

24 January 20

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Proposed Waikato District Plan (Stage 1)  
c/- Sandra Kelly  
Hearing Coordinator / District Plan Administrator  
Resource Management Policy Team

By e-mail only: [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

Dear Sandra,

**RE: PROPOSED WAIKATO DISTRICT PLAN – HEARING 9: BUSINESS AND BUSINESS TOWN CENTRE ZONES – HEARING STATEMENT ON BEHALF OF THE OIL COMPANIES (SUBMITTER 785)**

**1. INTRODUCTION**

- 1.1 I refer to the abovementioned matter set down for hearing commencing on 17 February 2020. The Oil Companies (representative of Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited), identified as Submitter 785, will not be attending the hearing as the recommendations in the Section 42A Report are generally agreed with. Where there is not agreement, the matter is relatively straightforward and addressed in Paragraphs 2.2-2.9 below.
- 1.2 This Statement has been prepared on behalf of the Oil Companies and represents their views in relation to Hearing Topic 9 of the Proposed Waikato District Plan (*PWDP*).
- 1.3 Please table this Statement before the Hearings Panel.

**2. THE OIL COMPANIES' SUBMISSIONS**

**Supported Recommendations**

- 2.1 The Oil Companies support the Officer's recommendations with respect to the following submission and further submission points identified within Topic 9 of the *PWDP*:
  - 785.16, 25-26, 29-30, 38-39, 51-52, 56-57, 59-60, 63-64, 67-68
  - FS1089.13 to 742.26 by New Zealand Transport Agency
  - FS1089.14 to 588.16 by Woolworths NZ Ltd
  - FS1089.15 to 742.138 by New Zealand Transport Agency
  - FS1089.16 to 742.196 by New Zealand Transport Agency

**Submissions 785.11 and 785.12**

- 2.2 The Oil Companies sought to amend Rules 17.2.5.1 P1 and 18.2.4.1 P1 as follows (785.11-12):
  - (a) *Earthworks within a site must meet the following conditions:*
    - ...
    - (i) *Be located more than 1.5m from a public sewer, open drain, overland flow path or other public service pipe:*

- ...
- (iv) *Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or otherwise stabilised as soon as practicable at the completion of the earthworks;*
- ...
- 2.3 The Reporting Officer recommended amending Rules 17.2.5.1 P1 and 18.2.4.1 P1 as follows:
- P1
- (a) *Earthworks within a site must meet all of the following conditions:*
- (i) *Earthworks must be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;*
- ...
- (v) *~~(iv)~~ Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 6 months of the commencement cessation of the earthworks;*
- ...
- 2.4 The Oil Companies support the addition of the word “public” to ensure the setback doesn’t apply to privately owned pipes within a site.
- 2.5 The Reporting Officer appears to have misunderstood the intent of the Oil Companies’ request with respect to clause (iv) (now clause (v)). Paragraph 580 of the Section 42A Report states:
- “The submissions from KiwiRail Holdings Limited [986.108] and the Oil Companies [785.12] seek amendments to require land to be stabilised quicker than the 6 month vegetation period. The proposed amendments are agreed to, with it being proposed that the stabilisation be within 1 month and the vegetation within 6 months.”*
- 2.6 Similar comments are provided in Paragraph 377 with respect to Rule 17.2.5.1 P1 and submission 785.11.
- 2.7 The Oil Companies are not necessarily opposed to the standard requiring land to be stabilised quicker than the 6 month vegetation period, but the intent of the Oil Companies’ submission was to ensure there is no requirement for areas of hardstanding to be revegetated. The Reporting Officer for the Industrial and Heavy Industry Zone Hearing (Topic 7) supported this request, stating:
- “Hardstand surfacing is an acceptable alternative to re-vegetation, as on-site carparking areas need to be developed for an industrial development to be permitted and engineering standards apply which address stability and stormwater management” (Paragraphs 382 and 824).*
- 2.8 The recommendations version of the equivalent standard in the Industrial and Heavy Industry Zone chapters (20.2.5.1 P1(a)(vii) and 21.2.5.1 P1(a)(vii)) is supported by the Oil Companies and reads as follows:
- areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface;*
- 2.9 The Oil Companies urge the Hearings Panel to reject the Reporting Officer’s recommendation with respect to Rules 17.2.5.1 P1 and 18.2.4.1 P1 and amend the standards along the lines recommended in the Industrial and Heavy Industry Zone hearing, as follows:

P1

(a) Earthworks within a site must meet all of the following conditions:

(i) Earthworks must be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;

...

(v) ~~(iv)~~ Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of ~~the commencement~~ cessation of the earthworks, or finished with a hardstand surface;

...

### 3. CONCLUDING STATEMENT

3.1 Thank you for your time and acknowledgement of the issues raised in the Oil Companies' submission. Please do not hesitate to contact the writer on 021 064 7242 should you wish to clarify any matter addressed herein.

Kind Regards,



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