

PC135 - 01

**Lisa McColl**

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**From:** Shelly Agbayani <shelly@smarttax.co.nz>  
**Sent:** Wednesday, 1 February 2017 3:30 PM  
**To:** Mail Room  
**Subject:** Form 5  
**Attachments:** img-201151908.pdf  
  
**Categories:** Blue Category

ATTENTION: MELISSA MCGRATH

Hi Melissa

Please see attached Form 5 from Yvonne Daji.

Kind Regards

Shelly Agbayani

## Form 5 - Submission on a change proposed to the District Plan

Office use

**Plan Change: PC135 – GNLC Limited .**

All correspondence to the Policy Department Attn: Melissa McGrath

Submissions must be received by: 4:00pm Wednesday, 8 February 2017

Full name  
*Please print clearly*

Yvonne Daji

Doc ID

Postal address

59 Espalier Drive  
Henderson

Submitter no

Telephone no

021663220

Submission no

Email

yvonedaji@clear.net.nz

I could/~~could not~~ **\*\*gain** an advantage in trade competition through this submission

I ~~am~~/**am not\*\*** directly affected by an effect of the subject matter of the submission that :

- a adversely affects the environment; and
- b does not relate to trade competition or the effects of trade competition

† Delete the entire paragraph if you could not gain an advantage in trade competition through this submission

\*\* Select one

The specific provisions of the Plan Change that my submission relates to are

This submission relates to  
all 5 of my sections  
lot Nos: 48, 49, 54, 55 and 35.

Yvonne Daji

## Lisa McColl

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**From:** Shelly Agbayani <shelly@smarttax.co.nz>  
**Sent:** Tuesday, 7 February 2017 11:59 AM  
**To:** Lisa McColl; Mail Room  
**Subject:** RE: Submission on PC135 - GNLC Ltd  
**Attachments:** img-207115530.pdf

Hi Lisa

Please see attached as requested.

Kind Regards  
Shelly

---

**From:** Lisa McColl [mailto:lisa.mccoll@wdc.govt.nz]  
**Sent:** 7 February 2017 10:01 AM  
**To:** yvonedaji@clear.net.nz  
**Cc:** shelly@smarttax.co.nz  
**Subject:** Submission on PC135 - GNLC Ltd

Dear Madam

Thank you for your recent submission in regards to proposed private plan change PC135 – GNLC Ltd. However it appears that the second page of your submission is missing, which would contain your reasons for supporting or opposing the proposed plan change. Are you able to forward that through to us via [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz) or by responding to this email? I have attached the one page we do have, together with a new printable form should you require the second page.

If you have any comments or queries, please do not hesitate to contact the District Planning Team on 430 4200.

Yours faithfully,

**Lisa McColl**  
**Support Assistant - Policy | Whangarei District Council**  
Private Bag 9023 | Whangarei 0148 | [www.wdc.govt.nz](http://www.wdc.govt.nz)  
P: 09 430 4230 ext 8907 | DDI: 09 945 4337 | E: [lisa.mccoll@wdc.govt.nz](mailto:lisa.mccoll@wdc.govt.nz)

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**Form 5 - Submission on a change proposed to the District Plan**

Office use

**Plan Change: PC135 – GNLC Limited.**

All correspondence to the Policy Department Attn: Melissa McGrath  
Submissions must be received by: 4:00pm Wednesday, 8 February 2017

Full name <i>Please print clearly</i>	Yvonne Daji	Doc ID
Postal address	59 Espalier Drive Henderson	Submitter no
Telephone no	021663220	Submission no
Email	yvonedaji@clear.net.nz	

I could/could not ~~net~~ gain an advantage in trade competition through this submission  
I ~~am~~ am not directly affected by an effect of the subject matter of the submission that :  
a adversely affects the environment; and  
b does not relate to trade competition or the effects of trade competition  
+ Delete the entire paragraph if you could not gain an advantage in trade competition through this submission  
\*\* Select one

The specific provisions of the Plan Change that my submission relates to are

This submission relates to  
all 5 of my sections  
lot Nos: 48, 49, 54, 55 and 35.

Yvonne Daji

I support/~~oppose~~/seek amendment to the specific provision listed above. (delete what's not applicable)

My submission is

I Support the Submission PC 135

My reasons are (attach additional pages if required)

7 Would like to see Progress after seven years of nothing.

State the decision you wish Council to make to ensure the issues you raise can be dealt with (i.e. give precise details of what you would like included or deleted from the plan)

GNLC Ltd proposal PC 135

I wish to be heard in support of my submission

Yes  No

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

Yes  No

  
Signature of submitter or authorised agent

A signature is not required if you make your submission by electronic means

Date

7-2-17

**Note to person making submission** - If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Part 1 of Schedule of the Resource Management Act 1991.

PC135 - 02

Private Bag 9023 | Whangarei 0148 | New Zealand  
T: 09 430 4200 | 0800 WDC INFO | 0800 932 463 | F: 09 438 7632  
W: www.wdc.govt.nz | E: mailroom@wdc.govt.nz



### Form 5 - Submission on a change proposed to the District Plan

Plan Change: PC135 - GNLC Limited

All correspondence to the Policy Department Attn: Melissa McGrath  
Submissions must be received by: 4:00pm Wednesday, 8 February 2017

Full name AILtd. % Geoffrey Axtens  
Please print clearly  
Postal address 40 Ina Ville Drive.  
Pukekohe. 2120

Telephone no 092383030.  
Email gaxtens@clear.net.nz



Submission no

~~I could/could not gain an advantage in trade competition through this submission~~  
I ~~am/am not~~ directly affected by an effect of the subject matter of the submission that:  
a ~~adversely affects the environment; and~~  
b ~~does not relate to trade competition or the effects of trade competition~~  
+ ~~Delete the entire paragraph if you could not gain an advantage in trade competition through this submission~~  
\*\* Select one

The specific provisions of the Plan Change that my submission relates to are

- ① AILtd supports the proposed Plan Change P/c 135 GNLC
- ② The Marsden Primary Centre Rules need relaxing to encourage more economic activity in this general area and particularly in the GNLC old development.
- ③ The existing infrastructure which has languished for many years needs an economic boost.
- ④ More residential options generate people activity that grows the local economy and services that growth.
- ⑤ This growth also provides greater revenue for council.
- ⑥ Potentially cheaper land or section values (Rates) support residential development and offers home buyers an opportunity to establish in a popular and accessible area of Northland. This area may attract Auckland interests seeking affordable housing.
- ⑦ The proposed retirement village will require a "community need" that can be supported by light industry and residential development in this area, which could also include small retail activity.
- ⑧ This Plan Change is consistent with a need for Regional Northland to attract more economic activity in the Marsden area development.

*Geo.*

I support/oppose/seek amendment to the specific provision listed above. (delete what's not applicable)

My submission is

In support.

My reasons are (attach additional pages if required)

PTO. as written.

State the decision you wish Council to make to ensure the issues you raise can be dealt with (i.e. give precise details of what you would like included or deleted from the plan)

Council to facilitate a growing interest in the private sector and Government support to invest in Northland.

I wish to be heard in support of my submission

Yes  No

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

Yes  No

Signature of submitter or authorised agent

A signature is not required if you make your submission by electronic means



Date

**Note to person making submission** - If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Part 1 of Schedule of the Resource Management Act 1991.

**Lisa McColl**

---

**From:** Emma Miller <emma@reyburnandbryant.co.nz>  
**Sent:** Wednesday, 8 February 2017 1:14 PM  
**To:** Melissa Mcgrath  
**Cc:** Brett Hood; Mail Room  
**Subject:** PC135 Submission - Northport  
**Attachments:** 20170218 PC135 - GNLC Limited - Northport Submission.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Blue Category

Hi Melissa,

Please find attached a submission made by Northport with regard to Plan Change 135 GNLC Limited (Private).

*Kind Regards*

**Emma Miller**  
Planner



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m 027 648 0867 | p 09 438 3563 | f 09 438 0251  
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**To: Policy Department**

Whangarei District Council  
Private Bag 9023  
Whangarei 0148  
Attn: Melissa McGrath

Email: mailroom@wdc.govt.nz

**RE: PC135 – GNLC Limited**

**1. Details of organisation making submission**

**Northport Ltd**  
PO Box 44,  
Ruakaka  
09 4325014  
greg.blomfield@northport.co.nz

**2. Background and Context**

- 2.1 *Northport* Ltd is the port operating company for the Port of Marsden Point. *Northport* Ltd is jointly owned by Marsden Maritime Holdings Limited ('**MMH**') and Port of Tauranga Ltd on a 50/50 basis. **MMH** is listed on the New Zealand stock exchange. The Northland Regional Council holds 53.6% of the share capital, with the balance being held by Ports of Auckland Ltd (19.9%) and members of the public.
- 2.2 *Northport*, including the adjoining land used for the movement and storage of cargo, is identified as Regionally Significant Infrastructure in Appendix 3 of the Regional Policy Statement for Northland ('**RPS**').
- 2.3 Specific policies in the RPS elevate the importance of regionally significant infrastructure, providing protection to these activities and land uses from adverse effects, including those caused by new use and development. The RPS policies provide for controls to be placed on incompatible activities locating nearby so as to allow established regionally significant infrastructure to be effectively maintained, operated and upgraded. The policy that is specifically relevant is 5.1.3:

**5.1.3 Policy – Avoiding the adverse effects of new use(s) and development**

*Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:*

...

*(c) The operation, maintenance or upgrading of existing or planned regionally significant infrastructure;*

...

**3. Rule NAV.6.5**

- 3.1 The proposed changes to this rule seek to remove the noise attenuation standards for noise sensitive activities within the site (Marsden Primary Centre Noise Zone 2). *Northport* is located approximately 4.5km from the site and it obtains access from State Highway 15, which is located adjacent to the southern


boundary of the site. *Northport* is legally established and operating activity which is essential to the region, and New Zealand's economic wellbeing.

- 3.2 *Northport* does not consider that the Plan Change (PC135) adequately addresses the existing *Northport* operations, or the importance of State Highway 15 as the key transportation link to it. As such, it is *Northport's* position that the Plan Change gives rise to reverse sensitivity effects on the legally established port operations due to the establishment of noise sensitive activities on the site that do not include appropriate noise attenuation measures.
- 3.3 Furthermore, *Northport* does not consider that the removal of the noise attenuation measures (in the instances for the establishment of noise sensitive activities) is giving effect to the provisions of the RPS, which is a requirement of the Section 75(3)(c) of the RMA.

#### **4. Relief Sought**

- 4.1 *Northport* opposes the proposed changes to rule NAV.6.5 as advanced by PC135 to remove the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2, and seeks that these be declined.
- 4.2 The reasons for the relief sought are as follows:
  - 4.2.1 The proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on existing legally established activities, including *Northport*.
  - 4.2.2 The proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on the transportation network, in particular State Highway 15 that is a strategic land transportation link that services *Northport*.
  - 4.2.3 The proposal fails to adequately consider the provisions of Section 75(3)(c) of the RMA as it does not give effect to the policies of the RPS for Northland that relate to regionally significant infrastructure, of which *Northport* is identified as being.
  - 4.2.4 By failing to consider the above matters, the proposed Plan Change does not achieve sustainable management under Part 2 of the RMA.

5. ***Northport* has an interest in the provisions of PC135 that are greater than that of the general public.**
6. ***Northport* wish to be heard in support of their submission.**
7. ***Northport* cannot gain an advantage in trade competition through this submission.**

A handwritten signature in blue ink, appearing to read "G Blomfield", written over a horizontal line.

**Greg Blomfield**

**Terminal Facilities Manager**

**On behalf of Northport CEO**

Dated this 8<sup>th</sup> day of February 2017.

PC135 - 04

**Lisa McColl**

---

**From:** Emma Miller <emma@reyburnandbryant.co.nz>  
**Sent:** Wednesday, 8 February 2017 1:16 PM  
**To:** Melissa Mcgrath  
**Cc:** Brett Hood; Mail Room  
**Subject:** PC135 Submission - Marsden Maritime Holdings Ltd  
**Attachments:** 1541\_001.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Blue Category

Hi Melissa,

Please find attached a submission made by Marsden Maritime Holdings Ltd with regard to Plan Change 135 GNLC Limited (Private).

*Kind Regards*

**Emma Miller**  
Planner



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m 027 648 0867 | p 09 438 3563 | f 09 438 0251  
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**To: Policy Department**

Whangarei District Council  
Private Bag 9023  
Whangarei 0148  
Attn: Melissa McGrath

Email: mailroom@wdc.govt.nz

**RE: PC135 – GNLC Limited**

**1. Details of organisation making submission**

**Marsden Maritime Holdings Ltd**  
P O Box 196, Ruakaka 0151  
09 4325051  
graham.wallace@marsdenmaritime.co.nz

**2. Background and Context**

- 2.1 Marsden Maritime Holdings Limited (**MMH**) owns 180ha (approximately) of land at Marsden Point. This land is zoned a combination of Marsden Point Port Environment (*Northport* is also located within this zone), Business 4, and Business 2. It also owns the Marina and related Business 3 land within the Marsden Cove development.
- 2.2 **MMH** has a 50 percent ownership of Northport Ltd with the Port of Tauranga Ltd. **MMH** is listed on the New Zealand stock exchange. The Northland Regional Council holds 53.6% of the share capital, with the balance being held by Ports of Auckland Ltd (19.9%) and members of the public.

**3. Rule NAV.6.5**

- 3.1 The proposed changes to this rule seek to remove the noise attenuation standards for noise sensitive activities within the site (Marsden Primary Centre Noise Zone 2). Landholdings owned by **MMH** have boundaries within approximately 1km from the site. These and their other properties are zoned Business 2 and Business 4 in the Whangarei District Plan which provides for the establishment of industrial activities as permitted activities. This zoning has been in place for many years (prior to the current operative District Plan) in anticipation of it eventually being the location for significant industrial activity.
- 3.2 **MMH** does not consider that the Plan Change (PC135) adequately addresses the existing zones of nearby land and the nature of activities that are permitted within these areas. As such, it is **MMH's** position that the Plan Change gives rise to reverse sensitivity effects on their industrially zoned land due to the establishment of noise sensitive activities on the site that do not include appropriate noise attenuation measures.
- 3.3 **MMH** does not consider that the Plan Change (PC135) adequately addresses the importance of State Highway 15 as the key transportation link to the Business 2 and 4 zoned land owned by **MMH** which will ultimately provide road access to the permitted industrial uses that can establish in this area. As such, it is

**MMH's** position that the Plan Change gives rise to reverse sensitivity effects resulting from the removal of the noise attenuation provisions on the transportation network, in particular State Highway 15 that is a strategic land transportation link that services the **MMH** land holdings.

**4. Relief Sought**

4.1 **MMH** opposes the proposed changes to rule NAV.6.5 as advanced by PC135 to remove the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2, and seeks that these be declined.

4.2 The reasons for the relief sought are as follows:

4.2.1 The proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on activities that can be established as a permitted activity within the nearby and surrounding Business 2 and Business 4 Environments, and in particular that land owned by **MMH**.

4.2.2 The proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on the transportation network, in particular State Highway 15 that is a strategic land transportation link that services the **MMH** land holdings.

5. **MMH has an interest in the provisions of PC135 that are greater than that of the general public.**

6. **MMH wish to be heard in support of their submission.**

7. **MMH cannot gain an advantage in trade competition through this submission.**



**Graham Wallace**

**Marsden Maritime Holdings Limited CEO**

Dated this 8<sup>th</sup> day of February 2017.

PC135-05

**Lisa McColl**

---

**From:** Riaan Elliot <Riaan.Elliot@refiningnz.com>  
**Sent:** Wednesday, 8 February 2017 2:17 PM  
**To:** Mail Room  
**Cc:** Melissa Mcgrath  
**Subject:** RNZ Submission to PC 135 GNLC Limited Final.pdf  
**Attachments:** RNZ Submission to PC 135 GNLC Limited Final.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please find attached a submission from Refinery NZ in relation to Private Plan Change 135.

Should you have any queries in relation to this submission please feel free to contact me.

Yours Faithfully

Riaan Elliot  
Environmental Affairs Manager  
Refining NZ

Phone 09 432 8311 ext. 8650

Fax 09 432 8035

Web [www.refiningnz.com](http://www.refiningnz.com)

Email [riaan.elliott@refiningnz.com](mailto:riaan.elliott@refiningnz.com)



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Your Energy Hive

**SUBMISSION ON PROPOSED PLAN CHANGE 135: GNLC LIMITED TO THE WHANGAREI DISTRICT PLAN**

**TO:**

Whangarei District Council  
Private Bag 9023  
Whangarei 0148

**BY E-MAIL:**

[mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)  
Attention Melissa McGrath, Policy  
Department.

**SUBMISSION ON:**

**Plan Change 135 GNLC Limited**

**BY:**

Refining NZ

**ADDRESS FOR SERVICE:**

Port Marsden Highway,  
Ruakaka  
Private Bag 9024  
Whangarei 0148

Attention: Mr Riaan Elliot

**Phone:**

09 432 8311



## 1.0 INTRODUCTION

The New Zealand Refining Company (hereafter referred to as '**Refining NZ**' or '**the Company**') is the country's only oil refinery and the leading supplier of refined petroleum products to the New Zealand market, including petrol, diesel, aviation fuel and other products. As New Zealand's leading supplier of refined petroleum products, the Company is a major contributor to both the local community and the country's economy. Its Marsden Point Site and 170 km purpose built Refinery to Auckland Pipeline are identified as regionally significant pieces of infrastructure in the Operative Regional Policy Statement.

The proposed Plan Change (entitled 'Plan Change PC135 – GNLC Limited') introduces changes to the noise standards of the District Plan as they relate to the Marsden Primary Centre Noise Zone 2 area (hereafter referred to as '**the Site**'). The proposed changes remove the noise attenuation standards for noise sensitive activities within the Site. The Company's operations are located approximately 4.5 kilometres from the Site and access to it is gained via State Highway 15A, which is located adjacent to the south boundary of the Site. The Refinery was legally established in 1961 and its operations are essential to the region, and New Zealand's, economic wellbeing.

The Company is of the opinion that the proposed Plan Change does not adequately address the operation of the Refinery, or the importance of State Highway 15A as the key transportation link to it. As such, the Company believes that, as proposed, the Plan Change gives rise to potential reverse sensitivity effects on the legally established Refinery operations from the establishment of noise sensitive activities on the Site that do not contain appropriate noise attenuation measures.

## 2.0 RELIEF SOUGHT

The Company opposes the Proposal and seeks that the proposed changes to rule NAV.6.5 regarding the removal of the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2, **be declined**.

The reasons for the relief sought are outlined as follows:

- The Proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on existing legally established activities, including the Refining NZ operation at Marsden Point;
- The Proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of the noise attenuation provisions on the transportation network, in particular State Highway 15A that is a strategic land transport link servicing the Refining NZ operation at Marsden Point.

- The proposal fails to adequately consider the provisions of section 75(3)(c) of the RMA as it does not in our view give effect to Policy 5.1.3 of the Regional Policy Statement for Northland which relates to reverse sensitivity effects on regionally significant infrastructure.

Refining NZ has an interest in the various provisions of PC135 that is greater than that of the general public.

Refining NZ wishes to be heard in support of its submissions. If others make a similar submission Refining NZ would consider presenting a joint case with them at any hearing.

Refining NZ cannot gain an advantage in trade competition through this submission.

### 3.0 CONCLUSION

We thank the Council for this opportunity to provide a submission to Proposed Plan Change 135. Refining NZ wishes to continue to be involved with the progression of the Plan Change.

**Signature:**



Riaan Elliot, Environmental Affairs Manager,  
for and on behalf of Refining NZ

**Date:**

8 February 2017

**Address for Service:**

Refining NZ  
Attention: Mr Riaan Elliot  
Port Marsden Highway,  
Ruakaka  
Private Bag 9024  
Whangarei 0148

**Telephone:**

09 432 8311 ext. 8650

**E-mail:**

riaan.elliott@refiningnz.co.nz

**Lisa McColl**

---

**From:** Sarah Ho <Sarah.Ho@nzta.govt.nz>  
**Sent:** Wednesday, 8 February 2017 3:20 PM  
**To:** Mail Room  
**Subject:** Submission to PC135 GNCL Ltd  
**Attachments:** Form 5.pdf; 08.02.17\_Final\_Submission\_WDC\_PC135.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Melissa,  
Please find attached the NZ Transport Agency's submission to PC135 GNCL Limited.

Kind regards

Sarah

**Sarah Ho / Senior Planning Advisor**  
Planning & Investment

DDI 64 9 969 9912 MOB 64 27 836 4532  
E [sarah.ho@nzta.govt.nz](mailto:sarah.ho@nzta.govt.nz) / w [nzta.govt.nz](http://nzta.govt.nz)

Auckland Office / Level 11, HSBC House  
1 Queen Street, Auckland 1143, New Zealand



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[www.nzta.govt.nz](http://www.nzta.govt.nz)

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## Form 5 - Submission on a change proposed to the District Plan

Office use

**Plan Change: PC135 – GNLC Limited**

All correspondence to the Policy Department Attn: Melissa McGrath  
Submissions must be received by: 4:00pm Wednesday, 8 February 2017

**Full name**

*Please print clearly*

Z Transport Agency

Doc ID

**Postal address**

Private Bag 106601  
Auckland 1143.

Submitter no

**Telephone no**

09 969 9800

Submission no

**Email**

aklplanning@nzta.govt.nz

I could/could not \*\*gain an advantage in trade competition through this submission

I \*am/am not\*\* directly affected by an effect of the subject matter of the submission that :

- a adversely affects the environment; and
- b does not relate to trade competition or the effects of trade competition

\* Delete the entire paragraph if you could not gain an advantage in trade competition through this submission

\*\* Select one

The specific provisions of the Plan Change that my submission relates to are

Rule MAV 65    See letter attached.

---

I ~~support~~/oppose/~~seek amendment~~ to the specific provision listed above. (delete what's not applicable)

My submission is

*see letter attached.*

My reasons are (attach additional pages if required)

State the decision you wish Council to make to ensure the issues you raise can be dealt with (i.e. give precise details of what you would like included or deleted from the plan)

I wish to be heard in support of my submission

Yes  No

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

Yes  No

*Sarah Ho*

Signature of submitter or authorised agent

A signature is not required if you make your submission by electronic means

*8/2/17*

Date

**Note to person making submission** - If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Part 1 of Schedule of the Resource Management Act 1991.

## Form 5

Submission on publicly notified proposal for Plan Change PC 135 – NAV (Noise and Vibration) and Marsden Primary Centre Rules

*Clause 6 of Schedule 1, Resource Management Act 1991 (RMA)*

To The Chief Executive  
Whangarei District Council  
Attn: District Plan Department  
Private Bag 9023  
Whangarei 0148

Name of submitter **NZ Transport Agency** (Transport Agency)

1. This is a submission on private Proposed Plan Change 135 (PPC135) to the Operative Whangarei District Plan (2007) lodged to the Whangarei District Council by GNLC Limited. The plan change proposes the following;
  - a. Rename the Residential Compatible Industry and Light Industry Policy Areas to Mixed Use 1 and Mixed Use 2 respectively to reflect the range of activities provided for, and
  - b. Revise the noise rules relating to the Marsden Primary Centre and specifically the Residential Compatible Industry (Mixed Use 1) and Light Industry (Mixed Use 2) Policy Areas within the Industry Environment, in order to enable the development of mixed use activities such as residential dwellings/units, and including the proposed Bream Bay Retirement Village.
2. The Transport Agency has reviewed the Proposed Plan Change documentation which included a Section 32 Analysis and the Acoustics Report prepared by Marshall Day.
3. The Transport Agency is the Crown entity responsible for the management, construction and maintenance of New Zealand's State highway network. The Agency's statutory objective under the Land Transport Management Act 2003 (LTMA) is to "undertake its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system".<sup>1</sup>
4. The Agency has focused on all aspects of the proposed plan change, but particularly those that relate to noise and the potential reverse sensitivity effects of activities occurring adjacent to the State highway network.
5. The Transport Agency would like to be heard in support of its submission.

---

<sup>1</sup> Section 94 LTMA (as amended)

**Submission Point:**

The Transport Agency opposes the proposed change to rule NAV 6.5 regarding the removal of noise attenuation requirements from the Marsden Primary Centre Noise Zone 2 as it fails to consider potential reverse sensitivity noise effects on the adjacent State Highway 15A.

**The specific provisions the submission relates to and the reasons are;**

The proposed change to rule NAV 6.5 seeks to remove the noise attenuation standards for noise sensitive activities within Noise Zone 2. This zone directly abuts State Highway 15A along its southern boundary which is a strategic land transport route servicing the Whangarei Port and NZ Oil Refinery, which are key economic areas for Northland and NZ.

It is the NZ Transport Agency's view that the proposed plan change gives rise to potential reverse sensitivity effects on the State highway, from the establishment of noise sensitive activities on the site that do not contain appropriate attenuation measures. The State highway is a potentially high traffic-noise environment which a high proportion of heavy vehicles and this may have consequential effects on the future operations of the State highway network. The NZ Transport Agency seeks to ensure a minimum 100m buffer setback from the edge of the state highway as outlined in the *Guide to Management of Effects on Noise Sensitive Land use near to the State Highway Network 2015*.

**The submitter seeks the following relief:**

- i) That the proposed changes to NAV 6.5 regarding the removal of the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2, **be declined** and for the operative provisions to remain.

.....

Sarah Ho

Senior Planning Advisor

Pursuant to an authority delegated by NZ Transport Agency

8 February 2017

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