

11 December 2024

SLR Ref No.: 810.V14350.00001 v0.1 Submission on PC28 20241211

Mackenzie District Council
PO Box 52, Main Street
Fairlie 7949

By email: districtplan@mackenzie.govt.nz

SLR Project No.: 810.V14350.00001

**RE: Submission on Plan Change 28 to the Mackenzie District Plan
Pursuant to Clause 6 of the First Schedule of the
Resource Management Act 1991**

Submitter:

bp Oil New Zealand Limited PO Box 99 873 Auckland 1149	Mobil Oil New Zealand Limited PO Box 1709 Auckland 1140	Z Energy Limited ¹ PO Box 2091 Wellington 6140
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Hereafter referred to as the **Fuel Companies**

Address for Service:
SLR Consulting New Zealand
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Victoria St West
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Attention: Georgia Alston
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¹ On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.

Introduction

- 1 bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (*the Fuel Companies*) receive, store and distribute refined petroleum products around New Zealand. In Mackenzie District (*the district*), the Fuel Companies' core business relates to retail fuel outlets including service stations and supply to commercial facilities.
- 2 The existing retail fuel activities in Mackenzie District include the storage and use of hazardous substances (typically petrol, diesel, and LPG), the refuelling of vehicles, and often other vehicle services (air pump, car wash, etc.), and retail activities. Fuel deliveries are undertaken via tankers which occur infrequently but often without restriction in terms of frequency or times. All sites have established vehicle crossings for access and exit, buildings, and signage (often illuminated). Pump stations are located within forecourts (covered or uncovered) with associated lighting. Hours of operation vary and are not infrequently 24/7. These sites are required to comply with permitted noise limits of the district plan or limits otherwise included as conditions in an approved land use consent. The Fuel Companies' sites operate in accordance with Emergency Management Plans detailing procedures in case of emergency, including spills of hazardous substances.
- 3 Mackenzie District Council (*the Council*) has now publicly notified their proposed Plan Change 28 (PC28) pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991 (RMA).

The specific provisions of Plan Change 28 that the Fuel Companies' submission relates to are summarised as follows:

- 4 The specific provisions submitted on, the rationale for the Fuel Companies' submission on each of these matters, and the relief sought is contained in the attached **Schedule A**. The Fuel Companies support alternative relief that achieves the same outcomes.
- 5 In addition to the specific outcomes and relief sought, the following general relief is sought:
 - a) To achieve the following:
 - i. The purpose and principles of the *Resource Management Act 1991 (RMA)* and consistency with the relevant provisions in Sections 6 - 8 RMA.
 - ii. Give effect to the Canterbury Regional Policy Statement.
 - iii. Avoid duplication within the Canterbury Regional Plans or other legislation.
 - iv. Assist the Council to carry out its functions under Section 31 RMA.
 - v. Meet the requirements of the statutory tests in Section 32 of the RMA.
 - vi. Avoid, remedy or mitigate any relevant and identified environmental effects.
 - b) To make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.
 - c) To make any other relief required to give effect to the issues raised in this submission.



6 The Fuel Companies do not wish to be heard in support of this submission.

- 7 If others make similar submissions the Fuel Companies may be prepared to consider presenting a joint case with them at any hearing.
- 8 The Fuel Companies could not gain an advantage in trade competition through this submission.
- 9 The Fuel Companies are directly affected by an effect of the subject matter of that submission that:
 - a) Adversely affects the environment; and
 - b) Does not relate to trade competition or the effects of trade competition.

Signed on behalf of Z Energy Limited, bp Oil New Zealand Limited and Mobil Oil New Zealand Limited

Ngā mihi,

SLR Consulting New Zealand



Georgia Alston

Project Consultant – Planning

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Attachments Schedule A



Schedule A

1.1 The specific parts of the PC28 that are subject of this submission are:

1. This submission relates to the following Chapters notified as part of PC28:
 - CL – Contaminated Land Chapter
 - HAZS – Hazardous Substances Chapter
 - NH – Natural Hazards Chapter
2. No changes are sought to the relevant provisions.

1.2 CL – Contaminated Land Chapter

The reasons for the submission are:

3. The Fuel Companies support the introduction of a Contaminated Land Chapter, with a clear policy framework, and the cross references to the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). In particular, the Fuel Companies are pleased to see that there are no rules contained within the Contaminated Land Chapter which avoids duplication between the NES-CS Regulations and the District Plan. This approach also aligns with that of other new generation District Plans.
4. The Fuel Companies fully support the provisions in the Contaminated Land Chapter.

The relief sought is:

5. Retain CL-O1, CL-P1, and CL-P2 as notified.

1.3 HAZS – Hazardous Substances Chapter

The reasons for the submission are:

6. HAZS-O1, HAZS-P1, and HAZS-R1 and the associated definition of *high flood hazard area* are of direct relevance to the Fuel Companies' service station activities where hazardous substances are stored and used.



7. The Fuel Companies are supportive of the approach taken to the use and storage of hazardous substances and particularly support the permitted activity status and the restricted discretionary activity pathway in the event that the activity is located within a high flood hazard area.
8. The Fuel Companies support the relevant provisions of the Hazardous Substances Chapter.

The relief sought is:

9. Retain HAZS-O1, HAZS-P1, and HAZS-R1 as notified.

1.4 NH – Natural Hazards Chapter

The reasons for the submission are:

10. The Natural Hazards Chapter is relevant to the Fuel Companies as all of their service stations in the Mackenzie District are mapped as 'subject to flooding'.
11. The Fuel Companies have reviewed the relevant provisions and generally support the Natural Hazards provisions. Given that service stations generally have at least one employee, the definition of *Natural Hazard Sensitive Building* is relevant.
12. In general, the Fuel Companies support the permitted activity pathway for new Natural Hazard Sensitive Buildings subject to floor level controls, and extensions to existing Natural Hazard Sensitive Buildings in the Flood Hazard Assessment Overlay subject to the floor size of the extension.
13. The Fuel Companies support the relevant provisions of the Natural Hazards Chapter.

The relief sought is:

14. Retain NH-R1 and NH-R2 as notified.

