

Lisa McColl

From: Lisa McColl
Sent: Monday, 6 March 2017 10:15 AM
To: Mail Room
Subject: PC135 - GNLC Ltd Further Submission

Categories: Blue Category

Good morning, please find a further submission for PC135 for processing.

Kind regards,

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

-----Original Message-----

From: Mere Kepa [<mailto:tkep001@gmail.com>]
Sent: Monday, 6 March 2017 9:58 AM
To: Lisa McColl <lisa.mccoll@wdc.govt.nz>
Subject: Re: Submission

Atamaarie e Lisa,

“Yes”, I saved the document to my hard drive, hence, why I was able to copy and paste my comments below. I am happy for WDC to accept my email below as my submission.

Thank you for your assistance.

Mere

> On 6/03/2017, at 9:48 AM, Lisa McColl <lisa.mccoll@wdc.govt.nz> wrote:
>
> Good morning,
>
> Thanks for trying to resend that submission, unfortunately it came back blank again. Did you save the completed form to your computer first before sending? That may be why the form is coming back blank.
>
> We have now set up a online form that can be completed on our webpage - <http://council-staging-2010.wdc.govt.nz/PlansPoliciesandBylaws/Plans/DistrictPlan/DistrictPlanChanges/Pages/Plan-Change-135-MPC-NAV-Rules.aspx>. Once fields are completed, the form can be submitted and it comes straight in to our mailroom.
>
> Alternatively are you happy to accept your email below as your submission?
>
> Kind regards
>
> Lisa McColl
> Support Assistant - Policy | Whangarei District Council Private Bag
> 9023 | Whangarei 0148 | www.wdc.govt.nz
> P: 09 430 4230 ext 8907 | DDI: 09 945 4337 | E:
> lisa.mccoll@wdc.govt.nz
>

>
>
> -----Original Message-----
> From: Mere Kepa [mailto:tkep001@gmail.com]
> Sent: Thursday, 2 March 2017 2:37 PM
> To: Lisa McColl <lisa.mccoll@wdc.govt.nz>
> Subject: Submission
>
> Tena koe e Lisa,
>
> I have resent my earlier submission and I am pasting my brief comments into the text of this email message, thus:
>
> Clearly indicate ... etc
>
> I support the applicant's submission to rename the Residential Compatible Industry and Light Industry Policy Areas in the Marsden Primary Centre to Mixed Use 1 and Mixed Use 2 respectively to reflect the range of activities provided for, and to 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 for the reasons below.
>
> The reasons for the support ... etc
> The reasons for my SUPPORT are as follows: A growing and significant element of population growth, in the area, is the settlement of people of retirement age [from Auckland city] and of sufficient means to purchase new homes which will require better infrastructure of all kinds including social, educational, health (e.g. removal of toxic medication waste) and burial facilities. This significant demographic change to ageing Aucklanders will require council's attention to reducing noise from the nearby heavy industries, the logging trucks, the trucks in general, among the other sources of clanging, banging, and wanging presently resonating in the area.
>
> Happy weekend.
> Mere

X-PC135-02

X-PC135-03

X-PC135-04

Lisa McColl

From: David Greaves <d.greaves@ryderconsulting.co.nz>
Sent: Monday, 6 March 2017 5:22 PM
To: Mail Room
Cc: Riaan Elliot
Subject: Further Submission to Plan Change 135
Attachments: T2017-004 Refining NZ Further Submission to PC135.pdf

Hi

Please find attached a further submission from Refining NZ regarding Plan Change 135.

Please do not hesitate to contact me if you require anything further.

Cheers
David

David Greaves
Environmental Planner | Director

T: 07 571 8289

M: 0274 55 33 55

E: d.greaves@ryderconsulting.co.nz

W: www.ryderconsulting.co.nz





FURTHER SUBMISSION TO 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
Attention Melissa McGrath, Policy Department.

FURTHER SUBMISSION ON: **Plan Change 135 GNLC Limited** to the operative Whangarei District Plan ('oWDP')

NAME OF SUBMITTER: Refining NZ

ADDRESS FOR SERVICE: **Port Marsden Highway,**
Ruakaka
Private Bag 9024
Whangarei 0148
Attention: Mr Riaan Elliot

Phone: 09 432 8311

Email: Riaan.Elliot@refiningnz.com

1.0 INTRODUCTION

As identified in its primary submission, the New Zealand Refining Company (hereafter referred to as '**RNZ**' 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 and aviation fuel. 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 social and economic wellbeing. RNZ's 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 (May 2016).

2.0 GENERAL COMMENTS

As also set out in the Company's primary submission, Refining NZ 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 land subject to the Plan Change, that do not contain appropriate noise attenuation measures.

As such, the company maintains the key points of its primary submission, being:

- 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 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 and submission points (provided within the attached Further Submission Table) that is greater than that of the general public.

Refining NZ's further submissions and the reasons for the same are set out within the following table, entitled 'Further Submissions to Proposed Plan Change 135 GNLC Limited to the operative Whangarei District Plan' (hereafter referred to as the 'Further Submissions Table').

Refining NZ wishes to be heard in support of its submissions and this further submission (which is set out in the attached Further Submission Table). If others make a similar submission the Company would consider presenting a joint case with them at any hearing.

Refining NZ cannot gain an advantage in trade competition through the further submissions set out in the attached Further Submissions Table.

Signature:

pp 
Riaan Elliot
Environmental Affairs Manager

Date: 6th of March 2017

2.0 FURTHER SUBMISSION TO PROPOSED PLAN CHANGE 135: GNLC LIMITED TO THE OPERATIVE WHANGAREI DISTRICT PLAN

Submitter Name	Submission Number	Relevant Provision / Submission Point	Support / Oppose	Reasons	Relief Sought By RNZ
<p>Northport</p> <p>X-PC135-02</p>	<p>PC135-03</p>	<p>The Submitter's requested relief that:</p> <p><i>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.</i></p> <p><i>The submitter's reasons for the relief sought are:</i></p> <ol style="list-style-type: none"> <i>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.</i> <i>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.</i> <i>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.</i> <i>4. By failing to consider the above matters, the proposed Plan Change does not achieve sustainable management under Part 2 of the RMA.</i> 	<p>Support</p>	<p>The reasons for RNZ's support for the submission is as follows:</p> <p>RNZ's operations at the Marsden Point Refinery are located approximately 4.5 kilometres from the land subject to the Plan Change application (hereafter referred to as 'the Site'). In addition to this, access to the Refinery is gained via State Highway 15A, which is located directly adjacent to the Site. RNZ agrees with the submission of Northport, that the proposed Plan Change does not adequately address the potential reverse sensitivity effects associated with the removal of the noise attenuation provisions on the legally established operations surrounding the Site or from the adjoining state highway network that serves them.</p>	<p>RNZ seeks:</p> <p>That submission PC135-03 be accepted.</p>
<p>Marsden Maritime Holdings Ltd</p> <p>X-PC135-03</p>	<p>PC135-04</p>	<p>The Submitter's requested relief that:</p> <p><i>Marsden Maritime Holdings Ltd ('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.</i></p> <p><i>The submitter's reasons for the relief sought are:</i></p> <ol style="list-style-type: none"> <i>1. The proposed changes to this rule seek to remove the noise attenuation standards for noise sensitive activities within the site</i> 	<p>Support</p>	<p>The reasons for RNZ's support for the submission is as follows:</p> <p>RNZ's operations at the Marsden Point Refinery are located approximately 4.5 kilometres from the land subject to the Plan Change application. In addition to this, access to the Refinery is gained via State Highway 15A, which is located directly adjacent to the Site. RNZ agrees with the submission of Marsden Maritime Holdings Ltd, that the proposed Plan Change does not adequately address the potential reverse sensitivity effects associated with the removal of the noise attenuation provisions on the legally established operations surrounding the Site or from the adjoining state highway network that serves them.</p>	<p>RNZ seeks:</p> <p>That submission PC135-04 be accepted.</p>

		<p><i>(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.</i></p> <p>2. <i>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.</i></p> <p>3. <i>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.</i></p>			
<p>New Zealand Transport Agency</p> <p>X-PC135-04</p>	PC135-06	<p>The Submitter's requested relief that:</p> <p><i>The New Zealand Transport Agency ('NZTA') opposes the proposed change to rule NAV6.5 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.</i></p> <p><i>It is the NZ Transport Agency's view that the proposed</i></p>	Support	<p>The reasons for RNZ's support for the submission is as follows:</p> <p>RNZ's operations at the Marsden Point Refinery are located approximately 4.5 kilometres from the land subject to the Plan Change application and access to it is gained via State Highway 15A, which is located directly adjacent to the Site. RNZ agrees with the submission of the New Zealand Transport Agency, that the proposed Plan Change does not adequately address the potential reverse sensitivity effects associated with the removal of the noise attenuation provisions on the adjoining state highway network.</p>	<p>RNZ seeks:</p> <p>That submission PC135-06 be accepted.</p>

		<p><i>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 [sic] 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.</i></p>		
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X-PC135-05

X-PC135-06

X-PC135-07

X-PC135-08

Lisa McColl

From: Tom Anderson <Tom@incite.co.nz>
Sent: Monday, 13 March 2017 10:44 AM
To: Mail Room; Melissa Mcgrath
Subject: Further Submission on Plan Change 135
Attachments: 170313 KiwiRail Further Submission PC135 Final As Lodged.pdf

Hi Melissa,

Attached please find KiwiRail's further submission on Plan Change 135. Copies of the further submission will also be provided to GNLC Ltd as the Plan Change proponent and Northport Ltd, Marsden Maritime Holdings Limited, Refining NZ and the NZTA as the submitters that are the subject of this further submission.

Tom Anderson

Senior Resource Management Consultant



Level 2, 11 Tory Street
PO Box 2058, Wellington
Tel 04 801 6862
Mob 027 231 0246
tom@incite.co.nz
www.incite.co.nz

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13 March 2017

Whangarei District Council
Private Bag 9023
WHANGAREI 9023

By email to: mailroom@wdc.govt.nz, melissa.mcgrath@wdc.govt.nz

Dear Melissa,

Form 6: Further Submission on a proposed private plan change to the District Plan

Plan Change No PC135
Plan Change Name GNLC Ltd

This is a further submission on the above Plan Change pursuant to Clause 8 of Schedule 1, Resource Management Act 1991.

Name of Submitter: KiwiRail Holdings Limited (KiwiRail)
Address for Service: Level 1, Wellington Railway Station
Bunny Street

PO Box 593
Wellington 6140

Attention: Rebecca Beals
Ph: 04 498 3389
Email: Rebecca.Beals@kiwirail.co.nz

KiwiRail wishes to make a further submission on Proposed Plan Change 135 (PC135) to the Operative Whangarei District Plan.

Interest in the Submission

KiwiRail is the State Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for land designated "Railway Purposes" (or similar) in District Plans throughout New Zealand (replacing the listed New Zealand railways Corporation).

KiwiRail have recently (2012) been through the Notice of Requirement process with Whangarei District Council, resulting in Designation DNZRC2 in the Whangarei District Plan, which is for the Oakleigh to Marsden Point Rail Link. The purpose of this designation is *Railway Purposes subject to various conditions*. Designation DNZRC2 is yet to be used for its designated purpose. The statutory approvals have a lapse date being 20 years from their approval (and therefore lapse in 2032). It is anticipated that the construction of the Oakleigh

to Marsden Point Rail Link will occur within the lifetime of the resource consents and designations approved in 2012 for its construction and operation.

Part of DNZRC2 directly adjoins the Marsden Primary Centre Noise Zone 2, which is the subject of PC135. Given KiwiRail has established DNZRC2 for railway purposes, it can reasonably be assumed that prior to 2032 it can reasonably be expected that a railway line will be constructed, maintained and operated on land adjoining sites zoned Marsden Primary Centre Zone 2. Therefore, it can reasonably be expected that noise sensitive uses within the Marsden Primary Centre Noise Zone 2 may give rise to reverse sensitivity effects on use of the designation. The plan change seeks to remove the existing noise attenuation standards from the Marsden Primary Centre Noise Zone 2, and KiwiRail is opposed to this.

Consequently, KiwiRail is a party who has an interest in the proposal that is greater than the interest the general public has.

KiwiRail will not gain an advantage in trade competition through this further submission.

Submissions Supported/Opposed

Attachment 1 provides a table outlining the submissions (or parts of submissions) which KiwiRail has a view on, the reasons why those views are held, and the outcome that KiwiRail seeks from the further submissions process.

Attendance and Wish to be heard at Hearings

KiwiRail wishes to be heard in support of this further submission, and would consider presenting a joint case with other similar submitters at a hearing. We are also willing to discuss our further submission further with Whangarei District Council staff and the PC135 proponent prior to the hearings themselves.

Please note, a copy of this further submission will be served on each of the submitters identified in Attachment 1 to this application, and to the Plan Change proponent.

Regards,



Rebecca Beals
RMA Team Leader
KiwiRail

13 March 2017

KiwiRail

PC135 to the Whangarei District Plan – Further Submissions on Proposed Plan Change

FURTHER SUBMISSION FORM**Form 6, Clause 8 of First Schedule, Resource Management Act 1991**

KiwiRail supports or opposes the submission of	The particular parts of the submission KiwiRail supports or opposes are	Reasons for KiwiRail’s support or opposition are:	KiwiRail seek that the whole or part of the original submission be allowed or disallowed
Northport Ltd PO Box 44, Ruakaka X-PC135-05	Submission Points 3 and 4 (relating to Rule NAV.6.5)	<p>KiwiRail supports Northport’s submission on Rule NAV.6.5. The proposed changes to this rule seek to remove the noise attenuation standards for noise sensitive activities within the site (Marsden Primary Centre Zone 2).</p> <p>KiwiRail supports Northport’s position that PC135 gives rise to reverse sensitivity effects and allows the establishment of noises sensitive activities on the site that do not include appropriate noise attenuation measures.</p> <p>Further, KiwiRail supports Northport’s position that the removal of noise attenuation measures does not give effect to the RPS. It should be noted that railway lines are identified in the Regional Policy Statement for Northland as Regionally Significant Infrastructure. As such, when the Oakleigh to Marsden Point Rail Link is constructed it will be considered as Regionally Significant infrastructure.</p> <p>KiwiRail agrees with the relief sought by Northport at Section 4 of their submission, in that the changes to rule NAV.6.5 as advanced by PC135 to remove the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2 be declined.</p>	KiwiRail seeks that Northport submission points 3 and 4 be allowed.

KiwiRail

PC135 to the Whangarei District Plan – Further Submissions on Proposed Plan Change

KiwiRail supports or opposes the submission of	The particular parts of the submission KiwiRail supports or opposes are	Reasons for KiwiRail’s support or opposition are:	KiwiRail seek that the whole or part of the original submission be allowed or disallowed
<p>Marsden Maritime Holdings Limited PO Bo 196, Ruakaka X-PC135-06</p>	<p>Submission Points 3 and 4 (relating to Rule NAV.6.5)</p>	<p>KiwiRail supports Marsden Maritime Holdings submission on Rule NAV.6.5. The proposed changes to this rule seek to remove the noise attenuation standards for noise sensitive activities within the site (Marsden Primary Centre Zone 2).</p> <p>KiwiRail supports Marsden Maritime Holdings position that PC135 gives rise to reverse sensitivity effects and allows the establishment of noises sensitive activities on the site that do not include appropriate noise attenuation measures.</p> <p>Further, KiwiRail agrees with the relief sought by Marsden Maritime Holdings at Section 4 of their submission, in that the changes to rule NAV.6.5 as advanced by PC135 to remove the noise attenuation requirements from the Marsden Primary Centre Noise Zone 2 be declined.</p>	<p>KiwiRail seeks that Marsden Maritime Holdings submission points 3 and 4 be allowed.</p>
<p>Refining NZ Private Bag 9024, Whangarei 0148 X-PC135-07</p>	<p>Submission Points 1.0 and 2.0 (relating to Rule NAV.6.5)</p>	<p>KiwiRail supports Refining NZ’s submission in that it 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.</p> <p>KiwiRail concurs with Refining NZ’s reasons for the relief they seek in that the proposal fails to adequately consider the potential reverse sensitivity effects resulting from the removal of</p>	<p>KiwiRail seeks that Refining NZ’s submission points 1.0 and 2.0 be allowed.</p>

KiwiRail

PC135 to the Whangarei District Plan – Further Submissions on Proposed Plan Change

KiwiRail supports or opposes the submission of	The particular parts of the submission KiwiRail supports or opposes are	Reasons for KiwiRail’s support or opposition are:	KiwiRail seek that the whole or part of the original submission be allowed or disallowed
		<p>the noise attenuation provisions on existing legally established activities and that the proposal fails to adequately consider section 75(3)(c) of the RMA, in that it does not give effect to Policy 5.1.3 of the Regionally Policy Statement for Northland which relates to reverse sensitivity effects on regionally significant infrastructure.</p>	
<p>NZ Transport Agency Private Bag 106662, Auckland 1143 X-PC135-08</p>	<p>The submission as it relates to Rule NAV.6.5</p>	<p>KiwiRail supports NZTA’s opposition to the proposed change to rule NAV.6.5 regarding the removal of noise attenuation requirements from the Marsden Primary Centre Noise Zone 2. KiwiRail concurs with NZTA’s reasoning that the PC135 gives rise to potential reverse sensitivity effects from the establishment of noise sensitive activities on the site that do not contain appropriate attenuation measures.</p> <p>KiwiRail supports the relief sought by NZTA, 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 and for the operative provisions to remain.</p>	<p>KiwiRail seeks that the whole of NZTA’s submission as it relates to Rule NAV.6.5 be allowed.</p>