



**KAIPARA
DISTRICT**
PLAN REVIEW

AUGUST 2021



Kaipara District Plan Review
Discussion Document

Energy, Infrastructure and Transport

CONTENTS

BACKGROUND	2
Energy	2
Network Utilities	2
Three Waters	2
Transport	2
KEY ISSUES	3
Energy	3
Network Utilities	3
Three Waters	3
Transport	3
ENVIRONMENTAL ENGINEERING STANDARDS	4
IWI INTERESTS AND IWI MANAGEMENT PLANS	4
Te Uri o Hau Kaitiakitanga o Te Taiao 2011	4
Nga Ture mo Te Taiao o Te Roroa 2009	5
THINGS TO THINK ABOUT	5
NEXT STEPS	5
APPENDIX 1	6

BACKGROUND

Energy, infrastructure, and transport all contribute significantly to the well being of communities across the Kaipara District and includes assets of local, regional and national significance, such as roads, three waters infrastructure and network utilities, and the national grid transmission lines.

While all of the elements of this topic come under the Resource Management Act 1991 definition of 'Infrastructure', this topic further splits these into energy, network utilities 'three waters' and transport as they have differing aspects and matters that are addressed in district plans.

Energy

Currently there is a demand for renewable energy sources to replace traditional energy generating methods, as renewable energy alternatives have significantly more benefits including reduced impacts

on the environment and their contribution towards reducing greenhouse gas emissions.

The District Plan has to provide policies to enable alternative energy sources to be developed and to set criteria against which applications have to be assessed with the aim to reduce greenhouse gas emissions.

Network Utilities

Network utility operators provide a variety of essential services to the community including airports, railways, electricity, radio communication, telecommunication and meteorological services, and gas supply and reticulation. Due to their essential nature, district plans must provide for the efficient operation, maintenance and upgrading of existing network utilities, and for the establishment of new services as required.

Three Waters

Three Waters infrastructure includes: water, wastewater and stormwater. Successfully implemented and managed three waters infrastructure has significant economic, social, environmental, and cultural benefits, and in some cases may need to be protected as regionally significant infrastructure if the infrastructure is critical to not only to the Kaipara District but Northland as a region.

Provision must be made for three waters services when developing or subdividing land, to enable the anticipated use of that land, and to manage the potential adverse effects.

In addition to District Plan provisions, Kaipara District Council may impose controls and restrictions on three waters management through bylaws. Additionally, consents may also be required from the Northland Regional Council with regards to stormwater, wastewater, and water supply. In terms of the Regional Plan through water permits, for instance taking of water from water sources and the discharge of water requires a Regional permit.

Transport

The transport network in the Kaipara District is essential to the accessibility and efficient functioning of the District. Kaipara District's transport network includes public roads (state highways and district roads) as well as private roads, railways, accessways, service lanes, walking and cycling facilities, and parking and loading areas.

KEY ISSUES

Energy

- The new District Plan must include consideration of renewable energy generation in accordance with the requirements of the National Policy Statement for Renewable Electricity Generation (NPS REG). While the Operative District Plan includes provisions for this it relies on applications being made to Council, rather than including more proactive ways of promoting and supporting the uptake of renewable energy generation, both in terms of commercial and individual options.
- The policies and rules relating to solar cells for large areas and for private systems on rooftops should be reviewed to support this type of renewable energy generation, especially if the area is large enough to create a surplus of electricity to return to the National Grid. There are ways the new District Plan could allow for incentivising this.
- Electric Vehicle (EV) charging stations (while not necessarily creating renewable energy), promote the efficient use of energy. To support these activities, the new District Plan should include provisions for EV charging stations, including maintenance and upgrades, as part of any provisions on parking activities.

Network Utilities

- The National Planning Standards require network utilities to be addressed in one specific chapter of the new District Plan. Currently all necessary provisions for Network Utilities are scattered throughout the Operative District Plan, rather than being contained in one chapter. This causes confusion for network utility operators, especially where applicable provisions are different across zones where the network utility activity does not change. For instance, controls on trenching and earthworks related to network utilities or the height of infrastructure.

Three Waters

- The National Planning Standards require all infrastructure matters including the 'Three Waters' to be addressed in one specific chapter in the new District Plan. Similar to the provisions relating to network utilities, the provisions for these are also currently scattered throughout the Operative District Plan within the zone chapters, rather than contained in one chapter.

Transport

- As directed by the National Planning Standards, all of the transport-related matters need to be brought together in one single Transport chapter. Subsequent cross referencing between the transport chapter and the zone chapters will be necessary to ensure transport and land use are integrated.
- A number of policy statements and guidelines have been published by Waka Kotahi to integrate transport and land use and the new District Plan needs to align with this.
- The One Network Road Classification (ONRC) classifies New Zealand's roads in six different categories based on how busy they are, whether they connect to important destinations, and are the only route available. The new District Plan should reflect these classifications:
 - National
 - Arterial
 - Regional
 - Primary collector
 - Secondary collector
 - Access.

Environmental Engineering Standards

Most councils have a set of engineering standards relating to infrastructure matters which provide best practice technical standards that provide further details on appropriate design, location and specification matters to support the implementation of district plans.

The current Kaipara District Council 2011 Environmental Engineering Standards (EES) are referred to within the Operative District Plan rules. This is a precise technical approach and should any changes to the EES be proposed or be necessary, this triggers a full plan change process in terms of the Schedule 1 procedure of the Resource Management Act 1991.

While this approach has some merits, it means that changes to the EES to allow for innovative approaches, new products or design methodologies can be stifled by the process required to make these changes. Changing the approach to only use the EES as a testing method to determine if resource consent conditions are being met would resolve this issue. However, there are potential risks associated with this approach and Council needs to consider all matters to determine the best approach for the EES in the new District Plan.

Chapter 8 refers to waterbodies rather than drinking water specifically, and the preservation of this resource is highly valued. There is a preference for small wastewater treatment plants rather than disposal to land or water. Stormwater runoff from farmland which is contaminated is not considered acceptable to Te Roroa.

Transport is an important to iwi as it impacts on the way land is developed. The IMP refers to the need for iwi participation in Regional Transport Plan actions, and the role of water in respect to transportation. Concerns are expressed about the effects of the transportation of forestry products, and the introduction of weeds and pests via transport routes. Another concern is the future cost of transportation due to the cost of energy sources.

Te Uri o Hau Kaitiakitanga o Te Taiao 2011

Chapter 42 discusses wind farms on the Pouto Peninsula. It is accepted that appropriate sustainable renewable electricity generation is needed to meet the reasonable needs of future generations of Te Uri o Hau and the wider community, however the document signals that consultation is required.

The Management Plan does not directly reference three waters infrastructure, however Chapter 29 discusses the importance of fresh water.

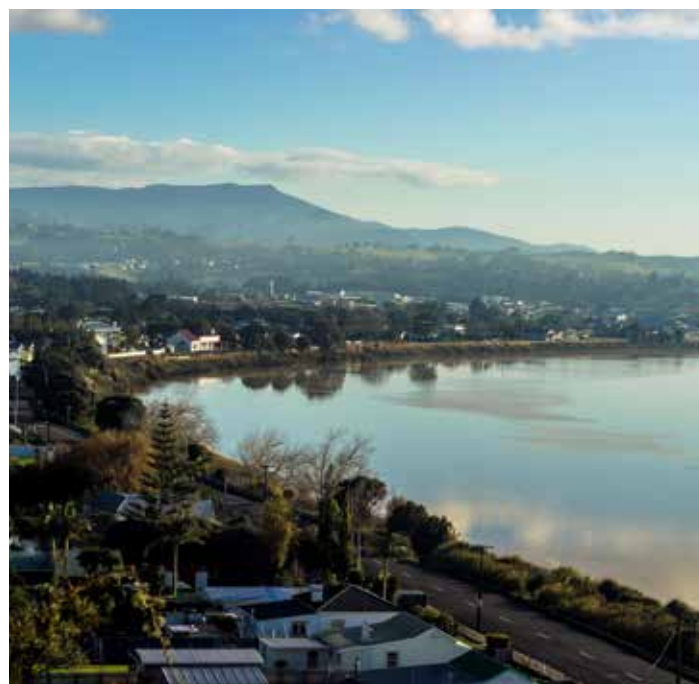
Additionally, transport is not directly referenced but there is a requirement for bilateral discussion on any matter that might affect the wellbeing of Mana Whenua in the area, with special reference to the Kaipara Harbour.

IWI INTERESTS AND IWI MANAGEMENT PLANS

Nga Ture mo Te Taiao o Te Roroa 2009

Under objective 5 included in Chapter 10, Climate Change, Te Roroa will look at ways to improve their carbon footprint including improving energy efficiency and investigating opportunities for renewable energy generation and use in their rohe.

Under the heading “Utilities, Amenities and Infrastructure” in Chapter 6 the effect telecommunication and electricity facilities have on the value of cultural sites is outlined. Chapter 6 also discusses the need for electricity connection for papakāinga development and notes that energy is a cost factor in all development.



THINGS TO THINK ABOUT

The content of a district plan ranges from fulfilling legal requirements made by Central Government and regional councils, to proposing specific provisions that meet the needs of our District and its communities. This list includes any changes required to meet legal obligations, as well as some ideas Council wants to explore further with our communities.

Energy, infrastructure and transport will be important chapters in the new District Plan to ensure growth occurs across the District in a co-ordinated way and that the use of renewable energy is promoted and appropriately provided for. This includes how or whether to:

- Promote and encourage the use of renewable energy resources and provide for these activities as permitted activities where appropriate (i.e. wind farms, solar, EV charging stations).
- Ensure provisions relevant to network utility providers protect infrastructure of regional and national importance and do not replicate existing national direction.
- Include provisions in the District Plan to ensure connection to public reticulated three waters networks are provided within reticulated stormwater, wastewater areas, and water supply areas and where this is not possible, promote private connections.
- Ensure provisions encourage and facilitate active transport and public transport modes which are integrated to the existing network.
- Adopt revised Environmental Engineering Standards to support consistent design of infrastructure across the District.

NEXT STEPS

Council is reviewing the existing provisions in the Operative District Plan and drafting new provisions where there are gaps. Council may engage technical experts to assist with the technical aspects of these topics during the preparation of the new District Plan and section 32 reports.



APPENDIX 1

RELEVANT LEGISLATION AND NATIONAL DIRECTION

Energy

Resource Management Act 1991	
Part 1	Definition of infrastructure
Part 2 – Section 7 Other Matters	The purpose of the Act, especially sections 7(ba) – the efficiency and use of energy and (j) – the benefits to be derived from the use and development of renewable energy.
National Policy Statements	
National Policy Statement for Renewable Electricity Generation 2011	The NPS for Renewable Electricity Generation recognises the benefits of renewable electricity generation activities and promotes the use of resources for electricity generation.
National Policy Statement on Electricity Transmission 2008	The NPS on Electricity Transmission recognises the national significance of the electricity transmission network and provides for the need to operate, maintain, develop and upgrade the electricity transmission network.
National Environmental Standards	
National Environmental Standards for Telecommunication Facilities 2016	The NES for telecommunication facilities provides nationally consistent regulations in respect to telecommunications infrastructure across New Zealand.
National Environmental Standards for Electricity Transmission Activities 2010	The NPS on Electricity Transmission provides for activities within the National Grid transmission corridor. The provisions apply only to existing high voltage electricity transmission lines. Activities include the operation, maintenance and upgrading of existing lines. They set out which transmission activities are permitted, subject to conditions to control the environmental effects.

Network Utilities

Resource Management Act 1991	
Part 2 – Section 7 Other Matters	Purpose and especially sections 7(ba) – the efficiency of the end use of energy
Section 375 – Transitional provisions for public utilities	Provides specific requirements related to public utilities to be included in every district plan.
Other Legislation	
Electricity Act 1992	Provides for the regulation, supply, and use of electricity in New Zealand and to promote the prevention of damage to property in connection with the supply and use of electricity in New Zealand.
Electricity Industry Act 2010	Provides a framework for the regulation of the electricity industry. The Telecommunications Act 2001 regulates the supply of telecommunications services. The Electricity (Hazards from Trees) Regulations 2003 is also applicable insofar as it protects the security of the supply of electricity, and the safety of the public.
Telecommunications Act 2001	The provisions in section 135 of this Act make it clear that the construction, and maintenance of lines and wireless works on roads is permitted and that the local authority only has to be notified of these works.

Three Waters

National Environmental Standards and Regulations	
National Environmental Standards and Regulations	All of the listed NES are relevant to the three waters infrastructure. While some of these NES do not always directly affect the District Plan, they must be taken into account as part of the plan making process and district plan provisions generally cannot replicate these provisions.
National Environmental Standards for Fresh Water 2020	
National Environmental Standards for Sources of Human Drinking Water 2007 and draft amendments	
Measurement and Reporting of Water Takes Regulations 2010	
Regulation for Stock Exclusion 2020	
Proposed National Environmental Standards for Waste Discharges and Overflows	
The Local Government Act 2002	
Section 101B	Requires Council's to have an infrastructure strategy which identifies significant infrastructure issues over a 30 year period and identifies principal options for managing those issues and the implications.
Section 137	Refers to joint local government arrangements and joint arrangements with other entities.
Sub-Part 4 of Part 8	Provides powers in relation to water services and trade wastes.
Sections 126 and 195	Requirements for Council to provide assessments for water and other sanitary services and the discharge of sewage.

Transport

Arataki (the 10 year view of Waka Kotahi/NZTA)	
Arataki (version 2) is the 10 year view of what is needed to deliver on the government's current priorities and long-term objectives for the land transport system.	
The Urban Development principles of Arataki aim to integrate land use and transportation matters, as follows:	
<ul style="list-style-type: none"> • Transform urban mobility and improve urban form – to ensure alignment with the National Policy Statement on Urban Development, 2020. • Significantly reduce harms – reflecting more recent data on personal and collective risk. • Tackle climate change – to reflect evidence contained in our National Resilience Programme. 	

REGIONAL GUIDANCE

Energy, Network Utilities, Three Waters

Regional Policy Statement for Northland	
Policy 5.1.1	Planned and coordinated development
Policy 5.4.1	Recognising and providing for the benefits of renewable electricity generation activities and supporting the sustainable use and development of Northland's renewable energy resources which: (d) is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure.
Method 5.4.3	Statutory plans and strategies (2), (3) and (4).
1.1	Role
2.1	Issues with Fresh and Coastal Waters
3.2	Quality
3.3	Flows
4.1	Catchments
4.2	Quality
4.2	Quantity
5.2	Efficient and Effective Infrastructure
Appendix 2	Regional Development and Design Guidelines. Appendix 2 also refers to harvesting in 4.3.4.
Appendix 3	Regional Significant Infrastructure
Proposed Regional Plan for Northland	
D.2.10	Renewable Energy
Drinking Water	C.5.1 Permits; C.5.1 Taking of Water; D.4.2 Minimum Flow; D.4.26 Land Preparation; F.1.2 Water Quality; H4.3 and 4.4 Allocation.
Wastewater	C.6.1 Discharges; C.6.2 Treatment Plants; C.6.3 Land discharge; C.6.6 Industrial Trade waste; and D4.3 Municipal waste discharge.
Stormwater	C.6.3 Production Discharges; C.6.4 Stormwater Discharges; C.8.2 Land Preparation; C.8.3 Earthworks and C.8.4 Vegetation clearance.

Transport

Regional Policy Statement for Northland	
The Regional Policy Statement covers transport.	Relates to regionally significant infrastructure such as strategic transport networks.
Proposed Regional Plan for Northland	
The Proposed Regional Plan applies, including C.7.2.7	Relates to the discharges to air from the use of public roads by motor vehicles.
Transport Plans and Strategies	
The Regional Land Transport Plan (2015–2021)	The District Plan provisions must take into account the provisions of the Regional Land Transport Plan to ensure provisions in the new District Plan are consistent with this document.
The Draft Regional Transport Plan for Northland 2021–2027	

OPERATIVE KAIPARA DISTRICT PLAN 2013 – RELEVANT PROVISIONS

Energy

Issue 2.3.13	The District has physical resources which provide opportunity for renewable energy production that can contribute to the social and economic wellbeing of the District. Kaipara District has the opportunity to provide for significant generation of renewable energy through its resources (such as the wind or solar resources). The development of these resources increases security of supply and social and economic wellbeing providing it is undertaken in a way that avoids, remedies, or mitigates significant adverse effects.
Objective 2.4.14	To encourage and promote the efficient use of energy and enable the greater use, development, operation, and maintenance of renewable energy resources whilst managing potential adverse effects.
Policy 2.5.10	By providing for and promoting the efficient use of energy and the greater use and development of renewable energy resources in all areas of the District, where the potential adverse effects can be appropriately avoided, remedied, or mitigated.
Coastal overlay 4.3.1	There is a need to provide for the appropriate use and development of the natural and physical resources in all Overlays (except Kai Iwi Lakes) in order to provide for the social, economic, and cultural wellbeing of people, communities, and the region. Some activities have a functional need to be in a coastal location and have access to the resources of the coastal environment. For example, this would include activities requiring access to the sea, such as wharves and boat haul-out facilities or activities such as renewable energy generation (e.g. wind and wave resources of the coastal environment).
West Coast Objective 4.4.7	To recognise wind energy as a significant natural resource in the West Coast Overlay.
Rural Issue 12.4.6	Farming, forestry, mineral extraction and processing, and renewable energy generation support the social and economic wellbeing of the District and have the potential to be adversely affected by incompatible neighbouring activities (e.g. residential). It is recognised that these activities are constrained by locational, operational, and technical factors.
Landscapes (Resource Management Act Requirements) 18.2	Under the Resource Management Act 1991 the Council has a responsibility to manage landscapes and natural features and the contribution of landscapes to environmental quality as defined below: Section 7 of the Resource Management Act sets out 'Other Matters' that those exercising functions and powers under the Resource Management Act shall have particular regard to. Of relevance to this Chapter, are: <ul style="list-style-type: none"> • The maintenance and enhancement of amenity values. • Maintenance and enhancement of the quality of the environment. • The benefits to be derived from the use and development of renewable energy.

Network Utilities

National Policy Statement on Electricity Transmission 2008	The District Plan has objectives and policies to give effect to this.
National Policy Statement for Renewable Electricity Generation 2011.	The District Plan has objectives and policies to give effect to this.
Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009	<p>These Standards set out the controls for an activity that relates to the operation, maintenance, upgrading, relocation, or removal of an existing electricity line, including the following activities of relevance to the District Plan:</p> <ul style="list-style-type: none"> • a construction activity; • an activity relating to an access track in proximity to an existing transmission line; and • undergrounding an existing electricity transmission line.
National Environmental Standard for Telecommunication Facilities (2008)	<p>This Standard sets out controls for the following activities:</p> <ul style="list-style-type: none"> • planning and operation of telecommunication facilities (such as mobile phone transmitters) that generate radiofrequency fields • the installation of telecommunication cabinets in the road reserve, including their size and location • noise from telecommunication equipment cabinets located in the road reserve • the installation or replacement of masts and aerials on existing structures in the road reserve. <p>The District Plan acknowledges the National Grid as well as the Electricity Transmission Corridors in all the zoning chapters and includes setbacks and encroachment control. In terms of Outstanding Landscapes, it recognises the functional, technical, or operational need for the activity to locate within the feature or landscape. In the case of electricity transmission activities, technical and operational requirements include route selection.</p> <p>For subdivision to be a permitted activity, a connection to a telecommunications system at the boundary of the net site area is required. However, the ability for the allotments to be provided with alternative phone coverage (e.g. mobile phone coverage) can be considered as an assessment criterion for a Discretionary Activity.</p> <p>Reference is made to the provisions of the Environmental Engineering Standards 2011 when resource consents are required.</p>

Three Waters

Issue 2.3.7	The safe and efficient development and management of infrastructure, including transport networks, utilities, utility networks, to support growth and contribute to the social and economic wellbeing of the community.
Objective 2.4.9	The safe and efficient development and management of infrastructure, including transport networks, utilities, utility networks, to support growth and contribute to the social and economic wellbeing of the community.
Policy 2.5.9	By providing for the development and operation of network utilities and the transport network in all areas of the District where the potential adverse effects can be appropriately avoided, remedied, or mitigated.
Method 2.7.8	Infrastructure, utilities, transport networks and renewable energy generation that support the District and its growth in a sustainable manner as well as zoning.
Chapter 10 (Network Utilities)	<p>This chapter provides the requirements for all Infrastructure facilities including:</p> <ul style="list-style-type: none"> • 10.3 – The Kaipara District Council Engineering Standards, which were updated in 2011 and reflect New Zealand engineering design standards appropriate to the Kaipara District's environment and conditions. • 10.10 – Network Utilities rules are then included in the Zone chapters (Rural; Residential; Business: Commercial and Industrial; Māori Land; and Treaty Settlement Land).

Transport

Chapter 11	Transport is mainly dealt with in Chapter 11 of the District Plan (Transport Network All Zones Network).
Appendix 25C	Parking and Manoeuvring
Appendix 25F	Traffic Intensity Factor Guidelines
Appendix D	Roading Hierarchy
Land-use zones	Reference is made to transport within the relevant land-use zones, and how it will affect the development of that zone.
Hierarchy	The hierarchy used to classify the various transport routes has not yet been amended to the national standard (the One Network Road Classification) which affects the width, sight distances, distances and location of vehicle crossings and distances between intersections.



Private Bag 1001
Dargaville 0340
Freephone: 0800 727 059
districtplanreview@kaipara.govt.nz
www.kaipara.govt.nz/kaipara-district-plan

Your Kaipara, your say.