

FURTHER SUBMISSION ON
HUTT CITY COUNCIL - PROPOSED DISTRICT PLAN
Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Chief Executive, Hutt City Council
Via email to: district.plan@huttcity.govt.nz

Further Submission on: Proposed Lower Hutt District Plan 2025

Name of Further Submitter: **Seaview Marina Ltd**

Address for Service: **Tim Lidgard**
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- This is a further submission made by Seaview Marina Ltd in response to the Summary of Decisions notified by Hutt City Council on 10 July 2025.
- This further submission is in support of or in opposition to original submissions on the Proposed District Plan.
- Seaview Marina Ltd is a Council Controlled Organisation that has an interest in the Proposed District Plan that is greater than the interest of the general public and is therefore entitled to make a further submission under Clause 8 of the First Schedule of the Resource Management Act 1991.
- Seaview Marina Ltd wishes to be heard in support of this submission and will consider presenting a joint case if others make a similar submission.
- **Seaview Marina Ltd seeks to allow or disallow original submission points as outlined in this further submission.**

Seaview Marina Limited (SML) makes this further submission on the Hutt City Council – Proposed District Plan (PDP) in support of / in opposition to primary submissions on the PDP.

Seaview Marina Limited has an interest in the PDP that is greater than the interest the general public has, being an original submitter on the PDP with its primary interest being in relation to the Seaview Marina. SML makes this further submission in respect of submissions by third parties to the PDP.

Summary of Submissions released by the Lower Hutt City Council

SML notes that point 25 of its primary submission was not fully summarised in the summary of submissions released by Lower Hutt City Council (dated 10 July 2025) whereby the changes sought by SML to the notification preclusions were not included in the summary.

Reasons for further submission

The primary submissions that SML supports or opposes are set out in the table attached as Appendix 1 to this further submission.

The reasons for this further submission are:

1. The reasons set out in the Seaview Marina Limited primary submission on the PDP.
2. In the case of the primary submissions that are opposed:
 - a. The primary submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 (RMA);
 - b. The relief sought in the primary submissions is not the most appropriate in terms of section 32 of the RMA;
 - c. Rejecting the relief sought in the primary submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - d. The primary submissions are inconsistent with the policy intent of the Seaview Marina Limited primary submission.
3. In the case of primary submissions that are supported:
 - a. The primary submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - b. The reasons set out in the primary submissions; and
 - c. Allowing the relief sought in the primary submissions supported would more fully serve the statutory purpose than would disallowing that relief.

Without limiting the generality of the above, the specific relief in respect of each primary submission that is supported or opposed is set out in Appendix 1.



Tim Lidgard
Seaview Marina Limited
24 July 2025

Appendix 1 – Further Submission Table

Where specific wording changes to the proposed provisions are requested by the primary submissions they are shown as ~~black strikethrough~~ for deletion and black underline for additions.

Primary Submission						Further Submission		
Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
440 Policy Planning Team of the Hutt City Council								
440	48a to 48e	Policy Planning Team of the Hutt City Council	Maps New map layer and consequential amendments	Oppose in part	Seeks that there is a new overlay in the plan maps representing areas of Seaview and Petone where separate treatment for natural hazard risks applies	Support	Support the clarification provided by the proposed overlay and consequential changes.	Allow
449 Urban Edge Planning								
449	52	Urban Edge Planning	Urban design policies	Amend	Seeks to include one urban design policy - possibly called 'character and amenity' for the Hospital Zone, Marae Zone, Seaview Marina Zone and Tertiary Education Zone.	Support	Support the simplification of urban design policies.	Allow
449	56	Urban Edge Planning	Urban design policies	Amend	Seeks to remove reference to ensuring adequate daylight.	Support	Support the removal of refence to daylight for the reasons outlined in Submission No. 449, i.e. “... remove any reference to ensuring adequate daylight, as this is difficult to measure, especially on non-habitable spaces and other sites. In this instance it refers to daylight in well-used streets and public spaces. Unless these are enclosed, they will have access to daylight no matter what is constructed next door. It becomes ambiguous when it then infers there is an appropriate level of daylight expected. What is this and how can it be measured /demonstrated?”	Allow
449	60	Urban Edge Planning	Urban design policies	Amend	Seeks to remove the reference to the comfort and dignity for vehicle areas and changing to pedestrian safety and accessibility.	Support	It is not clear what about how vehicle parking and loading areas provide 'comfort'. Oppose including 'dignity' as an outcome with respect to vehicle parking and loading. It is not clear what issue is being managed here or how this would be achieved.	Allow
449	64	Urban Edge Planning	Urban design policies	Amend	Seeks to remove exclusions for building form, materiality, size and scale, etc.	Support in part	SML seeks the deletion of SMZ-P10 in its entirety as opposed to just removing building form, materiality, size and scale, etc. SML support the removal of building form, materiality, size and scale, etc from SMZ-P10.	Allow in part
449	68	Urban Edge Planning	Urban design policies	Amend	Seeks to remove all other exclusions from the policy and adding these as a note instead.	Support	SML supports the deletion of all other policy exclusions from urban design policy.as this unnecessarily complicates the provisions.	Allow
471 The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd								
471	2	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	Definitions	Support	Retain as notified	Oppose	SML opposes the definition as notified, especially in the context of the Fuel Companies' request to extend the proposed Hazardous Substances Risk Management Overlay and introduce a new Hutt City fuel transmission pipeline corridor.	Disallow
471	83	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New	Definitions	New	Add new definition of “marina activity” as follows: <u>means activities associated with:</u> <u>a. the navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance and repair of vessels;</u>	Support in part	SML supports the intent but not the definition as proposed.	Allow with amendments

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Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
		Zealand Ltd and Z Energy Ltd			<p><i>b. embarking and disembarking of passengers;</i></p> <p><i>c. loading, unloading and storage of cargo and containers;</i></p> <p><i>d. operation, maintenance, repair, cleaning, and refuelling of associated plant and equipment;</i></p> <p><i>e. educational activities associated with these activities; and</i></p> <p><i>f. the use of buildings and structures associated with these activities, including accessory offices, seafood processing and parking.</i></p>			
471	117	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	PINF Chapter Introduction	Support in part	Amend introduction to include reference to the Hutt City fuel transmission pipeline.	Oppose	<p>SML opposes the inclusion of references to the Hutt City fuel transmission pipeline corridor.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	Disallow
471	119	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	PINF-P1 Protecting regionally significant infrastructure	Support in part	<p>Amend PINF-P1 to include reference to the Hutt City fuel transmission pipeline:</p> <p><i>PINF-P1 Protecting regionally significant infrastructure</i></p> <p><i>Regionally significant infrastructure is protected from incompatible new subdivision, use and development by:</i></p> <p><i>1. Avoiding the location of activities sensitive to hazardous substance risk within the Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay, a defined risk management overlay.</i></p> <p>...</p>	Oppose	<p>SML opposes the inclusion of references to the Hutt City fuel transmission pipeline corridor.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	Disallow
471	120	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	PINF Rules Overview	Support in part	<p>Amend overview to include reference to the Hutt City fuel transmission pipeline corridor:</p> <p><i>This chapter includes provisions for the protection of infrastructure from the adverse effects of land use and development.</i></p> <p><i>The rules of this chapter address:</i></p> <p>...</p> <ul style="list-style-type: none"> <i>Provisions controlling activities sensitive to hazardous substance risks within the Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay risk</i> 	Oppose	<p>SML opposes the inclusion of references to the Hutt City fuel transmission pipeline corridor.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer</p>	Disallow

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					<p>management overlay or within 250m of an existing significant hazardous facility (located in the Hazardous Substances chapter. The facilities protected by these provisions include gas and which contains provisions protecting existing significant hazardous facilities and associated petroleum infrastructure), or</p> <p>...</p>		<p>zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	
471	159	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS Chapter Introduction	Support in part	<p>Amend introduction to widen reverse sensitivity scope to not only include new sensitive activities but also intensified sensitive activities</p> <p><i>This chapter seeks to manage:</i></p> <ol style="list-style-type: none"> Reverse sensitivity effects between existing lawfully established significant hazardous facilities and new <u>or intensified</u> activities sensitive to hazardous substance risks, The residual risk <u>from significant hazardous facilities</u> to public safety, for example, risks to the public beyond the site boundary, and Management of cumulative effects of multiple significant hazardous facilities near each other. 	Oppose	<p>SML opposes the proposed changes as they would limit existing lawfully established activities.</p>	Disallow
471	161	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS-O2 Protection of existing significant hazardous facilities	Support	<p>Retain as notified</p> <p>Support the intent of this objective.</p> <p>Should include recognition of the need to avoid sensitive activities from locating in close proximity to the Hutt City fuel transmission pipeline, which does not meet the definition of a 'significant hazardous facility' but which QRA work has demonstrated generates residual risk.</p>	Oppose	<p>SML opposes the inclusion of references to the Hutt City fuel transmission pipeline corridor.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	Disallow
471	162	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS-P1 Location of hazardous facilities	Oppose	<p>Amend policy to only refer to significant hazardous facilities</p> <p>Ensure significant hazardous facilities and activities involving the manufacture, use, storage, transportation, or disposal of hazardous substances, including significant hazardous facilities, are appropriately located and managed by:</p> <ol style="list-style-type: none"> Avoiding unacceptable residual risk to human health, people, and communities <u>as determined</u> through the use of a Quantitative Risk Assessment <u>or other acceptable risk assessment process for the proposed activity, having regard to including its site characteristics and any cumulative risk from other nearby hazardous facilities.</u> 	Oppose	<p>SML opposes the proposed changes.</p> <p>Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by HS-P1 which regulates the location of such facilities and activities.</p> <p>The underlying zone should be a valid matter for consideration when establishing new significant hazardous facilities.</p>	Disallow

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Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
					<p>2. Recognising the purpose of the zone in which the proposed activity is located, and the sensitivity of the activities that are enabled in that zone,</p> <p>3. Locating new significant hazardous facilities outside of sensitive environments a specified overlay, and ...</p>			
471	163	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS-P2 Identify areas of unacceptable residual risk	Support in part	<p>Amend Policy HS-P2 to clarify the type of activities that are considered to be subject to an unacceptable level of risk within the 1 x 10⁻⁶ contour around a SHF.</p> <p>This could be by making changes along the following lines:</p> <p><i>Identify areas where activities are exposed to an unacceptable level of residual risk from existing significant hazardous facilities based on a risk threshold of 1 x 10⁻⁶, and map these areas using the Hazardous Substances Risk Management Overlay or a pipeline corridor overlay.</i></p>	Oppose	<p>SML opposes the proposed changes.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	Disallow
471	164	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS-P3 Location of activities sensitive to hazardous substance risks	Support in part	<p>Amend HS-P3 as follows:</p> <p><i>Require activities sensitive to hazardous substance risks to be adequately separated from significant hazardous facilities to by:</i></p> <ol style="list-style-type: none"> <i>Avoiding new activities sensitive to hazardous substance risks, and the intensification or expansion of existing activities sensitive to hazardous substance risks, locating in areas exposed to unacceptable residual risks from existing significant hazardous facilities, and</i> <i>Avoiding Minimise reverse sensitivity effects on existing significant hazardous facilities.</i> 	Oppose	<p>SML opposes the proposed changes since they would result in further limitation of existing activities and growth ambitions within the SMZ without providing a reasonable consenting pathway.</p>	Disallow
471	168	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	HS-R3 New activities sensitive to hazardous substance risks within the Hazardous Substances Risk Management Overlay	Support	<p>Amend HS-R3 as follows:</p> <p><i>HS-R3 New activities sensitive to hazardous substance risks or their expansion or intensification, within the Hazardous Substances Risk Management Overlay and the Hutt City fuel transmission pipeline corridor</i></p> <p><i>All zones</i></p> <ol style="list-style-type: none"> <i>Activity status: Non-complying</i> 	Oppose	<p>SML opposes the proposed changes.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p> <p>The proposed changes could limit changes to existing lawfully established activities.</p> <p>Refer to primary submission.</p>	Disallow

Primary Submission						Further Submission		
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471	227	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	TEMP Chapter Introduction	Support in part	Amend the introduction to the Temporary Activities chapter as follows: ... <i>The benefits of temporary activities and the limited duration of adverse effects mean that those effects are likely to be more acceptable to the community. This chapter therefore provides a more liberal pathway for certain temporary activities in zones where they might not otherwise be provided for. <u>Except in the Seaview Marina Zone and Heavy Industrial Zone at Seaview, temporary activities are permitted where they meet certain standards. Where they exceed the thresholds in those standards, operators can apply for resource consents which assess the effects of those activities case by case.</u></i> <u>Temporary activities in the Seaview Marina Zone and Heavy Industrial Zone at Seaview require resource consent so that risk and reverse sensitivity effects associated with proximity to nearby significant hazardous facilities and the Hutt City fuel transmission pipeline are appropriately avoided or managed.</u>	Oppose	SML oppose the changes sought by the submitter as they apply to the SMZ.	Disallow
471	228	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	TEMP-O2 Adverse effects of temporary activities	Support in part	Amend TEMP-O2 as follows: <i>Temporary activities occur in ways that:</i> <ol style="list-style-type: none">1. <i>Protect cultural and heritage values, people's health and safety, and the natural environment,</i>2. <i>Protect public access to lakes, rivers, and the coast,</i>3. <i>Do not detract from public access to public spaces (other than any public space in which the temporary activity occurs) and the operations and capacity of the transport network more than is reasonable considering the benefits of the activity,</i>4. <i>Do not detract from amenity values more than is reasonable considering the benefits of the activity, and</i>5. <i>Have only temporary adverse effects.</i>6. <u><i>In the Seaview Marina Zone and Heavy Industrial Zone at Seaview, avoid unacceptable residual risk and reverse sensitivity effects associated with the nearby significant hazardous facilities and the Hutt City fuel transmission pipeline</i></u>	Oppose	SML opposes the proposed changes. Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process. The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities. The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO. SML opposes the use of the word 'avoid' in the objective. Onus should also be placed on the source activities themselves to minimise and mitigate adverse effects.	Disallow
471	229	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	TEMP New policy	Support	Add TEMP-PX as follows: <u>TEMP-PX Temporary activities in the Seaview Marina Zone and Heavy Industrial Zone at Seaview</u> <u>Ensure that temporary activities within the Seaview Marina Zone and Heavy Industrial Zone at Seaview are appropriately located and managed to avoid unacceptable residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline.</u>	Oppose	SML opposes the proposed changes. Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process. The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.	Disallow

Primary Submission						Further Submission		
Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
							The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO. SML oppose the use of 'avoid' and 'reverse sensitivity' in the context of temporary activities, particularly given their limited duration	
471	230	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	TEMP-R1 Temporary activities	Support in part	Amend TEMP-R1 as follows: <u>All zones excluding Seaview Marina Zone and Heavy Industrial Zone at Seaview</u> 1. Activity status: Permitted ... <u>All zones excluding Seaview Marina Zone and Heavy Industrial Zone at Seaview</u> 2. Activity status: Restricted discretionary ... <u>Seaview Marina Zone and Heavy Industrial Zone at Seaview</u> 3. Activity status: Restricted discretionary <u>Matters of discretion are restricted to:</u> 1. Positive effects, including contribution to Lower Hutt's vibrancy, diversity, and prosperity. 2. The management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline.	Oppose	SML oppose the amendments resulting in more onerous resource consent requirements for activities in the Seaview Marina Zone.	Disallow
471	297	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-O1 Purpose of the zone	Support in part	Amend SMZ-O1 as follows: <i>The Seaview Marina area is used primarily to provide for the needs of marina activities, and The area also provides for other compatible activities that support this role, or do not interfere with the primary purpose, including industrial activities, commercial activities, or community activities, where they that:</i> 1. Do not undermine the purpose of the Local Centre Zone, Metropolitan Centre Zone, or City Centre Zone, and 2. Do not present significant Avoid reverse sensitivity effects <u>that could compromise</u> on industrial activities, including heavy industrial activities, in the Heavy Industrial Zone and General Industrial Zone.	Oppose in part	SML opposes the use of the words 'avoid' and 'could compromise'. Onus should also be placed on the industrial activities themselves to minimise and mitigate adverse effects. Support the deletion of reference to the General Industrial Zone.	Disallow Allow
471	298	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-O2 Activities in the zone	Support in part	Amend SMZ-O2 as follows: <i>The Seaview Marina Zone:</i> 1. Primarily provides for marina activities,	Oppose	SML opposes the use of the words 'avoid' and 'could compromise'. Onus should also be placed on the source activities themselves to minimise and mitigate adverse effects.	Disallow

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Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
					<p>2. Provides for other activities provided for in industrial zones, such as industrial activities, research activities, emergency facilities and trade and industrial training activities,</p> <p>3. Is supported by other activities that:</p> <p>a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</p> <p>b. Do not undermine the role of commercial centres, and</p> <p>c. Avoid Do not create unreasonable or excessive reverse sensitivity issues effects that could compromise for industrial activities in the Heavy Industrial Zone, and</p> <p>[...]</p>			
471	299	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-P1 Enabled activities	Support	<p>Amend SMZ-P1 as follows:</p> <p>Enable:</p> <ol style="list-style-type: none"> Marina activities, Activities that support marina activities, Industrial activities, Research activities, Emergency facilities, Trade and industrial training facilities, and Commercial activities that do not undermine the purpose, vitality, vibrancy, and co-location benefits, while managing the reverse sensitivity effects of those on existing and potential activities in the General Industrial Zone and Heavy Industrial Zone. 	Support in part	Support the removal of reference to the General Industrial Zone, but, the policy should describe the underlying intentions rather than listing individual activities (as stated in SML Primary Submission).	Allow
471	300	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-P2 Residential activities and sensitive activities not related to the Seaview Marina	Oppose	<p>Amend SMZ-P2 as follows:</p> <p>Avoid residential activities and other new sensitive activities not associated with the Seaview Marina unless they are:</p> <ol style="list-style-type: none"> Ancillary to and support an industrial activity, research activity, or emergency facility, Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and Designed, located and managed to avoid minimise reverse sensitivity effects that could compromise for industry, including existing and enabled heavy industrial activities. 	Oppose	<p>SML opposes the use of the words 'avoid' and 'could compromise'. Onus should also be placed on the industrial activities themselves to minimise and mitigate adverse effects.</p> <p>SML continue to seek relief sought in its Primary Submission.</p>	Disallow
471	301	The Fuel Companies - BP Oil New	SMZ-P3 Residential activities and	Support	<p>Amend SMZ-P3 as follows:</p> <p>Avoid:</p>	Oppose in part	SML opposes the use of the words 'avoid' and 'could compromise'. Onus should also be placed on the industrial activities themselves to minimise and mitigate adverse effects.	Disallow

Primary Submission						Further Submission		
Submission No.	Submission Point No.	Submitter Name	Specific Provision / Matter	Position	Summary of Decision Requested (Decision Sought)	SML Response (Support / Oppose)	SML Reasons	Decisions Sought (Allow / Disallow)
		Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	sensitive activities not related to the Seaview Marina		<ol style="list-style-type: none"> 1. Residential activities and other new sensitive activities associated with the Seaview Marina, and 2. Activities that primarily support or are ancillary to residential activities or other sensitive activities in the coastal marine area, unless they are: <ol style="list-style-type: none"> 1. Ancillary to and support an industrial activity, research activity, or emergency facility, 2. Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and 3. <u>Designed, located and managed to avoid minimise reverse sensitivity effects that could compromise for industry, including existing and enabled heavy industrial activities.</u> 	Support in part	SML support the deletion of the word “new” in relation to sensitive activities.	Allow
471	302	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-P5 Reverse sensitivity	Support in part	Amend SMZ-P5 as follows: Avoid any other activities that present significant and inadequately managed reverse sensitivity issues effects that could compromise for industry, including existing and enabled heavy industrial activities.	Oppose	SML opposes the use of the words ‘avoid’ and ‘could compromise’. Onus should also be placed on the industrial activities themselves to minimise and mitigate adverse effects.	Disallow
471	303	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-P6 Existing activities	Support	Retain as notified	Oppose	Reverse sensitivity is already covered in several policies and another stand alone policy is not required.	Disallow
471	304	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R3 Construction of new buildings and structures and alterations and additions to existing buildings and structures	Support in part	Amend SMZ-R3 as follows: [...] <ol style="list-style-type: none"> 2. Activity status: Restricted discretionary Where: <ol style="list-style-type: none"> a. Compliance is not achieved with SMZ-R3.1. Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. The matters of discretion in any standards not met. 2. If SMZ-R3.1b or c are not met: the urban design matters in SMZP9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ P10: Urban design outcomes (exclusions). 3. If SMZ-R3.1b is not met: the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for marina, industrial, research, and 	Oppose in part	SML accept that some consideration of reverse sensitivity effects may be necessary, but this discretion can be provided through the appropriate policy. This simplifies the plan provisions.	Disallow

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					<p><i>supporting purposes, including the expected lifespan of the building and the ability of the building to be converted to marina or industrial use.</i></p> <p><u>4. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p>			
471	305	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R4 Marina activities	Support in part	Retain SMZ-R4 as notified, and add a definition for "marina activities" (see submission point #471.83)	Support	Support the inclusion of a definition for marina activities. Not including a definition creates uncertainty for both SML and other plan users.	Allow
471	306	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R8 Motor vehicle servicing activities	Oppose	<p>Amend the activity status of SMZ-R8 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in:</u></p> <p><u>a. SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p><u>b. SMZ-P5: Reverse sensitivity,</u></p> <p><u>c. SMZ-P6: Existing activities, and</u></p> <p><u>d. SMZ-P7: Development capacity.</u></p> <p><u>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p><u>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p><u>4. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p>	Oppose	SML consider that a permitted activity pathway for motor vehicle servicing activities is appropriate.	Disallow
471	307	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R11 Grocery stores and supermarkets	Oppose	<p>Amend the activity status of SMZ-R11 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p>	Oppose in part	<p>SML consider there should be a permitted activity pathway for supermarkets under 500m² as was proposed in the notified PDP.</p> <p>In terms of the alternative relief sought, it would be difficult to implement this provision and determine whether a grocery store or supermarket was associated with marina activities.</p>	Disallow

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					<p><u>1. The matters in:</u></p> <p><u>a. SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p><u>b. SMZ-P5: Reverse sensitivity,</u></p> <p><u>c. SMZ-P6: Existing activities, and</u></p> <p><u>d. SMZ-P7: Development capacity.</u></p> <p><u>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p><u>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p><u>4. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R11 and introduce new rule(s) and definition(s) that require grocery stores and supermarkets to be associated specifically with marine activities.</p>			
471	308	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R12 Food and beverage activities	Oppose	<p>Amend the activity status of SMZ-R12 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in:</u></p> <p><u>a. SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p><u>b. SMZ-P5: Reverse sensitivity,</u></p> <p><u>c. SMZ-P6: Existing activities, and</u></p> <p><u>d. SMZ-P7: Development capacity.</u></p> <p><u>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p><u>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p>	Oppose	<p>SML consider that food and beverage activities should be provided as a permitted activity within the Marina. The matters of discretion are too broad and ambiguous.</p> <p>In terms of the alternative relief sought, it would be difficult to implement this provision and determine whether a food and beverage activity was associated with marina activities.</p>	Disallow

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					<p>4. <u>Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R12 and introduce new rule(s) and definition(s) that require food and beverage activities to be associated specifically with marine activities.</p>			
471	309	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R14 Recreation activities	Oppose	<p>Amend the activity status of SMZ-R14 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in:</u></p> <p>a. <u>SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p>b. <u>SMZ-P5: Reverse sensitivity,</u></p> <p>c. <u>SMZ-P6: Existing activities, and</u></p> <p>d. <u>SMZ-P7: Development capacity.</u></p> <p>2. <u>The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p>3. <u>Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p>4. <u>Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R14 and introduce new rule(s) and definition(s) that require recreation activities to be associated specifically with marine activities.</p>	Oppose	<p>Recreation activities are fundamental to the operation of Seaview Marina. These need to be provided for as a permitted activity. The matters of discretion are too broad and ambiguous.</p> <p>In terms of the alternative relief sought, it would be difficult to implement this provision and determine whether a recreation activity was associated with marina activities.</p>	Disallow
471	310	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R15 Yard-based retailing	Oppose	<p>Amend the activity status of SMZ-R15 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in:</u></p> <p>a. <u>SMZ-P4: Role in network of commercial and industrial areas,</u></p>	Oppose	<p>Yard based retailing should be provided for as a permitted activity. The matters of discretion are too broad and ambiguous. The regulatory cost of requiring every yard based retailing to get resource consent is not justified.</p>	Disallow

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					<p><i>b. SMZ-P5: Reverse sensitivity,</i></p> <p><i>c. SMZ-P6: Existing activities, and</i></p> <p><i>d. SMZ-P7: Development capacity.</i></p> <p><i>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</i></p> <p><i>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</i></p> <p><i>4. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</i></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R15 and introduce new rule(s) and definition(s) that require yard-based retailing to be associated specifically with marine activities</p>			
471	311	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R16 Trade supply retail activities	Oppose	<p>Amend the activity status of SMZ-R16 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p>Matters of discretion are restricted to:</p> <p><u>Matters of discretion are restricted to:</u></p> <p><i>1. The matters in:</i></p> <p><i>a. SMZ-P4: Role in network of commercial and industrial areas,</i></p> <p><i>b. SMZ-P5: Reverse sensitivity,</i></p> <p><i>c. SMZ-P6: Existing activities, and</i></p> <p><i>d. SMZ-P7: Development capacity.</i></p> <p><i>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</i></p> <p><i>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</i></p> <p><i>4. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</i></p> <p>OR</p>	Oppose	Trade supply retailing should be provided for as a permitted activity. The matters of discretion are too broad and ambiguous. The regulatory cost of requiring every trade supply retail activity to get resource consent is not justified.	Disallow

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					Alternatively, delete Rule SMZ-R16 and introduce new rule(s) and definition(s) that require trade supply retail activities to be associated specifically with marine activities.			
471	312	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R18 Community facilities	Oppose	<p>Amend the activity status of SMZ-R18 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in:</u></p> <p><u>a. SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p><u>b. SMZ-P5: Reverse sensitivity,</u></p> <p><u>c. SMZ-P6: Existing activities, and</u></p> <p><u>d. SMZ-P7: Development capacity.</u></p> <p><u>2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p><u>3. Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p><u>4. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R18 and introduce new rule(s) and definition(s) that require community facilities to be associated specifically with marine activities."</p>	Oppose	Community facilities should be provided for as a permitted activity. The matters of discretion are too broad and ambiguous. The regulatory cost of requiring every community activity to get resource consent is not justified.	Disallow
471	313	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R19 Commercial activities not otherwise provided for	Oppose	<p>Amend the activity status of SMZ-R19 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in:</u></p> <p><u>a. SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p><u>b. SMZ-P5: Reverse sensitivity,</u></p> <p><u>c. SMZ-P6: Existing activities, and</u></p> <p><u>d. SMZ-P7: Development capacity.</u></p>	Oppose	Commercial activities should be provided for as a permitted activity with an appropriate size threshold e.g. 500m ² . The matters of discretion are too broad and ambiguous. The regulatory cost of requiring every commercial activity to get resource consent is not justified.	Disallow

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					<p>2. <u>The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p>3. <u>Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p>4. <u>Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R19 and introduce new rule(s) and definition(s) that require commercial activities not otherwise provided for to be associated specifically with marine activities.</p>			
471	314	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	SMZ-R20 Other activities not otherwise provided for	Oppose	<p>"Amend the activity status of SMZ-R20 from a permitted activity to a restricted discretionary activity,</p> <p>AND</p> <p>Insert the following matters of discretion:</p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in:</u></p> <p>a. <u>SMZ-P4: Role in network of commercial and industrial areas,</u></p> <p>b. <u>SMZ-P5: Reverse sensitivity,</u></p> <p>c. <u>SMZ-P6: Existing activities, and</u></p> <p>d. <u>SMZ-P7: Development capacity.</u></p> <p>2. <u>The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).</u></p> <p>3. <u>Management of residual risk effects and reverse sensitivity effects associated with nearby significant hazardous facilities and the Hutt City fuel transmission pipeline, including through building design and layout.</u></p> <p>4. <u>Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.</u></p> <p>OR</p> <p>Alternatively, delete Rule SMZ-R20 and introduce new rule(s) and definition(s) that require other activities not otherwise provided for to be associated specifically with marine activities.</p>	Oppose	SML considers including a size threshold (e.g. 500m ²) is appropriate to allow for other activities not otherwise provided for. The regulatory cost of requiring every activity to get resource consent is not justified.	Disallow
471	321	The Fuel Companies - BP Oil New	Maps Hazardous Substances Risk	Oppose in part	Amend the Hazardous Substance Risk Management Overlay to be based on the sensitive land use criteria risk contours (1 x 10 ⁻⁶)	Oppose	For the reasons outlined in its primary submission, SML opposes the Hazardous Substance Risk Management Overlay in its current extent and an	Disallow

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		Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	Management Overlay Contour Mapping		rather than the residential land use criteria risk contours (1 x 10 ⁻⁶) (shown in Attachment A of the submission).		alternative rule framework that provides a consenting pathway for marina activities.	
471	322	The Fuel Companies - BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd	Maps New map overlay - Hutt City Fuel Transmission Pipeline Corridor	Oppose (requesting new provision)	Add a "Hutt City Fuel Transmission Pipeline Corridor" to the District Plan maps, located based on the sensitive land use criteria risk contours (0.5 x 10 ⁻⁶) of the Hutt City fuel transmission pipeline, being 40m either side of the pipeline (shown in Attachment B of the submission).	Oppose	<p>SML opposes the proposed changes.</p> <p>Scope – the introduction of a fuel transmission pipeline corridor would restrict activities on a large number of properties which were not previously aware of these changes and may not be involved in the process.</p> <p>The Hutt City fuel transmission pipeline does not meet definition of significant hazardous facility. If the changes proposed by the fuel companies were introduced the corridor would receive the same protection and buffer zone as significant hazardous facilities but would not be affected by provisions that regulate significant hazardous facilities.</p> <p>The fuel transmission pipeline corridor would result in additional restriction of activities on SMZ land that is not already covered by the HSRMO.</p>	Disallow