

I MUA I TE KOOTI TAIAO  
TĀMAKI MAKAURAU ROHE

**IN THE MATTER** of the Resource Management Act 1991  
("RMA")

**AND**

**IN THE MATTER** of an appeal pursuant to clause 14(1) of  
Schedule 1 to the RMA

**BETWEEN** **Kāinga Ora – Homes and  
Communities**

**Appellant**

**AND** **Whangarei District Council**

**Respondent**

**NOTICE OF PERSON WISHING TO BE PARTY TO PROCEEDINGS**

**TO:** The Registrar  
Environment Court  
Auckland

1. The New Zealand Refining Company Limited, trading as Refining NZ ("Refining NZ") gives notice of its intention to become a party to the appeal by Kāinga Ora – Homes and Communities ("Kāinga Ora") against certain parts of a decision by Whangarei District Council on the Urban and Services Plan Change to the Whangarei District Plan (the "Plan Change").
2. Refining NZ made a submission on the Plan Change which raised concerns around reverse sensitivity and residential development in proximity to the industrial zones and Marsden Point Energy Precinct. Refining NZ operates New Zealand's only oil refinery (the "Refinery") at Marsden Point. In addition, Refining NZ operates the Refinery to Auckland Pipeline. The Refinery is a major regional and national infrastructure resource and Refining NZ is deemed to be a "lifeline utility" pursuant to the Civil

Defence Emergency Management Act 2002. The Refinery and the pipeline are recognised as regionally significant infrastructure in both the operative and proposed Northland Regional Plan. As such, it has an interest in the proceedings that is greater than the interest that the general public has.

3. Refining NZ is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Refining NZ is interested in those parts of the appeal that relate to rezoning. In particular Refining NZ opposes the proposed, zoning changes in Ruakaka and Marsden that would, if granted, enable intensification of residential development in areas proximate to the Heavy Industrial Zone and the Marsden Point Refinery Precinct.<sup>1</sup>
5. Refining NZ opposes the relief sought by Kāinga Ora on the basis that it does not represent sound planning practice and, without adequate provisions to safeguard existing heavy industrial activities, may result in reverse sensitivity type effects.
6. Refining NZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**THE NEW ZEALAND REFINING COMPANY LTD** by its  
solicitors, ChanceryGreen:



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Chris Simmons

31 July 2020  
C/- Chris Simmons and Ebony Ellis  
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<sup>1</sup> See in particular pp 305-308 of the Notice of Appeal by Kāinga Ora – Homes and Communities.

**And to:** Whangarei District Council

[sarah@sarahshaw.co.nz](mailto:sarah@sarahshaw.co.nz)

[mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

**And to:** Kāinga Ora – Homes and Communities

[matheson@richmondchambers.co.nz](mailto:matheson@richmondchambers.co.nz)

[Claire.kirman@kaingaora.govt.nz](mailto:Claire.kirman@kaingaora.govt.nz)

**And to:** Interested parties