to identify other reasonably practicable options, the Council has undertaken the following:

    a. Reviewed other relevant district plan provisions;

    b. Reviewed the NRPS;

    c. Received feedback from the district plan working group;

    d. Received feedback from elected members;

    e. Sought feedback from Council asset managers in terms of transport networks;

    f. Sought feedback from Council consent planners; and

    g. Obtained feedback on the draft PDP which included iwi and key stakeholders such as Transpower, telecommunication operators and North Power.

42. The preferred option is Option 2 because the ODP does not give effect to the NPRS or the NPS-UD. Option 2 comprises the following provisions:

    a. INF-P2

    b. INF-P17

TABLE 7: EVALUATION OF PROVISIONS Integration of infrastructure and land use	
Option(s)	**Option 2 – Review provisions to better integrate infrastructure and land use activities**
Benefits	Economic: • Ensures that there is sufficient infrastructure to support development. • Avoids a situation whereby future landowners cannot build on a site because of insufficient infrastructure. Social: • A fully functioning infrastructure network. Environmental: • Avoids adverse effects of overloaded infrastructure systems. Cultural: • No cultural benefits.
Costs	Economic: • May constraint the potential for development if there is insufficient infrastructure. • May increase the cost of development to provide the necessary infrastructure. Social: • No social costs. Environmental: • No environmental costs. Cultural: • No cultural costs.
Opportunities for economic growth	The provisions are unlikely to result in economic growth.

TABLE 7: EVALUATION OF PROVISIONS Integration of infrastructure and land use	
Option(s)	**Option 2 – Review provisions to better integrate infrastructure and land use activities**
Opportunities for employment	The provisions are unlikely to result in employment growth.
Certainty and sufficiency of information	There is no uncertainty or insufficiency of information.
Risk of acting or not acting if there is uncertainty or insufficient information.	Not applicable as there is certain and sufficient information.
Effectiveness in achieving the objective(s)	The proposed policies are clear and directive and will be effective tools in ensuring infrastructure and land uses are integrated.
Efficiency in achieving the objective(s)	The policies will be efficient as they clearly set out the need for development to be appropriate serviced for infrastructure.

4.4 Reasons for deciding on the provisions

43. The proposed policies, rules, standards, assessment criteria, and maps in the Infrastructure chapter are the most appropriate way to achieve the objectives. They provide for the development, upgrade, operation, maintenance, repair or removal of infrastructure while managing any adverse effects. They also ensure infrastructure is not constrained or compromised by new incompatible land use, subdivision or development.

44. The proposed provisions are considered to be the most efficient and effective means of achieving the objective as together they will:

    a. Achieve the objectives of the Infrastructure chapter;

    b. Give effect to higher order policy documents including the relevant NPS;

    c. Are consistent with the purpose and principles of the RMA;

    d. Strike a balance between retaining provisions that are currently functioning well (namely the permissive approach for below ground infrastructure, which are generally fit for purpose), and delivering the proposed objectives;

    e. More efficiently integrate with environmental protection chapters;

    f. Give effect to the NRPS with respect to recognising and providing for regionally significant infrastructure; and

    g. More effectively protect the security of the National Grid and oil and petroleum pipeline.

45. The recommended policies and rule requirements assessed in this report are the most appropriate to achieve the objectives for the District Plan, having considered other reasonably practicable options and having assessed the efficiency and effectiveness of the provisions.

5. CONCLUSION

46. Pursuant to s32 of the RMA, the proposed Infrastructure objectives have been analysed against Part 2 of the RMA and are considered to be the most appropriate way to achieve the purpose of the RMA.

47. The proposed provisions have been compared against reasonably practicable options. The proposed provisions are considered to represent the most appropriate means of achieving the proposed objectives.

ATTACHMENT 1 – National Policy Statement relevant provisions

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statements, the New Zealand Coastal Policy Statement (NZCPS), National Planning Standards and the relevant Regional Policy Statement. The sections below provide an overview of provisions in higher order planning instruments directly relevant to transport.

National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to the National Planning Standards. The National Planning Standards were gazetted in April 2019 and their purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans.

The National Planning Standards set the District wide matters standards when drafting a district Plan. Under Part 2- District Wide Matters, provisions relating to energy, infrastructure and transport must be located in one or more chapters under the Energy, Infrastructure and Transport. These provisions may include:

a. statement about the status of transport corridors e.g. the adjoining zoning applies to the centre line of mapped roads
b. noise-related metrics and noise measurement methods relating to energy, infrastructure and transport, which must be consistent with the 15. Noise and vibration metrics Standard
c. the management of reverse sensitivity effects between infrastructure and other activities.

The chapters under the Energy, infrastructure and transport heading must include cross-references to any energy, infrastructure and transport provisions in a Special purpose zones chapter or sections. Zone chapters must include cross-references to relevant provisions under the Energy, infrastructure and transport heading.

The National Planning Standards include the following definition relating to transport

Functional need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.
Operational need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.
Infrastructure	(a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy: (b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001: (c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989: (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— (i) uses them in connection with the generation of electricity for the person's use; and (ii) does not use them to generate any electricity for supply to any other person: (e) a water supply distribution system, including a system for irrigation: (f) a drainage or sewerage system:

	(g) structures for transport on land by cycleways, rail, roads, walkways, or any other means: (h) facilities for the loading or unloading of cargo or passengers transported on land by any means: (i) an airport as defined in section 2 of the Airport Authorities Act 1966: (j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990: (k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988: (l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166
Structure	has the same meaning as in section 2 of the RMA (as set out in the box below) means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.

National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any NPS. The following NPS are relevant to Transport:

a. New Zealand Coastal Policy Statement 2010 (**NZCPS**)
b. National Policy Statement Urban Development 2020 (**NPS-UD**)
c. National Policy Statement for Electricity Transmission (**NPSET**)
d. National Policy Statement for Freshwater Management (**NPS-FM**)

NZCPS

The NZCPS is mandatory under the RMA. The purpose of the NZCPS is to state objectives and policies to achieve the purpose of the RMA in relation to the coastal environment. The NZCPS applies to the coastal environment and is relevant for the policy framework that applies to Infrastructure:

a. Policy 1 Extent and characteristics of the coastal environment
b. Policy 6 Activities in the coastal environment
c. Policy 9 Ports
d. Policy 10 Reclamation and de-reclamation
e. Policy 25 Subdivision, use, and development in areas of coastal hazard risk

The NZCPS addresses infrastructure and transport within the context of protecting and sustainably managing the coastal environment. The NZCPS aims to strike a balance between supporting necessary infrastructure and transport systems while safeguarding the integrity and health of New Zealand's coastal environment. The NZCPS encourages development to be located away from the most vulnerable and ecologically significant coastal areas. It emphasizes careful planning, environmental protection, and sustainable development in managing coastal infrastructure and transport. It recognises that transport in the coastal environment is important to the social, economic and cultural well-being of people and communities.
The coastal environment chapter is where this issue is most appropriately addressed.

While not explicitly referencing infrastructure, the following NZCPS provisions are relevant to infrastructure in the coastal environment:

a. Policy 6(1)(a)(b) Activities in the coastal environment

b. Policy 11 Indigenous biological diversity

c. Policy 13 Preservation of natural character

d. Policy 15 Natural features and natural landscapes

In summary, the NZCPS policies require the PDP to:

a. Recognise that the provision of infrastructure in the coastal environment is important to the social, economic and cultural well-being of people and communities

b. Avoid adverse effects of infrastructure on significant indigenous biodiversity, areas of outstanding natural character, and outstanding natural features and landscapes in the coastal environment, and avoid, remedy and mitigate adverse effects on other areas and values within the coastal environment. The infrastructure provisions give effect to the NZCPS through more restrictive provisions for infrastructure in areas of outstanding and significant value in the coastal environment through the provisions in the coastal environment chapter.

NPS-UD

The NPD-UD manages infrastructure and transport through a framework that ensures the development of well-planned, sustainable, and efficient urban environments. It encourages the integration of infrastructure to support growth, reduce urban sprawl, and enhance connectivity. The NPS-UD emphasizes the need for infrastructure that supports future population growth, ensures resilience against climate change, and meets the needs of diverse communities, while maintaining environmental sustainability. Local authorities are guided to make decisions that foster more compact, accessible, and well-connected cities and towns.

The NPS-UD applies to:
(a) all local authorities that have all or part of an urban environment within their district or region (i.e., tier 1, 2 and 3 local authorities); and
(b) planning decisions by any local authority that affect an urban environment.

The NPS-UD is directly relevant to infrastructure, in particular Objective 6 and Policy 10 which requires urban development to be integrated with infrastructure to achieve well-functioning urban environments. However, much of the NPS-UD content is only applicable to local authorities that have urban areas that meet the definition of 'urban environment' as follows:

> *Urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*
>
> *a. is, or is intended to be, predominantly urban in character; and*
>
> *b. is, or is intended to be, part of a housing and labour market of at least 10,000 people*

Council considers that none of its towns will reach the required threshold of 10,000 people to be considered an 'urban environment' as defined in the NPS-UD in the short, medium or long term. This means that Council does not consider itself to be a tier 3 Council in terms of the NPS-UD as it does not have a housing or labour market of at least 10,000 people.

NPS-ET

The NPS-ET sets out one objective and a number of policies to standardise the approach to the electricity transmission network (the National Grid) across the country. The NPSET recognises as a matter of national significance the need to operate, maintain, develop and upgrade the electricity transmission network.

The NPS-ET seeks to ensure that, in providing for the transmission of electricity within a region or district and in managing the effects of the transmission network on the environment, the operational and long-term development requirements of the network are appropriately considered and its status as a linear cross-boundary network is fully recognised.

Objective	To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while: • managing the adverse environmental effects of the network; and • managing the adverse effects of other activities on the network.
Policy 1	Recognise the national benefits of the National Grid
Policy 2	Recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network
Policy 3	Recognise the technical and operational requirements of the network when managing adverse effects
Policy 4	For new transmission infrastructure or major upgrades, have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.
Policy 5	Enable reasonable operational, maintenance and minor upgrade
Policy 6	Substantial upgrades can be used to reduce existing adverse effects of transmission where appropriate.
Policy 7	Minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.
Policy 8	In rural environments, seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.
Policy 9	Electric and magnetic fields
Policy 10	Avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.
Policy 11	Identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for
Policy 12	Identify the electricity transmission network on their planning maps

In summary, the above NPS-ET policies require the PDP to recognise the national benefits of transmission and provide for the effective development, operation, maintenance and upgrading of electricity transmission network while seeking to avoid and minimise adverse effects.

National Environmental Standards

Section 44 of the RMA requires local authorities to recognise National Environmental Standard (**NES**) by ensuring plan rules do not conflict or duplicate with provisions in a NES. The following NES are directly relevant to the infrastructure chapter:

a. National Environmental Standards for Electricity Transmission Activities (**NES-ETA**)

b. National Environmental Standards for Telecommunication Facilities 2016 (**NES-TF**)

The infrastructure provisions in the PDP do not duplicate any of the standards in the NES-ETA or NESTF. Instead, the role of the PDP is to identify any areas where these national instruments do not control either electricity transmission activities or telecommunication facilities and ensure that there are rules in place to cover these scenarios. To clarify the relationship between the NES-ETA, NES-TF and the PDP, the infrastructure chapter includes notes in the introduction and to give guidance to plan users. These notes make it clear that the PDP does not regulate activities that are already regulated by the NES-ETA and NES-TF and only controls infrastructure activities that are not regulated by these instruments (such as new poles outside the road reserve and outside rural zones in the case of the NES-TF).

It is also important to note that regulations 44-50 of the 9 NES-TF allows plan rules to be more stringent that the NES-TF to protect areas with identified value (visual amenity landscapes, significant natural areas etc.). These areas are managed through the PDP district-wide chapters relating to natural environment values, historic and cultural values etc.

ATTACHMENT 2 – Regional Policy Statement relevant provisions

Section 75(3)(c) of the RMA requires district plans to 'give effect' to any regional policy statements. The Northland Regional Policy Statement (**NRPS**) was made operative on 14 June 2018. The following provisions in the NRPS are the most relevant to transport (note this is not a finite list and other provisions may be more applicable to other PDP chapters):

Relevant to Kaipara, the following are included in the definition of "regionally significant infrastructure":

1) Energy, water, communication

(a) Main pipelines for the distribution or transmission of natural or manufactured gas or petroleum and key delivery points and storage facilities;

(b) Key facilities required for communication (including telecommunication, broadband, wireless networks and radio);

(c) 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';

(d) Network electricity lines and associated infrastructure that constitute the sub-transmission network;

(e) Electricity distribution assets which supply essential public services (such as hospitals or lifelines 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";

(g) Regional and district council water storage, trunk lines and treatment plants;

(h) Regional and district council wastewater trunk lines and treatment plants and key elements of the stormwater network including treatment devices; and

(i) Marsden Point oil refinery and truck loading facility.

3) Significant social and community facilities:

(a) Flood management / protection schemes managed by regional and / or district councils;

Objective 3.6 Economic activities-reverse sensitivity and sterilisation
Objective 3.7 Regionally significant infrastructure

The key messages from the objectives are to protect the viability of land and activities that are important for Northland's economy. This includes protecting existing and planned regionally significant infrastructure from reverse sensitivity. To ensure that the benefits of regionally significant infrastructure can be fully realised, it is also important to recognise the long-term needs of infrastructure providers to operate, maintain and enhance assets. Recognition and promotion of the benefits of regionally significant infrastructure includes avoiding the unplanned overloading of essential infrastructure.

Objective 3.8 Efficient and effective infrastructure

This objective recognises that upgrades to existing infrastructure and the building of new infrastructure are costly activities and resources are limited, so it is important to get the best out of existing infrastructure. The objective seeks to enable infrastructure to meet the needs of the community and support economic wellbeing.

Objective 3.9 Security of energy supply

A robust transmission grid and distribution network is essential to fully realise the benefits of increased energy generation within the region and between Northland and the rest of the country. To support a robust

transmission grid and distribution network, the Infrastructure provisions enable the ongoing use, maintenance and development of electricity infrastructure as well as avoiding adverse effects from incompatible activities. The provisions also protect key oil and gas pipelines in Northland as regionally significant infrastructure.

Objective 3.11 Regional form

The purpose of this objective is to integrate infrastructure with development.

5.1 Regional form
Policy 5.1.1 Planned and coordinated development
Policy 5.1.2 Development in the coastal environment
Policy 5.1.3 Avoiding the adverse effects of new(s) and development

This suite of policies seeks to integrate infrastructure with land use, and ensures development is serviced by necessary infrastructure. It also addresses incompatible land uses and seeks to avoid the potential for reverse sensitivity.

Policy 5.2 Effective and efficient infrastructure
Policy 5.2.2 Future-proofing infrastructure
Policy 5.2.3 Infrastructure, growth and economic development

These policies require long-term consideration to the provision of new infrastructure, such as allowing more capacity in the network to accommodate future development. Policy 5.2.3 recognises that infrastructure can lead growth and development. This policy direction can be implemented through the district plan by enabling the operation, maintenance and upgrading of infrastructure to meet the foreseeable needs of future generations. District plans can accommodate co-location of infrastructure for efficiency.

Policy 5.3 Regional significant infrastructure
Policy 5.3.1 Identifying regionally significant infrastructure
Policy 5.3.2 Benefits of regionally significant infrastructure
Policy 5.3.3 Managing adverse effects arising from regionally significant infrastructure

The basic premise of these policies is to recognise regionally significant infrastructure. This will allow regionally significant infrastructure to be protected from adverse effects, including those caused by new use and development (Policy 5.1.3). Placing controls on incompatible activities locating nearby will allow established regionally significant infrastructure to be effectively maintained, operated and upgraded. Where new regionally significant infrastructure is approved, for example, by way of a resource consent, it will ensure that other activities do not compromise its future construction.

The policies also require benefits of a new proposal to be promoted and weighed against any adverse effects. Once established, regionally significant infrastructure has an ongoing need to operate, including the use of any resources necessary to allow that asset to function. It is appropriate therefore to provide for these proposals in a straightforward manner. The second part of the policy supports maintenance and upgrading activities by recognising that these are important to the ongoing resilience of regionally significant infrastructure, for example, by improving its ability to function. It also recognises that not all adverse effects can be avoided or internalised, some may remain through the duration of the activity.

Policy 7.1.3 New subdivision, use and development within areas potentially affected by coastal hazards (including high risk coastal hazard areas)

Policy 7.1.5 –Regionally significant infrastructure and critical infrastructure

These policies recognise that infrastructure should ideally be located away from areas of coastal hazard risk, but if located within these areas it should be designed to maintain its integrity and function during a hazard event. In addition, the policies recognise that infrastructure may have a need to be located in a flood and coastal hazard area.

In summary, the NRPS objectives, policies and the implementation methods require the PDP to:

a. Recognise the infrastructure assets of the Kaipara District as regionally significant infrastructure.

b. Promote the benefits of regionally significant infrastructure to the District's economic, cultural, environmental and social wellbeing.

c. Include provisions to ensure that infrastructure assets are managed and developed efficiently and effectively.

d. Promote a planned and co-ordinated regional form that integrates the provision of infrastructure with subdivision and land use development.

e. Avoid the adverse effects of new use(s) and developments on the existing infrastructure, particularly the impacts of residential development.

f. Manage adverse effects arising from new and existing infrastructure, in particular allow adverse effects to occur, provided key criteria are met.

The provisions in the PDP give effect to, the NRPS as the objectives and policies specifically recognise infrastructure assets as regionally significant infrastructure and provide enabling pathways through the rules and standards to develop, upgrade and extend infrastructure, provided specific standards are met.

ATTACHMENT 3 – Iwi planning document provisions

Te Uri o Hau Kaitiakitanga o te Taiao

The iwi management plan contains the following provisions relevant to infrastructure:
Objective:
Sustainably manage and use natural resources while providing for adequate housing infrastructure and population growth within the statutory area of Te Uri o Hau.

Policy:
Adequate and innovative infrastructure of any residential development (e.g. energy efficient building design, renewable energy, water storage tanks, and biodigesters).

The Infrastructure chapter manages larger scale infrastructure but supports innovative infrastructure for residential development largely through the subdivision chapter.

Nga Ture Mo Te Taiao O Te Roroa

Wahi tapu is of particular concern in this iwi management plan, and where electricity, telecommunications, access ways, pile foundations, road use upgrade and maintenance and effluent disposal systems are to be laid underground, the proposed route for the trenching, thrusting or directional drilling will be assessed, prior to earthworks starting and will be monitored by authorised TRWO&MWT personnel. The Infrastructure chapter relies on other chapters for management of this such as Sites and Areas of Significance to Māori.

The iwi management plan also recognises the important of development being preceded by proper infrastructure planning. The pressures of new development bringing increased demand for infrastructure is also recognised. The iwi management plan supports Innovative means of providing for infrastructure should be encouraged. It considers that new developments should be levied to pay the full and true cost of infrastructure.

Te Kawerau ā Maki Iwi Management Plan

Seeks to promote water conservation and efficient use of water

With regard to bulk water management, the Trust expects to see the concepts if conservation and efficient use incorporated in Council policies. Where water shortages exist or are projected, we do not support Councils simply seeking new sources of water without first applying policies that ensure appropriate long term conservation and efficient use.

Objective 4.4.1
To give effect to our role as kaitiaki in the management and conservation of water.

Policies 4.4.2

1. *By ensuring that spiritual and cultural concepts are recognised as key issues in water management*
2. *By promoting the disposal of wastewater through land*
3. *By ensuring that natural waterways are recognised as food sources and that water management places a priority on protecting and enhancing the food producing capacities of waterways*

4. *By ensuring that land and water management is not directed only at maintaining water quality levels but that programmes are established to ensure their enhancement of natural waterways*
5. *By working with relevant statutory authorities to establish policies which ensure that appropriate long term conservation inefficient use of water*
6. *By ensuring that councils recognise and give effect to the Treaty of Waitangi responsibilities when entering into agreements with Watercare Services Limited regarding the management of bulk water.*

Objective 4.6.1 To give effect to our role as kaitiaki and the management of waste

Policies 4.6.2

1. *By ensuring that spiritual and cultural concepts are recognised as key issues in water management*
2. *By promoting the disposal of wastewater and stormwater through land*
3. *By ensuring that natural waterways are recognised as food sources and that water management places a priority on protecting and enhancing the food producing capacity of waterways*
4. *By working with councils in the selection of sites for wastewater and solid waste treatment or disposal and ensuring that places of cultural and spiritual value are not affected by treatment or disposal sites*

The consideration of these matters is enabled by the discretionary activity status for bulk water supply above ground, and water treatment plants and wastewater treatment plants. This allows the matters raised in the iwi management plan to be considered through the resource consenting process.

Patuharakeke Hapū Environmental Management Plan 2014

5.1.3 Policies
c) Development should be preceded by proper infrastructure planning.

The infrastructure objectives and policies seek to integrate infrastructure with subdivision, land use and development.

6.3 Policies
e) To discharge human effluent, treated or untreated, directly to water is culturally repugnant. All direct discharges of pollutants or contaminants should be put to land treatment processes and not discharged into waterways. A timetable should be set for the elimination of any existing discharges to natural waterbodies

Water treatment plants are a discretionary activity and allow this issue to be considered through the resource consenting process.

ATTACHMENT 4 – Feedback on the draft Proposed District Plan

Most of the feedback on the Infrastructure chapter was from the providers themselves. The feedback is split between providers seeking retention of some provisions as drafted while an equal number seek amendments to provisions generally in respect of their own infrastructure.

Key themes	Comments
General	• Concern over the provision of reliable and resilient water supply and how this supports subdivision and development. • Recognise the concept of Te Mana o te Wai. • Provision for stormwater storage in urban area. • Concern over requiring written approval from asset managers for activities. • Support for the use of a single chapter 'one stop shop' for infrastructure and particularly the direction regarding overlays. • Support for referencing technical documents. • Amendments to policies and rules to recognise individual providers particular needs. • Concern some provisions are ultra vires.
Telecommunications	• Redrafting of telecommunications rules in collaboration with providers to develop a workable suite of rules that removes arbitrary and necessary restrictions on the provision of telecommunication infrastructure. This came through strongly from one provider (Northpower). • Specific amendments for provisions in relation to telecommunication infrastructure, ie heights of structures, antenna panel size and height. • Support for alignment with NESTF and compliance with NZECP 34:2001.
Fire and Emergency	• Concern over development and ability of infrastructure to service this sufficiently. • Consider alternative firefighting water source provisions of SNZ PAS 4509:2008 for water supply where servicing is not available.
Ministry of Education	• Definition of infrastructure excludes 'social infrastructure, such as MoE. • Acknowledgement of MoE as a social infrastructure provider and specific rules to provide for them in this chapter and remove from other zones the provisions in relation to MoE.
Rules overall	• Consideration of the engineering standards and how these interact with provisions. • Delete blanket discretionary activity status within overlays. • Clarity around rules, removing any ambiguity. • The avoidance of Infrastructure in SCHED 4, 5 and 6 areas. • The ability to still utilise productive land while providing for infrastructure. • Control of sensitive activities around national grid lines and gas or petroleum pipelines. • Overly restrictive activity status for infrastructure within overlays

ATTACHMENT 5 – Management plans and strategies prepared under other Acts

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires Council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the District. The Section 32 Overview Report provides a more detailed overview of strategies and plans prepared under legislation that are relevant to the PDP. This section provides an overview of other strategies and plans directly relevant to managing the transport network.

Kaipara Infrastructure Strategy 2021
The 30 Year Infrastructure Strategy contains several goals and actions relating to the transport network. Infrastructure challenges include:

- Aging infrastructure - many of Kaipara's infrastructure assets are approaching or past their useful life, particularly its water supply and wastewater assets.
- Meeting customer expectations and legislative requirements
- Recognising the need and providing for resilience - flood protection and control covering flood control schemes, river alignment control and land drainage are co-ordinated in 31 drainage districts.
- Urban stormwater network - The condition of large parts of the urban stormwater network condition is not known.
- Funding new infrastructure

Water supply: Five community water supply schemes currently run for Dargaville (including Baylys Beach), Glinks Gully, Ruāwai, Maungatūroto and Mangawhai providing them with a sustainable safe drinking water supply. Outside of these reticulated areas communities rely on self-serviced water supplies, mainly through private water tanks. Kaipara's water supply networks are quite old and are thus in predominantly poor condition.

Wastewater: The Council operates six community wastewater schemes in Dargaville, Glinks Gully, Kaiwaka, Maungatūroto, Te Kōpuru and Mangawhai. The purpose of these schemes is to protect public health by providing reliable wastewater service that minimises adverse effects on the public and environment. KDC also owns and manages a number of smaller wastewater treatment facilities, generally servicing campgrounds and other community facilities.

Stormwater: The Council operates five community stormwater drainage schemes for Dargaville, Baylys Beach, Te Kōpuru, Kaiwaka and Mangawhai. Stormwater systems predominantly incorporated into the road network are provided in Glinks Gully, Kelly's Bay, Pahi, Whakapirau, Maungatūroto, Tinopai, Paparoa and Matakohe. These act to remove and discharge stormwater in regular and extreme rainfall events, whilst collecting contaminants to protect the environment. The drainage schemes are a mixture of open drains, pipes, manholes and sumps.

Land drainage: The maintenance and development of flood protection and land drainage infrastructure is important in mitigating the effects of climate change. Council co-ordinates land drainage works in 31 land drainage schemes of various sizes, with the largest being the Raupo Drainage District.