
FURTHER SUBMISSION ON A PROPOSED PLAN PURSUANT TO CLAUSE 8 OF SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT 1991

Local authority: Hutt City Council
Attention: District Planning Team
Email: district.plan@huttcity.govt.nz

Submission on: Proposed Hutt City District Plan

Submitter: bp Oil New Zealand Limited Mobil Oil New Zealand Limited
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Hereafter referred to as the “**Fuel Companies**”

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Date: 24 July 2025

SLR Ref No.: Fuel Companies Further Submission - Proposed Hutt City District Plan

SLR Project No.: 810.031505.00001



SCOPE OF THIS FURTHER SUBMISSION

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited (the **Fuel Companies**) are a submitter (submission S238) on the Proposed Hutt City District Plan (the **PDP**).
2. Pursuant to clause 8 of Schedule 1 of the Resource Management Act 1991 (the **RMA**), this is the Fuel Companies' further submission on the PDP.
3. The Fuel Companies' further submission is set out in Schedule A.

PROCEDURAL MATTERS

4. The Fuel Companies' interest in the PDP is greater than that of the general public.
5. The Fuel Companies could not gain an advantage in trade competition through this further submission.
6. The Fuel Companies **wish to be heard** in support of this further submission.
7. If others make similar submissions, the Fuel Companies may be prepared to consider presenting a joint case with them at any hearing.

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



Phil Brown

Associate Consultant – Planning
SLR Consulting New Zealand



SCHEDULE A

Original submission				Further submission of the Fuel Companies		
Submission	Submitter	Provision	Relief sought by the submission (additions in bold and highlighted and deletions struck through and highlighted)	Position	Reasons for the further submission	Relief sought
Interpretation						
S237.04	Argosy Property No.1 Limited	Definitions	Amend the definition of liquefaction hazard overlay to provide a definition that clearly defines and explains the purpose of this overlay in the plan.	Support	The Fuel Companies consider that the addition of this definition will provide greater certainty for plan interpretation and implementation. The Fuel Companies support Argosy Property No.1 Ltd's submission point S237.04.	Allow
S237.05	Argosy Property No.1 Limited	Definitions	Seeks to retain the hazard rankings but introduce clear definitions of each hazard into the Natural Hazards chapter or Definition chapter of the plan.	Support	The Fuel Companies consider that the addition of these definitions will provide greater certainty for plan interpretation and implementation. The Fuel Companies support Argosy Property No.1 Ltd's submission point S237.05.	Allow
S311.13	Connexa, Chorus, FortySouth and Spark	Definitions	Insert a definition for "Maintenance and repair" as follows: means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading, but does include replacement of an existing structure with a new structure of identical dimensions.	Support in part	The Fuel Companies consider that the addition of this definition will provide greater certainty for plan interpretation and implementation. The Fuel Companies support Connexa, Chorus, FortySouth and Spark's submission S311.13 in part.	Allow
327.024	Natural Hazards Commission Toka Tū Ake	Definitions	Insert a new definition for "minimise" as follows: The duty to take all reasonable steps to reduce the adverse effects of natural hazards on future activities.	Oppose	The Fuel Companies oppose the relief because the definition requires a degree of subjective assessment that may not assist with implementation of the subsequent plan provisions. This creates uncertainty for plan users. The Fuel Companies oppose NHC's submission point S327.024.	Disallow
327.025	Natural Hazards Commission Toka Tū Ake	Definitions	Insert a new definition for either "reduce" or "risk reduction" as follows: In relation to the Natural Hazards chapter, prevent new and reducing existing risks, and manage residual risks.	Oppose	While the Fuel Companies support the principle of definitions that provide clarity for plan interpretation, it is the realm of policies, not definitions, to determine when risks are to be avoided or managed. In addition, the submitter incorrectly assumes that a natural hazard risk can be prevented. Risk is a combination of likelihood and consequences, and it is the exposure to the risk that is to be avoided or managed. The definition also has grammatical issues. The Fuel Companies oppose NHC's submission point S327.025.	Disallow
327.026	Natural Hazards Commission Toka Tū Ake	Definitions	Insert a new definition for "residual risk" as follows: In relation to the Natural Hazards chapter, the risk that remains after risk(s) treatment has been applied to reduce the potential consequence(s).	Support in part	The Fuel Companies consider that the addition of this definition will provide greater certainty for plan interpretation and implementation for plan users, and it is broadly consistent with the notified definition of "residual risk" in relation to the Hazardous Substances chapter. That said, it is unclear how the definition will be applied within the context of the submitter's high-level relief for a "Petone Natural Hazards Precinct". The Fuel Companies supports NHC's submission point S327.026 in part.	Allow
442.07	KiwiRail Holdings Ltd	Definitions	Insert a definition for "Maintenance (Network Utilities)" as follows: Means any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose.	Support in part	While the Fuel Companies consider that a definition for maintenance will provide greater certainty for plan interpretation and implementation. The Fuel Companies support KiwiRail Holdings Ltd's submission point S442.07 in part.	Allow



Original submission				Further submission of the Fuel Companies		
452.10	Wellington Regional Council	Definitions	Insert a definition for “Maintain/maintained/maintenance (in relation to structure or infrastructure...)” as follows: Means any work or activity necessary including replacement or renewal where the effects remain the same or similar in character, intensity and scale, to continue the operation and/or functioning of the existing structure or infrastructure or renewable electricity generation activities or electricity transmission activities. This does not include upgrading.	Support in part	While the Fuel Companies consider that a definition for maintenance will provide greater certainty for plan interpretation and implementation. The Fuel Companies support Wellington Regional Council’s submission point S452.010 in part.	Disallow
INF – Strategic Direction						
S504.014	Transpower New Zealand Ltd	INFSD-O3	Amend Infrastructure INFSD-O3 National and Regional Significance as follows: Infrastructure of national and regional significance is supported and protected, recognised and provided for.	Support	The Fuel Companies support the relief for the reasons given by the submitter, and that the amendment provides a clearer statement of outcome for the objective. The Fuel Companies support Transpower New Zealand Ltd’s submission point S504.014.	Allow
INF – Infrastructure						
405.017	Director-General of Conservation	New Policy	Add a new policy to the infrastructure section to manage the effects of upgrading and developing infrastructure on indigenous biodiversity.	Oppose	While not opposed to the principle of a policy managing the effects of infrastructure upgrading and development on indigenous biodiversity, the Fuel Companies oppose this relief due to the absence of specific drafting. The Fuel Companies oppose the Director-General of Conservation’s submission point S405.017.	Disallow
405.018	Director-General of Conservation	Infrastructure Rules	Seeks that activity status rules and performance standards are amended as necessary, to ensure that resource consent is required, and effects on biodiversity are appropriately managed, for infrastructure activities that are of a scale or location that creates the potential for this type of effect.	Oppose	While not opposed to the principle of rules managing the effects of infrastructure upgrading and development on indigenous biodiversity, the Fuel Companies oppose this relief due to the absence of specific drafting. The Fuel Companies oppose the Director-General of Conservation’s submission points S405.018 and S405.019.	Disallow
405.019			Seeks that the rules are amended to appropriately manage buildings, structures, earthworks and indigenous vegetation clearance associated with infrastructure within coastal and riparian margins.			
S474.015	Clarus	INF-P1	Amend policy as follows: “Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including: ... 7. Enabling the effective, safe, secure and efficient transmission of electricity, gas and liquid fuels. ”	Support	The Fuel Companies’ pipeline (and terminal/bulk storage infrastructure) is regionally significant infrastructure that provides benefits to the Hutt City District and the wider Wellington Region. It is appropriate that the transmission of liquid fuels is explicitly recognised in the context of INF-P1. The Fuel Companies support Clarus’s submission point S474.015.	Allow
GIZ – General Industrial Zone						
S323.077	Enviro NZ Services Ltd	GIZ-P3	Amend policy as follows: “AvoidAllow heavy industrial activities if unless they:...”	Support	Several of the Fuel Companies’ retail fuel outlets are located within the General Industrial Zone. The Fuel Companies support the submission for the reasons given in the original submission. The Fuel Companies support Enviro NZ Services Ltd’s submission point S323.077.	Allow
S323.092	Enviro NZ Services Ltd	GIZ-R18	Amend rule “Activity status: DiscretionaryRestricted Discretionary Matters of discretion: GIZ-P3 ”	Support	Several of the Fuel Companies’ retail fuel outlets are located within the General Industrial Zone. The Fuel Companies consider that a restricted discretionary activity status for Heavy Industrial Activities within the General Industrial Zone would more appropriately mirror the confined matters set out	Allow



Original submission			Further submission of the Fuel Companies			
					within GIZ-P3 (notwithstanding the changes proposed to GIZ-P3 by submission point S323.092). The Fuel Companies support Enviro NZ Services Ltd's submission point S323.092.	
NH – Natural Hazards						
S237.16	Argosy Property No.1 Limited	NH-R13	Amend NH-R13.3 (New buildings and structures and the conversion of existing buildings and structures for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards within the Medium Flood Hazard Overlay and High Flood Hazard Overlay) as a discretionary activity.	Support	The Fuel Companies consider that the rule does not reflect an appropriate risk management approach, to the extent that such a broad range of activities should be managed by a non-complying activity status. The Fuel Companies therefore support a discretionary activity status as proposed by the submitter. The Fuel Companies support Argosy Property No.1 Ltd's submission point S237.016.	Allow
327.040	Natural Hazards Commission Toka Tū Ake	NH-P6	Amend NH-P6 (Additions to existing buildings and structures within the Fault Location Area) as follows: ... 2. Provide for additions to existing buildings and structures for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the poorly constrained, uncertain constrained, well-defined or well-defined extension areas where: a. They are located more than 20m from the edge of the fault deformation zone, or b. Mitigation measures are incorporated into the building to maintain life safety of the occupants and the structural integrity of the building in the event of fault rupture. c. Additions are for non-habitable rooms	Oppose	The Fuel Companies consider that the amendment to the policy test requiring both the location and mitigation to be met is not appropriate for existing buildings and structures, as it omits to recognise the inherent limitations in carrying out the works in an alternative location. That said, the Fuel Companies support the addition of new clause (c) but prefer the notified version of the policy. The Fuel Companies oppose NHC's submission point S327.040.	Disallow
327.041	Natural Hazards Commission Toka Tū Ake	NH-P7	Amend NH-P7 (Subdivision, use and development within the Fault Location Area) as follows: New subdivision, use and development within the Fault Location Area are managed as follows: ... 2. Provide for new allotments, new buildings and the conversion of existing buildings for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the poorly constrained and uncertain constrained areas of the Fault Location Area where: a. The new building platforms, new buildings or conversions are located more than 20m from the edge of the fault deformation zone, or ... 3. Avoid new allotments, new buildings and the conversion of existing buildings for activities potentially sensitive to natural hazards and activities most sensitive	Oppose	The PDP's definitions of "activity potentially sensitive to natural hazards" ¹ and "buildings" ² are broad. Given the wide breadth of activities and development these definitions capture, the inclusive policy test introduced by the relief sought does not represent a sufficiently risk-based approach to managing effects in the Fault Location Area. The Fuel Companies oppose NHC's submission point S327.041.	Disallow

¹ The publicly notified definition of "activity potentially sensitive to natural hazards" means a:

a. [active recreation activity](#), b [building](#) associated with [primary production](#) (excluding [residential units](#), [minor residential units](#), [residential activities](#) or [buildings](#) identified as [activities least sensitive to natural hazards](#)),c. [commercial activity](#) d. [conservation activity](#), e. [cultivation activity](#), f. [customary activity](#), g. [customary harvesting](#), h. entertainment facility, i. [food and beverage activity](#), j. [industrial activity](#), k. major [sports facility](#), l. office activity, m. [sports facility](#), n. [primary production activity](#), o. [quarrying activity](#), p. [rural activity](#), or q. [rural industry](#), but excludes any [activities most sensitive to natural hazards](#) and [activities least sensitive to natural hazards](#).

² The publicly notified definition of "building" is: "means a temporary or permanent movable immovable physical construction that is: a partially or fully roofed, and b.fixed or located on or in land, but excludes any motorised vehicle or other mode of transport that could be moved under its own power.



Original submission			Further submission of the Fuel Companies			
			to natural hazards within the well-defined or well-defined extension areas of the Fault Location Area unless: ... c. If locating the activity more than 20m from the edge of the deformation zone is not a practicable option but there is no operational or functional need to locate within the well-defined or well-defined extension areas of the Fault Location Area; mitigation measures are incorporated into the building to not increase risk to life of the occupants and the structural integrity of the building in the event of fault rupture.			
327.048	Natural Hazards Commission Toka Tū Ake	NH-R3	Amend NH-R3.1 matters of discretion as follows: Matters of discretion are restricted to: 4. The relevant matters in NH-P6: Additions to existing buildings and structures within the Fault Location Area (with requested amendments) .	Oppose	The Fuel Companies oppose the relief for the reasons given in relation to the submitter's proposed amendments to Policy NH-P6, namely: the Fuel Companies consider that the amendment to the policy test requiring both the location and mitigation to be met is not appropriate for existing buildings and structures, as it omits to recognise the inherent limitations in carrying out the works in an alternative location. The Fuel Companies oppose NHC's submission point 327.048.	Disallow
327.104	Natural Hazards Commission Toka Tū Ake	New objective	In new precinct (multi-zone) "Petone Natural Hazards Precinct", add new objective as follows: Management of cumulative natural hazard risks and residual risk: The cumulative risks from natural hazards on people and communities are managed to acceptable levels.	Oppose	While not opposed to the principle of managing cumulative natural hazard risks, the Fuel Companies oppose the relief due to a lack of specific information within the submission regarding where the Petone Natural Hazards Precinct would apply and therefore the extent to which the Fuel Companies' activities would be impacted by the associated provisions. The Fuel Companies oppose NHC's submission point 327.104.	Disallow
327.105	Natural Hazards Commission Toka Tū Ake	New policy	In new precinct (multi-zone) "Petone Natural Hazards Precinct", add new policy as follows: Avoid areas exposed to unacceptable residual risk from cumulative natural hazards.	Oppose	The Fuel Companies oppose the relief due to a lack of specific information within the submission regarding where the Petone Natural Hazards Precinct would apply and therefore the extent to which the Fuel Companies' activities would be impacted by the associated provisions. The Fuel Companies oppose NHC's submission point 327.105.	Disallow
327.107	Natural Hazards Commission Toka Tū Ake	New objective	In new precinct (multi-zone) "Petone Natural Hazards Precinct", add new policy as follows: Identify areas exposed to unacceptable residual risk: Identify areas exposed to unacceptable residual risk from existing cumulative natural hazards.	Oppose	The Fuel Companies supports the principle of identifying and spatially mapping areas exposed to unacceptable residual risk. However, the relief is opposed because there is insufficient information within the submission more broadly to enable an assessment of the methodology for identifying areas exposed to unacceptable residual risk and subsequently, the extent to which the Fuel Companies' activities would be impacted by the associated provisions. The Fuel Companies oppose NHC's submission point 327.107.	Disallow
452.87	Wellington Regional Council	NH-P11	Retain NH-P11 as notified.	Support	The Fuel Companies consider that the risk-based approach to managing liquefaction risk in NH-P11 is appropriate. The Fuel Companies support Wellington Regional Council's submission point S452.87.	Allow

