

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	General / /	215.1	Amend	The Fuel Company submissions are as set out in the attached document.	Make the changes sought in the Fuel Company submission or alternative changes to give effect to the relief sought.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /ANCILLARY ACTIVITY	215.2	Support	Support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definitions in the Proposed Plan which are aligned with Section 2 of the Resource Management Act and the National Planning Standards, including the definitions for: <ul style="list-style-type: none"> • Ancillary activity • Building • Commercial activity • Contaminant • Contaminated land • Discharge • Drain • Earthworks • Functional need • Ground level • Hazardous Substance • Industrial Activity • Infrastructure • Land Disturbance • Natural Hazard • Network Utility • Network Utility Operator • Noise • Notional Boundary • Official sign • Operational Need • Sign • Structure
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /AIRPORT ACTIVITY	215.3	Support	Facilities for handling and storage of hazardous substances, fuel installations and fuel servicing facilities are essential to the functioning and operation of Hawke's Bay Airport. Specifically providing for these activities in the definition of an airport activity is supported by the Fuel Companies.	Retain definition as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /ALTERATION OR ADDITION	215.4	Oppose	Is not necessarily concerned about the definition of the term when related to heritage, however the term is used throughout the Plan in circumstances outside of this context. In these situations, the definition is inappropriate.	Rename the defined term as follows: Alteration and Addition (<u>Heritage</u>) And Remove the hyperlinks to this definition from all rules, standards and other provisions, unless the rule, standard or provision is specifically referring to an identified heritage building or structure.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /BORE	215.5	Oppose	The term 'bore' is defined in the Proposed Plan. However, this term does not appear to be used in any other parts of the Proposed Plan, such that it is unclear why it is needed. It is also noted that the definition of 'bore' in the Proposed Plan varies from that contained in the Hawke's Bay Regional Resource Management Plan (RRMP). For these reasons, the Fuel Companies consider the definition should be deleted.	Delete the definition of bore.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /DEVELOPMENT	215.6	Amend	Support the definition of 'development' to the extent it applies to the erection or placement of buildings and structures. However, the reference to 'resurfacing of land' is potentially confusing. It is unclear why only 'resurfacing' and not 'new' surfacing of land is included in the definition. Further, the definition of 'development' including the 'resurfacing of land' would appear to capture activities that are otherwise specifically exempt from the definition of 'redevelopment of impervious areas'. This creates potential for confusion in the implementation of provisions containing both the terms 'development' and 'redevelopment'.	Amend the definition of development as follows: 'means the erection or placement of buildings and structures, and/or the resurfacing of land creation of new or redevelopment of existing impervious surfaces, excluding those activities otherwise excluded from the definition of 'redevelopment of impervious areas'.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /GAS TRANSMISSION NETWORK	215.7	Oppose	In Napier, there are existing petroleum pipelines (wharflines and bunkerlines) running between the Port and the bulk fuel storage terminals. These wharflines are primarily located underground, within the public road/footpath. The wharflines are recognised in the Hawke Bay Regional Resource Management Plan (RRMP) as strategic infrastructure, acknowledging that they are essential for growth and to the well-being, health and safety of people and communities and fall under the RMA definition of 'infrastructure' and the Proposed Plan definition of network utility. Liquid petroleum pipelines, such as the Fuel Companies' wharflines and bunkerlines are distinct to the gas transmission network and should not be included the definition of 'gas transmission network'. The Fuel Companies consider these facilities are appropriately covered by the definitions of 'infrastructure' and/or 'network utility'.	Amend the definition by deleting the reference to liquid petroleum pipelines, with the effect that the Fuel Companies wharflines and bunkerlines will be covered by plan provisions relating to 'infrastructure' and/or 'network utilities': Gas transmission network any gas or liquid petroleum pipeline with a pressure greater than 2,000 kilopascals, inclusive of any incidental above or below ground equipment which forms part of the transmission network.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /LIGHT INDUSTRIAL ZONE	215.8	Oppose	It is unnecessary and inappropriate to include zones in the definitions section of the plan. The spatial extent of zones is defined by the planning maps and the characteristic of each zone is described in the zone chapters.	Delete the definition of Light Industrial Zone.

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	215.9	Support	The Fuel Companies support the specific recognition of Network Utilities Maintenance and seek that the definition is retained as notified.	Retain the definition of Maintenance (Network Utilities).
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	215.10	Support	The Fuel Companies support the specific recognition of the need to carry out minor upgrades of network utilities and seek that the definition is retained as notified.	Retain the definition of minor upgrading of network utilities.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /PORT RELATED ACTIVITIES	215.11	Amend	The definition is supported in full, with the exception of a minor typo under g(i) which should read as 'freight', as opposed to 'fright'. In particular, the Fuel Companies support the inclusion of c, f and g and seek that these be retained.	Amend spelling mistake under clause g(i) as follows: The use of land and/or buildings for: ... g. Any ancillary activity necessary for the functional needs and operational needs of port operations, or supporting the operation, maintenance, and security of facilities and services, which includes: i. Ancillary operation and maintenance support services including freight and vehicle depots, storage facilities and workshops;
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /REDEVELOPMENT OF IMPERVIOUS AREA	215.12	Amend	Support definition as it provides for essential operational activities without triggering the need to install stormwater management devices. Consider incorporation of standard floor space threshold of 3.5m2 of above ground network utility structures from NU-54 to provide exemption for above ground network utility structures to be exempt from stormwater management devices. Specific reference to electric vehicle charging facilities is considered appropriate, as while they are addressed in the network utilities chapter, it is not otherwise clear that they are included in the definition of the term 'network utilities'.	Amend the definition of 'redevelopment of impervious area' to also exclude the installation, maintenance, repair or upgrade of above ground network utilities, as follows. The replacement or reconstruction of a site's lawfully established impervious area, excluding: a. Maintenance or repairs that do not increase the total impervious area of the site, or result in any additional contaminant discharge; b. Resurfacing that does not involve the re-direction of existing stormwater flows or drainage networks; c. Trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works. <u>d. Installation, maintenance, repair or upgrade of above ground network utilities, including electric vehicle charging facilities, having a gross floor area of no more than 3.5m2.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /RETAIL ACTIVITY	215.13	Support	The Fuel Companies support the intent of this definition and seek that it is retained.	Retain the definition of Retail activity.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /REVERSE SENSITIVITY	215.14	Amend	The intent of this definition is supported, and with the exception of the word 'vulnerable' the definition is supported in its entirety. The word 'vulnerable' is not supported as it is unnecessary and reduces the clarity of the definition.	Retain definition with the amendment below: means the vulnerable potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential, or perceived adverse environmental effects generated by the existing activity or structure.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /SENSITIVE ACTIVITIES	215.15	Support	The Fuel Companies support this definition and seek that it be retained.	Retain definition of Sensitive activities as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /SERVICE STATION	215.16	Amend	The Fuel Companies are pleased to see the inclusion of a definition for service stations. The definition is supported, however it lacks reference to electric vehicle charging which is a service that is increasingly being provided as part of service station activities.	Retain the definition of service stations, with the following addition: means a commercial activity on a site where the principal activity is the retail sale of motor vehicle fuels and lubricating oils and includes: a. the sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles; and/or b. the cleaning of vehicles; and/or c. mechanical and electrical servicing and repair of vehicles; and/or d. ancillary retail of goods and food; and/or e. truck stops; and/or f. trailer hire.; and/or <u>g. the charging of electric vehicles.</u>

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	215.17	Amend	The definition of 'significant hazardous facilities' as drafted will capture many service station and truck stop activities and that is opposed. The proposed definition of 'significant hazardous facilities' includes facilities involving the storage/use of more than 100kl petrol and 50kl of diesel. These are arbitrary limits based on historical quantities of products stored at petrol stations. Increasingly, major service stations and truck stops are storing petrol and diesel in higher quantities, for instance 60kl diesel at a truck stop or 120,000kl litres of petrol at a service station. These facilities do not have risks to justify their classification as a Significant Hazardous Facility (see full submission for more detail).	Amend the definition of Significant Hazardous Facilities to clearly exclude retail services stations and truck stops, the transmission and distribution of petroleum products by pipeline, and fuel storage and servicing installations at airports. This could be achieved by making the following changes, or to the same effect: Means any facility which involves one or more of the following activities: <ul style="list-style-type: none"> • Manufacturing of hazardous substances (including industries; • manufacturing agrochemicals, fertilisers, acids/alkalis or paints); • Oil and gas exploration and extraction facilities; • The storage/use of more than 10050,000l of petrol; • The storage/use of more than 50100,000l of diesel; ... This definition does not apply to: <u>1. The underground storage of petrol and diesel at service stations and truck stops that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.</u> <u>2. The distribution or transmission by pipelines of petroleum products.</u> <u>3. Fuel installations and fuel servicing activities at airports.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	215.18	Support	The Fuel Companies support the definition of Upgrading (Network utilities) and seek that it is retained.	Retain the definition of Upgrading (Network utilities) as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /WAREHOUSING AND STORAGE	215.19	Amend	The intent of this definition is supported by the Fuel Companies.	Retain the definition as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Issues /SD-TI-11: Provision of infrastructure	215.20	Support	The Fuel Companies support the recognition that infrastructure is required to enable growth and seek that the Issue is retained as notified.	Retain SD-TI-11 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Issues /SD-TI-13: Adverse effects arising from infrastructure	215.21	Support	The Fuel Companies support the recognition of the functional and operational needs of infrastructure and seek that the Issue is retained as notified	Retain SD-TI-13 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Issues /SD-TI-14: Significant infrastructure and reverse sensitivity	215.22	Support	The Fuel Companies strongly support the protection of infrastructure from incompatible activities that can result in reverse sensitivity effects. Therefore, the Fuel Companies seek that this Issue is retained as notified.	Retain SD-TI-14 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-01: Enabling infrastructure	215.23	Amend	The Fuel Companies support the intent of SD-TI-01 to protect Napier's significant infrastructure. However, the objective should be amended to clearly apply to the bulk storage terminal assets and associated wharflines.	Amend SD-TI-01 to recognise the role of terminals in supporting the social, economic and cultural wellbeing of communities. This could be achieved by making the following changes or changes to the same effect: Infrastructure that supports economic growth, including the port, airport, transportation, and electricity transmission <u>energy transmission and distribution</u> networks, is enabled and protected.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-03: Managing adverse effects of infrastructure	215.24	Support	The Fuel Companies support the recognition of the technical and operational needs of infrastructure and seek that the provision is retained.	Retain SD-TI-03 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-04: Significant infrastructure and reverse sensitivity	215.25	Support	The Fuel Companies support the protection of significant infrastructure from incompatible development that can create reverse sensitivity effects and seek that the provision is retained.	Retain SD-TI-04 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Urban Form and Development /Objectives /SD-UFD-04: Economic activity	215.26	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain SD-UFD-04 as notified.

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Urban Form and Development /Objectives /SD-UFD-06: Industrial zones	215.27	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain SD-UFD-06 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SD - Urban Form and Development /Policies /SD-UFD-P8: Industrial	215.28	Support	The intent of SD-UFD-P8 to enable port and light industrial activities that serve the Napier community is supported by the Fuel Companies.	Retain as SD-UFD-P8 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	215.29	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain NU-O1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	215.30	Amend	The Fuel Companies support the intent of this objective and seek that it be retained with minor amendment.	Retain NU-O2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	215.31	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain NU-O3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Policies /NU-P1: Essential role of network utilities	215.32	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	215.33	Support	The Fuel Companies support the intent of this policy. However, the ability for infrastructure to avoid, remedy or mitigate adverse effects must be considered in the context of the functional and operational needs of infrastructure, which can limit the ability to manage certain adverse effects. This is appropriately recognised in objective NU-O2, to which this policy relates, and is a critical matter that should be carried through to the associated policy NU-P2.	Amend NU-P2 to ensure the ability to manage adverse effects associated with infrastructure is considered in the context of the functional and operational needs of that infrastructure. This could be achieved by making the following changes or changes to the same effect: NU-P2: Adverse effects of network utilities Require the development, operation, maintenance, repair, upgrading, and removal of infrastructure to avoid, remedy, or mitigate adverse effects, including by: .. e. encouraging the removal of redundant and superseded above ground network utility facilities. <u>while recognising the extent to which adverse effects can be avoided may be constrained by the functional or operational needs of the infrastructure.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	215.34	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	215.35	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P4 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts	215.36	Amend	The Fuel Companies support the intent of rule NU-R1 and seek that it be retained. For certainty, it is considered the rule should specifically provide for 'repair' of existing network utilities, which would have the same effect as, but not necessarily fall to be considered as 'maintenance' or 'replacement' works. The permitted rule is subject to compliance with standards NU-S1 to NU-S11. The Fuel Companies are concerned that some existing network utility activities will be non-compliant when undertaking replacement, repair and removal works in accordance with the boundary setbacks in standard NU-S1. NU-S1 gives no consideration to whether or not the activity is in relation to an existing or new structure. For the avoidance of doubt the Fuel Companies seek that a clarification is added that this setback does not apply to existing lawfully established activities. This could be achieved by deleting the requirement for activities undertaken in accordance with NU-R1 to comply with NU-S1. The default to restricted discretionary activity status (rule NU-R1B), and the associated matters of discretion, for activities that do not meet the permitted activity requirements is supported.	Amend NU-R1 to clarify that it applies to 'repair' of existing network utilities as well as operation, maintenance, replacement and removal. This could be achieved by making the following changes: NU-R1: Operation, maintenance, replacement, repair and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts NU-R1A Activity Status: Permitted Where: 1. The activity complies with relevant standards (NU-S1-NU-S2- NU-S11), and 2. ...

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	215.37	Amend	The Fuel Companies support the general intent of rule NU-R2A but consider it is unnecessary and inappropriate to restrict the scope of the rule to electricity, gas or telecommunications equipment. The effects of minor upgrades to existing wharflines and bunkerlines (petroleum distribution networks) are essentially the same as those associated with the minor upgrade of other underground network utility pipes. These activities should be treated equally in the Proposed Plan, to ensure timely upgrades, including for safety and efficiency purposes, the realignment, reconfiguration or relocation of petroleum pipelines at the port and along their length to the Terminals can occur. See full submission for greater detail.	Amend NU-R2 to clarify that it applies to petroleum distribution pipes, and to provide clarity around the scope of replacement pipes that will fall to be considered as 'minor upgrading'. This could be achieved by making the following changes or changes to the same effect: NU-R2A Activity Status: Permitted Where: 1. The realignment, reconfiguration, relocation, or replacement of electricity, petroleum and gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets, or ancillary structures must be: 9. The diameter of above ground or below ground replacement pipes must not exceed the diameter of the replaced pipe by more than 300 mm.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	215.38	Support	The Fuel Companies support the intent of rule NU-R6 and seek that it be retained.	Retain NU-R6 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	215.39	Amend	Public charging infrastructure plays a critical role in enabling the uptake in electric vehicles (EVs). The Fuel Companies support a permitted activity rule for EV charging facilities. However, it is not clear that this rule applies to EV charging facilities at services stations as: • Service station operators are not typically network utility operators such that it is unclear whether they will be able to rely on a rule relating to electric vehicle charging facilities that is located within the network utilities chapter. • Existing services stations will have vehicle parking; however, depending on the layout of each site, new spaces may be created for electric vehicle charging, which would not fall to be considered as existing or consenting parking spaces. • The term vehicle depot is not defined in the plan, nor is it used in any other provisions – the only other reference is in the definition of port related activities. • The term 'garage' is not defined in the plan. Service stations are colloquially referred to as garages, however it is not clear that the plan intends this interpretation.	Amend NU-R10 to ensure electric vehicle charging facilities at service stations are provided for on the same basis as electric vehicle charging facilities currently subject to Rule NU-R10. This could be achieved by making the following changes or changes to the same effect: NU-R10A Activity Status: Permitted Where: 1. The activity is installed in association with an existing permitted or consented vehicle park, vehicle depot, service station or garage structure; 2. The activity complies with standards (NU-S1 – NU-S11); 3. The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), and 4. The activity is not within the National Grid Yard. 5. For the purposes of this rule, the operator of the electric vehicle charging facility is not required to be a network utility operator as defined in the RMA. OR As an alternative to proposed new clause 5 above, the wording of the definition of Network Utility Operator used in the Proposed Plan could be amended to specify that for the purposes of this Plan, a network utility operator is deemed to be the operator of an electric vehicle charging facility. OR As a further alternative to proposed new clause 5 above, Rule NU-R10A, and the associated standards applying to electric vehicle charging facilities, could be relocated to an alternative part of the Proposed Plan, such as the Transportation chapter, to avoid the concern that EV charging facility operators who are not also 'network utility operators' under the RMA may be unable to rely on Rule NU-R10A.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R14: Activities not otherwise provided for (that are not regulated by an NES)	215.40	Support	The Fuel Companies support the intent of rule NU-R14 and seek that it be retained.	Retain NU-R14 as notified.

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	215.41	Amend	Fuel Companies seek that a clarification is added that this setback does not apply to existing lawfully established activities. This could be achieved by deleting the requirement for activities undertaken in accordance with NU-R1 to comply with NU-S1. The Fuel Companies support the matters of discretion. The Fuel Companies support the intent of this standard for new network utilities, however, note that it will mean that some existing network utility activities will be non-compliant when undertaking replacement, repair and removal works under NU-R1. NU-S1 gives no consideration to whether or not the activity is in relation to an existing or new structure.	Amend NU-R1 to ensure the operation, maintenance, replacement and removal of existing network utilities does not have to comply with the boundary setback requirements contained in NU-S1. This could be achieved by making the following changes or changes to the same effect: NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts NU-R1A Activity Status: Permitted Where: The activity complies with relevant standards (NU-S1-NU-S2 – NU-S11), and ...
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	215.42	Support	The Fuel Companies support the intent of standard NU-S1.2 and seek that it be retained	Retain NU-S1.2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	215.43	Amend	There is a numbering error in NU-S3.5 relating to the height of above ground structures in the commercial, mixed use, and rural zones, whereby the height threshold of 20m is preceded by a '1' rather than an 'a', as per the format used in all other clauses. This creates the potential for misinterpretation that the height limit is set at 1.20m rather than 20m. This editorial error should be corrected.	Amend NU-S3.5 to correct the editorial error in numbering, as follows: Amend NU-S3.5 to correct the editorial error in numbering, as follows: 5. Any part of an above ground structure (other than buildings), including aerials, must not exceed a height of: 1.20 m. a. 20m
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensions	215.44	Support	Support this provision. NU-S4(2) setting a permitted activity threshold for EV charging facilities of 3m2 is accepted as reasonable.	Retain NU-S4 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S8: Parking and access	215.45	Oppose	Standard NU-S8 requires that any network utility on a site that is more than 200m2 in area, must meet standards TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT- S6 (Manoeuvring) in the Transport chapter. For the Fuel Companies, the implication would be that any proposal to install EV charging facilities at an existing service station or to undertake maintenance or repair work to the existing wharflines / bunkerlines where they are located within the Terminal sites, would trigger the need to consider compliance with vehicle access and manoeuvring requirements. That is inappropriate in the context of existing activities where the 'network utility' is an ancillary component of the overall activity, and where there are established vehicle accesses and manoeuvring areas.	Amend NU-S8 to clarify that the parking and access standards in the Transport chapter apply only to those network utilities that are permanently staffed, consistent with the stated purpose of the rule, and to avoid inappropriate regulation of established facilities on large sites where the 'network utility' is ancillary to or incidental to the primary activity. This could be achieved by making the following changes or changes to the same effect: NU-S8: Parking and access All zones and associated precincts Purpose: to ensure safe and efficient access and sufficient onsite parking is provided where network utilities are permanently staffed. <u>1. Any network utility with a requirement for permanent staff that is distinct to the staffing needs of other activities on the site</u> , on a site that is more than 200 m2 in area, must meet the requirements for access in the Transport chapter in standards, TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT-S6 (Manoeuvring).
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S10: Pipelines, cables, conductors, and lines	215.46	Support	The Fuel Companies support the intent of this standard.	Retain NU-S10 as notified
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S11: Removal of derelict above ground network utilities	215.47	Support	The Fuel Companies support the intent of this standard and seek that it be retained.	Retain NU-S11 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	NU - Network utilities /Assessment Criteria /General	215.48	Support	The Fuel Companies are generally supportive of the Network Utility Assessment Criteria and seek that they are retained.	Retain NU-AC1 to NU-AC12 as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Introduction /General	215.49	Amend	It would assist plan users in the introduction to further clarify the relationship between the approval processes under these documents, particularly approval processes under the District Plan and Bylaw and whether these are intended to work in tandem, or provide an alternative pathway and whether applicants should seek approval under either the District Plan or Stormwater Bylaw first or at the same time. It would also assist plan users to provide additional clarification of the distinction between activities that will be subject to regulation at a district level and at a regional level. There is duplication with regional plan requirements and any such duplication is opposed as inappropriate and unnecessary.	Amend the introduction to the stormwater chapter to provide further guidance to plan users on the relationship between: - the District Plan, Napier City Council Code of Practice for Land Development and Subdivision Infrastructure, and the Napier City Council Stormwater Bylaw in managing stormwater, and the anticipated application process; and the new stormwater management provisions in the Proposed Plan and those already contained in the Hawke's Bay Regional Resource Management Plan (RRMP) and to clarify that stormwater discharges from industrial and trade premises are appropriately regulated under the RRMP with no need to duplicate the regulation of discharges from such sites at a district level through the Proposed Plan.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Objectives /SW-O1: Public health and safety	215.50	Support	The Fuel Companies support the intent of SW-O1 and seek that it is retained as notified.	Retain SW-O1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Objectives /SW-O3: Receiving environment	215.51	Amend	While the intent of the objective is acknowledged, the requirement in clause a) to entirely avoid further degradation of receiving environments is opposed as too absolute and unlikely to be able to be achieved.	Amend SW-O3 to remove the requirement for absolute avoidance of the degradation of receiving environments. This could be achieved by amending the wording as follows or with changes to the same effect: SW-O3: Receiving environment Stormwater discharges into Napier's stormwater network are managed to: a. avoid slow the rate of further degradation of the ecological health of the network's receiving environments; b. progressively improve the mauri of freshwater and coastal water in the network's receiving environments over time to enable traditional and cultural use of this resource by mana whenua, and c. assist Napier City Council in meeting the requirements of its comprehensive network discharge consent for the stormwater network.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Policies /SW-P1: Onsite detention in existing urban areas with a connection to a public stormwater network	215.52	Amend	The intent of the policy is supported. However, the wording should be amended to clarify that it applies only to development and redevelopment of impervious areas within a site, being the parts of a site from which stormwater runoff will occur.	Amend SW-P1 to clarify that it applies to development or redevelopment of impervious areas of a site only, using the term 'redevelopment of impervious area' as defined in the plan. This could be achieved by making the following changes or to the same effect: SW-P1 Onsite detention in existing urban areas with a connection to a public stormwater network Stormwater quantity is efficiently managed by requiring on site stormwater attenuation to pre-development levels for any development or redevelopment of <u>impervious areas on</u> a site that has a connection to a public stormwater network.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Policies /SW-P3: Overland flow paths	215.53	Amend	The Fuel Companies support the intent of this policy, however request that the conditions are amended to clarify that this rule relates only to new buildings and structures.	Retain SW-P3.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Policies /SW-P4: Low impact design	215.54	Amend	The Fuel Companies support the intent of this policy; however, they note that the technical or operational requirements of some activities may mean it is not possible to minimize impervious areas to the extent possible.	Amend SW-P4 as follows: SW-P4: Low impact design Where resource consent is required for subdivision, new buildings, and/or multi-unit development, manage stormwater run-off at source and through low-impact design techniques including: a. minimisation of impervious areas <u>to the extent practicable</u> ; b. retention of natural vegetation and green spaces;
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Policies /SW-P5: Roofs, car parks, and roads	215.55	Amend	Clause b of SW-P5 refers to treating runoff from new large-scale open car parks and roads accommodating high volumes of traffic. The wording does not reflect the associated rules (SW-R1 and SW-R2) which also apply to redevelopment of these areas. Nor is there any certainty as to the scale of the areas to which the policy is intended to apply, albeit it is assumed the intent is to align with the thresholds set out in rules SW-R1 and SW-R2.	Amend Policy SW-P5 to provide greater certainty as the types of activities to which it is intended to apply. This could be achieved by making amendments along the following lines: SW-P5: Roofs, car parks, and roads Minimise contaminants in stormwater being discharged to the reticulated stormwater network by: a. requiring inert roofing materials and restricting the use of inert and toxic materials and paints on roofs, and b. requiring treatment of run-off from new large-scale open <u>uncovered</u> car parks of <u>more</u> than 20 spaces and roads designed to accommodate more than 5,000 vehicles per day during construction or redevelopment. high volumes of traffic.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>SW - Stormwater /SW - Stormwater - Rules Table /SW-R1: Development of new or redevelopment of existing uncovered car parks</p>	<p>215.56</p>	<p>Amend</p>	<p>The Fuel Companies are not opposed to the treatment of stormwater run-off from uncovered car parking areas. However, the threshold of 10 car park spaces proposed by Rule SW-R1 is considered too low for a rule that would apply generally to all car parking areas across the district. There is no evidence base for the selection of this threshold. Plan Change 9 to the Hawke’s Bay Regional Resource Management Plan (RRMP) has introduced specific consenting requirements for the discharge of stormwater from industrial or trade premises (Rule TANK 24 in the decisions version of PC9), including implementation of a Stormwater Management Plan in accordance with Schedule 33 of the RRMP that addresses stormwater treatment devices. Avoid unnecessary duplication. There are additional uncertainties in the requirements eg what is an appropriate stormwater management device. See full submission for more detail.</p>	<p>Amend SW-R1 to increase the threshold at which stormwater treatment is required from 10 to 20 car parking spaces and to clarify;</p> <ul style="list-style-type: none"> - the thresholds expected to be achieved by the stormwater treatment device; - that the rule applies to discharges to the reticulated network only; - that activities otherwise excluded from the definition of ‘redevelopment of impervious areas’ are also excluded from this rule. <p>This could be achieved by making the following changes or changes to the same effect:</p> <p>SW-R1: Development of new or redevelopment of existing uncovered car parks where stormwater discharge is to the reticulated stormwater network</p> <p>SW-R1A Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The car park provides for no more than ten <u>twenty</u> car park spaces, or; 2. Stormwater run-off from the total impervious area of the carpark and access ways must be treated by an approved <u>authorized</u> stormwater management device designed to accommodate and treat stormwater from the uncovered car park remove sediments and contaminants prior to discharge into the stormwater network, and or 3. The approved <u>authorized</u> stormwater management device must be maintained in good working order for the life of the device; and 4. The device or system must be sized and designed in accordance with ‘Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)’; <u>or</u> 5. <u>Where alternative devices are proposed, the device the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of ‘Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)’.</u> <p><u>except that Rule SW-R1 does not apply to the following activities:</u></p> <ol style="list-style-type: none"> i <u>Stormwater discharges from industrial or trade premises that are otherwise regulated by the Hawke’s Bay Regional Resource Management Plan; and</u> ii <u>Activities that are otherwise excluded from the definition of redevelopment of impervious area as follows:</u> <ol style="list-style-type: none"> a. <u>Maintenance or repairs that do not increase the total impervious area of the site, or result in any additional contaminant discharge;</u> b. <u>Resurfacing that does not involve the re- direction of existing stormwater flows or drainage networks;</u> c. <u>Trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works</u> d. <u>Installation, maintenance, repair or upgrade of above ground network utilities, including electric vehicle charging facilities, having a gross floor area of no more than 3.5m2.</u>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>SW - Stormwater /SW - Stormwater - Rules Table /SW-R3: Buildings, structures, and earthworks on sites with overland flow paths</p>	<p>215.57</p>	<p>Amend</p>	<p>The Fuel Companies support the intent of this rule, however, seek that it be clarified that this applies to ‘new’ buildings, structure and earthworks. The wording of this rule currently has no distinction between new or existing buildings, so suggests that it captures existing buildings and structures which have been lawfully established.</p>	<p>Amend SW-R3 as follows:</p> <p>SW-R3:<u>New</u> Buildings, structures, and earthworks on sites with overland flow paths</p> <p>Activity status:Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The existing entry and exit points of the overland flow path through the site are maintained and remain unobstructed, and 2. The Any new <u>Any new</u> building, structure, or earthworks will not decrease the capacity of the overland flow path entering the site or increase the volume of overland flow path exiting the site.
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>SW - Stormwater /SW - Stormwater - Rules Table /SW-R4: New buildings or any alteration to buildings</p>	<p>215.58</p>	<p>Support</p>	<p>The Fuel Companies are supportive of SW-R4 and seek that it is retained as notified.</p>	<p>Retain SW-R4 as notified.</p>

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<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>SW - Stormwater /SW - Stormwater - Rules Table /SW-R5: Any development of new or redevelopment of existing impervious areas</p>	<p>215.59</p>	<p>Amend</p>	<p>As identified in relation to SW-R1, the Fuel Companies seek to ensure the threshold at which the trigger for implementation of hydraulic mitigation is set is reasonable and represents an efficient use of resources, particularly where it relates to retrofitting of mitigation measures to existing impermeable areas.</p> <p>As currently drafted, the rule will be triggered for any redevelopment of existing impervious surfaces, as there is no clear link to the defined term 'redevelopment of existing impervious areas', which provides some limited exclusions. As a minimum, the rule should be amended to clarify that activities that are excluded from the definition of redevelopment of impervious areas will not trigger the hydraulic mitigation requirements of Rule SW-R5 and SW-S1.</p> <p>Further, as currently drafted, SW-R1 will trigger a requirement to implement the hydraulic mitigation measures set out in SW-S1 for the creation of any new impervious surfaces, even as little as 1m², across the entire district, or obtain a Restricted Discretionary activity consent where the hydraulic mitigation requirements of SW-S1 are not met. This threshold is considered too low and unduly onerous. It is also considered the rule should be amended to clarify whether or not it applies to the development of new or redevelopment of existing impervious surfaces associated with new or existing roads or state highways.</p>	<p>Amend SW-R5 as follows:</p> <p>SW-R5: Any development of new or redevelopment of existing impervious areas where stormwater is <u>discharged to the reticulated stormwater network</u></p> <p>SW-R5A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>The activity involves development of new or redevelopment of existing impervious areas up to 50m²;</u> or 2. The maximum impervious area standard for the relevant zone or precinct is met, and Development of new or redevelopment of existing impervious areas greater than 50m² meets standard SW-S1. <p><u>except that Rule SW-R5 does not apply to the following activities:</u></p> <ol style="list-style-type: none"> i <u>Activities that are otherwise excluded from the definition of redevelopment of impervious area as follows:</u> <ol style="list-style-type: none"> a. <u>Maintenance or repairs that do not increase the total impervious area of the site, or result in any additional contaminant discharge;</u> b. <u>Resurfacing that does not involve the re- direction of existing stormwater flows or drainage networks;</u> c. <u>Trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works</u> d. <u>Installation, maintenance, repair or upgrade of above ground network utilities, including electric vehicle charging facilities, having a gross floor area of no more than 3.5m².</u> <p><u>Note: For the avoidance of doubt, Rule SW-R5 applies to any development of new or redevelopment of impervious surfaces associated with new or existing roads or state highways.</u></p>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>SW - Stormwater /SW - Stormwater - Standards Table /SW-S1: Hydraulic mitigation</p>	<p>215.60</p>	<p>Amend</p>	<p>The Fuel Companies have a number of concerns with SW-S1 (See full submission for more detail). The approach recommended in the Napier City Stormwater Master Plan 2020 Stantec report as fit-for purpose and consider Clause 2 should be amended to reflect this recommendation, noting that no technical justification is provided for the wording currently proposed in Clause 2. Clause 3 requirements don't provide for a comprehensive approach to managing stormwater, such as may be provided as part of a subdivision or integrated development, where stormwater runoff from a number of different properties is managed in a comprehensive manner. Clauses 4 ii), iii) and iv) all make reference to quality treatment. These requirements are inappropriate in the context of a standard that has the specific purpose of managing stormwater quantity and should be deleted. The requirement to register the ongoing maintenance and operation of stormwater management devices on titles is considered unnecessary and unduly onerous.</p>	<p>Amend SW-S1 to address the concerns raised by the Fuel Companies and provide greater certainty and clarity as to the purpose and effect of the standard. This could be achieved by making changes along the following lines:</p> <p>SW-S1: Hydraulic mitigation</p> <p>All sites with a connection to a public stormwater network</p> <ol style="list-style-type: none"> 1. Provide retention (volume reduction) of at least 10 mm runoff depth for the impervious area for which hydrology mitigation is required (refer to Figure 1). 2. Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development run-off volumes from the 10% AEP, 24-hour rainfall event (refer to Figure 3 below, Table 9 of the Napier City Council Code of Practice for Land Development and Subdivision Infrastructure*) minus the 10 mm retention volume or any greater retention volume that is achieved over the impervious area for which hydrology mitigation is required. Stormwater runoff generated from development in a 1 in 10- year rainfall event with a 24-hour duration, should be detained on-site and discharged to the public stormwater network in a manner that it is limited to the pre-development peak runoff rate (refer to Figure 2). <p>*Note: As at August 2021, the rainfall depth for the 10% AEP 24 hour duration event is 139 mm.</p> <ol style="list-style-type: none"> 3. All retention and detention to be provided: <ol style="list-style-type: none"> (i) within the site boundary; <u>or</u> (ii) <u>by an authorised off-site stormwater management device or system where the system is designed, constructed and operated to receive and manage stormwater from the impervious area of the site. A copy of the authorisation (such as a discharge consent or subdivision consent notice on title) must be provided to the Council, along with confirmation from the operator of the device or system that hydrology mitigation requirements will be achieved for the additional stormwater from the site.</u>

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					<p>4. Where stormwater management devices including stormwater detention and/or retention tanks are provided, 'as built plans' for the device or system together with an operation and maintenance plan is required to be lodged with, and approved by Napier City Council that addresses:</p> <ol style="list-style-type: none"> how the whole site and specific equipment/features are operated and maintained with respect to stormwater; personnel responsibilities, treatment method(s), treatment requirements; mitigation of pollutants (gross, soluble, and suspended); location(s) of retention and detention devices, treatment and conveyance systems; the maintenance schedule for the specific equipment/feature included on the site; the design parameters and limitations of the specific equipment/features, and the design calculations for the specific equipment/features. <p>5. The operation and maintenance manual will be enforced through a consent notice on the title to ensure future property owners are aware of the maintenance obligations for the stormwater management device. Any stormwater management device or system must be operated and maintained in accordance with best practice for the device or system.</p> <p>6. For the purpose of this standard, the impervious area for which hydrology mitigation is required is any new or redeveloped impervious area undertaken since the date this rule becomes operative.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> Purpose of the standard; Public health and safety; Network efficiency and resilience; Receiving environment values, and Use of low impact design, and <u>The practicality and limitations of applying hydraulic mitigation to the site taking into account site and operational constraints, the requirements for other utilities or infrastructure.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /SW - Stormwater - Standards Table /SW-S2: Inert roofing	215.61	Support	The Fuel Companies are supportive of SW-S2 and seek that it is retained as notified.	Retain SW-S2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SW - Stormwater /Assessment criteria /SW-AC1: All activities requiring consent in this chapter	215.62	Amend	The Fuel Companies support the intent of the Assessment Criteria under SW-AC1. However, the wording specifies that the criteria apply to all activities requiring consent in this chapter. It is important to ensure the wording of the assessment criteria does not require assessment against a criterion that is no relevant to the matter for which consent is required.	<p>Amend the wording of SW-AC1 to ensure activities requiring consent only need to be assessed against matters of relevance to the reason for consent. This could be achieved by making changes along the following lines:</p> <p>Assessment criteria SW-C1:</p> <p>All activities requiring consent in this chapter</p> <p>...</p> <p>Effects on the values of the receiving environment</p> <ol style="list-style-type: none"> Whether The extent to which any and nature of contaminants generated from the an activity for which management of stormwater quality is required will: ... The extent to which the any stormwater management device(s) proposed will be effective in removing the anticipated contaminants from the activity. The proposed methods for operating and maintaining the any proposed stormwater treatment processes and devices to ensure their continued and ongoing effectiveness in removing contaminants. The proposed methods for monitoring and reporting on the effectiveness of the any proposed treatment process.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Objectives /TPT-O1: Safe and efficient integrated transportation network	215.63	Support	The Fuel Companies support TPT-O1 as notified and seek that it is retained.	Retain TPT-O1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Objectives /TPT-O2: Economic wellbeing	215.64	Support	The Fuel Companies support TPT-O2 as notified and seek that it is retained.	Retain TPT-O2 as notified.

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Policies /TPT-P2: Trip generation	215.65	Support	The term 'high trip generating activities' is not defined. Service stations primarily attract pass-by trips from motorists already traveling on the roading network and are not a destination activity that attracts new vehicle trips. Notwithstanding this, the Fuel Companies' experience is that service stations are typically treated as high trip generating activities. The policy directive to only provide for high trip generating activities where they provide for public transport modes is opposed.	Amend TPT-P2 to provide a level of discretion in terms of considering appropriate locations for high trip generating activities in recognition that accessibility by public transport will not be a relevant consideration in all situations, for example, for service stations. This could be achieved by amending TPT-P2 as follows or to the same effect: TPT-P2: Trip generation Manage the design and location of subdivision, use, and development of land so as to minimise traffic patterns that will interfere with the safe and efficient operation of the integrated transport network, including through: a. ensuring transport planning supports the anticipated activities in each zone. b. only providing for high trip generating activities where they: i. safely and effectively integrate with the transport network, and ii. provide for pedestrian, cycling, micro- mobility, <u>and where relevant</u> public transport modes.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Policies /TPT-P3: Freight access routes	215.66	Support	The Fuel Companies support TPT-P3 as notified and seek that it is retained.	Retain TPT-P3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Policies /TPT-P5: Parking and loading	215.67	Support	The Fuel Companies support TPT-P5 as notified and seek that it is retained.	Retain TPT-P5 as notified
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /Policies /TPT-P6: Access and egress	215.68	Support	The Fuel Companies support TPT-P6 as notified and seek that it is retained.	Retain TPT-P6 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /TPT - Transport - Rules Table /TPT-R2: New or modified vehicle access and crossings onto a state highway or arterial road	215.69	Support	The Fuel Companies support the intent of this rule	Retain TPT-R2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /TPT - Transport - Rules Table /TPT-R3: Activities infringing standards TPT-S1 - TPT-S4 and TPT-S6	215.70	Amend	The Fuel Companies support the intent of this rule, however, do not support the scope. As it is currently worded, this rule applies to all activities, including lawfully established activities. This rule should be reframed in terms of 'new' activities infringing standards 1, 4 and 6 to avoid triggering consent for existing lawfully established activities.	Amend TPT-R3 as follows: TPT-R3: <u>New</u> Activities infringing standards TPT-S1 – TPT-S4 and TPT-S6.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /TPT - Transport - Rules Table /TPT-R4: Activities infringing standard TPT-S5 Vehicle access restrictions	215.71	Support	The Fuel Companies are supportive of a restricted discretionary activity status for activities infringing standards as this aligns with the other TPT provisions and is appropriate for the scale of effects that are sought to be managed by TPT-R4.	Retain TPT-R4 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /TPT - Transport - Rules Table /TPT-R5: Vehicle trip generation	215.72	Amend	The Fuel Companies note that this Rule requires compliance with TPT- S6, which is in relation to maneuvering. It is presumed that this is a typo, and compliance should be in accordance with TPT-S7.Regardless, the Fuel Companies support the intent of this rule, however, do not support its scope. The rule applies to lawfully established existing activities and should be re-framed to apply to new activities.	Amend TPT-R5 to correctly refer to TPT-S7: Vehicle- trip generation and to ensure the rule applies only to new high trip generating activities or those that result in an increase in existing generation above the vehicle movement thresholds set out in TPT-S7. TPT-R5: Vehicle trip generation TPT-R5A Activity Status: Permitted 1. <u>For new activities w</u> Where: Ccompliance is achieved with TPT-S6 -TPT-S7 2. <u>For existing activities w</u> Where a change or variation to the existing activity: i. <u>Does not result in an exceedance of the vehicle movement thresholds in TPT-S7; or</u> ii. <u>Does not increase the size, scale or scope of any existing exceedance of a vehicle movement threshold in TPT-S7.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TPT - Transport /TPT - Transport - Standards Table /TPT-S4: Vehicle access (general)	215.73	Amend	Standard 2 states that there shall be a maximum of one vehicle crossing per site within residential zones. There are a number of existing service stations in Napier with a residential zoning that typically have two separate vehicle crossings to improve safety for vehicles entering and exiting the site and more efficient traffic flows through the site.Standard 2 also states that where a site has more than one frontage, the vehicle entrance must be onto the road that has the lower hierarchy. The Fuel Companies do not consider this requirement to be appropriate or necessary and it should be removed.	Amend TPT-S4 to ensure service as follows: 1. All sites must have a legal, safe, and effective vehicular access from an existing, formed legal road, except where no car parking is provided on site. 2. There shall be a maximum of one vehicle crossing per site <u>for residential activities</u> within residential zones. Where a site <u>residential activity</u> is bordered by two or more roads, the vehicle access to the property must be from the lower category road. The category of the road will be determined by its classification in the road hierarchy or traffic volumes where classification status is equal. For the purposes of this standard, the roading hierarchy shall be: a. Transit corridors; b.

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1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Contents /Contents /	215.74	Oppose	Given the NESCS itself does not contain any objectives or policies, the Fuel Companies consider it would be appropriate to include a policy framework in the Proposed Plan to provide guidance on the assessment of applications that require consent under the NESCS, particularly those that require a discretionary activity consent under the NESCS. The Fuel Companies seek the inclusion of a policy framework relating to contaminated land. The NESCS provides appropriate land use controls in relation to both land disturbance and changes of use in relation to contaminated soils and therefore supports the Proposed Plan having no rules in relation to contaminated land. This could be achieved by carrying over Objective 64.2 and Policies 64.2.1 and 64.2.2 from the Operative Napier District Plan which are fit for purpose.	Include a new Contaminated Land Chapter in the 'Hazards and Risks' section in Part 2 – District-Wide Matters of the Proposed Plan, with objectives and policies (but no rules). <u>Objectives:</u> <u>There are no significant risks to human health posed by residual soil contaminant levels in land that has a history of land use which may have resulted in contamination.</u> <u>Policies:</u> <u>Ensure that before any development, redevelopment or change of land use on land that has a history of land use that may have resulted in contamination, associated health risks are appropriately identified and managed.</u> <u>Any change of land use, development or redevelopment on contaminated land ensures that any proposed management controls, including remediation, pathway or receptor controls, will ensure the risks to human health are acceptable for the intended land use.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	215.75	Amend	Truck stops and service stations, including those storing more than 50,000 litres of diesel or 100,000 litres of petrol are currently captured by the definition of Significant Hazardous Facilities in the Proposed Plan. It is widely recognised, including by the Ministry for the Environment, that risk associated with these types of facilities is adequately managed by compliance with HSNO and WorkSafe standards together with relevant codes of practice and industry best practice approaches. As identified above, the Fuel Companies seek amendments to the definition of 'significant hazardous facilities' to clearly exclude these activities, including for those exceeding the fuel volume thresholds where storage occurs underground and in accordance with relevant HSNO codes of practice.	Companies seek amendments to the definition of 'significant hazardous facilities' to clearly exclude these activities, including for those exceeding the fuel volume thresholds where storage occurs underground and in accordance with relevant HSNO codes of practice.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Introduction /	215.76	Amend	The Fuel Companies support the recognition in the introduction the Hazardous Substances and New Organisms Act 1996 (HSNO) is the primary mechanism for controlling and managing the use and storage of hazardous substances, and that the provisions in this chapter relate only to major hazardous facilities or the use of hazardous substances in the Natural Open Space Zone. The Fuel Companies also agree with the limitations to the control and management of hazardous substances under the RMA as set out in the introduction to this chapter. The terms 'major hazardous facilities' and 'significant hazardous facilities' are both used in this chapter yet have very different meanings. The Proposed Plan does not define the term 'major hazardous facilities'. For certainty, all references in the hazardous substances chapter to major hazardous facilities should be amended to refer to the term 'significant hazardous facilities' as defined in the Proposed Plan.	Amend the introduction to the hazardous substances chapter as follows: The purpose of this chapter is to manage the effects of the use and storage of hazardous substances and of significant hazardous facilities that exist fall outside of the scope of the Hazardous Substances and New Organisms Act 1996. HSNO provides the general framework and is the primary mechanism for controlling and managing the use and storage of hazardous substances, but the following matters fall within the scope of the RMA: .. 4. Management of cumulative effects of multiple major hazard facilities near each other. The provisions in this chapter address the above matters as they relate to major hazard facilities and the storage, handling, or use of hazardous substances only in the Natural Open Space Zone <u>and significant hazardous facilities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Issues /HAZS-1: Adverse effects on the natural environment and the community	215.77	Amend	The Fuel Companies support the intent of this issue.	Retain HAZS-1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Issues /HAZS-12: Adverse effects of hazardous substances on sensitive environments	215.78	Support	The Fuel Companies support the intent of this issue.	Retain HAZS-12 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Issues /HAZS-13: Protection from residual effects and risks beyond the site boundary	215.79	Support	The Fuel Companies support the intent of this issue.	Retain HAZS-13 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Issues /HAZS-14: Cumulative effects of major hazard facilities	215.80	Amend	The Fuel Companies support the intent of this issue however suggest amendments to improve its clarity to address the potential for escalation of risk where an emergency incident at one hazardous facility is exacerbated by proximity to another hazardous facility.	Amend HAZS-14 as follows: HAZS-14: Cumulative effects of major significant hazardous facilities Napier's geographic and zoning constraints in relation to industrial activities may result in multiple major significant hazardous facilities located in close proximity to one another <u>creating the potential for cumulative effects to the environment, property and the community during an emergency incident affecting more than one significant hazardous facility. In these circumstances, During any natural or human created hazard event this may result in hazardous substances used and/or stored within these facilities mixing, which may potentially cause unanticipated significant hazards to the environment, to property, and to the community.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Objectives /HAZS-O1: Adverse effects on the natural environment and the community	215.81	Oppose	Opposes the objective as written due to unnecessary duplication of the HSNO Act. If this objective is retained it should be amended to ensure a logical flow from HAZS-11, to HAZ-O1 and on to policy HAZS-P1 by being framed in terms of sensitive natural environments.	Amend objective HAZS-O1 as follows: HAZS-O1: Adverse effects on sensitive the natural environments and the community The Sensitive natural environments and the community are protected from unacceptable levels of risk the adverse effects associated with hazardous substances.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Objectives /HAZS-O3: Risk and reverse sensitivity effects	215.82	Amend	The Fuel Companies support the intent of this objective. However, risk is inherent to the storage of hazardous substances and, while the Fuel Companies operate their facilities in accordance with HSNO and WorkSafe regulations and industry best practice to minimise risk to the extent practicable, risk cannot be entirely avoided. The key issue is the acceptability of any residual risk from significant hazardous facilities to surrounding land uses. In addition, there is also an error where it refers to 'significant hazard facilities' it should refer to it as worded in the definitions section 'Significant Hazardous Facilities.'	Amend HAZS-O3 to focus on the acceptability of risk to surrounding land uses, rather than a requirement to avoid risk entirely. This could be achieved by making the following changes, or to the same effect: HAZS-O3 <u>Sensitive activities are located where they are not exposed to an unacceptable level of risk from established significant hazardous facilities and so that any reverse sensitivity effects on and risks associated with established significant hazardous facilities are avoided.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Objectives /HAZS-O4: Cumulative effects	215.83	Amend	Oppose objective due to unnecessary duplication with requirements of HSNO Act. Provisions should focus on the extent to which there is any potential for exacerbation of risk and/or adverse effects through the location of significant hazardous facilities in close proximity to one another.	Amend HAZS-O4 as follows: Hazardous substances within significant hazard facilities are used and/or stored in such a way that the risk of these substances mixing, either within the site or from nearby major hazard facilities, is minimised. <u>Significant hazardous facilities are located and managed so they do not result in unacceptable levels of cumulative risk to people, property or the environment.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Policies /HAZS-P1: Adverse effects of hazardous substances on sensitive environments	215.84	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain as notified:
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Policies /HAZS-P2: Enable activities that utilise hazardous substances in appropriate locations	215.85	Amend	The Fuel Companies support the intent of this policy. However, given there is inherent risk associated with the storage and handling of hazardous substances, the wording should be amended to focus on the acceptability of risk. In addition, the Fuel Companies consider the policy should focus on the management of significant hazardous facilities, rather than their control.	Amend Policy HAZS-P2 as follows: Ensure that significant hazard facilities are appropriately located and controlled-managed <u>controlled</u> in order to reduce risks to the environment and community <u>to acceptable levels.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Policies /HAZS-P3: Risk and reverse sensitivity effects	215.86	Amend	The Fuel Companies support the intent of this policy, however, feel that the intensification of existing sensitive activities within proximity to major hazard facilities should also be covered. For example, additional residential units on existing properties within the Significant Hazardous Facility Risk Management Overlay should be avoided.	Amend Policy HAZS-P3 as follows: Avoid <u>new</u> sensitive activities locating in <u>and existing sensitive activities intensifying within proximity</u> to major hazard facilities to ensure that any reverse sensitivity effects and residual risks are controlled.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Policies /HAZS-P4: Cumulative effects	215.87	Support	The Fuel Companies support the intent of this policy.	Retain HAZS-P4 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /HAZS - Hazardous Substances - Rules Table /HAZS-R1: The storage, handling, or use of hazardous substances (excepting arsenic (As) and significant hazard facilities) within the Natural Open Space Zone	215.88	Support	The Fuel Companies support the permitted activity status and rule conditions in HAZS-R1 and seek that it be retained.	Retain HAZS-R1A and HAZS-R1B as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /HAZS - Hazardous Substances - Rules Table /HAZS-R2: The storage, handling or use of hazardous substances in all other zones (excepting significant hazard facilities)	215.89	Support	The Fuel Companies support the permitted activity status in HAZS-R2 and seek that it be retained.	Retain HAZS-R2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /HAZS - Hazardous Substances - Rules Table /HAZS-R3: Significant hazard facilities	215.90	Support	The Fuel Companies can support a discretionary activity status for new significant hazardous facilities. However, provision should be made for additions or alterations to existing significant hazardous facilities that do not increase the risk profile of the facility to occur as a permitted activity.	Amend HAZS-R3 to apply only to new significant hazardous facilities or additions or alterations to existing significant hazardous facilities that result in an increase in the risk profile of the facility. And Include a new rule to provide for additions and alterations to existing significant hazardous facilities that do not increase the risk profile to occur as a permitted activity. This could be achieved by making the following changes, or changes to the same effect: <u>New Rule HAZS-RX: Additions or alterations that do not increase the risk profile of an existing significant hazardous facility</u> <u>Activity Status: Permitted</u> <u>HAZS-R3: New Significant hazardous facilities and additions or alterations that increase the risk profile of an existing significant hazardous facility</u> <u>Activity Status: Discretionary</u>

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /HAZS - Hazardous Substances - Rules Table /HAZS-R4: New sensitive activities located within the Major Hazard Facility Risk Management Overlay	215.91	Amend	The Fuel Companies support the intent of HAZS-R4, however seek that 'new residential units' within the Major Hazard Facility Risk Management Overlay are specifically included as a non-complying activity. This is because the development of an additional residential unit (such as an additional household within an existing residential property) is considered to introduce additional sensitive activities at a threshold that could affect the existing risk profile of the Terminals, but which might not otherwise be considered to be a new sensitive activity under the definition of that term (which simply refers to 'residential activity').	Amend HAZS-R4 to ensure it applies to additional residential units established at existing residential property within the Major Hazard Facility Risk Management Overlay. This could be achieved by making changes along the following lines: HAZS-R4: New sensitive activities, <u>including additional residential units at established residential activities, located within the Major Hazard Facility Risk Management Overlay.</u> <u>Note: For the purposes of this rule, 'new sensitive activities' includes any additional residential unit established at a property within the Major Hazard Facility Risk Management Overlay in addition to the number of residential units existing at the date of notification of this plan.</u> <u>Activity Status: Non-complying</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HAZS - Hazardous substances /Assessment criteria /General	215.92	Amend	The Fuel Companies support the assessment criteria, with the exception of clause f) relating to the consideration of alternative locations. It is inappropriate to require the consideration of alternative locations for existing activities or any proposed extension or expansion. This does not recognise the level of investment in existing Significant Hazardous Facilities. here is also a minor editorial error that should be corrected.	Amend HAZS – Assessment criteria correct the numbering and amend the criterion relating to alternative locations as follows: Assessment criteria ... General Risk assessment a. The probability ... i. spill containment measures; ii. ... iii. e.f. The record of compliance and acceptable risk management of any existing activity where expansion of the activity is proposed. Alternative locations f.g. The inclusion of evidence that alternative locations for the existing activity or any proposed extension or expansion have been considered for any new Significant Hazardous Facility or sensitive activity likely to result in significant adverse effects or unacceptable levels of risk, having particular regard to locations both within the site and outside the site.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Planning Maps /General /General	215.93	Support	The Fuel Companies support the extent of the Major Hazard Facility Risk Management Overlay.	Retain the Major Hazard Facility Risk Management Overlay extent as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	CE - Coastal Environment /Issues /CE-I1: The values associated with the natural character of the coastal environment are identified and protected from significant adverse effects	215.94	Support	The Fuel Companies support the recognition of important infrastructure such as the port and a highly modified port being part of the character of Napier's coastal environment.	Retain CE-I1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	CE - Coastal Environment /Policies /CE-P1: Identify and protect the natural features and natural character of the coastal environment	215.95	Support	CE-P1 is supported to the extent it recognises that the character of the coastal environment in Napier includes important infrastructure, such as the port, the wastewater and stormwater infrastructure, and the National Aquarium amongst others.	Retain CE-P1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	CE - Coastal Environment /Policies /CE-P2: Determine whether an activity is inappropriate in the coastal environment	215.96	Support	The Fuel Companies support that particular regard must be given to both the functional and operational need of activities to locate within the coastal environment and the existing land uses on the site.	Retain CE-P2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	CE - Coastal Environment /Policies /CE-P10: Avoid activities in coastal and riparian margins	215.97	Support	The policy can be supported provided the reference to no 'undue risk' of contamination of water is retained. The Fuel Companies' wharflines and bunkerlines have a functional need to locate within coastal margins.	Retain CE-P10 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Objectives /EW-O1: Environment (soils, ecosystems, waterways)	215.98	Support	The Fuel Companies support EW-O1 as notified.	Retain EW-O1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Objectives /EW-O3: Hazards and health and safety	215.99	Support	The Fuel Companies support EW-O3 as notified.	Retain EW-O3 as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Policies /EW-P1: Allow for earthworks	215.100	Support	The Fuel Companies particularly support earthworks being a permitted activity where effects are appropriately managed.	Retain EW-P1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Policies /EW-P2: Environment	215.101	Support	The Fuel Companies support EW-P2 as notified	Retain EW-P2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Policies /EW-P6: Cultural and heritage values	215.102	Support	The Fuel Companies support EW-P6 as notified.	Retain EW-P6 as notified
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	215.103	Support	The Fuel Companies support EW-R1A provided that the changes sought to the Earthworks standards that seek to avoid conflict with the NESCS, are accepted.	Retain EW-R1A as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	215.104	Amend	The Fuel Companies generally support the intent of EW-R1B but seek a new matter of discretion that accounts for benefits associated with earthworks activities.	Amend EW-R1B as follows: Matters of discretion are: 1. The matters of discretion of the effects standard infringed; 2. 6. Natural hazards;, and 7. Health and safety., and 8. <u>Benefits associated with the earthworks.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Rules Table /EW-R3: Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011All zones	215.105	Amend	Generally support, with the exception of the requirement for earthworks associated with fuel tank replacement and/or removal to comply with EW-S4 relating to the removal of soil from a site, as this matter is specifically controlled under the NESCS.	Amend EW-R3 to remove the requirement for replacement or removal of a fuel storage system to comply with standard EW-S4, as follows: EW-R3: Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 All zones EW-R3A Activity status: Permitted Where: Compliance with the Earthworks effects standardsEW- S3 and EW-S5 – EW-S8.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	215.106	Support	The Fuel Companies support the permitted activity status for network utilities. The Fuel Companies also support that EW-S1 is not required to be met under this rule.The default to RD status is also supported.	Retain EW-R5 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Rules Table /EW-R7: Earthworks not otherwise provided for in this table	215.107	Support	The Fuel Companies support the permissive approach to earthworks not otherwise provided for, together with the default to RD status where compliance with the earthworks standards is not achieved	Retain EW-R7 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S1: Extent of earthworks	215.108	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S1 as follows: Matters of discretion <u>are</u> : 1. Sediment control for the protection of waterways; 2. ... 5. Natural hazards;, and 6. Health and safety., and 7. <u>Benefits associated with the earthworks.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S2: Earthworks - cut and fill	215.109	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S2 as follows: Matters of discretion are: 1. Purpose of the standard; 2. ... 6. Natural hazards;, and 7. Health and safety., and 8. <u>Benefits associated with the earthworks.</u>

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S3: Slope stability	215.110	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S3 as follows: Matters of discretion are: 1. Purpose of the standard; 2. ... 6. Natural hazards, and 7. Health and safety, and 8. Benefits associated with the earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S4: Removal off site	215.111	Amend	The Fuel Companies seek that EW-S4 is amended to include an exemption for activities which are regulated under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS). This will avoid conflict with the NESCS, which allows for 5m3 per 500m2 to be taken away per year and soil to be taken for the purpose of laboratory analysis as a permitted activity. The Fuel Companies also seek an additional matter of discretion that accounts for any benefits associated with the earthworks activity.	Amend EW-S4 as follows: Rural Productive Zone i. Earthworks result in the removal off site of no more than 25 m3 of earth materials per 12 month period. All other zones ii. Earthworks result in the removal off site of no more than 100 m3 of earth materials per 12 month period. <u>Except that this standard does not apply to activities regulated under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.</u> Matters of discretion are: 1. The purpose of the standard, and 2. Protection of productive soils, and 3. Benefits associated with the earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S5: Control of silt and sediment	215.112	Amend	The intent of this standard is generally supported. However, the requirement to entirely prevent silt or sediment from entering the stormwater system is considered too absolute and unlikely to be able to be achieved in all situations. As suggested approach would be to require implementation of best practice silt and sediment control measures to reduce the risk of silt and sediment becoming entrained in stormwater. Further, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S5 as follows: EW-S5: Control of silt and sediment 1. For the duration of earthworks, <u>best practice silt and sediment control</u> measures must be implemented to <u>reduce the risk of prevent</u> silt or sediment from entering the stormwater system, overland flow paths, or roads. Matters of discretion are: 1. Purpose of the standard; 2. Sediment control for the protection of waterways; 3. Natural hazards, and 4. Health and Safety, and 5. Benefits associated with the earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S6: Site reinstatement	215.113	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S6 as follows: Matters of discretion are: 1. Purpose of the standard; 2. ... 5. Natural hazards, and 6. Health and safety, and 7. Benefits associated with the earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S7: Control of dust	215.114	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S6 as follows: Matters of discretion are: 1. Purpose of the standard; 2. ... 4. Natural hazards, and 5. Health and safety, and 6. Benefits associated with the earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /EW - Earthworks - Standards Table /EW-S8: Proximity to gas lines	215.115	Support	The intent of this standard is supported. The Fuel Companies also seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Retain EW-S8. Add a new assessment criteria that accounts for the benefits associated with earthworks.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	EW - Earthworks /Assessment criteria /General	215.116	Support	The intent of the general information requirements and EW-AC1 are supported.	Retain the general information requirements and EW-AC1.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>GRZ - General Residential Zone /Objectives /General</p>	<p>215.117</p>	<p>Amend</p>	<p>None of the objectives, policies or rules in this chapter refer to reverse sensitivity effects. The Fuel Companies have assets which are adjacent to the GRZ and GRZ activities may be sensitive to the effects of these existing lawfully established activities on the adjoining zone. The Fuel Companies seek that reverse sensitivity effects are appropriately managed in this chapter, particularly where it relates to new development or intensification close to non-residential zones.</p>	<p>Add a new objective, policy that address reverse sensitivity effects on adjacent land uses as follows:</p> <p><u>GRZ-OXX: Reverse sensitivity</u> <u>Existing non-residential activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.</u></p> <p><u>GRZ-PXX: Reverse sensitivity</u> <u>Ensure that existing non-residential activities in adjacent zones are not compromised by reverse sensitivity effects.</u></p> <p>Amend matters of discretion under GRZ-R1B, GRZ- R7B, and GRZ-R8B to include reverse sensitivity effects on adjacent land uses.</p> <p>GRZ-R1B: Residential units and residential activity GRZ-R3B: Minor residential unit</p> <p>GRZ-R^: Residential care facility GRZ-R7B: Visitor accommodation GRZ-R8B: Educational facility</p> <p>GRZ-R10 Retirement village premises</p> <p>GRZ-R11 Activities infringing standards GRZ-S1 - GRZ- S11</p> <p>Matters of discretion are:</p> <p><u>... Reverse sensitivity effects on established adjacent land uses.</u></p>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>GRZ - General Residential Zone /Policies /General</p>	<p>215.118</p>	<p>Oppose</p>	<p>None of the objectives, policies or rules in this chapter refer to reverse sensitivity effects. The Fuel Companies have assets which are adjacent to the GRZ and GRZ activities may be sensitive to the effects of these existing lawfully established activities on the adjoining zone. The Fuel Companies seek that reverse sensitivity effects are appropriately managed in this chapter, particularly where it relates to new development or intensification close to non-residential zones.</p>	<p>Add a new objective, policy that address reverse sensitivity effects on adjacent land uses as follows:</p> <p><u>GRZ-OXX: Reverse sensitivity</u> <u>Existing non-residential activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.</u></p> <p><u>GRZ-PXX: Reverse sensitivity</u> <u>Ensure that existing non-residential activities in adjacent zones are not compromised by reverse sensitivity effects.</u></p> <p>Amend matters of discretion under GRZ-R1B, GRZ- R7B, and GRZ-R8B to include reverse sensitivity effects on adjacent land uses.</p> <p>GRZ-R1B: Residential units and residential activity GRZ-R3B: Minor residential unit</p> <p>GRZ-R^: Residential care facility GRZ-R7B: Visitor accommodation GRZ-R8B: Educational facility</p> <p>GRZ-R10 Retirement village premises</p> <p>GRZ-R11 Activities infringing standards GRZ-S1 - GRZ- S11</p> <p>Matters of discretion are:</p> <p><u>... Reverse sensitivity effects on established adjacent land uses.</u></p>

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>MRZ - Medium Density Residential Zone /Objectives /General</p>	<p>215.119</p>	<p>Oppose</p>	<p>None of the objectives, policies or rules refer to reverse sensitivity effects. The Fuel Companies have a service station within the MRZ, and two service stations immediately adjacent to the MRZ. It is noted that the activities provided for within this zone may be sensitive to the effects of these existing lawfully established activities. The Fuel Companies seek that the reverse sensitivity effects are appropriately managed in this chapter.</p>	<p>Add a new objective, policy that address reverse sensitivity effects on adjacent land uses as follows:</p> <p><u>GRZ-OXX: Reverse sensitivity</u> <u>Existing non-residential activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.</u></p> <p><u>GRZ-PXX: Reverse sensitivity</u> <u>Ensure that existing non-residential activities in adjacent zones are not compromised by reverse sensitivity effects.</u></p> <p>Amend matters of discretion under GRZ-R1B, GRZ- R7B, and GRZ-R8B to include reverse sensitivity effects on adjacent land uses.</p> <p>GRZ-R1B: Residential units and residential activity GRZ-R3B: Minor residential unit</p> <p>GRZ-R^: Residential care facility GRZ-R7B: Visitor accommodation GRZ-R8B: Educational facility</p> <p>GRZ-R10 Retirement village premises</p> <p>GRZ-R11 Activities infringing standards GRZ-S1 - GRZ- S11</p> <p>Matters of discretion are:</p> <p><u>... Reverse sensitivity effects on established adjacent land uses.</u></p>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>MRZ - Medium Density Residential Zone /Policies /General</p>	<p>215.120</p>	<p>Oppose</p>	<p>None of the objectives, policies or rules refer to reverse sensitivity effects. The Fuel Companies have a service station within the MRZ, and two service stations immediately adjacent to the MRZ. It is noted that the activities provided for within this zone may be sensitive to the effects of these existing lawfully established activities. The Fuel Companies seek that the reverse sensitivity effects are appropriately managed in this chapter.</p>	<p>Add a new objective, policy that address reverse sensitivity effects on adjacent land uses as follows:</p> <p><u>GRZ-OXX: Reverse sensitivity</u> <u>Existing non-residential activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.</u></p> <p><u>GRZ-PXX: Reverse sensitivity</u> <u>Ensure that existing non-residential activities in adjacent zones are not compromised by reverse sensitivity effects.</u></p> <p>Amend matters of discretion under GRZ-R1B, GRZ- R7B, and GRZ-R8B to include reverse sensitivity effects on adjacent land uses.</p> <p>GRZ-R1B: Residential units and residential activity GRZ-R3B: Minor residential unit</p> <p>GRZ-R^: Residential care facility GRZ-R7B: Visitor accommodation GRZ-R8B: Educational facility</p> <p>GRZ-R10 Retirement village premises</p> <p>GRZ-R11 Activities infringing standards GRZ-S1 - GRZ- S11</p> <p>Matters of discretion are:</p> <p><u>... Reverse sensitivity effects on established adjacent land uses.</u></p>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>MRZ - Medium Density Residential Zone /Policies /MRZ-P6: Non-residential activities</p>	<p>215.121</p>	<p>Amend</p>	<p>The Fuel Companies are concerned that the direction in this policy applies to all non-residential activities, including existing lawfully established activities. They seek that this policy apply to new activities only.</p>	<p>Amend MRZ-P6 as follows:</p> <p>MRZ-P6: Non-residential activities</p> <p>Limit new non-residential activities in the zone to:</p> <p>a. ...</p>
<p>1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)</p>	<p>MRZ - Medium Density Residential Zone /MRZ - Medium Density Residential Zone - Rules Table /General</p>	<p>215.122</p>	<p>Oppose</p>	<p>The MRZ rules do not provide for existing service stations activities, including any additions or alterations to the existing activity. As a result, any additions or alterations to the existing activity is a non- complying activity in the zone under rule MRZ-R9 (activities not otherwise provided for). This is overly restrictive for existing activities. To address this, the Fuel Companies seek a new discretionary activity for service stations, subject to it being an addition, alteration or rebuild to that activity. In addition, a consequential change is needed to the definition of 'alteration or addition' as the current definition relates only to heritage buildings or structures (this is addressed earlier in this submission in the definitions section).</p>	<p>Add new rule as follows:</p> <p><u>MRZ-RX: Service stations Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p>1. _____ The activity is an addition, alteration or redevelopment of an existing service station.</p>

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HRZ - High Density Residential Zone /Objectives /General	215.123	Oppose	None of the objectives, policies or rules refer to reverse sensitivity effects. The Fuel Companies have two service stations which are either within or immediately adjacent to the HRZ and note that the activities provided for within this zone may be sensitive to the effects of these existing lawfully established activities.	Add new objective and policy as follows: <u>HRZ-OXX: Reverse sensitivity</u> <u>Existing non-residential activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.</u> <u>HRZ-PXX: Reverse sensitivity</u> <u>Ensure that existing non-residential activities are not compromised by reverse sensitivity effects.</u> Add new matters of discretion for rules HRZ-R1B, HRZ- R4B, HRZ-R6 and HRZ-R8 as follows: HRZ-R1B: Residential units and residential activity HRZ-R4B: Visitor accommodation HRZ-R6: Retirement village premises HRZ-R8: Activities infringing standards HRZ-S1 - HRZ- S14 Matters of discretion are: <u>... Reverse sensitivity effects on established adjacent land uses.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HRZ - High Density Residential Zone /Policies /HRZ-P6: Non-residential activities	215.124	Amend	The Fuel Companies are concerned that the direction in this policy applies to all non-residential activities, including existing lawfully established activities. They seek that this policy apply to new activities only.	Amend HRZ-P6 as follows: Limit <u>new</u> non-residential activities in the zone to: a. prioritise ...
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	HRZ - High Density Residential Zone /HRZ - High Density Residential Zone - Rules Table /General	215.125	Oppose	The HRZ rules do not provide for existing service stations activities, including any alterations or additions to the existing activity. As a result, any alteration or addition to the existing activity is a non-complying activity in the zone under rule HRZ-R9 (activities not otherwise provided for). This is overly restrictive for existing activities. To address this, the Fuel Companies seek a new discretionary activity for service stations, subject to it being an addition, alteration or rebuild to that activity. In addition, a consequential change is needed to the definition of 'alteration or addition' as the current definition relates only to heritage buildings or structures (this is addressed earlier in this submission in the definitions section).	Add new rule as follows: <u>HRZ-RX: Service stations</u> <u>Activity status: Discretionary</u> <u>Where:</u> <u>1. The activity is an addition, alteration or redevelopment of an existing service station.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	RLZ - Rural Lifestyle Zone /Issues /RLZ-I3: The potential for reverse sensitivity in rural environments	215.126	Support	The Fuel Companies support RLZ-I3 as notified.	Retain RLZ-I3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	RLZ - Rural Lifestyle Zone /Objectives /RLZ-O6: Reverse sensitivity	215.127	Amend	The Fuel Companies support the intent of this objective, however, oppose that it refers only to 'rural activities'. The Fuel Companies consider that reverse sensitivity effects on lawfully established activities in the zone should also be managed.	Amend RLZ-O6 as follows: Development in the Rural Lifestyle Zone does not compromise the efficient operation of rural activities <u>or other lawfully established activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	RLZ - Rural Lifestyle Zone /Policies /RLZ-P5: Reverse sensitivity	215.128	Amend	The Fuel Companies support the intent of this policy, however, oppose that it refers only to 'primary production'. The Fuel Companies consider that reverse sensitivity effects on lawfully established activities in the zone should also be managed.	Amend RLZ-P5 as follows: Manage the establishment, design, and location of new sensitive activities and other non-productive activities adjacent to the Rural Production Zone to avoid, where possible, or otherwise mitigate any actual or potential reverse sensitivity effects on primary production activities, and land-based primary production activities <u>and other lawfully established activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	RLZ - Rural Lifestyle Zone /RLZ - Rural Lifestyle Zone - Rules Table /General	215.129	Oppose	Oppose the RLZ rules as they do not provide for existing service stations activities, including any alterations or additions to the existing activity. Alterations or additions is a discretionary activity or a non-complying activity under rule RLZ-R8. This is overly restrictive with respect to existing activities. The Fuel Companies seek a new discretionary activity for service stations, subject to it being an addition, alteration or rebuild to that activity. In addition, a consequential change is needed to the definition of 'alteration or addition' as the current definition relates only to heritage buildings or structure.	Add new rule as follows: <u>RLZ-RX: Service stations</u> <u>Activity status: Discretionary</u> <u>Where:</u> <u>1. The activity is an addition, alteration or redevelopment of an existing service station.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /General	215.130	Oppose	Oppose the RPROZ rules as they do not provide for existing service stations activities, including any alterations or additions to the existing activity. Alterations or additions is a discretionary activity or a non-complying activity under rule RLZ-R8. This is overly restrictive with respect to existing activities. The Fuel Companies seek a new discretionary activity for service stations, subject to it being an addition, alteration or rebuild to that activity. In addition, a consequential change is needed to the definition of 'alteration or addition' as the current definition relates only to heritage buildings or structure.	Add new rule as follows: <u>RPROZ-RX: Service stations Activity status: Discretionary</u> <u>Where:</u> <u>1. The activity is an addition, alteration or redevelopment of an existing service station.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SETZ - Settlement zone /Objectives /SETZ-O5: Reverse sensitivity	215.131	Support	The Fuel Companies are supportive of provisions for reverse sensitivity.	Retain SETZ-O5 and SETZ-P5 as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SETZ - Settlement zone /Policies /SETZ-P5: Reverse sensitivity	215.132	Support	The Fuel Companies are supportive of provisions for reverse sensitivity.	Retain SETZ-05 and SETZ-P5 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	SETZ - Settlement zone /Assessment criteria /SETZ-AC2: All activities	215.133	Amend	The Fuel Companies support the inclusion of Reverse Sensitivities as assessment criteria. However, they seek that the criteria are expanded beyond reverse sensitivity effects on airport operations and activities.	Amend SETZ-AC2 Reverse sensitivities as follows: az. Whether the location of the site in relation to the airport and the airport noise boundary and the likely exposure to airport noise will lead to an unreasonable level of amenity for sensitive land uses or future occupiers. ba. Whether in the circumstances, (including the number of people to be accommodated), the nature, size, and scale of the development are such that it is likely to lead to potential conflict with and adverse effects on airport activities, or whether the proposed activity might constrain the way in which the airport operates. bb. The extent to which the establishment of activities may over time demand increasingly higher levels of amenity and where such expectations may unduly restrict accepted management practices of normal airport operations. bc. Whether the development is likely to lead to potential conflict with or adverse effects on established <u>non-residential activities in adjoining zones.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Issues /MUZ-I1: Mix of activities	215.134	Support	The Fuel Companies are generally supportive of this Issue	Retain MUZ-I1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Issues /MUZ-I2: Effects on the community and the economic function of centres	215.135	Support	The Fuel Companies are generally supportive of this Issue.	Retain MUZ-I2 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Objectives /MUZ-O1: Mixed use of activities	215.136	Support	MUZ-O1 is generally supported by the Fuel Companies.	Retain MUZ-O1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Objectives /MUZ-O3: Effects on the community and economic function of centres	215.137	Support	MUZ-O3 is generally supported by the Fuel Companies.	Retain MUZ-O3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Policies /MUZ-P1: Mix of activities	215.138	Amend	MUZ-P1 is generally supported by the Fuel Companies. However, in providing a compatible mix of activities within the zone, as sought by MUZ-P1, it is important to avoid or manage the potential for reverse sensitivity effects arising.	Amend MUZ-P1 as follows: MUZ-P1: Mix of activities Encourage a compatible mix of activities within the zone by: a. providing for ... d. avoiding new heavy industry activities, and e. avoiding or managing potential reverse sensitivity <u>effects.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /MUZ - Mixed Use Zone - Rules Table /MUZ-R12: Industrial activity	215.139	Support	The Fuel Companies support the permissiveness of this Rule to the extent that it is applicable to land zoned MUZ at the terminals. The rule should be retained.	Retain MUZ-R12 as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /MUZ - Mixed Use Zone - Rules Table /MUZ-R16: Service stations, transport depots, drive-through facilities	215.140	Oppose	<p>As a commercial and retail activity, it is inappropriate to treat Service stations differently to other commercial and retail activities. This is considered to be unduly restrictive.</p> <p>In relation to meeting the MUZ standards on a permitted activity, the Fuel Companies query the appropriateness and reasonableness of setting an impervious area threshold through the impervious area standard MUZ-S6 where stormwater runoff is appropriately managed as paving of surfaces can be an appropriate means of managing the risks associated with HAIL sites and contaminated soils. Restrictions relating to impervious areas is a stormwater matter, and these matters are already dealt with in the Proposed Plan under the stormwater (SW) chapter, Part 2 – District Wide Matters and do not need to be duplicated. See full submission for more detail.</p> <p>For similar reasons, it is unreasonable to expect existing fully developed sites to achieve the minimum landscaping standard in MUZ-S7.</p> <p>For these reasons the (permitted) service station rule should not be subject to standards MUZ-S6 or MUZ-S7. In the alternative, these standards should be deleted from the zone.</p>	<p>Amend rule MUZ-R16 as follows:</p> <p>MUZ-R16: Service stations, transport depots, drive- through facilities</p> <p>AND</p> <p>Add a new permitted rule for service stations as follows:</p> <p><u>MUZ-RX: Service stations MUZ-RXA</u></p> <p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>The activity complies with standards MUZ-S1 to MUZ-S5 and MUZ-S11 to MUZ-S14.</u></p> <p><u>MUZ-RXB</u></p> <p><u>Activity status where standards are not met:</u></p> <p><u>Restricted Discretionary</u></p> <p><u>Matters of discretion are:</u></p> <p><u>The matters of discretion stated for the relevant MUZ standard(s).</u></p>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	MUZ - Mixed Use Zone /Assessment criteria /General	215.141	Support	The Fuel Companies support the assessment criteria for the Mixed Use Zone and seek that they are retained.	Retain assessment criteria for the Mixed Use Zone.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TCZ - Town Centre Zone /Rules /TCZ-R11: Service stations Activity Status: Discretionary NA	215.142	Oppose	<p>Rule TCZ-R11 is considered to be unduly restrictive with respect to existing service stations. Commercial activities (including retail activities) are permitted in the zone (TCZ-R1). However, service stations are specifically identified in the zone as a discretionary activity (TCZ-R11). The Fuel Companies are concerned that alterations or additions to service stations would also be treated as a discretionary activity, despite there being a permitted activity rule for such activities (TCZ-R9).</p> <p>It is proposed that matter be addressed by adding a condition to rule TCZ-R11 that exempts alterations or additions undertaken in accordance with TCZ-R9.</p>	<p>Amend rule TCZ-R11 as follows:</p> <p>TCZ-R11 Service stations Activity Status: Discretionary</p> <p><u>Where:</u></p> <p>1. The activity is not provided for <u>under Rule TCZ-R9.</u></p>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	TCZ - Town Centre Zone /TCZ - Town Centre Zone Standards Table /General	215.143	Support	The Fuel Companies generally support the intent of the TCZ standards and seek that they are retained.	Retain the TCZ standards.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Issues /LIZ- I1: The scale and nature of industrial activities and buildings need to be managed to ensure adverse effects are contained on site	215.144	Support	The Fuel Companies support the management of reverse sensitivity effects and incompatible activities in the LIZ.	Retain LIZ-I1, LIZ-O3, and LIZ-P3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Objectives /LIZ-O3: Incompatible activities	215.145	Support	The Fuel Companies support the management of reverse sensitivity effects and incompatible activities in the LIZ.	Retain LIZ-I1, LIZ-O3, and LIZ-P3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Policies /LIZ-P3: Incompatible industrial activities	215.146	Support	The Fuel Companies support the management of reverse sensitivity effects and incompatible activities in the LIZ.	Retain LIZ-I1, LIZ-O3, and LIZ-P3 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Objectives /LIZ-O4: Non industrial activities	215.147	Amend	The Fuel Companies support the general intent of the objective, which provides for limited non-industrial activities in the LIZ zone, but consider that it does not adequately provide for service stations that are otherwise appropriate and compatible with an industrial zoning. The objective should be amended to recognise that activities such as service stations can appropriately locate within the Light Industry Zone without compromising the purpose, efficiency or functionality of the zone.	<p>Amend LIZ-O4 as follows:</p> <p>LIZ-O4: Non-industrial activities</p> <p>Non-industrial activities are not located in the zone unless the activity <u>will not compromise the efficiency or functionality of the zone for light industrial activities, is ancillary to the primary industrial use of the land.</u></p>

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Policies /LIZ-P2: Light industrial activities and adjacent land uses	215.148	Amend	The Fuel Companies support the intent of the policies but are concerned that that it does not recognise that non-industrial activities such as service stations can appropriately locate in the zone.	Amend LIZ-P2 as follows: LIZ-P2: Light industrial activities and adjacent land uses The Light Industrial Zone is only used for the ongoing operation and development of light industrial activities, related service activities and ancillary activities <u>and non-industrial activities</u> that are an efficient use of the physical resource of the zone and do not compromise the amenity values of neighbouring residential zones.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Policies /LIZ-P5: Reverse sensitivity	215.150	Amend	Policy LIZ-P5 seeks to manage reverse sensitivity effects only on light industrial activities in the zone. While this is supported, the Fuel Companies consider that the policy should also recognise reverse sensitivity effects on lawfully established activities that are appropriately located in the zone, such as service stations.	Amend LIZ-P5 as follows: LIZ-P5: Reverse sensitivity Avoid activities that would give rise to reverse sensitivity effects that may constrain the efficient operation of light industrial activities <u>and other lawfully established activities</u> in the zone.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Rules Table /General	215.151	Oppose	Service stations are defined as commercial and retail activities but are typically unable to comply with the rule conditions. Consequently, a resource consent would be required for alterations or additions at existing service stations or for the development of new service stations. The Fuel Companies consider that this is overly restrictive considering the purpose of the zone and the compatibility of service stations with other activities in the zone. The Fuel Companies seek a new rule that provides for service stations in the zone.	Add a new LIZ rule as follows: <u>LIZ-RX: Service stations LIZ-RXA</u> <u>Activity Status: Permitted</u> <u>LIZ-RXB</u> <u>Activity status where standards are not met:</u> <u>Restricted Discretionary</u> <u>Matters of discretion are:</u> <u>1. The matters of discretion stated for the relevant LIZ standard(s).</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Standards Table /LIZ-S1: Yards	215.152	Oppose	The definition of structure will capture structures such as boundary fences being required to comply with bulk and location standards. This will have (unintended) consequences for a large number of industrial zoned activities, which may require fences for screening or security purposes, and the yard standard will trigger the need to a consent for those activities. In addition, a separate standard LIZ-S5 applies to fences, so fences should be excluded from GIZ-S1. Existing buildings at some service station sites adjoining a residential zone are already less than 3m from the boundary, however this does not cause amenity effects due to the use of landscaping etc. The landscaping requirement is difficult to retrofit to existing activities and consider the use of a fence is more appropriate.	Amend yard standard LIZ-S1 as follows: 3. Other yards: a. any part of a building or structure (<u>excluding a fence</u>) or storage area (including eaves and guttering) must not be erected closer than 3 <u>2</u> m from the boundary of any land not zoned for industrial activities; <u>and</u> b. a minimum of a 2-metre-wide landscaped area of indigenous plants must be provided parallel to the boundary of any land not zoned for industrial activities. This landscaped area must create a visual screen with a minimum height of at least 1.8 m, and the landscaped area must be maintained to ensure ongoing plant health. and the landscaped area must be maintained to ensure ongoing plant health, <u>or</u> <u>c. a close-boarded or similar solid fence or wall of a minimum 1.8 m in height must be provided parallel to the boundary of any land not zoned for industrial activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Standards Table /LIZ-S4: Stormwater run-off	215.153	Oppose	The Fuel Companies are not opposed in principal to the management of stormwater from sites where there's a risk of hazardous substances or contaminants becoming entrained in stormwater. The Fuel Companies sites are already well managed, including compliance with national-level guidelines. Clause (1) seeks to prevent the discharge of stormwater to the Ahuriri estuary, or any waterbody or open drain. That is, the clause seeks to control stormwater discharges to the environment that are regulated by the Regional Council under the Hawke's Bay Regional Resource Management Plan, and do not properly fall within the territorial authority functions in the RMA. The clause results in inappropriate duplication of function and consenting requirements and is opposed. Fuel Companies consider the existing Hawke's Bay Regional Resource Management Plan provisions already provide an efficient and effective approach to managing stormwater discharges from industrial and trade premises, with no need to duplicate the regulation of discharges from such sites at a district level. Standard LIZ-S4 duplicates the controls provided in the Proposed Plan stormwater (SW) chapter, as well as existing Regional Council controls on discharges from industrial or trade premises. This creates confusion, unnecessary duplication and potentially inconsistent outcomes, and LIZ-S4 should be deleted.	Delete standard LIZ-S4: Stormwater run-off.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /Issues /GIZ-I8: Reverse sensitivity	215.154	Support	The Fuel Companies support the active management and provision for reverse sensitivity effects in the GIZ. The terminals are an 'industrial activity', as defined in the Proposed Plan, and it is critical that the zone provides for these activities on that basis that it not suited to any other zone in the Proposed Plan (other than a bespoke special purpose zone). Currently the GIZ rules do not clearly provide for the terminal facilities, including potential defining the facilities as 'heavy industry', and there is a significant risk that it would default to a non-complying activity. While service stations are not industrial activities, they are considered appropriate and compatible with the purpose of the GIZ zoning.	Retain GIZ-I8, GIZ-O3, and GIZ-P7 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /Objectives /GIZ-O3: Incompatible activities and reverse sensitivity	215.155	Support	The Fuel Companies support the active management and provision for reverse sensitivity effects in the GIZ.	Retain GIZ-I8, GIZ-O3, and GIZ-P7 as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /Policies /GIZ-P7: Reverse sensitivity	215.156	Support	The Fuel Companies support the active management and provision for reverse sensitivity effects in the GIZ.	Retain GIZ-I8, GIZ-O3, and GIZ-P7 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /Objectives /GIZ-O2: Non-industrial and ancillary activities	215.157	Amend	The Fuel Companies support the general intent of the objective, which provides for some non-industrial activities in the GIZ zone, but consider that it does not adequately provide for service stations that are otherwise appropriate and compatible with an industrial zoning. The objective should be amended to recognise that activities such as service stations can appropriately locate in the GIZ zone without compromising the purpose, efficiency or functionality of the zone.	Amend GIZ-O2 as follows: GIZ-O2: Non-industrial and ancillary activities Non-industrial activities are not located in the zone unless the activity is ancillary to the primary industrial use of the land, <u>will not compromise the efficiency or functionality of the zone for industrial activities, or</u> is a trade retail activity within the Taradale Road Specific Control Area.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /Policies /GIZ-P6: Non-industrial and ancillary activities	215.158	Amend	This policy is supported to the extent that it recognises non- industrial activities that are compatible with the adverse effects generated from industrial activities, but an amendment is required consistent with the change sought in objective GIZ-O2 to recognise that non-industrial activities, such as service stations, can appropriately locate in the GIZ zone.	Amend GIZ-P6 as follows: GIZ-P6: Non-industrial and ancillary activities Avoid the establishment and operation of sensitive land uses and non-industrial activities unless the activity is compatible with the adverse effects generated from industrial activities and: a. supports ... c. is a trade retail activity within the Taradale Road Specific Control Area, <u>or</u> d. <u>does not compromise the efficiency or functionality of the zone for industrial activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /General	215.159	Oppose	The GIZ rules do not provide for service stations via a specific service stations rule or as a commercial activity. Rule GIZ-R3 only provides for ancillary retail activity or trade supply retail activity (relating to industrial, building and construction, or landscaping purposes). As a consequence, service stations are a non-complying activity under GIZ-R8 for land use or development that is not otherwise provided for, including any alterations or additions to existing service stations. The Fuel Companies consider that this is overly restrictive considering the purpose of the zone and the compatibility of service stations with other activities in the zone.	Add new rule to GIZ as follows: <u>GIZ-RX: Service stations GIZ-RXA</u> <u>Activity Status: Permitted</u> <u>GIZ-RXB</u> <u>Activity status where standards are not met:</u> <u>Restricted Discretionary</u> <u>Matters of discretion are:</u> <u>2. The matters of discretion stated for the relevant GIZ standard(s).</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /GIZ-R1: Any industrial activity and any building or structure associated with industrial activities	215.160	Oppose	The terminals are an 'industrial activity and it is critical that the zone provides for these activities on that basis that they are not suited to any other zone in the Proposed Plan (other than a bespoke special purpose zone). While rule GIZ-R1 provides for general industrial activities, it is doubtful that the existing terminal facilities would comply with the rule conditions. Condition 1 would capture all contaminant discharges from the site, including air discharges. The management of discharges and its effects is not a territorial function and would duplicate the management approach under the the Hawke's Bay Regional Resource Management Plan provisions. The bulk storage of fuels at the terminals may not meet the requirement of condition 2 in terms of goods being "manufactured, processed, repaired, serviced, or warehoused on the site", nor is it clear what the purpose of this requirement is over and above the need for an activity to meet the definition of 'industrial activity' in order to be considered under this rule. In relation to condition 3, 'heavy industry' is defined as "is industry that requires a large area of land; involves large-scale processing of, or large-scale manufacturing of goods; involves large factories; and may produce objectionable odour, dust, and noise emissions." The Fuel Companies consider that this definition is ambiguous and lacks certainty. It is considered that the demarcation between heavy and other industrial activities should be clearly established through rule standards, rather than through an ambiguous definition. A discretionary or non-complying activity status is inappropriate for the existing terminal facilities, including any alterations or additions to those facilities, which are regionally significant infrastructure.	Amend the conditions on rule GIZ-R1A (permitted activity) to address the following matters: 1. Delete condition 1 and 2 in GIZ-R1A, and 2. Delete 'heavy' industrial activities from condition 3 so that it only restricts wet industrial activity, and 3. Include GIZ standards relating to heavy industrial activity, if appropriate (subject to this clearly excluding the existing terminal activities, such that they would fall to be considered under the more general definition of 'industrial activity'). In addition, amend GIZ-R1B to apply a discretionary activity status only where the conditions of the rule are not met and provide a RD status, by way of GIZ-R7, for any infringements of the zone standards, as follows: GIZ-R1B Activity Status where conditions and standards are not met: Discretionary
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /HEAVY INDUSTRY	215.161	Oppose	As previously noted, the definition of 'heavy industry' in the definitions chapter (Part 1 of the Proposed Plan) is ambiguous and should be deleted.	Delete the definition for 'heavy industry' the definitions chapter (Part 1 of the Proposed Plan).
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /GIZ-R7: Activities listed in GIZ-R1 to GIZ-R5 infringing standards GRZ-S1 - GRZ-S9	215.162	Oppose	As notified the rule would apply to all GIZ zoned land, even if the adjoining zone is not GRZ or the GIZ activities are located some distance from the GRZ land. A rule on one zone that requires compliance with the standards of another zone is inappropriate, especially where the GIZ standards and GRZ standard relate to the same matter and there is a conflict between the respective zone standards. It is assumed that reference to the GRZ standards in this rule is a cross-referencing error and that it should in fact reference the GIZ standards.	Amend rule GIZ-R7 to require compliance with the GIZ standards rather than those of the general residential zone: GIZ-R7: Activities listed in GIZ-R1 to GIZ-R5 infringing standards GRZ-S1 - GRZ-S9 <u>GIZ-S1 to GIZ-S6</u> Activity Status: Restricted Discretionary

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /GIZ-R9: Heavy industrial activities	215.163	Oppose	Fuel Companies are concerned the definition of 'heavy industry' and associated restrictions on heavy industrial activities through the rules may inappropriately restrict the operation, maintenance, upgrade and development of their existing bulk fuel storage activities. The relief on rule GIZ-R1 instead seeks that GIZ standards are developed for heavy industrial activity, where appropriate (subject to this clearly excluding the existing terminal activities).An industrial activity that does not comply with the GIZ standards, including any heavy industry standards, would be subject to a consent (discretionary activity) under GIZ-R1B.	Amend rule GIZ-R9 as follows: GIZ-R9: Heavy Wet industrial activities Activity Status: Non-complying OR, in the alternative: GIZ-R9: Heavy industrial activities Activity Status: Non-complying Where: 1. The activity does not comply with GIZ Standards for heavy industry. (Note – if this alternative relief is adopted then appropriate standards would need to be developed for heavy industry. This submission does not propose those standards on the basis that the terminals are not heavy industry and the proposed GIZ remain applicable (subject to the changes sought to those standards)).
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Standards Table /GIZ-S1: Yards	215.164	Oppose	Fuel Companies are concerned that the yard setback (clause 2.c.) requires service stations and transport depots to be setback at least 6m from the road boundary. This provision is out of place and inconsistent with the nature of the zone. In addition, it is also unclear whether this provision applies to service station and transport depot buildings and structures or the entire activity. The broad nature of the definition of structure means that it captures all man-made structures fixed to land, including a boundary fence or signage, requiring it to meet the yard setbacks. This will have (unintended) consequences for a large number of industrial zoned activities, many of which require fences for security purposes, and the yard standard will trigger the need to a consent for those activities. In addition, a separate standard GIZ-S5 applies to fences, so fences should be excluded from GIZ-S1. Retrofitting sites to meet the standards would be expensive and difficult. An alternative to landscaping eg a fence, should be considered.	Amend yard standard GIZ-S1 as follows: 4. <u>Front yards:</u> a. no part of a <u>structure (excluding a fence)</u> or <u>building</u> (including eaves and guttering) is erected closer than 2 m to the road boundary of all roads not listed in GIZ-S1(2)(b). b. no part of a <u>structure (excluding a fence)</u> or <u>building</u> (including eaves and guttering) is erected closer than 3 m from the following road boundaries: ... c. no service station or transport depot is closer than 6 m to the road boundary. 5. Other yards: d. no part of a <u>structure (excluding a fence)</u> or <u>building</u> (including eaves and guttering) is located closer than 6 m from the <u>boundary</u> of any <u>land</u> not zoned for industrial activities; e. a minimum of a 2-metre-wide <u>landscaped area</u> comprised of indigenous plants must be provided parallel to the <u>boundary</u> of any <u>land</u> not zoned for industrial activities. This <u>landscaped area</u> must create a visual screen with a minimum <u>height</u> of 1.8 m, and c. the <u>landscaped area</u> must be maintained to ensure ongoing plant health, <u>or</u> f. a close-boarded or similar solid fence or wall of a minimum 1.8 m in height must be provided parallel to the <u>boundary of any land not zoned for industrial activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Standards Table /GIZ-S6: Stormwater run-off	215.165	Oppose	However, the Fuel Companies' have a number of concerns with the requirements of GIZ-S6. GIZ-S6(1) seeks to prevent the discharge of stormwater to the Ahuriri estuary, or any waterbody or open drain. That is, the clause seeks to control stormwater discharges to the environment that are regulated by the Regional Council under the Hawke's Bay Regional Resource Management Plan, and do not properly fall within the territorial authority functions in the RMA. The clause results in inappropriate duplication of function and consenting requirements and is opposed. GIZ-S6(2) could be interpreted to require the total removal of contaminants prior to its discharge. This contradicts other guidelines and standards such as the MfE Guidelines where 15mg/l of total petroleum hydrocarbons is regarded as a best practice threshold. Any requirement for use of interceptors should apply only to the 'at- risk' parts of activities, rather than taking a zone based approach. GIZ-S6(3) duplicates this requirement for inert roofing in SW-S2 in the stormwater chapter and is unnecessary. Under standard GIZ-S6(4), the Fuel Companies query the appropriateness of setting an impervious area threshold in the zone where stormwater runoff is appropriately managed, and to convert paved surfaces to permeable surfaces.	Delete standard GIZ-S6: Stormwater run-off.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /Issues /AIRPZ-I4: Compatibility of non-airport-related activities	215.166	Support	The Fuel Companies agree that managing reverse sensitivity effects is a key issue for the Airport Zone.	Retain as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /Objectives /AIRPZ-O3: Management of environmental effects	215.167	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /Objectives /AIRPZ-O4: Compatibility of activities with the airport operation	215.168	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /Policies /AIRPZ-P1: Airport operation and development	215.169	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain as notified.

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /Policies /AIRPZ-P5: Management of effects	215.170	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	AIRPZ - Airport Zone /AIRPZ - Airport Zone - Rules Table /AIRPZ-R1: Airport related activities	215.171	Support	AIRPZ-R1 applies to 'airport-related activities' which as defined in Part 1 includes "fuel installations and fuel servicing facilities" and "facilities for handling and storage of hazardous substances". This is supported by the Fuel Companies and seek that it be retained.	Retain as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	PORTZ - Port Zone /PORTZ - Port Zone - Rules Table /PORTZ-R1: Any port-related activities	215.172	Support	PORTZ-R1 applies to 'port-related activities' which as defined in the Proposed Plan includes under clause (f): fuel and ancillary pipeline networks. This is supported by the Fuel Companies, as it enables their wharflines to be maintained and upgraded as a permitted activity.	Retain rule PORTS-R1 as notified.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Planning Maps /General /General	215.173	Support	The Fuel Companies support the extent of the proposed Hazardous Facility Risk Management Overlay as shown around the fuel terminals.	Retain mapping of the Hazardous Facility Risk Management Overlay as proposed.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Planning Maps /General /General	215.174	Oppose	The Fuel Companies note that there are some clear inaccuracies in the mapping of overland flow paths at existing Fuel Company sites, including where overland flow paths are shown as running through existing buildings and through a bunded compound at the Z Energy terminal. Maps that have regulatory effect should be sufficiently accurate for their purpose and should not place a burden on landowners and applicants to disprove that the map is correct. Further, any amendment to the planning maps to correct the mapping of overland flow paths, for example where more detailed information may be produced through a consenting process, would require a plan change. That will make it difficult and costly to respond to updated information.	Delete the mapping of overland flow paths from the Planning Maps and include it instead on Council's GIS maps.
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /ANCILLARY ACTIVITY	215.175	Support	Ancillary activity The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Ancillary Activity
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /COMMERCIAL ACTIVITY	215.176	Support	Commercial activity The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Commercial activity in the Proposed Plan
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /CONTAMINANT	215.177	Support	Contaminant The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Contaminant
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /CONTAMINATED LAND	215.178	Support	Contaminated land The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Contaminated Land
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /DISCHARGE	215.179	Support	Discharge The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Discharge
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /DRAIN	215.180	Support	Drain The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Drain
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /EARTHWORKS	215.181	Support	Earthworks The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Earthworks in the Proposed Plan
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /FUNCTIONAL NEED	215.182	Support	Functional need The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Functional Need
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /GROUND LEVEL	215.183	Support	Ground level The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Ground Level

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /HAZARDOUS SUBSTANCE	215.184	Support	Hazardous Substance The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Hazardous Substance
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /INDUSTRIAL ACTIVITY	215.185	Support	Industrial Activity The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Industrial Activity
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /INFRASTRUCTURE	215.186	Support	Infrastructure The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Infrastructure
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /LAND DISTURBANCE	215.187	Support	Land Disturbance The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Land Disturbance
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /NAUTRAL HAZARD	215.188	Support	Natural Hazard The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Natural Hazard
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /NETWORK UTILITY	215.189	Support	Network Utility The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Network Utility
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /NETWORK UTILITY OPERATOR	215.190	Support	Network Utility Operator The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Network Utility Operator in the Proposed Plan
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /NOISE	215.191	Support	Noise The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Noise
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /NOTIONAL BOUNDARY	215.192	Support	Notional Boundary The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /OFFICIAL SIGN	215.193	Support	Official sign The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Official Sign
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /OPERATIONAL NEED	215.194	Support	Operational Need The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Operational Need
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /SIGN	215.195	Support	Sign The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Sign
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /STRUCTURE	215.197	Support	Structure The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Structure
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /WASTEWATER	215.198	Support	Wastewater The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Wastewater

1. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (The Fuel Companies)

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	LIZ - Light Industrial Zone /Policies /LIZ-P4: Non-industrial and ancillary activities	215.199	Amend	The Fuel Companies support the intent of the policies but are concerned that that it does not recognise that non-industrial activities such as service stations can appropriately locate in the zone.	LIZ-P4: Non-industrial and ancillary activities Avoid non-industrial activities in the Light Industrial Zone except when the activity is compatible with industrial activities and: a. supports and is directly related to a permitted or consented industrial activity located on the same site, or b. provides essential services to people employed in businesses located in the zone, <u>or</u> c. <u>does not compromise the efficiency or functionality of the zone for light industrial activities.</u>
1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	Definitions /Definitions /BUILDING	215.200	Support	The definition of Building is supported.	Retain the definition of Building as notified.