

30 August 2024

SLR Ref No.: 810.V15584.00001 v0.1 - Gore HS5 Hearing Statement - the Fuel Companies (Submitter 16)
20240827

Attention: Lindsey Crazy Wolf, Regulatory Administrator – District Plan
Gore District Council
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Via email: proposeddistrictplan@goredc.govt.nz

SLR Project No.: 810.V15584.00001

RE: Gore Proposed District Plan – Hearing Stream 5 Hearing Statement of the Fuel Companies (Submitter 16)

Introduction

- 1 This hearing statement is prepared on behalf of bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the **Fuel Companies**) on Hearing Stream 5 (HS5) for the Transport provisions of the Gore Proposed District Plan (PDP).
- 2 This hearing statement represents the views of the Fuel Companies and is not expert evidence. The Fuel Companies will not be attending the hearing but request that this hearing statement be tabled before the Hearing Panel.
- 3 The Fuel Companies have an interest in HS5 of the PDP to the extent that it relates to, or impacts on, their sites and activities in the Gore District.
- 4 The recommendations of the section 42A Report on the Transport Chapter, prepared by Tina Carlson-McColl on behalf of the Gore District Council dated 19 August 2024 (the **s42A Report**), have been reviewed as they relate to the Fuel Companies submission. Overall, the Fuel Companies are of the view that these recommendations are generally acceptable, so long as a standalone permitted activity rule for Electric Vehicle Charging Infrastructure (**EVCI**) is incorporated into the Transport Rules, as detailed in this hearing statement.

Definition of Land Transport Infrastructure

- 5 The Fuel Companies made the following submission on the Definition of *Land Transport Infrastructure*:
 - a) Retain the definition as notified.
- 6 The Section 42A report recommends that this submission is accepted, and no changes are proposed to clause (n) which references EVCI.
- 7 The Fuel Companies are pleased to see the acceptance of this submission point.

Policies TRANS-P3, TRANS-P4 and TRANS-P8

- 8 The Fuel Companies made the following submissions on policies TRANS-P3, TRANS-P4 and TRANS-P8:
 - a) Retain TRANS-P3, TRANS-P4, TRANS-P8 AND TRANS-P12 as notified.
- 9 The s42A Report acknowledges the Fuel Companies submissions on these four policies and generally recommends the policies are retained as notified, with some changes recommended in response to other submitters.
- 10 The Fuel Companies consider the recommended amendments to the four policies are inconsequential for the Fuel Companies and accept the recommendations of the s42A Report.

Rule TRANS-R1

- 11 The Fuel Companies made the following submission on TRANS-R1:
 - a) Amend TRANS-R1(1) to make the establishment of EVCI a permitted activity where it complies with the Transport Standards.
- 12 The s42A Report recommends that the Fuel Companies submission (S16.034) is rejected for the reasoning provided at paragraph 149 of the s42A Report. The Fuel Companies are concerned that this reasoning does not accurately reflect the Fuel Companies position.
- 13 It is not the intention of the Fuel Companies for the TRANS-R1 rule to enable the installation of EVCI without the requirement to comply with any other Transport Standards.
- 14 The Fuel Companies interpreted clause 1 of TRANS-R1 to be in addition to clauses 2 and 3 of the rule, meaning that installation of EVCI would still need to comply with the Transport Standards specified under clause 2 of TRANS-R1. If this is not the intention of the rule, and activities under clause 1 are permitted irrespective of clauses 2 and 3, then the Fuel Companies alternatively request a new clause be added to TRANS-R1 to provide for EVCI as a permitted activity provided transport standards are complied with, as follows:

TRANS-R1 The establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure.

All zones

Activity status: Permitted

1. Where the land is:

- (a) legal road and the work is being undertaken by, or on behalf of, a road controlling authority; or*
- (b) within a legally established rail corridor and the work is being undertaken by, or on behalf of the rail controlling authority, the railway owner or operator.*

2. Where it is for the installation of equipment, structures and infrastructure associated with charging of electric vehicles that complies with all Transport Standards.

2-3. *The transport network and land transport infrastructure are designed, formed, surfaced and drained in accordance with all Transport Standards; and*



~~3.4.~~ *The land is not within an area or site identified as:*

- (a) Historic Heritage site or setting; or*
- (b) root protection area of a Notable Tree; or*
- (c) Outstanding Natural Feature or Outstanding Natural Landscape; or*
- (d) Significant Natural Area or highly mobile fauna area.*

Activity status where compliance is not achieved: Discretionary

- 15 Given the rejection of the relief sought by the Fuel Companies to TRANS-R1, the submitters remain concerned that this would make the installation of EVCI a discretionary activity in zones such as the Town Centre Zone where 'service stations' are a discretionary activity. The submitters consider that this would be unnecessarily onerous.
- 16 The Fuel Companies emphasise the importance of a standalone rule that provides for the installation of EVCI as a permitted activity in the Transport (TRANS) provisions so that this does not default to a discretionary activity in the Town Centre Zone. This matter is not specific to service stations as it will provide for EVCI on any site (outside of the legal road) where it complies with the Transport Standards. This will help to support a transition to a low carbon economy.

Concluding Statement

- 17 In summary, the Fuel Companies submissions are to support the recommended changes to the definition of *Land Transport Infrastructure*, TRANS-P3, TRANS-P4, TRANS-P8 and TRANS-P12, and emphasise the consequential importance of a (standalone) TRANS rule that permits the installation of EVCI where it complies with the Transport Standards.
- 18 Thank you for your time and acknowledgement of the issues raised in the submissions of the Fuel Companies. Please do not hesitate to contact the writer should you wish to clarify any matters addressed in this hearing statement.

Kind Regards,

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