

In the Environment Court of New Zealand  
at Auckland

ENV-2016-AKL-

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*in the matter of:* the Local Government (Auckland Transitional Provisions) Act 2010 (*LGATPA*) and the Resource Management Act 1991

*and:*

*in the matter of:* an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the Proposed Auckland Unitary Plan

*and:*

*in the matter of:* Proposed Auckland Unitary Plan Hearing Topics 006 RPS Natural Resources and 035 Air Quality

*between:* **ACI Operations New Zealand Limited, trading as O-I New Zealand**  
*Appellant*

*and:* **Auckland Council**  
*Respondent*

Notice of appeal by ACI Operations New Zealand Limited, trading as O-I New Zealand, against decisions on the Proposed Auckland Unitary Plan

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Dated: 16 September 2016

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REFERENCE: Paula Brosnahan (Paula.Brosnahan@chapmantripp.com)

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**To** The Registrar  
Environment Court  
Auckland

**Introduction**

- 1 ACI Operations New Zealand Limited, trading as O-I New Zealand (*O-I*) appeals against a part of a decision of Auckland Council (*Council*) on the Proposed Auckland Unitary Plan (*Proposed Plan*).
- 2 O-I has the right to appeal the Council's decision under section 156(1) of the LGATPA because the Council rejected a recommendation of the Auckland Unitary Plan Independent Hearings Panel (*Panel*) in relation to a provision or matter O-I addressed in its submission on the Proposed Plan (submission number 852, further submission number 2229). The Council decided on an alternative solution, which resulted in provisions being included in the Proposed Plan that were not included in the Panel's recommendations.
- 3 O-I provides further details of the reasons for its appeal below.
- 4 O-I is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 5 O-I received notice of the decision on 19 August 2016.
- 6 The part of the decision that O-I is appealing is the Council's decision to reject the Panel's recommendations in relation to Hearing Topics 006 and 035 (Air Quality) to delete the Auckland Ambient Air Quality Standards (*AAAQS*) from the Proposed Plan. In particular, the Council's decision to amend the following provisions of the Proposed Plan to refer to the *AAAQS*:
  - (a) B7 Natural Resources:
    - (i) B7.5.1(4);
    - (ii) B7.5.2(7);
  - (b) E14 Air Quality:
    - (i) E14.2(2);
    - (ii) E14.3(1);
    - (iii) Table E14.3.1; and
    - (iv) E14.8.2(1).

## Reasons for the appeal

7 The reasons for the appeal are as follows:

7.1 O-I considers that the decision appealed does not accord with the relevant requirements of the RMA and is contrary to Part 2 of the RMA. In particular, the decision appealed:

- (a) Does not promote the sustainable management of natural and physical resources;
- (b) Does not promote the efficient use and development of natural and physical resources;
- (c) Does not result in the most appropriate plan provisions in terms of section 32 of the RMA; and
- (d) Is contrary to good resource management practice.

7.2 Without limiting the generality of the above, the specific reasons for this appeal are:

- (a) The AAAQS differ from the standards contained in the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (*NES*). There are no special circumstances in the Auckland region that would justify introducing regional air quality standards that differ from the New Zealand standards and guidelines. The NES is the most appropriate tool to manage air quality in Auckland.
- (b) The Panel determined that there was "insufficient justification" for including the AAAQS in the Proposed Plan, and that "...reliance on national standards [provides] sufficient regulation for management of air quality in Auckland".<sup>1</sup>
- (c) The AAAQS provisions in the Proposed Plan are unclear as to where, and in what circumstances, the AAAQS should be applied. While intended to be objectives and policies, the provisions read more akin to rules. For example:
  - (i) They do not specify that the AAAQS only apply where people can be exposed for the relevant averaging period (i.e. continuously for 24 hours), contrary to the approach taken in the NES; and
  - (ii) The objectives and policies are so directive that they have the potential to be inappropriately

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<sup>1</sup> Auckland Unitary Plan Independent Hearings Panel "Report to Auckland Council Hearing Topics 006 and 035 – Air Quality" (July 2016), Section 2.2.

applied to resource consent applications as "pass/fail" criteria.

- (d) The Council has failed to undertake an adequate assessment of the provisions, including the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, as required by sections 32 and 32AA of the RMA.
- (e) In particular, in relation to the AAAQS for sulphur dioxide (SO<sub>2</sub>):
  - (i) The Panel determined that the health benefits of a 24-hour SO<sub>2</sub> standard are not clear and there is no precautionary justification for such a standard, given the evidence that SO<sub>2</sub> levels are not high in Auckland, except near the Port.<sup>2</sup>
  - (ii) The AAAQS for SO<sub>2</sub> is based on the World Health Organisation guideline. The World Health Organisation acknowledges the conservative basis on which the guideline value was set and indicates that it will be reviewed as more information becomes available. It is therefore not appropriate to include this standard in the Unitary Plan, which has a life of at least 10 years.

### **Relief sought**

8 O-I seeks the following relief:

- (a) Reinstate the Panel's recommendations on Topics 006 and 035 to delete the AAAQS from the Proposed Plan;
- (b) In particular, the following amendments to the Council's decision (additional text shown as underline, deleted text shown as ~~strike through~~):
  - (i) **B7. Toitū te whenua, toitū te taiao – Natural resources**
    - B7.5.1. Objectives**
      - (1) The discharge ...
      - ~~(4) The Auckland Ambient Air Quality Standards are met and priority is given to meeting the annual average~~

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<sup>2</sup> Auckland Unitary Plan Independent Hearings Panel "Report to Auckland Council Hearing Topics 006 and 035 – Air Quality" (July 2016), Section 5.2.



standards for fine particles (PM10 and PM2.5) and nitrogen dioxide.

(ii) **B7.5.2. Policies**

Manage discharge of contaminants to air from use and development to:

(1) avoid significant ...

(6) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;

~~(7) meet Auckland Ambient Air Quality Standards by giving priority to reducing PM10 and PM2.5 discharges from combustion sources, such as domestic fires and motor vehicle emissions and industrial discharges to air.~~

(iii) **E14. Air quality**

**E14.2. Objectives [rcp/rp]**

(1) Air quality ...

(2) Air discharges from use and development meet national air quality standards ~~Auckland Ambient Air Quality Standards.~~

~~(3)~~ (2) Human health, ...

(iv) **E14.3 Policies [rcp/rp]**

~~(1) Protect human health by requiring that air discharges do not cause ambient air quality to exceed the Auckland Ambient Air Quality Standards in Table E14.3.1 for the specified contaminants.~~

~~(2)~~ (1) Manage the ...

(v) **Table E14.3.1 Auckland Ambient Air Quality Standards (AAAQS)**

Contaminant	Standard	Averaging Time	Number of permissible exceedances per year
Particles less than 10 microns (PM <sub>10</sub> )	50 µg/m <sup>3</sup> *	24 hour	1

-	20 µg/m <sup>3</sup>	Annual	0
Particles less than 2.5 microns (PM <sub>2.5</sub> )	25 µg/m <sup>3</sup>	24 hour	0
-	10 µg/m <sup>3</sup>	Annual	0
Nitrogen dioxide (NO <sub>2</sub> )	200 µg/m <sup>3*</sup>	1-hour	0
-	100 µg/m <sup>3</sup>	24 hour	0
-	40 µg/m <sup>3</sup>	Annual	0
Carbon monoxide (CO)	10 mg/m <sup>3*</sup>	8 hours (running mean)	one 8-hour period
-	30 mg/m <sup>3</sup>	1-hour	0
Sulphur dioxide (SO <sub>2</sub> )	350 µg/m <sup>3*</sup>	1-hour	0
-	570 µg/m <sup>3*</sup>	1-hour	0
-	20 µg/m <sup>3</sup>	24 hour	0
Ozone (O <sub>3</sub> )	150 µg/m <sup>3*</sup>	1-hour	0
-	100 µg/m <sup>3</sup>	8-hour	0
Lead	0.2 µg/m <sup>3</sup>	3-month moving average calculated monthly	0
Benzene	3.6 µg/m <sup>3</sup>	Annual	0
Benzo[a]pyrene	0.0003 µg/m <sup>3</sup>	Annual	0
1,3-Butadiene	2.4 µg/m <sup>3</sup>	Annual	0
Formaldehyde	100 µg/m <sup>3</sup>	30 minutes	0
Acetaldehyde	30 µg/m <sup>3</sup>	Annual	0
Mercury (inorganic)	0.33 µg/m <sup>3</sup>	Annual	0
Mercury (organic)	0.13 µg/m <sup>3</sup>	Annual	0
Chromium VI	0.0011 µg/m <sup>3</sup>	Annual	0
Chromium metal and Chromium III	0.11 µg/m <sup>3</sup>	Annual	0
Arsenic (inorganic)	0.0055 µg/m <sup>3</sup>	Annual	0
Arsine	0.055 µg/m <sup>3</sup>	Annual	0

Asterisk \* = AAAQS taken from the NES

(vi) **E14.8 Assessment – restricted discretionary activities**

**E14.8.2 Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities

~~(1) The degree to which Auckland Ambient Air Quality Standards are likely to be met.~~

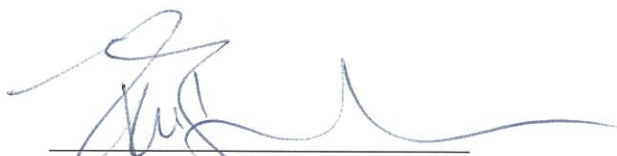
~~(2) (1) Whether the ...~~

- (c) Such further or consequential relief as may be necessary to address the matters raised in O-I's submissions and this appeal; and
- (d) Costs.

**Service and attachments**

- 9 An electronic copy of this notice is being served today by email on the Auckland Council at unitaryplan@aucklandcouncil.govt.nz and the Minister of Conservation. Waivers and directions have been made by the Environment Court in relation to the usual requirements of the RMA as to service of this notice on other persons.
- 10 The following documents are attached to this notice:
  - (a) a copy of the relevant part of the decision (**Appendix 1**);
  - (b) a list of names and addresses of persons served with a copy of this notice (**Appendix 2**); and
  - (c) a copy of O-I's submission and further submission (**Appendices 3 and 4** respectively).

**Signed** for and on behalf of O-I by its solicitors and authorised agents  
Chapman Tripp



Paula Brosnahan / Jo Bain  
Partner / Senior Associate  
16 September 2016

Address for service of person:

O-I New Zealand

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## **Advice to recipients of copy of notice of appeal**

### *How to become party to proceedings*

You may become a party to the appeal if you are one of the persons described in section 274(1) of the RMA.

To become a party to the appeal, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court by email (to [unitaryplan.ecappeals@justice.govt.nz](mailto:unitaryplan.ecappeals@justice.govt.nz)) and serve copies of your notice by email on the Auckland Council (to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)) and the appellant.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the RMA.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

### *Advice*

If you have any questions about this notice, contact the Environment Court in Auckland.

**APPENDIX 1 – COPY OF THE RELEVANT PART OF THE DECISION**



**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan**

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**Decisions Report**

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**19 August 2016**

**Panel recommendations rejected: none.**

**4. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 004 (General Rules), July 2016”**

**Panel recommendations accepted:**

- 4.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 004 (General Rules), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

**Panel recommendations rejected: none.**

**5. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 005 (Issues of Regional Significance), July 2016”**

**Panel recommendations accepted:**

- 5.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 005 (Issues of regional significance), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

**Panel recommendations rejected: none.**

**6. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 006 and 035 (Air quality), July 2016”**

**Panel recommendations accepted:**

- 6.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topics 006 and 035 (Air quality), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps except as listed below at paragraph 6.2.

**Panel recommendations rejected:**

- 6.2 The Council has rejected the Panel recommendations in relation to Hearing Topics 006 and 035 (Air quality) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):



(a) **Deletion of the Auckland Ambient Air Quality Standards**

<b>Reasons</b>	
(i) The limits and criteria for a number of pollutants which may adversely affect air quality will not exist.	
(ii) Outcomes outlined in the Regional Policy Statement Objectives B7.5.1(1) and B7.5.1(3) and the Auckland wide objectives E14.2(1) and E14.2(3) will not be achieved.	
(iii) There will be uncertainty and inefficiency in the processing of resource consent applications	
<b>Alternative solution</b>	See Attachment A
<b>Section 32AA evaluation</b>	See Attachment B

**7. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topics 006 (Natural resources) and 010 (Biodiversity), July 2016”**

**Panel recommendations accepted:**

- 7.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 006 (Natural resources) and Hearing Topic 010 (Biodiversity), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

**Panel recommendations rejected: none.**

**8. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 007 (RPS climate change), July 2016”**

**Panel recommendations accepted:**

- 8.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topics 007 (RPS climate change), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

**Panel recommendations rejected: none.**



**Decisions of the Auckland Council on  
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**Attachment A**

The alternative solutions prepared by the Council for any rejected recommendations (which includes: text, diagram and map alternative solutions).

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**19 August 2016**

# Topics 006 & 035

## B7 Natural resources

## **B7. Toitū te whenua, toitū te taiao – Natural resources**

### ***Ngā ariki o te rangi, ngā ariki o te whenua, ngā ariki o te moana, ngā ariki o te taiao***

The chiefly deities of the sky, of the earth, of the sea, the spiritual caretakers of the environment

#### **B7.1. Issues**

The combination ...

#### **B7.5. Air**

##### **B7.5.1. Objectives**

(1) The discharge ...

(4) The Auckland Ambient Air Quality Standards are met and priority is given to meeting the annual average standards for fine particles (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide.

##### **B7.5.2. Policies**

Manage discharge of contaminants to air from use and development to:

(1) avoid significant ...

(6) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;

(7) meet Auckland Ambient Air Quality Standards by giving priority to reducing PM<sub>10</sub> and PM<sub>2.5</sub> discharges from combustion sources, such as domestic fires and motor vehicle emissions and industrial discharges to air.

#### **B7.6. Minerals**

##### **B7.6.1. Objectives**

(1) Auckland's mineral ...

# Topics 006 & 035

## E14 Air quality

## E14. Air quality

### E14.1. Description

These provisions ...

### E14.2. Objectives [rcp/rp]

- (1) Air quality ...
- (2) Air discharges from use and development meet ~~national air quality standards~~ Auckland Ambient Air Quality Standards.
- (3) Human health, ...

### E14.3. Policies [rcp/rp]

- (1) Protect human health by requiring that air discharges do not cause ambient air quality to exceed the Auckland Ambient Air Quality Standards in Table 1 for the specified contaminants.
- ~~(1)~~ (2) Manage the ...
- ~~(11)~~ (12) Enable the use of air quality offsets in achieving compliance with relevant standards and other provisions in the plan.

**Table E14.3.1 Auckland Ambient Air Quality Standards (AAAQS)**

<u>Contaminant</u>	<u>Standard</u>	<u>Averaging Time</u>	<u>Number of permissible exceedances per year</u>
Particles less than 10 microns (PM <sub>10</sub> )	<u>50 µg/m<sup>3</sup>*</u>	<u>24 hour</u>	<u>1</u>
-	<u>20 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
Particles less than 2.5 microns (PM <sub>2.5</sub> )	<u>25 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
-	<u>10 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
Nitrogen dioxide (NO <sub>2</sub> )	<u>200 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>9</u>
-	<u>100 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
-	<u>40 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
Carbon monoxide (CO)	<u>10 mg/m<sup>3</sup>*</u>	<u>8 hours (running mean)</u>	<u>one 8-hour period</u>
-	<u>30 mg/m<sup>3</sup></u>	<u>1 hour</u>	<u>0</u>
Sulphur dioxide (SO <sub>2</sub> )	<u>350 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>9</u>

-	<u>570 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>0</u>
-	<u>20 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
<u>Ozone (O<sub>3</sub>)</u>	<u>150 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>0</u>
-	<u>100 µg/m<sup>3</sup></u>	<u>8 hour</u>	<u>0</u>
<u>Lead</u>	<u>0.2 µg/m<sup>3</sup></u>	<u>3 month moving average calculated monthly</u>	<u>0</u>
<u>Benzene</u>	<u>3.6 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Benzo[a]pyrene</u>	<u>0.0003 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>1,3-Butadiene</u>	<u>2.4 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Formaldehyde</u>	<u>100 µg/m<sup>3</sup></u>	<u>30 minutes</u>	<u>0</u>
<u>Acetaldehyde</u>	<u>30 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Mercury (inorganic)</u>	<u>0.33 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Mercury (organic)</u>	<u>0.13 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Chromium VI</u>	<u>0.0011 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Chromium metal and Chromium III</u>	<u>0.11 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Arsenic (inorganic)</u>	<u>0.0055 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Arsine</u>	<u>0.055 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>

Asterisk \* = AAAQS taken from the NES

#### **E14.4. Activity table**

Table E14.4.1 ...

#### **E14.8. Assessment – restricted discretionary activities**

##### **E14.8.1. Matters of discretion**

The Council ...

##### **E14.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities

(1) The degree to which Auckland Ambient Air Quality Standards are likely to be met.

~~(1)~~ (2) Whether the ...



**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan.**

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**Attachment B**

The section 32AA assessment reports prepared,  
where necessary, as part of any rejection

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**19 August 2016**



## S32AA TOPIC 006 AND 035 – B7 AND E14 AIR QUALITY

### 1. Background

#### IHP Recommendation

The Independent Hearings Panel has recommended in the *Report to Auckland Council Hearing Topics 006 and 035 Air quality* that:

- i. All references to Auckland Ambient Air Quality Standards (**AAAQS**) be deleted
- ii. Standard for PM<sub>2.5</sub> be removed
- iii. Additional standard for NO<sub>2</sub> be removed
- iv. Additional standard for SO<sub>2</sub> removed

The reason given is that “*reliance on the national standards provides sufficient regulation for management of air quality in Auckland.*”

#### Justification for Council’s Originally Proposed Provisions

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (“**NES**”) specify:

- six limits<sup>1</sup> (covering five pollutants); and
- the number of permissible exceedances over specified time periods for each of them.

The operative Auckland Council Regional Plan: Air, Land and Water (“ALW Plan”) specifies 24 limits<sup>2</sup>, acknowledging the six which are covered by the NES but also included an additional 18 limits (covering an additional 13 pollutants) as Auckland Regional Air Quality targets (“**ARAQT**”). The ARAQT were taken from the Ambient Air Quality Guidelines (“**AAQG**”) published by the Ministry for the Environment.

The PAUP proposed retaining the ARAQT (and NES) but:

- renamed them as Auckland Ambient Air Quality Standards (“**AAAQS**”); and
- tightened the ARAQT limit for 24-hour SO<sub>2</sub>; and
- added a further two limits resulting in a total of 26 limits.

The basis for proposing specific AAAQS was that the NES have not been updated since 2004 and the AAQG have not been updated since 2002. The additional limits are necessary to maintain or enhance air quality in the region to reflect the latest international evidence from the World Health Organisation.

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<sup>1</sup> Primarily focussed on short-term (acute) exposure to these pollutants

<sup>2</sup> Including short-term (acute) and long-term (chronic) exposure for critical pollutants. In the case of exposure to particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) the health costs associated chronic exposure can be ten times those associated with acute exposure.

## 2. Reasons for rejecting the removal of the Auckland Ambient Air Quality Standards (AAAQS)

In summary, **this report proposes Council rejects the Panel's recommendation to delete all references to the Auckland Ambient Air Quality Standards, and the additional standards**, because this will:

1. Remove provisions which have been in the operative Air Land & Water Plan since 2001 and have resulted in an improvement in air quality in the region since that time.
2. Remove limits and criteria for a number of pollutants which may adversely affect air quality.
3. Reduce air quality in the region.
4. Not achieve Objectives B7.5.1(1), B7.5.1(3), E14.2(1) and E14.2(3) as it will not maintain and enhance air quality in the region nor protect human health from significant adverse effects from the discharge of contaminants.
5. Create uncertainty and inefficiency in the processing of resource consent applications.

These implications are discussed in more detail in the following subsections.

### Overall Implications for Air Quality Management in Auckland

The NES only regulates management of five pollutants and only for short-term (acute) exposure.

This means:

- (a) There will be no limits or controls for the additional 13 pollutants controlled in the operative plan nor will there be the additional limits proposed in the PAUP to cover both short-term and long-term exposure; and
- (b) The removal of the AAAQS will reduce air quality in the region.
- (c) In particular, the inclusion of the additional 13 pollutants and 18 limits in the operative ALW Plan since 2001 has resulted in improved air quality in the region, as discussed in the following examples:
  - i. annual average PM<sub>10</sub> levels have improved and now meet the PAUP target at most locations (this limit is not covered by the NES); and
  - ii. annual average PM<sub>2.5</sub> levels<sup>3</sup> have improved and now meet the PAUP target at most locations (this limit is not covered by the NES).
- (d) However, other limits are still of concern, e.g. annual average NO<sub>2</sub> levels<sup>4</sup>, annual average benzene levels<sup>5</sup> and annual average arsenic levels<sup>6</sup>. These limits are also not covered by the NES.

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<sup>3</sup> See Peter Nunns' 035 evidence at para 8.6

<sup>4</sup> See Peter Nunns' 035 evidence at para 8.10

- (e) Removing the AAAQS will reduce the ability of Council to meet:
- i. RPS Objective B7.5.1(1) as it will not improve region-wide air; and
  - ii. Auckland-wide Objectives E14.2(1) and E14.2(3) as air quality will not be maintained and human health will not be adequately protected from significant adverse effects.

### Specific Implications for Assessing Discretionary Activities

- (f) The Panel also bases its removal of the AAAQS on the conclusion that, as a consent authority, Council can consider the AAAQS under s104(1)(c)<sup>7</sup> of the Resource Management Act “*subject to sufficient scope in matters of discretion, when processing resource consent applications.*”
- (g) Without the AAAQS in the Unitary Plan, there are no standards additional to the NES and every application will have to involve a one-off assessment of whether, and to what extent, each of the pollutants not referred to in the NES should be controlled.
- (h) That is an inefficient process that will create uncertainty and impose an unnecessary burden on both applicants and consent processing staff.
- (i) Removing the requirement to meet the AAAQS and to use the AAAQS as assessment criteria for discretionary activities will also reduce the ability of Council to meet:
- i. RPS Objective B7.5.1(3) as adverse effects from air discharges will not be adequately avoided, remedied or mitigated; and
  - ii. Auckland-wide Objectives E14.2(1) and E14.2(3) as air quality will not be maintained and human health will not be adequately protected from significant adverse effects.

### Specific Implications for Assessing Restricted Discretionary Activities

- (j) The Panel recommendation to remove reference to the AAAQS from the assessment criteria for restricted discretionary activities (sE14.8.2), and therefore the requirement to meet any health-based limit (whether it be the AAAQS, the NES or any other air quality limit) means that there is no ‘scope’ to assess the extent to which a discharge meets a health-based air quality limit for restricted discretionary activity applications for air discharges.
- (k) Whilst Council can still consider “*the extent to which adverse effects are avoided, remedied or mitigated ...*” as retained in E14.8.2 (2), this statement is about achieving

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<sup>5</sup> See Janet Petersen’s 006 evidence at para 5.6

<sup>6</sup> See Janet Petersen’s 006 evidence at para 5.6

<sup>7</sup> **104 Consideration of applications**

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to- .....

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

a relative improvement rather than meeting an absolute requirement (which is intended to guarantee a minimum level of health protection for everyone).

- (l) For example, the following restricted discretionary activities may have control equipment or practices in place that reduce emissions appreciably but the resultant discharges may still be above recommended health-based limits. For these cases, the emissions of concern are hazardous air pollutants which can result in serious health effects in people exposed, including cancer.
  - i. the cremation of human or animal remains, where the discharges are through an afterburner (A54), can result in the release of mercury emissions from amalgam fillings.
  - ii. very large petrol storage facilities, greater than one million litres (A122), can discharge volatile organic compounds including benzene.
  - iii. large-scale demolition of buildings (A81) can discharge a range of pollutants, especially particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).
- (m) Removing the specific criterion for restricted discretionary activities to assess “*the degree to which Auckland Ambient Air Quality Standards are likely to be met*” will reduce the ability of Council to meet:
  - i. RPS Objective B7.5.1(3) as adverse effects from air discharges will not be adequately avoided, remedied or mitigated; and
  - ii. Auckland-wide Objectives E14.2(3) as human health will not be adequately protected from significant adverse effects.

## Conclusions

1. The removal of all references to the AAAQS will result in Council no longer being able to set a minimum level of health protection for all Aucklanders. Air quality in the region will not be maintained and improved. Auckland-wide Objectives E14.2(1)<sup>8</sup> and E14.2(3)<sup>9</sup> will not be achieved.
2. For many of the pollutants which are included in the AAAQS there is a level above which adverse effects will occur. Without the AAAQS there is nothing in the Unitary Plan which says what that level is or requires applications to be assessed against that level.
3. In addition, the removal of the AAAQS will have significant impacts on the efficiency and efficacy of consent processing. Every application will have to involve a one-off assessment of whether, and to what extent, each of the pollutants not referred to in the NES should be controlled.

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<sup>8</sup> E14.2(1) states “Air quality is maintained in those parts of Auckland that have high air quality, and air quality is improved in those parts of Auckland that have low to medium air quality”.

<sup>9</sup> E14.2(3) states “Human health, property and the environment are protected from significant adverse effects from the discharge of contaminants to air.”

4. That is an inefficient process that will create uncertainty and inconsistency and impose an unnecessary burden on both applicants and consent processing staff.

### 3. Council's Alternative Provision

In light of the reasons outlined in the previous section, **this report proposes the reinstatement and re-inclusion of all references to the AAAQS in the Unitary Plan and the additional standards**, which the Panel has recommended be deleted as follows:

- (a) Adding back in the following wording:

***B7.5.1 Objective (Air)***

*(4) The Auckland Ambient Air Quality Standards are met and priority is given to meeting the standards for fine particles (PM<sub>10</sub> and PM<sub>2.5</sub>) and for nitrogen dioxide.*

- (b) Adding back in the following:

***B7.5.2 Policies (Air)***

*(7) meet Auckland Ambient Air Quality Standards by giving priority to reducing PM<sub>10</sub> and PM<sub>2.5</sub> discharges from combustion sources, such as domestic fires and motor vehicle emissions and industrial discharges to air*

- (c) Re-wording the following:

***E14.2 Objectives (Air quality)***

*(2) Air discharges from use and development meet ~~national air quality standards~~ Auckland Ambient Air Quality Standards*

- (d) Adding back in the following:

***E14.3 Policies (Air quality)***

*1. Protect human health by requiring that air discharges do not cause ambient air quality to exceed the Auckland Ambient Air Quality Standards in Table 1 for the specified contaminants.*

- (e) Adding back in the following wording:

***E14.8.2 Assessment criteria (restricted discretionary activities)***

*(1) The degree to which Auckland Ambient Air Quality Standards are likely to be met.*

- (f) Adding back in the following table:

***Table 1: Auckland Ambient Air Quality Standards (AAAQS)***

<u>Contaminant</u>	<u>Standard</u>	<u>Averaging Time</u>	<u>Number of permissible exceedances per year</u>
<u>Particles less than 10 microns (PM<sub>10</sub>)</u>	<u>50 µg/m<sup>3</sup>*</u>	<u>24 hour</u>	<u>1</u>
-	<u>20 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Particles less than 2.5 microns (PM<sub>2.5</sub>)</u>	<u>25 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
-	<u>10 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Nitrogen dioxide (NO<sub>2</sub>)</u>	<u>200 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>9</u>
-	<u>100 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
-	<u>40 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Carbon monoxide (CO)</u>	<u>10 mg/m<sup>3</sup>*</u>	<u>8 hours (running mean)</u>	<u>one 8-hour period</u>
-	<u>30 mg/m<sup>3</sup></u>	<u>1 hour</u>	<u>0</u>
<u>Sulphur dioxide (SO<sub>2</sub>)</u>	<u>350 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>9</u>
-	<u>570 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>0</u>
-	<u>20 µg/m<sup>3</sup></u>	<u>24 hour</u>	<u>0</u>
<u>Ozone (O<sub>3</sub>)</u>	<u>150 µg/m<sup>3</sup>*</u>	<u>1 hour</u>	<u>0</u>
-	<u>100 µg/m<sup>3</sup></u>	<u>8 hour</u>	<u>0</u>
<u>Lead</u>	<u>0.2 µg/m<sup>3</sup></u>	<u>3 month moving average calculated monthly</u>	<u>0</u>
<u>Benzene</u>	<u>3.6 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Benzo[a]pyrene</u>	<u>0.0003 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>1,3-Butadiene</u>	<u>2.4 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Formaldehyde</u>	<u>100 µg/m<sup>3</sup></u>	<u>30 minutes</u>	<u>0</u>
<u>Acetaldehyde</u>	<u>30 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Mercury (inorganic)</u>	<u>0.33 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Mercury (organic)</u>	<u>0.13 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Chromium VI</u>	<u>0.0011 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Chromium metal and Chromium III</u>	<u>0.11 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Arsenic (inorganic)</u>	<u>0.0055 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>
<u>Arsine</u>	<u>0.055 µg/m<sup>3</sup></u>	<u>Annual</u>	<u>0</u>

Asterisk \* = AAAQS taken from the NES

Refer to the attached tracked changes versions of the relevant sections for details:

1. PAUP\_B7 Natural resources\_track changes\_03Aug16.docx
2. PAUP\_E14 Air quality\_track changes\_03Aug16.docx

#### 4. Cost Benefit Analysis

The following compares the costs and benefits of implementing the IHP recommendation with those for retaining the AAAQS as per the Council's original PAUP provisions. **The ratings are relative to existing practices.**

Category	IHP Recommendation to Reject AAAQS	Council Original PAUP Provision to Retain AAAQS
What is the <b>Effectiveness</b> of this method in achieving the purpose of the RMA and / or the plan objectives and policies?	<b>Low</b> Reduces ability to meet key RPS B7.5 and Region-wide E14.2 Objectives and Policies.	<b>High</b> Maintains and strengthens existing ability to meet all air quality objectives and policies.
What are the <b>Environmental Costs</b> of implementing this method?	<b>Moderate</b> Reduces air quality in the region.	<b>None</b> Maintains and enhances current air quality in the region.
What are the <b>Environmental Benefits</b> of this method?	<b>Low</b> Reduces ability to protect human health from adverse effects as fewer contaminant and exposure periods will be specifically covered.	<b>High</b> Maintains and strengthens existing ability to protect human health – especially given significant population growth and the fact that many of the contaminants covered by the AAAQS do not have a safe threshold below which adverse effects do not occur.
What are the <b>Economic Costs</b> of implementing this method?	<b>Moderate</b> Requires potentially more work to be undertaken by applicants in their response to s92 requests for additional information to address s104(1)(c) matters, such as consideration of other air quality limits, as appropriate. Council process on average 40 applications each year for restricted discretionary and discretionary activities requiring air discharge consents.	<b>None</b> Continues with the existing process that has been in place since 2001.
What are the <b>Economic Benefits</b> of implementing this method?	<b>Low to Moderate</b> Simplifies the process (especially assessment) for applying for a consent to discharge to air for restricted discretionary and discretionary activities.	<b>None</b> Continues with the existing process that has been in place since 2001.
What are the <b>Social Costs</b> of implementing this method?	<b>Moderate</b> Allows for potential degradation in air quality for contaminants that have significant health effects, such as particulate matter (PM <sub>2.5</sub> and PM <sub>10</sub> ) and hazardous air pollutants (e.g. benzene and arsenic). The revised (2013) assessment of the effects of air pollution in Auckland presented to the IHP <sup>10</sup> estimated associated	<b>None</b> Continues with the current level of health protections and existing process that has been in place since 2001.

<sup>10</sup> See Peter Nunns' 035 evidence at Attachment C

	costs of \$1.1 billion per annum from PM <sub>10</sub> alone.	
What are the <b>Social Benefits</b> of implementing this method?	<b>None to Low</b> Offers potentially more opportunities for employment from increase in industry.	<b>High</b> Provides greater certainty for consent applicants and clear direction to the community of air quality values.

## Conclusions

The key benefits of retaining the references to the AAAQS are:

- **Effectiveness:** Meeting the RPS and Regional-wide objectives and policies for air quality thereby ensuring that:
  - air quality will be maintained or improved
  - adverse effects on human health will be avoided, remedied or mitigated
- **Efficiency:** Providing certainty and consistency for processing of discharge consents thereby avoiding:
  - one-off assessments of whether, and to what extent, each of the pollutants not referred to in the NES should be controlled
  - unnecessary burden on both applicants and consent processing staff
- **Costs:** Reducing the financial burden on the applicant and health burden for the community by minimising:
  - additional requests for information during consent processing
  - exposure of the public to levels of air pollution
- **Benefits:** Maintaining and strengthening existing ability to protect human health, especially given:
  - significant population growth in Auckland
  - many of the contaminants covered by the AAAQS do not have a safe threshold below which adverse effects do not occur



**APPENDIX 2 - A LIST OF NAMES AND ADDRESSES OF PERSONS  
SERVED / TO BE SERVED WITH A COPY OF THIS NOTICE**

<b>Name</b>	<b>Address</b>
Auckland Council	unitaryplan@aucklandcouncil.govt.nz
Minister of Conservation c/- Department of Conservation	tcrossen@doc.govt.nz cstaite@doc.govt.nz

**APPENDIX 3 - O-I'S SUBMISSION**

#852  
Vol. 1

15 JAN 2014

15 JAN 2014

**Proposed Auckland Unitary Plan Submission Form**

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010

Clause 6 of First Schedule, Resource Management Act 1991

FORM 2

Correspondence to:

Auckland Council

Freepost Authority 237170

Private Bag 92300

Auckland 1142

Attn: Unitary Plan Submission Team

**Submitter details**

ACI Operations New Zealand Limited trading as O-I New Zealand ("O-I")

Address for service of the submitter:

752 Great South Road, Penrose

P.O. Box 12-345, Auckland 1642

Attention: Michael Coster

Contact Person:

Mr Michael Coster

Environmental Manager, O-I

Telephone: 09 976 7146

Email: michael.coster@ap.o-i.com

**Introduction**

1. This is a preliminary submission on the Proposed Auckland Unitary Plan ("PAUP"). A final submission will be lodged with Auckland Council prior to the published submission closing date of 28 February 2014. That full submission will address all of the issues of concern to O-I in the notified version of the PAUP and will include the specific relief sought. A full submission is not able to be lodged by 14 January given the Christmas period and the availability of technical and legal consultants.
2. O-I could not gain an advantage in trade competition through this submission.

**Scope of Preliminary Submission**

The provisions of the PAUP that O-I's preliminary submission relates to are:

1. Provisions in Chapter B: Regional Policy Statement - Kupu Kaupapa ā-Rohe, that affect the ongoing operation and future development of O-I's business (glass manufacture and recycling).

In particular, those provisions relating to the positive contribution that industry makes to Auckland's economy; the shortage of land suitable for industry in the Auckland region and reverse sensitivity issues for industrial activities arising from incompatible land uses; transport linkages and efficient supply chains for both suppliers and customers; air quality and the insertion of a cap on discharges from sources that require air discharge consents; and waste minimisation.

2. Provisions in Chapters D and I relating to the Light Industry and Heavy Industry zone.

1/6

O-I's site, and surrounding sites, are proposed to be zoned 'Light Industry' in the PAUP. The Light Industry zoning will, in conjunction with other PAUP provisions (particularly air quality), affect O-I's ability to function effectively and efficiently. Over time, O-I may be compelled to relocate as a result of the Light Industry zoning. O-I's ability to continue glass recycling in Auckland if relocation is required is uncertain.

3. Provisions in Chapters C, E and H relating to air quality.  
Particularly, those provisions that relate to the location of heavy industry and distances to sensitive activities (reverse sensitivity issues); provisions relating to the adverse effects of air discharges and ensuring that adverse health and environmental effects are avoided, remedied or mitigated; and air quality standards (including caps or targets).
4. Provisions in Chapters C and H relating to stormwater, industrial trade activities and flooding.
5. Provisions in Chapters C and H relating to other matters associated with the operation of O-I's site, including contaminated land, hazardous substances, transport and water quantity.
6. General provisions contained in Chapter G, including the requirement for resource consent applications (including discharges to air) to include a cultural impact assessment.
7. Relevant definitions associated with the chapters listed above.
8. Any other matters relating to the operation of O-I's business.

### Preliminary Submission

O-I's preliminary submission is set out below:

#### Background

1. O-I has operated a heavy industry activity at its site at 752 Great South Road ("Site") since 1922, and is part of a pocket of heavy industry in the Penrose area. O-I is an important employer and contributor to a sustainable Auckland economy. O-I's Penrose facility is responsible for the majority of glass recycling that occurs in New Zealand. O-I is also the key glass bottle provider for the food and beverage industry in New Zealand.
2. The Site is strategically located to take advantage of supply chain efficiencies resulting from the Site's proximity to the motorway and to Visy Material Recovery Facility in Onehunga, which provides services essential to O-I's operation.

#### Zoning – Light Industry and Heavy Industry Zones

3. O-I opposes the Light Industry zoning over the Site and the surrounding pocket of established heavy industry. The zoning is inappropriate and, in conjunction with other provisions of the PAUP (including air quality), will undermine O-I's ability to operate efficiently and effectively into the future.
4. O-I considers the PAUP provisions relating to Heavy Industry to be generally appropriate and supports those provisions with some amendments. Overall, the objectives and policies in the Heavy Industry zone provide protection and support for the operation of businesses such as O-I. However, these provisions are only effective if existing heavy industry sites are zoned appropriately. O-I seeks re-zoning of the Site to Heavy Industry, as the existing activity on site aligns with the provisions and intent of the PAUP's Heavy Industry zone.
5. O-I opposes the PAUP's provisions relating to Light Industry. As currently worded, the Light Industry provisions provide no recognition for existing activities operating within the zone, many of which are heavy industries. O-I submits that the Light Industry zone objectives, policies and rules should be amended to recognise existing heavy industry which has been

included in the Light Industry zone, and to ensure new sensitive activities do not impede on the normal operation of existing long-established businesses.

6. The Light Industry provisions as drafted provide for new activities in the area, but do not specifically support ongoing use and development of existing sites. For example, the ongoing use and development of the site may require a replacement furnace in the medium term (likely to require land use consent) and the replacement of regional-type consents (including discharge to air). The PAUP policy framework as drafted does not support the continued operation of O-I's business in the Light Industry zone.
7. The proposed air quality provisions provide protection and support for businesses that discharge to air (such as O-I), provided that they are located in the Heavy Industry zone. Any activities that discharge to air and are located outside of the proposed Heavy Industry zoning are not provided for and in fact are unsupported in the PAUP. The lack of support for discharges to air outside the Heavy Industry zone puts businesses such as O-I in a difficult position, and provides no recognition of their long-established uses. The wording of the proposed provisions is not in accordance with the purpose of the RMA, being sustainable management of natural and physical resources, which includes providing for social and economic well-being.
8. The Light Industry provisions state that activities that discharge to air are not appropriately located within the Light Industry zone (despite these sites being lawfully established and appropriately located under the operative provisions of the current District and Regional Plans). The Light Industry zone provisions run contrary to the provisions in the Regional Policy Statement and Business Zone sections of the PAUP which acknowledge the shortage of industrial zoned land and the need to protect the ability of industry to function effectively and efficiently. O-I submits that first and foremost the PAUP provisions should protect existing industry and its ongoing operation.

#### Air Quality Provisions

9. In addition to paragraph 13 above, O-I opposes the PAUP provision capping discharges from sources that require air discharge consent. The cap is inappropriate, given that other PAUP provisions identify that industrial activities are lesser contributors to overall air quality, and that effects are localised around each site. The proposed cap on discharges from sources that require air discharge consents does not provide for new activities that will improve the Auckland economy, and will also not achieve any improvements in overall air quality in Auckland (with the majority of air quality effects emitted from household fires and vehicles). The rule is one-sided and does not embody sustainable management, as it does not consider the social and economic well-being of people and communities in relation to employment, reduction in waste and contribution to the Auckland economy that O-I provides as a business. O-I also consider using a cap is not effects based and therefore does not align with the purpose of the RMA.
10. The additional overlays detailed in Chapter E (Air Quality – Transport Corridor Separation; Air Quality – Industry Transition; and Air Quality – Sensitive Activity Restriction) provide minimal assistance in reducing reverse sensitivity issues as, while these overlays provide additional objectives and policies that must be considered when assessing a proposal for a resource consent or a plan change, they do not provide any additional rules. In order to be effective, the overlays would need to be included in the relevant rules.

#### Consequences of Zoning and Air Quality Provisions for O-I

11. The potential implication of the PAUP zoning and air quality provisions is that businesses such as O-I may eventually be unable to continue to operate in existing locations, and may need to

relocate. O-I's ability to continue its operation is uncertain should relocation be required because of the shortage of suitable sites for land-intensive industry (as acknowledged in the PAUP), the key supply chain efficiencies resulting from the Site's proximity to transport linkages and to Visy Material Recovery Facility in Onehunga, and the significant investment that O-I has made in the Site (and the loss that would be incurred if relocation were required) since its establishment on the Site in 1922. Ultimately, consolidation of operations into overseas plants (and closure of the Auckland business) could occur if operation of the business under the PAUP is restricted. Such an outcome would be contrary to the Auckland Plan and the overarching objectives and policies of the PAUP.

12. The inappropriate zoning and consequential potential relocation of sites such as O-I is contrary to the direction contained in the PAUP, which recognises the requirements of land-intensive heavy industries such as O-I and the benefits that these industries have to Auckland's employment and GDP.
13. The PAUP plays a key role in successfully implementing the goals of the Auckland Plan. The Auckland Plan has an overarching goal of reducing waste to zero by 2040. O-I provides an important waste minimisation service to the Auckland region and beyond, with approximately 60% of the glass used in the production of glass containers coming from recycled glass. The PAUP does not currently provide an appropriate framework to allow for the continued and efficient operation of the O-I plant, which may impede the goals of the Auckland Plan in relation to reducing waste. The continued support of businesses like O-I is important in ensuring that the waste reduction targets set in the Auckland Plan are met.

#### Chapters C and H – Stormwater, Industrial Trade Activities and Flooding

14. O-I oppose the progressive reduction of adverse effects from stormwater discharges and the establishment of limits for contaminants as they do not indicate the level to which discharges may be required to be reduced. O-I supports proactive management of environmental effects from their site and have made significant investments in stormwater treatment and systems on site to ensure discharges do not result in more than minor adverse effects, but would oppose the need to undertake further improvements when the effects are no more than minor. The setting of limits is also opposed as the adverse effects need to be based on site specific factors as different receiving environments will have different issues and ability to manage contaminants.
15. The stormwater quality rules incorporate design effluent quality requirements for stormwater runoff for metals, suspended solids and temperature. While these rules do not specifically apply to discharges from an Industrial Activity Area, the rules will be used as defacto effluent water quality requirements for all sources of these contaminants including the O-I Site. O-I considers that the application of those rules may not be appropriate for the receiving environment at O-I's site (eg: stormwater from the Site goes to aquifers which are not significantly impacted by water temperature). O-I seek removal of the proposed design effluent quality requirements or clarification that they do not apply to discharges from Industrial sites.

#### Other Provisions in Chapters C and H

16. O-I opposes PAUP provisions relating to hazardous substances insofar as the provisions rely on the zoning of the Site. As the O-I Site is zoned inappropriately, there may be ongoing issues relating to the storage of hazardous substances (eg soda ash) and separation distances to sensitive facilities.
17. O-I supports the management of effects associated with use and development of land for hazardous facilities.

18. O-I supports provisions in Chapters C and H relating to other matters associated with the operation of O-I's Site, including contaminated land, transport and water quantity, with some amendments.

#### Cultural Impact Assessment Requirement

19. O-I opposes the PAUP requirement for resource consent applications (including discharges to air) to include a cultural impact assessment. This requirement is overly onerous and does not allow the applicant, Council and mana whenua adequate discretion.

#### Decisions sought from Council

O-I seeks the following decision from Auckland Council:

1. Re-zone the Site at 752 Great South Road, Penrose as Heavy Industry.
2. Re-zone sites adjacent to the Site at 752 Great South Road, Penrose, which are currently zoned as Business 5 under the Auckland Council District Plan (Isthmus Section), as Heavy Industry.
3. Recognise existing heavy industry that has been included in the PAUP's Light Industry zone and provide for ongoing heavy industry activities on these sites.
4. Provide for existing sites with discharges to air in the Light Industry zone.
5. Recognise the benefit of sites like O-I to Auckland's economy and waste minimisation targets, and provide for ongoing operation of these sites.
6. Any other further or consequential amendments required to address O-I's concerns with the PAUP.

The decisions sought from Council on each of the matters raised in the submission will be presented in further detail in the final submission, to be lodged prior to 28 February 2014.

#### Hearing

O-I wishes to be heard in support of its submission.

If others make a similar submission, O-I will consider presenting a joint case with them at a hearing.

Date: 14 January 2014

Signature: \_\_\_\_\_



**Sandy Hsiao**

---

**From:** Andrea Brabant <ABrabant@tonkin.co.nz>  
**Sent:** Tuesday, 14 January 2014 4:47 p.m.  
**To:** Unitary Plan  
**Cc:** Michael.Coster@o-i.com; Paula Brosnahan (paula.brosnahan@chapmantripp.com);  
Kylie Paine (Kylie.Paine@chapmantripp.com); Sarah McCarter  
**Subject:** Preliminary Submission - Proposed Auckland Unitary Plan  
**Attachments:** Preliminary submission OI 14.01.14.pdf

Please find attached a Preliminary Submission on the Proposed Auckland Unitary Plan on behalf of O-I New Zealand.

**Andrea Brabant**

Senior Resource Management Planner

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Private Bag 92300  
Auckland 1142  
Attention: Unitary Plan Submission Team

28 February 2014

**Proposed Auckland Unitary Plan Submission Form**

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010

Clause 6 of First Schedule, Resource Management Act 1991

FORM 2

**Submitter details**

Organisation: ACI Operations New Zealand Limited trading as O-I New Zealand ("O-I NZ")

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c/o Michael Coster  
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**SUBMISSION ON BEHALF OF O-I NZ: AIR QUALITY PROVISIONS**

**Introduction**

1. This is a submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, submissions on different sections of the PAUP are being provided in separate submissions.
3. O-I NZ could not gain an advantage in trade competition through this submission.

**Scope of Submission**

4. The provisions of the PAUP that this submission relates to are:
  - a. Provisions that affect the ongoing operation and future development of O-I NZ's business (glass manufacture and recycling) in; Chapter C: 5.1 Air Quality, Chapter E:

7.11 Air Quality – Industry Transition; Chapter E: 7.12 Air Quality – Sensitive Activity Restriction and Chapter H: 4.1 Air Quality;

- b. In particular but not limited to, those provisions that relate to the location of heavy industry, and the distances of such activities to sensitive activities (reverse sensitivity issues); provisions relating to the adverse effects of air discharges and ensuring that adverse health and environmental effects are avoided, remedied or mitigated; and air quality standards (including caps or targets); and
- c. Relevant definitions associated with Chapters C, E and H.

**Submission**

**Background**

- 5. O-I NZ operates a glass container (bottles and jars) manufacturing plant at 752 Great South Rd, Penrose ("Site"). The facility has been in continuous operation on the Site since 1922, and early photographs show the factory as one of the first buildings in the area.
- 6. The Penrose area has long been a manufacturing hub for Auckland, and under previous Councils has been provided for through Mixed Use / Heavy Industrial zoning. The Penrose area, along with the industrial areas of Onehunga, Te Papapa, Mt Wellington and Otahuhu, makes a substantial contribution (over \$6.2 billion) to GDP and employs over 70,000 people, primarily in manufacturing, trades, technology and scientific areas.
- 7. O-I NZ itself is a significant local employer and contributor to Auckland's economy, employing around 260 people directly on the Site. Additionally, it would not be unusual for 70 to 100 contractors a day to visit the Site for work. O-I NZ also contributes indirectly to the Auckland economy. A recent estimate places O-I NZ's spend with local businesses at over \$40M annually (excluding recent upgrades to the manufacturing facility totalling over \$125M).
- 8. O-I NZ's Penrose facility is also responsible for the majority of glass recycling that occurs in New Zealand and is one of the largest recycling companies in the country. The Site recycles nearly 120,000 tonnes of cullet (crushed glass) per annum, and up to 60% of final glass product is recycled content. As such, O-I NZ has an important regional and national contribution to make towards increasing waste minimisation. Without the O-I NZ facility in New Zealand, thousands of tonnes of glass recovered annually from the waste stream would be unnecessarily sent to low-level secondary markets, stockpiles, managed fills or landfills.
- 9. Activities at the Site are land-intensive and require significant infrastructure, such as reticulated natural gas and electricity. Processes on the Site produce discharges to air of fine particulate, and oxides of nitrogen and sulphur, primarily from heating the gas-fired furnaces. O-I NZ has invested significantly in the installation of an electrostatic precipitator at the Site to treat fine particle emissions from this process.
- 10. The proposed air quality provisions indicate that the appropriate zone for heavy industries with discharges to air is the Heavy Industry zone. The air quality provisions provide for reduced amenity in the Heavy Industry zone and attempt to provide some protection from reverse

sensitivity effects of encroachment by sensitive activities through the use of the Sensitive Activity Restriction Overlay. These provisions should also apply to O-I NZ as they are a long-established heavy industrial activity, however they do not apply as the O-I NZ Site has been zoned Light Industry in the PAUP.

11. O-I NZ considers that the PAUP should protect the ongoing operation of existing industrial activities, such as O-I NZ, in recognition of their importance to the region in providing for the social and economic well-being of people and communities by way of employment, reduction in waste and contribution to the Auckland economy.

O-I NZ supports the following:

12. PAUP provisions that seek to manage air quality within the Auckland Region so that human health, amenity values and the environment are protected from significant adverse effects of air discharges, while providing for the continuing operation of industrial activities that have discharges to air.
13. The location of industrial activities within appropriate zones, to recognise the benefits of these activities and provide for them in areas that allow for reduced amenity and restrict the establishment of sensitive activities.
14. Provisions to avoid or minimise reverse sensitivity effects by maintaining adequate separation distances between incompatible land uses and activities, particularly where these provisions prevent encroachment of sensitive activities close to existing industrial sites.
15. The establishment of the Air Quality – Sensitive Activity Restriction (“SAR”) Overlay around Heavy Industry zoned land subject to amendments to the SAR Overlay provisions. O-I NZ would like to see the SAR Overlay provisions strengthened, for example by ensuring that residential areas within 500m of Heavy Industry zoned land are zoned Single Dwelling and the SAR Overlay is applied, wherever practicable.

O-I NZ opposes the following:

*Offsetting of new discharges*

16. O-I NZ opposes the inclusion of provisions requiring offsetting of new discharges from industrial sources that require air discharge consent for two reasons:
  - a. It is unnecessary to duplicate the requirement of the National Environmental Standards for Air Quality (NESAQ) in the PAUP as these apply in any case, and if the NESAQ is amended the PAUP would also need to be amended; and
  - b. A requirement to offset industrial emissions of PM<sub>2.5</sub>, or emissions of PM<sub>10</sub> that exceed 4 tonnes per annum is inappropriate. Other PAUP provisions identify that industrial activities are relatively small contributors to overall discharges to air (compared to domestic heating and motor vehicles), and that effects of industrial emissions are typically localised around individual sites. On this basis, offsetting of PM<sub>2.5</sub> and PM<sub>10</sub> would not achieve any improvements in overall air quality in Auckland.

AAAQS

- 17. The AAAQS in Table 1 includes the revised World Health Organisation ("WHO") 24 hour guideline for SO<sub>2</sub> of 20 µg/m<sup>3</sup>. This value is significantly lower than the current Ministry for the Environment ambient air quality guideline for New Zealand. O-I NZ considers the current guideline should be retained until such time as there has been a thorough review of the appropriateness of the new WHO guidelines in the New Zealand context and a thorough analysis of the costs and benefits of adopting a revised guideline.
- 18. O-I NZ opposes the requirement for applications for activities requiring resource consent for air discharges to have combined concentrations from both the activity and background levels that are below the AAAQS. The AAAQS are ambient standards that apply to an airshed and are not intended to be used as assessment values for individual sites. In some cases, background levels could be above the AAAQS, which would effectively make it impossible to obtain resource consent, regardless of the actual effect of the discharge. The proposed requirement should only apply where a discharge will impact on ambient air quality (i.e. where effects are not restricted to localised effects).

*Air Quality – Heavy Industry Transition Overlay*

- 19. O-I NZ seeks the deletion of the proposed Air Quality - Heavy Industry Transition (HIT) Overlay as:
  - a. It is inconsistent with the purpose of the Heavy Industry zone, which is to specifically provide for, and give certainty to, industrial activities that may produce objectionable odour, noise and dust;
  - b. Heavy Industry zoned land is already a scarce resource and the HIT Overlay will further restrict the amount of land available for heavy industry with discharges to air;
  - c. The HIT Overlay does not inform adjacent land owners of the existence of existing heavy industry with discharges to air; and
  - d. The section 32 analysis relating to the HIT Overlay is flawed because it does not adequately account for the severity of the shortage of industrial land, the potential economic and social implications of this shortage, or the significant investment that has already been made by the community in infrastructure that would have to be duplicated elsewhere if industry were forced to relocate.

**Decisions sought**

- 20. O-I NZ seeks the following amendments to the PAUP:
  - a. Amendments to the Air Quality – Sensitive Activity Restriction Overlay to strengthen the Overlay;
  - b. Deletion of provisions requiring offsetting of new discharges from industrial sources that require air discharge consent;

- c. The current Ministry for the Environment ambient air quality guideline for New Zealand be retained until the WHO 24 hour guidelines have been analysed in respect of the costs and benefits of adoption;
- d. The AAAQS levels apply only where a discharge will impact on ambient air quality, rather than for individual sites;
- e. Deletion of the Air Quality – Heavy Industry Transition overlay;
- f. The detailed amendments in the table appended to this submission (**Attachment A**); and
- g. Any other further or consequential amendments required to address O-I NZ's concerns with the PAUP.

**Hearing**

- 21. O-I NZ wishes to be heard in support of its submission.
- 22. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 28 February 2014

Signature:



A handwritten signature in black ink, appearing to read 'M. COSTER', written over a horizontal line.

Mr Michael Coster  
Environmental Manager, O-I NZ

Attachment A: Decisions sought from Council by O-I NZ in relation to air quality provisions

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
C.5.1 Air Quality Background	Background ...	Support	O-I NZ supports the need to manage individual discharges and the separation of incompatible land uses and activities. O-I NZ also supports the need to recognise and support existing industrial activities, such as O-I NZ.	Retain as currently worded.
C.5.1 Air Quality Objective 1	Air quality is maintained in those parts of Auckland that have excellent or good air quality, and air quality is enhanced in those parts of Auckland where it is poor.	Support	O-I NZ supports the need to maintain or enhance air quality in Auckland.	Retain as currently worded.
C.5.1 Air Quality Objective 2	Air discharges, including PM <sub>10</sub> and PM <sub>2.5</sub> (particle pollution, or particulate matter), are reduced to protect public health and amenity, and to meet national and Auckland Air Quality Standards (AAAQS) in Table 1.	Support with amendments	O-I NZ supports the need to protect public health from air discharges provided the AAAQS are applied at a regional airshed level and not at the boundary of industrial sites  There is also confusion in Objective 2 between the purpose of health based air quality standards and the desire to control amenity effects associated with discharges of dust and odour. Amendments are required to	<u>Regional</u> air discharges, including PM <sub>10</sub> and PM <sub>2.5</sub> (particle pollution, or particulate matter), are reduced to protect public health and amenity, and to meet national and Auckland Ambient Air Quality Standards (AAAQS) in Table 1.

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Reference	Provislon wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
			Objective 2 to clarify that air discharges are to be reduced to protect public health, not amenity.	
C.5.1 Air Quality Objective 3	Human health, amenity values, property and environment are protected from significant adverse effects of air contaminants.	Support	O-I NZ supports the need to protect human health, amenity values, property and the environment from significant adverse effects of air discharges.	Retain as currently worded.
C.5.1 Air Quality Objective 4	Industrial and rural activities are located within appropriate zones, to recognise the benefits of these activities and provide for them, and to avoid adverse effects from air discharges on human health, property and the environment.	Support with amendments	<p>O-I NZ supports the need for industrial activities to be located within appropriate zones. However, the PAUP zones large areas of land currently zoned for heavy industry including O-I NZ's site are re-zoned as Light Industry.</p> <p>The description of the Light Industry zone states it provides for industrial activities that do not generate objectionable odour, dust or noise emissions. It is unclear whether O-I NZ's activities would be considered appropriate under such a description.</p>	<p>Industrial and rural activities are located within appropriate zones, to recognise the benefits of these activities and provide for them, and to avoid adverse effects from air discharges on human health, property and the environment <u>while acknowledging that existing activities may be located outside of appropriate zones yet are appropriate provided the effects of these activities are managed to an acceptable level.</u></p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
C.5.1 Air Quality Objective 5	Incompatible land uses and activities are adequately separated to avoid or minimise adverse effects of air discharges, and reverse sensitivity conflicts are avoided or minimised.	Support with amendments	<p>O-I NZ supports this objective with minor amendment. The need to separation distances are limited to amenity effects and this should be clear within the Objective.</p> <p>The PAUP should acknowledge that there are different levels of amenity expectations in Light Industry zones compared to business and residential zones where activities sensitive to discharges to air are able to locate as permitted activities.</p>	<p>Incompatible land uses and activities are adequately separated to avoid or minimise adverse <u>amenity</u> effects of air discharges, and reverse sensitivity conflicts are avoided or minimised, <u>recognising that there are different levels of amenity expectations in Industry zones compared to business and residential zones where activities sensitive to discharges to air may be located.</u></p>
C.5.1 Air Quality Policy 1	Protect human health by requiring that air discharges do not cause air quality to exceed the AAAQS in Table 1 for the specified contaminants, and manage the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised.	Support with amendments	<p>O-I NZ supports the protection of human health from the effects of air discharges, but considers this policy is not clear. The AAAQS are based on population studies where elevated levels of contaminants over a wide area can have impacts on human health. The use of the AAAQS is appropriate where discharges may have impacts on broader air quality in the region but should not be applied where exposure for the relevant averaging period is unlikely.</p>	<p>Amend Policy 1 as follows:</p> <p>Protect human health by requiring that air discharges do not cause <u>ambient air</u> quality to exceed the AAAQS in Table 1 for the specified contaminants, and manage the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised.</p> <p>Include a definition of "ambient air quality" in the PAUP.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )																								
			<p>Table 1 includes a lower 24-hour sulphur dioxide guideline than the current MfE Ambient Air Quality Guideline. The current MfE guideline should be included in Table 1 until such time as there has been a thorough review of the appropriateness of the new WHO guidelines in the New Zealand context and a thorough analysis of the costs and benefits of adopting a revised guideline. O-I NZ considers that it is inappropriate to adopt a lower standard in the Auckland region.</p>	<p>Amend Table 1 to as follows:</p> <table border="1" data-bbox="555 577 815 696"> <thead> <tr> <th>Contaminant</th> <th>Standard</th> <th>Averaging Time</th> <th>Number of permissible exceedances per year</th> </tr> </thead> <tbody> <tr> <td>...</td> <td>...</td> <td>...</td> <td>...</td> </tr> <tr> <td>Sulphur dioxide (SO<sub>2</sub>)</td> <td>350 µg/m<sup>3</sup></td> <td>1 hour</td> <td>9</td> </tr> <tr> <td></td> <td>570 µg/m<sup>3</sup></td> <td>1 hour</td> <td>0</td> </tr> <tr> <td></td> <td><del>20-120</del> µg/m<sup>3</sup></td> <td>24 hour</td> <td>0</td> </tr> <tr> <td>...</td> <td>...</td> <td>...</td> <td>...</td> </tr> </tbody> </table>	Contaminant	Standard	Averaging Time	Number of permissible exceedances per year	...	...	...	...	Sulphur dioxide (SO <sub>2</sub> )	350 µg/m <sup>3</sup>	1 hour	9		570 µg/m <sup>3</sup>	1 hour	0		<del>20-120</del> µg/m <sup>3</sup>	24 hour	0	...	...	...	...
Contaminant	Standard	Averaging Time	Number of permissible exceedances per year																									
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	<del>20-120</del> µg/m <sup>3</sup>	24 hour	0																									
...	...	...	...																									
C.5.1 Air Quality Policy 4	<p>Manage the air quality amenity in the CMA and urban areas by:</p> <p>a. avoiding offensive or objectionable odour, dust, particulate, ash, smoke, fumes,</p>	Oppose	<p>The policy relates to air quality amenity, but, as worded, is much broader. The provisions should clearly relate to amenity effects only. The definition of "particulate"</p>	<p>Manage the air quality amenity in the CMA and urban areas by:</p> <p>a. <u>avoiding, remedying or mitigating</u> offensive or objectionable odour, dust, particulate, ash, smoke, fumes,</p>																								

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>overspray and visible emissions</p> <p>b. avoiding any significant adverse effects from industrial or rural activities air discharges</p> <p>c. having adequate separation distances and best management practices for industrial or rural activities</p> <p>d. minimising adverse air quality effects from urban and marine activities</p>		<p>emphasises that it includes PM<sub>10</sub> and PM<sub>2.5</sub>, which are not visible to the eye and can cause adverse health (not amenity) effects. The term dust is more appropriate to describe the component of particulate matter that can cause amenity effects. This policy relates to amenity effects and therefore the term particulate should be removed.</p> <p>Clause c. requires the use of best management practices for industrial or rural activities, but is not limited to practices relating to air discharge effects and amenity.</p>	<p>overspray and visible emissions</p> <p>b. avoiding, remedying or mitigating any significant adverse effects from industrial or rural activities air discharges</p> <p>c. having adequate separation distances and <del>best management practices</del> for industrial or rural activities</p> <p>d. minimising adverse air quality effects from urban and marine activities</p>
C.5.1 Air Quality Policy 6	<p>Manage reduced amenity in the Heavy Industry and Quarry zones in the Unitary Plan and in the Commercial 6 zone, in the Hauraki Gulf Islands section of the Auckland Council District Plan, to support the use and development of that zone by:</p> <p>a. accepting some reduction in air quality amenity in the above</p>	Support with amendments	<p>O-I NZ supports the approach to manage reduced amenity expectations in adjacent zones and avoiding activities sensitive to air discharges being located in reduced amenity areas. The PAUP should acknowledge that there are different levels of amenity expectations in Light Industry zones compared to business and residential zones where activities sensitive to discharges to air are able</p>	<p>Manage reduced amenity in the Industry and Quarry zones in the Unitary Plan and in the Commercial 6 zone, in the Hauraki Gulf Islands section of the Auckland Council District Plan, to support the use and development of those zones by:</p> <p>a. accepting some reduction in air quality amenity in the above zones, provided any discharge to air is minimised and any discharge of</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
	<p>zones, provided any discharge to air is minimised and any discharge of hazardous air pollutant does not cause adverse health effects</p> <p>b. requiring adequate separation distances to ensure any air discharges that move beyond reduced amenity areas meet the air quality provisions of the adjacent area</p> <p>c. avoiding activities sensitive to air discharges locating in or adjacent to reduced amenity areas.</p>		<p>to locate as permitted activities.</p> <p>The provisions should also be clear that they relate to the amenity provisions of the zone.</p>	<p>hazardous air pollutant does not cause adverse health effects</p> <p>b. requiring adequate separation distances to <del>ensure</del><u>avoid</u> any air discharges that move beyond reduced amenity areas meet the air quality <u>amenity</u> provisions of the adjacent area</p> <p>c. avoiding activities sensitive to air discharges locating in or adjacent to reduced amenity areas.</p>
C.5.1 Air Quality Policy 7	<p>Maintain adequate separation distances between activities with air discharges and those sensitive to air discharges by:</p> <p>a. encouraging heavy industry that requires an air discharge consent to locate in Heavy Industry zones and be separated by an appropriate distance of at least 500m from zones providing for</p>	Oppose	<p>This policy is not consistent with the objectives and policies under the Regional Policy Statement. This policy does not support the protection of existing industry zones that allow for reduced amenity.</p> <p>This policy appears to favour an internal buffer of 500 metres within Industry. Allowing zones which provide for sensitive activities nearer</p>	<p>Maintain adequate separation distances between activities with air discharges and those sensitive to air discharges by</p> <p><del>a. encouraging heavy industry that requires an air discharge consent to locate in Heavy Industry zones and be separated by an appropriate distance of at least 500m from zones providing for activities sensitive to air</del></p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>activities sensitive to air discharges</p> <p>b. not allowing new activities with discharges to air that are likely to have adverse effects to locate in zones where activities sensitive to air discharges are permitted</p> <p>activities, unless it can be shown that adverse effects can be avoided, remedied or mitigated and amenity provisions of the zone are met</p> <p>c. not allowing activities including heavy industry that require air discharge consents to locate in Air Quality Industry Transition overlay, or Light Industry zones, unless it can be shown that adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated.</p>		<p>to industry zones is inconsistent with the Heavy Industry Overlays and significantly reduces the purpose of the Industry zones.</p> <p>The inclusion of (c) also brings in the same objective as (b) and therefore, limits the use of the Heavy Industry zoned land where the overlay exists to the activities that do not have discharges to air.</p> <p>The Heavy Industry zone also only provides additional provisions for activities that have amenity impacts (e.g. odour and dust) rather than health impacts, therefore this policy should specifically refer to amenity effects.</p>	<p>discharges</p> <p>b. not allowing new activities with discharges to air that are likely to have significant adverse amenity effects to locate in zones where activities sensitive to air discharges are permitted activities, unless it can be shown that adverse effects can be avoided, remedied or mitigated and amenity provisions of the zone are met</p> <p>c. <del>not allowing activities including heavy industry that require air discharge consents to locate in Air Quality Industry Transition overlay, or Light Industry zones, unless it can be shown that adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated.</del></p>
C.5.1 Air Quality Policy 9	Require applications for land use consent or designation for a high traffic-generating activity to	Oppose	This policy is impractical as the applicant will have little or no control over the air quality effects of vehicles	Delete in entirety. Require applications for land use consent or designation for a high traffic-generating

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
	<p>demonstrate that:</p> <p>a. Any potential discharges of pollutants to air from vehicles have been assessed using best practice methods such as modelling and monitoring, appropriate to the scale of the discharge and any potential adverse effects</p> <p>b. the combined concentrations of air discharges arising from the activity and background levels will not cause adverse effects on human health or on regional or local air quality, and will meet the AAQs in Table 1</p> <p>c. easy access to public transport is available so that people have an alternative to private vehicles</p> <p>d. access to and the layout and design of the land use or activity facilitates walking or cycling as a practicable alternative to the use of private motor vehicles for trips</p>		<p>travelling to or from their site.</p>	<p>activity to demonstrate that:</p> <p>a. <del>Any potential discharges of pollutants to air from vehicles have been assessed using best practice methods such as modelling and monitoring, appropriate to the scale of the discharge and any potential adverse effects</del></p> <p>b. <del>the combined concentrations of air discharges arising from the activity and background levels will not cause adverse effects on human health or on regional or local air quality, and will meet the AAQs in Table 1</del></p> <p>c. <del>easy access to public transport is available so that people have an alternative to private vehicles</del></p> <p>d. <del>access to and the layout and design of the land use or activity facilitates walking or cycling as a practicable alternative to the use of private motor vehicles for trips to/from the activity</del></p>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	to/from the activity			
C.5.1 Air Quality Policy 12	<p>Avoid or minimise air discharges by:</p> <ul style="list-style-type: none"> <li>a. using best management practices</li> <li>b. adopting a precautionary approach where there is uncertainty and a risk of serious effects or irreversible harm to the environment from air discharges</li> <li>c. using best practicable option emissions control at the source of the discharge</li> <li>d. avoiding air discharges that will cause significant adverse effects.</li> </ul>	Oppose	<p>The policy creates a conflict between a. and c. over the use of best management practices compared to the best practicable option.</p> <p>The use of best management practices is undefined and does not include consideration of the nature and scale of effects and costs associated with the practices. The use of best practicable option includes consideration of the potential benefits and the costs of the methods. Best practicable option should therefore be used in the Policy.</p>	<p><b>Managing air quality from individual discharge sources</b></p> <p>Avoid or minimise air discharges by:</p> <ul style="list-style-type: none"> <li>a. using <del>best management practices</del> <u>practicable option appropriate to the scale of the discharge and any potential adverse effects</u></li> <li>b. adopting a precautionary approach where there is uncertainty and a risk of serious effects or irreversible harm to the environment from air discharges</li> <li>c. using best practicable option emissions control at the source of the discharge</li> <li>d. avoiding air discharges that will cause significant adverse effects.</li> </ul>
C.5.1 Air Quality Policy 13	Avoid significant adverse effects from air discharges beyond the boundary of the premises where the discharge	Support	O-I NZ supports the Policy to avoid significant adverse effects from air discharges. O-I NZ has made significant investments at the Site to	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
	<p>is occurring, including:</p> <ul style="list-style-type: none"> <li>a. noxious or dangerous effects on human health, property or the environment from hazardous air pollutants</li> <li>b. offensive or objectionable effects on amenity values from odour, dust, particulate matter, smoke, ash, fumes and visible emissions</li> <li>c. overspray effects on human health, property or the environment.</li> </ul>		<p>ensure air discharges do not cause any significant effects.</p>	
C.5.1 Air Quality Policy 14	<p>Require individual sources of any discharge to air to demonstrate where relevant to the discharge type and reasonably practicable:</p> <ul style="list-style-type: none"> <li>a. low-emission fuels are used</li> <li>b. energy is efficiently used</li> <li>c. best practicable option is used</li> <li>d. fugitive emissions are minimised</li> <li>e. risk and adverse effects on</li> </ul>	Oppose	<p>Activities that require an air discharge consent will be required to address these points where they are relevant to the specific activity. This Policy does not provide any additional assessment requirements or methods and is therefore unnecessary. Many of the provisions are also ill defined and it would be difficult to demonstrate compliance.</p> <p>In addition:</p>	<p>Delete C.5.1. Air Quality Policy 14:</p> <p><del>Require individual sources of any discharge to air to demonstrate where relevant to the discharge type and reasonably practicable:</del></p> <ul style="list-style-type: none"> <li><del>a. low-emission fuels are used</del></li> <li><del>b. energy is efficiently used</del></li> <li><del>c. best practicable option is used</del></li> </ul>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought ( <del>deletions struck through</del> and additions <u>underlined</u> )
	<p>people, property and the environment from hazardous air pollutants are avoided</p> <p>f. the amenity provisions of any zone where the discharge is having an effect are met</p> <p>g. recognised best-practice management and emission control standards are met</p> <p>h. there are adequate separation distances to activities sensitive to air discharges</p> <p>i. significant adverse effects on flora and fauna, particularly where they are food sources or in areas identified as SEAs both on land and in the CMA are avoided</p>		<p>Clause a) is meaningless without any explanation of what "low emission fuel" might mean. It also does not take into account whether there are any feasible alternatives to the proposed fuel.</p> <p>While O-I NZ support in principle that energy should be used efficiently (as required by Clause b), it is likely to be difficult to demonstrate this as part of an air discharge consent application and is not directly related to discharges to air.</p> <p>Clause e) as worded is inappropriate as risk cannot be avoided, only minimised.</p> <p>Clause g) is overly onerous. The test required under the RMA is the adoption of the "best practicable option" which takes into account, amongst other things, the nature of the discharges, sensitivity of the receiving environment and financial implications.</p>	<p><del>d. fugitive emissions are minimised</del></p> <p><del>e. risk and adverse effects on people, property and the environment from hazardous air pollutants are avoided</del></p> <p><del>f. the amenity provisions of any zone where the discharge is having an effect are met</del></p> <p><del>g. recognised best-practice management and emission control standards are met</del></p> <p><del>h. there are adequate separation distances to activities sensitive to air discharges</del></p> <p><del>i. significant adverse effects on flora and fauna, particularly where they are food sources or in areas identified as SEAs both on land and in the CMA are avoided</del></p>



Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought ( <u>deletions struck through</u> and additions <u>underlined</u> )
C.5.1 Air Quality Policy 15	<p>Require large-scale combustion sources with air discharges to:</p> <ul style="list-style-type: none"> <li>a. be assessed on an input energy basis so that emissions from different types of combustion sources and their potential adverse effects can be directly compared</li> <li>b. demonstrate for activities that require discretionary air discharge consent that any adverse effects on aircraft stability and/or safety are avoided.</li> </ul>	Oppose	<p>Clause h) does not acknowledge that activities may already exist, and that adequate separation distances may not be possible due to circumstances beyond the control of the applicant. The requirements for separation distances is already included in Policy 7.</p> <p>O-I NZ oppose the policy as written for the following reasons:</p> <p>Clause a) It is unclear how the input energy relates to potential adverse effects. The adverse effects from combustion sources is dependent on a range of factors including stack height, exhaust temperature and flow rate.</p> <p>Clause b) While O-I NZ supports the need to avoid adverse effects on aircraft stability or safety, these effects are already managed through the Civil Aviation Act, which requires an assessment of plume velocity for sources that may impact navigable</p>	<p>Delete C.5.1 Air Quality Policy 15:</p> <p><u>Require large-scale combustion sources with air discharges to:</u></p> <ul style="list-style-type: none"> <li><u>a. be assessed on an input energy basis so that emissions from different types of combustion sources and their potential adverse effects can be directly compared</u></li> <li><u>b. demonstrate for activities that require discretionary air discharge consent that any adverse effects on aircraft stability and/or safety are avoided.</u></li> </ul>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions underlined)
C.5.1 Air Quality Policy 17	Assess the effects of air discharges from a premise or site, including all activities that require discharge consents, together to generally grant a single air discharge consent per premise or site.	Support	airspace. O-I NZ support the need to assess all sources of air discharges on-site together.	Retain as currently worded.
C.5.1 Air Quality Policy 18	Require applications for activities requiring resource consent for air discharges to: <ul style="list-style-type: none"> <li>a. have combined concentrations arising from the air discharge activity and background levels below the AAAQS in Table 1</li> <li>b. show how the amenity provisions of the zone, and any adjacent zone where there are effects from the activity, are met</li> <li>c. assess air discharges using best-practice methods, such as modelling and monitoring, appropriate to the scale of the discharge and any potential</li> </ul>	Oppose	O-I NZ oppose the policy as written for the following reasons:  Clause a) The ambient air quality standards are based on New Zealand and international standards that are intended to manage population health effects within an air shed. They are not designed as assessment guidelines for individual sources, particularly where effects are limited to the near vicinity. Applicants are required to assess the effects of the activity, and this may include assessment against the AAAQS if they are relevant to the specific source and this may include the need to consider background levels where	Require applications for activities requiring resource consent for air discharges to: <ul style="list-style-type: none"> <li>a. <u>where relevant, consider the</u> <del>have</del> combined concentrations arising from the air discharge activity and background levels <u>against</u> <del>below</del> the AAAQS in Table 1</li> <li>b. show how the amenity provisions of the zone, and any adjacent zone where there are effects from the activity, are met</li> <li>c. assess air discharges using <del>best-practice</del> <u>appropriate</u> methods, such as modelling and monitoring, appropriate to the scale of the discharge and any potential adverse</li> </ul>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>adverse effects</p> <p>d. demonstrate best practice management including minimising discharges</p> <p>e. demonstrate that the chosen method and amount of discharge does not have a practicable alternative that causes less adverse effects</p> <p>f. demonstrate that the location of the activity and any discharge is suitable to avoid adverse effects on the environment, health and amenity especially on sensitive activities</p> <p>g. provide details of how the offsets policy will be met, where relevant</p> <p>h. avoid, remedy or mitigate any cumulative adverse effects</p> <p>i. demonstrate that any risk to people and property has been adequately avoided or mitigated</p> <p>j. demonstrate that adequate separation distances are</p>	<p>a source may impact on the AAQS.</p> <p>Clause c) should refer to "appropriate" not "best-practice", as 'best-practice' is undefined.</p> <p>Clause d) should refer to the "best practicable option" for management. Best practice management is undefined, whereas best practicable option is a well-established RMA term.</p> <p>Clause e) There is no clarity around what is determined to be practicable. The RMA already requires consideration of alternatives and therefore this clause is unnecessary.</p> <p>Clause f) This clause should be amended to state that "significant" adverse effects must be avoided.</p> <p>Clause j) is unreasonable as availability of separation distances for the duration of the consent may not be within the applicants control. Land use may be re-zoned in the future, or</p>	<p>effects</p> <p>d. demonstrate best practice <u>practicable</u> option for management including minimising discharges</p> <p>e. <del>demonstrate that the chosen method and amount of discharge does not have a practicable alternative that causes less adverse effects</del></p> <p>f. demonstrate that the location of the activity and any discharge is suitable to avoid <u>significant</u> adverse effects on the environment, health and amenity especially on sensitive activities</p> <p>g. provide details of how the offsets policy will be met, where relevant</p> <p>h. avoid, remedy or mitigate any cumulative adverse effects</p> <p>i. demonstrate that any risk to people and property has been adequately avoided or mitigated</p> <p>j. <del>demonstrate that adequate separation distances are available for the duration of the consent to ensure that adverse effects on health and amenity of</del></p>	

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>available for the duration of the consent to ensure that adverse effects on health and amenity of activities sensitive to air discharges are avoided</p> <p>k. assess the potential for reverse sensitivity effects to occur.</p>		<p>non-complying or discretionary activities may be granted consent, which could reduce the separation distances.</p>	<p>activities sensitive to air discharges are avoided</p> <p>k. assess the potential for reverse sensitivity effects to occur.</p>
C.5.1 Air Quality Policy 20	<p>Use the FIDOL (frequency, intensity, duration, offensiveness and location) method when determining the adverse effects of odour, dust, smoke, ash, fume, overspray or visible emissions.</p>	Support	The use of the FIDOL factors for determining adverse effects is appropriate.	Retain as currently worded.
C.5.1 Air Quality Policy 21	<p>Give effect to the requirements of the National Environmental Standard for Air Quality and to comply with the AAAQS by offsetting new discharges of PM10 or PM2.5 particulate matter that require consent and will discharge into the Auckland airshed. Offsets must:</p> <p>a. be required until the Auckland airshed achieves five years without any breach of the AAAQS</p>	Oppose	<p>The proposed policy goes well beyond the requirements of the National Environmental Standard for Air Quality (NESAQ) for the following reasons:</p> <ul style="list-style-type: none"> <li>- The NESAQ does not have any standards for and does not apply to PM<sub>2.5</sub>;</li> <li>- Off-sets are not required under the NESAQ based on annual</li> </ul>	<p>Delete Air Quality Policy 21:</p> <p>Give effect to the requirements of the National Environmental Standard for Air Quality and to comply with the AAAQS by offsetting new discharges of PM<sub>10</sub> or PM<sub>2.5</sub> particulate matter that require consent and will discharge into the Auckland airshed. Offsets must:</p> <p>a. be required until the Auckland airshed achieves five years without any breach</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>for PM10 or PM2.5</p> <p>b. be for new activities or when emissions from existing consented activities increase</p> <p>c. be calculated on an annual mass emission basis and be offset on a one-to-one annual mass emission basis</p> <p>d. be done as close as practicable to where the effects of the discharge occur</p> <p>e. be for the duration of the consent</p> <p>f. be treated as having the same health effects irrespective of the source of the PM10 or PM2.5. There will be no consideration of the particulate composition of the source or offset</p> <p>g. be undertaken if ground level concentrations exceed 2.5µg/m<sup>3</sup> of PM10 or if mass emissions from the premises exceed 4t per year of PM10</p> <p>h. not consider fugitive emissions or</p>		<p>mass emissions.</p> <p>It is unclear what the basis is for the proposed mass emissions threshold of 4 tonnes per for PM<sub>10</sub>.</p> <p>It is unnecessary to duplicate the requirements of the NESAQ in the PAUP as these apply in any case and if the NESAQ is amended the PAUP would also need to be amended.</p>	<p>of the AAQS for PM10 or PM2.5</p> <p><del>b. be for new activities or when emissions from existing consented activities increase</del></p> <p><del>c. be calculated on an annual mass emission basis and be offset on a one-to-one annual mass emission basis</del></p> <p><del>d. be done as close as practicable to where the effects of the discharge occur</del></p> <p><del>e. be for the duration of the consent</del></p> <p><del>f. be treated as having the same health effects irrespective of the source of the PM10 or PM2.5. There will be no consideration of the particulate composition of the source or offset</del></p> <p><del>g. be undertaken if ground level concentrations exceed 2.5µg/m<sup>3</sup> of PM10 or if mass emissions from the premises exceed 4t per year of PM10</del></p> <p><del>h. not consider fugitive emissions or precursors for secondary forms of</del></p>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
	<p>precursors for secondary forms of particulate matter</p> <p>i. assume that all total suspended particulate (TSP) is PM10 unless demonstrated otherwise.</p>			<p>particulate matter</p> <p>i. <del>assume that all total suspended particulate (TSP) is PM10 unless demonstrated otherwise.</del></p>
H.4.1 Air Quality 1	<p><b>Relevant rules:</b></p> <p>Other air discharges from any process that includes:</p> <ul style="list-style-type: none"> <li>- sintering, calcining or roasting of metal ores in preparation for smelting</li> <li>- burning of calcium or calcium magnesium carbonates to produce calcium or magnesium oxides or hydroxides (including lime manufacturing)</li> <li>- expansion or exfoliation of minerals</li> <li>- dehydration of gypsum</li> <li>- the manufacture and/or</li> </ul>	Oppose	<p>The heading for the activity table includes "Air quality high amenity area - Light Industry; Commercial 5*" and "Air quality reduced amenity area - Heavy Industry".</p> <p>The table could be rationalised as there is no difference in status between the Light Industry/Commercial 5 and Heavy Industry columns. For example, the air discharge from the manufacture or melting of glass at a site with a production capacity of greater than one tonne per day is a discretionary activity in both the Light Industry and Heavy Industry zones (H.4.1 Air Quality 1 (Activity Table)).</p> <p>It is unnecessary to label the columns with reference to 'Amenity Areas', as</p>	<p>Delete reference to 'Amenity Areas' in the heading of the activity table.</p> <p>The activity table could also be rationalised into four columns in order to simplify it and make it clearer, as follows:</p> <ul style="list-style-type: none"> <li>- Column 1 - all other zones including Residential;</li> <li>- Column 2 - Rural and Future Urban;</li> <li>- Column 3 - Commercial 5, Light Industry and Heavy Industry; and</li> <li>- Column 4 - Commercial 6 and Special Purpose - Quarry .</li> </ul>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
	<p>melting of glass or glass products, including vitrification, with a production capacity of greater than 1t/day</p> <ul style="list-style-type: none"> <li>- manufacture of glass or mineral wool</li> <li>- manufacture of cement or cement products from raw materials...</li> </ul> <p>...is a discretionary activity in both light industry and heavy industry zones.</p>		<p>any amenity issues are dealt with in appropriate rules. In addition, it is inappropriate for the Light Industry zone to be identified as an "Air quality high amenity area" given that it is an industrial zone and should be treated as such.</p> <p>NB: there are no relevant controls for discretionary activity air discharge.</p>	
E.7.11 Air Quality – Industry Transition Overlay Description	<p>Overlay description</p> <p>The Heavy Industry zone is a reduced air quality amenity area. This enables activities that require regional air discharge consents to be located in an area which has a lower amenity than what is generally accepted in other zones. Consequently the requirements for emissions control may be less stringent. For this reason heavy</p>	Oppose	<p>The Heavy Industry zone purpose is to provide for industries that may produce objectionable odour, dust and noise emissions.</p> <p>The overlay adds a layer that states activities requiring air discharge consents should avoid locating in the overlay area unless it can be shown that adverse effects on receptors sensitive to air discharges are</p>	Delete the Industry Transition zone overlay and associated objectives and policies.

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
	<p>industry zones should ideally not be located within 500m of zones that provide for activities sensitive to air discharges. In some circumstances however, zones that provide for activities sensitive to air discharges have encroached within this 500m distance.</p> <p>The purpose of the overlay is to ensure that industries that require regional air discharge consents do not have adverse effects on activities that are sensitive to air discharges. The Air Quality – Industry Transition overlay applies to areas of the Heavy Industry zone that are located within 500m of the edge of the following zones:</p> <p>residential zones that allow a density of more than one dwelling per site (eg Mixed Housing Urban, Mixed Housing Suburban, Terraced Housing and Apartment zones)</p> <p>all business zones that allow residential activity (Metropolitan</p>	<p>Support/ Oppose/ Neutral</p>	<p>avoided, remedied or mitigated.</p> <p>This overlay therefore has the impact of sanitising parts of the Heavy Industry zone, making parts of the zone inconsistent with the purpose of the zone.</p> <p>The proposed Air Quality - Heavy Industry Transition ("HIT") Overlay should be deleted as:</p> <ul style="list-style-type: none"> <li>• It is inconsistent with the purpose of the Heavy Industry zone, which is to specifically provide for, and give certainty to, industrial activities that may produce objectionable odour, noise and dust;</li> <li>• Heavy Industry zoned land is already a scarce resource and the HIT Overlay will further restrict the amount of land available for heavy industry with discharges to air;</li> <li>• The Overlay does not inform adjacent land owners of the existence of existing heavy</li> </ul>	



Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	<p>Centre, Town Centre, Local Centre, Neighbourhood Centre and Mixed Use)</p> <p>Where the heavy industry zone is adjacent to other zones (eg. Light Industry, Single House), see the Air Quality</p> <p>– Sensitive Activity Restriction overlay.</p> <p>The overlay is a policy overlay. It does not change the activity status of land use activities within the overlay area. It provides additional objectives and policies that must be considered when assessing a proposal for a resource consent or a plan change.</p>		<p>industry that have discharges to air.</p> <p>The section 32 analysis for this overlay does not adequately account for the severity of the shortage of industrial land, the potential economic and social implications of this shortage, or the significant investment that has already been made by the community in infrastructure that would have to be duplicated elsewhere if industry were forced to relocate.</p>	
E.7.11 Air Quality – Industry Transition Objective 1	Significant adverse effects of industrial air discharges on health, property and the environment are avoided	Oppose	O-I NZ supports the need to ensure that significant adverse effects are avoided and are committed to managing effects from discharges to the site.  However, this is already addressed in the Air Quality Objectives and Policies	Delete the Industry Transition zone overlay and associated objectives and policies.

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
E.7.11 Air Quality – Industry Transition Objective 2	Incompatible land uses and activities are separated and reverse sensitivity conflicts are avoided.		(C.5.1 Air Objective 3 and C.5.1 Air Quality Policy 12).	
E.7.11 Air Quality – Industry Transition Objective 2	Incompatible land uses and activities are separated and reverse sensitivity conflicts are avoided.	Oppose	This repeats C.5.1 Air Quality Objective 5 and is therefore unnecessary.	Delete the Industry Transition zone overlay and associated objectives and policies.
E.7.11 Air Quality – Industry Transition Policy 1	Maintain adequate separation distances between activities with air discharges and activities sensitive to air discharges.	Oppose	This is already addressed by C.5.1 Air Quality Policy 7.	Delete the Industry Transition zone overlay and associated objectives and policies.
E.7.11 Air Quality – Industry Transition Policy 2	Locate the Air Quality – Industry Transition overlay within the heavy industry zone to a distance of 500m from the edge of the following zones: <ul style="list-style-type: none"> <li>a. City Centre zone</li> <li>b. Metropolitan Centre zone</li> <li>c. Town Centre zone</li> <li>d. Local Centre zone</li> <li>e. Neighbourhood Centre zone</li> </ul>	Oppose	The Air Quality – Industry Overlay limits the available Heavy Industry zoned land for activities that discharge contaminants to air.  Existing objectives and policies in the Air Quality and zone rules are adequate to manage the effects of air discharges on sensitive activities.	Delete the Industry Transition zone overlay and associated objectives and policies.

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
	<ul style="list-style-type: none"> <li>f. Mixed Use zone</li> <li>g. Mixed Housing Urban zone</li> <li>h. Mixed Housing Suburban zone</li> <li>i. Terraced Housing and Apartment zone</li> <li>j. Healthcare Facility zone</li> <li>k. Retirement Village zone</li> </ul>			
E.7.11 Air Quality – Industry Transition Policy 3	<p>Avoid locating activities that require air discharge consents in the Air Quality - Industry Transition overlay unless it can be shown that adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated.</p>	Oppose	<p>The Heavy Industry zone provides for industries that may produce objectionable odour, dust and noise emissions. This objective is inconsistent with the Heavy Industry zone objectives and policies.</p>	<p>Delete the Industry Transition zone overlay and associated objectives and policies.</p>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
E.7.12 Air Quality – Sensitive Activity Restriction Overlay Description	Overlay description ...	Support	O-I NZ supports limiting new activities sensitive to discharges to air in areas surrounding existing industrial areas. This supports the RPS objectives of protecting industrial land from encroaching sensitive activities. The overlay should extend over all areas surrounding existing industrial areas to protect the industrial areas.  The overlay does not restrict any existing or proposed uses but requires new sensitive activities to consider the potential for reverse sensitivity effects. It is noted though, that no rules support this overlay.	Retain as currently worded.
E.7.12 Air Quality – Sensitive Activity Restriction Objective 1	Significant adverse effects of industrial air discharges on health, property and the environment are avoided.	Oppose	It is unclear how the effects of industrial air discharges would be assessed by new sensitive activities.	Delete objective 1: <del>Significant adverse effects of industrial air discharges on health, property and the environment are avoided.</del>
E.7.12 Air Quality – Sensitive Activity	The efficiency of Heavy Industry zoned land is preserved.	Support with amendments	O-I NZ supports Heavy Industry continuing to operate without additional constraints or limitations placed on the activities. However, the	Delete and replace as follows: <del>The efficiency of Heavy Industry zoned</del>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
Restriction Objective 2			direction provide by the Objective is unclear. Amendments to clearly provide for the ongoing operation of Industry and protection from reverse sensitivity constraints.	land is preserved. To preserve the ability of Industry to operate without additional constraints or limitations from activities sensitive to discharges to air.
E.7.12 Air Quality – Sensitive Activity Restriction Objective 3	Incompatible land uses and activities are separated and reverse sensitivity conflicts are avoided.	Support	O-I NZ supports the need to avoid reverse sensitivity conflicts.	Retain as currently worded.
E.7.12 Air Quality – Sensitive Activity Restriction Policy 1	Maintain adequate separation distances between activities with air discharges and those sensitive to air discharges.	Support	O-I NZ supports this objective.	Retain as currently worded.
E.7.12 Air Quality – Sensitive Activity Restriction Policy 2	Locate the overlay so that: in greenfield areas the overlay surrounds the Heavy Industry zone to a distance of 500m from the Heavy Industry zone edge in brownfield areas the overlay	Oppose	O-I NZ considers the overlay should be placed over all areas within 500 metres of industrial zoned land and that a requirement to consider reverse sensitivity effects be included in all zone rules.	Establish the Air Quality – Sensitive Activity Restriction (SAR) Overlay within 500 metres of all industrial zoned land and insert a requirement to consider reverse sensitivity effects in all zone rules. Strengthen provisions by ensuring that residential areas within 500m of Heavy

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	<p>surrounds the Heavy Industry zone to a distance of 500m from the Heavy Industry zone edge, except for any area within the 500m that is one of the following zones:</p> <ul style="list-style-type: none"> <li>i. City Centre zone</li> <li>ii. Metropolitan Centre zone</li> <li>iii. Town Centre zone</li> <li>iv. Local Centre zone</li> <li>v. Neighbourhood Centre zone</li> <li>vi. Mixed Use zone</li> <li>vii. Mixed Housing Urban zone</li> <li>viii. Mixed Housing Suburban zone</li> <li>ix. Terraced Housing and Apartment zone</li> <li>x. Healthcare Facility zone</li> <li>xi. Retirement Village zone</li> </ul>		<p>The residential areas within 500 metres of O-I NZ's sites are currently zoned Residential 5 and 6a under the Operative Auckland District Plan which restricts development to 400m<sup>2</sup> and 500m<sup>2</sup> lot sizes respectively.</p> <p>O-I NZ considers the properties within 500 metres of the existing Business 5 zone land (which currently allows for reduced amenity) should be zoned Single House zone under the PAUP which would then enable the overlay to be applied. The Single House zone is further considered appropriate as intensification adjacent to the Southern Motorway is not appropriate due to air quality and noise concerns.</p>	<p>Industry zoned land are zoned Single Dwelling and the SAR Overlay is applied, wherever practicable.]</p>
E.7.12 Air Quality – Sensitive Activity Restriction	<p>Avoid locating zones within 500m of a Heavy Industry zone if they provide for activities sensitive to air discharges as permitted activities.</p>	Support	O-I NZ supports this policy.	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
Policy 3				
E.7.12 Air Quality – Sensitive Activity Restriction Policy 4	Avoid re-zoning land within 500m of a Heavy Industry zone to a zone with a higher residential density, or to a zone that allows activities that increase the potential for reverse sensitivity effects, unless it is an existing zone listed in Policy 2(b) above (on the date of notification of this Unitary Plan).	Support	O-I NZ supports this policy.	Retain as currently worded.



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Auckland 1142  
Attention: Unitary Plan Submission Team

28 February 2014

**Proposed Auckland Unitary Plan Submission Form**

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
**FORM 2**

**Submitter details**

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**SUBMISSION ON BEHALF OF O-I NZ: REGIONAL POLICY STATEMENT PROVISIONS**

**Introduction**

1. This is a submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, submissions on different sections of the PAUP are being provided in separate submissions.
3. O-I NZ could not gain an advantage in trade competition through this submission.

**Scope of Submission**

4. The provisions of the PAUP that this submission relates to are:
  - a. Provisions in Chapter B: Regional Policy Statement - Kupu Kaupapa ā-Rohe ("RPS"), that affect the ongoing operation and future development of O-I NZ's business (glass manufacture and recycling);
  - b. In particular but not limited to, those provisions relating to the positive contribution that industry makes to Auckland's economy; the shortage of land suitable for industry in the



Auckland region and reverse sensitivity issues for industrial activities arising from the location of incompatible land uses; transport linkages and efficient supply chains for both suppliers and customers; air quality and the insertion of a cap on discharges from sources that require air discharge consents; and waste minimisation; and

- c. Relevant definitions associated with Chapter B.

### Submission

#### Background

5. O-I NZ operates a glass container (bottles and jars) manufacturing plant at 752 Great South Rd, Penrose ("Site"). The facility has been in continuous operation on the Site since 1922, and early photographs show the factory as one of the first buildings in the area.
6. The Penrose area has long been a manufacturing hub for Auckland, and under previous Councils has been provided for through Mixed Use / Heavy Industrial zoning. The Penrose area, along with the industrial areas of Onehunga, Te Papapa, Mt Wellington and Otahuhu, makes a substantial contribution (over \$6.2 billion) to GDP, and employs over 70,000 people, primarily in manufacturing, trades, technology and scientific areas.
7. O-I NZ itself is a significant local employer and contributor to Auckland's economy, employing around 260 people directly on the Site. Additionally, it would not be unusual for 70 to 100 contractors a day to visit the Site for work. O-I NZ also contributes indirectly to the Auckland economy. A recent estimate places O-I NZ's spend with local businesses at over \$40M annually (excluding recent upgrades to the manufacturing facility totalling over \$125M).
8. O-I NZ's Penrose facility is also responsible for the majority of glass recycling that occurs in New Zealand and is one of the largest recycling companies in the country. The Site recycles nearly 120,000 tonnes of cullet (crushed glass) per annum, and up to 60% of final glass product is recycled content. As such, O-I NZ has an important regional and national contribution to make towards increasing waste minimisation. Without the O-I NZ facility, thousands of tonnes of glass recovered annually from the waste stream would be unnecessarily sent to low-level secondary markets, stockpiles, managed fills or landfills.
9. O-I NZ is accessible to both small and large customers and its location at the Site enables it to be responsive to customers' quality concerns. The Site is strategically located to take advantage of supply chain efficiencies resulting from the Site's proximity to the motorway, which is essential to O-I NZ's operation. Approximately 80% of O-I NZ's product is delivered within 8km of the site.
10. Activities at the Site are land-intensive and require significant infrastructure, such as reticulated natural gas and electricity. Processes on the Site produce discharges to air of fine particulate, and oxides of nitrogen and sulphur, primarily from heating the gas-fired furnaces. O-I NZ has invested significantly in the installation of an electrostatic precipitator at the Site to treat fine particle emissions from this process.
11. O-I NZ supports the provisions in the RPS section of the PAUP which enable the operation and development of heavy industrial activities. However, O-I NZ is concerned that other provisions in the PAUP will restrict established heavy industrial activities and compel relocation over time. If relocation is required, O-I NZ's ability to continue glass recycling in Auckland is uncertain.

12. O-I NZ submits that first and foremost the PAUP provisions should protect the ongoing operation of existing industrial activities, such as O-I NZ, in recognition of their importance to the region in providing for the social and economic well-being of people and communities by way of employment, reduction in waste and contribution to the Auckland economy.

O-I NZ supports the following:

13. The direction contained in the RPS provisions that aims to ensure ease of doing business for heavy industrial activities, and provisions that recognise the benefits these industries have to employment and Auckland's economic well-being.
14. Provisions which prioritise close linkages between transport and land use, and recognise the need for efficient transport systems to ensure effective supply chains to and from businesses (and not just between places of work and residence). Established heavy industries like O-I NZ are often land-intensive activities that are strategically located to take advantage of supply chain linkages and have attracted significant investment to maintain their contribution to GDP.
15. Provisions to avoid or minimise reverse sensitivity effects by maintaining adequate separation distance between incompatible land uses and activities, particularly where these provisions prevent encroachment of sensitive activities close to existing industrial sites. Sites like O-I NZ are vulnerable to reverse sensitivity issues as they rely on large sites with existing infrastructure and a central location for supply chain connections. Relocation of O-I NZ's business in Penrose due to encroachment of incompatible activities would be difficult and potentially financially unfeasible.
16. The acknowledgement that industrial emissions have been managed in Auckland to the extent that their contribution to overall urban air pollution has reduced significantly and is less than domestic fires and vehicle emissions in the region. O-I NZ has invested heavily in the Site to manage adverse effects from the air discharge associated with its activities and to internalise effects as much as possible.
17. Recognition for businesses that already incorporate good management and systems in relation to environmental effects including stormwater management and hazardous substances and facilities.
18. Notwithstanding the above, O-I NZ considers that the strategic direction contained in the RPS to provide for land-intensive heavy industry is not carried through to the regional and district objectives and policies, and rules. In particular, insufficient area with adequate infrastructure and transport linkages is provided for heavy industry. O-I NZ has identified its concerns with these matters in a separate submission.

O-I NZ opposes the following:

19. That existing heavy industrial activities do not receive protection under the PAUP provisions particularly where the PAUP zones heavy industry businesses, like O-I NZ, as Light Industry. This lack of protection has serious implications for established facilities, such as O-I NZ, creating uncertainty for the future viability of the Site.
20. Provisions in the PAUP that do not support established heavy industry, including those relating to land use and air quality. The lack of explicit support for established industry means that the renewal of discharge consents vital to the Site's operation (particularly air discharge) and any future development on the Site may be considered inappropriate under the RPS's strategic policy direction. An unsupportive policy direction hinders future investment in the Site. Ongoing

and significant investment is required to ensure the Site continues to be capable of recycling and producing glass containers (e.g. recent rebuilding of one furnace cost approximately \$NZ140 million) and it is this investment that is at risk.

21. The PAUP's proposed implementation of a cap on discharges from sources that require air discharge consents is inappropriate, given that other provisions identify that industrial activities are lesser contributors to overall air quality in Auckland, and that effects are localised around each site. Capping discharges does not provide for new activities that will improve the Auckland economy and also will not achieve any improvements in overall air quality in Auckland. Therefore, O-I NZ requests deletion of this provision.
22. The direction in the PAUP that existing adverse effects from stormwater discharges are progressively reduced is ambiguous. This policy does not indicate the level to which discharges may be required to be reduced, which could have significant implications for the investment that O-I NZ has already made in stormwater treatment and systems on Site.

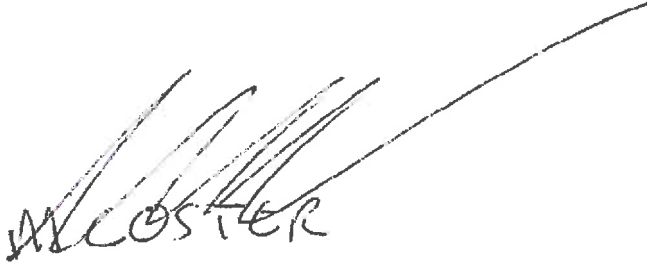
#### **Decisions sought**

23. The decisions that O-I NZ seeks are:
  - a. The RPS provisions in the PAUP be amended to provide protection to existing heavy industrial activities, particularly where the PAUP zones those activities Light Industry;
  - b. The RPS provisions, including those provisions relating to land use and air quality, in the PAUP to be amended to support established heavy industry;
  - c. Deletion of the proposed cap on discharges from sources that require air discharge consents;
  - d. Clarification of the direction in the PAUP that existing adverse effects from stormwater discharges are progressively reduced;
  - e. The detailed amendments in the table appended to this submission (**Attachment A**); and
  - f. Any further or consequential amendments required to address O-I NZ's concerns with the PAUP.

**Hearing**

- 24. O-I NZ wishes to be heard in support of its submission.
- 25. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 28 February 2014

A handwritten signature in black ink, appearing to read "M. COSTER", with a long, sweeping horizontal line extending to the right from the end of the signature.

Signature: \_\_\_\_\_

Mr Michael Coster  
Environmental Manager, O-I NZ

**Attachment A: Decisions sought from Council by O-I NZ in relation to "Part 1 - Introduction and strategic direction" of the Proposed Auckland Unitary Plan**

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
Chapter B, Section 1: Issues of Regional Significance - Ngā Take Matua ā- Rohe				
B.1.2 Enabling Economic Well-being				
Urban Form	...At current growth rates, we face a shortage of business-zoned land, which is a problem for land-intensive industries, such as manufacturing, transport and storage, construction, and wholesale trade ....	Oppose, to the extent that the shortage of industrial zoned land is not specifically recognised.	This text provides high level direction for compact cities with good connections, and recognises the shortage of business-zoned land, which O-I NZ supports. However, this direction should specifically acknowledge that there is also a shortage of industrial zoned land.  O-I NZ supports recognition of the needs of land-intensive industries, such as O-I NZ, and identifies the significant benefit these industries have to employment and GDP. For example, O-I NZ employs over 260 people directly, along with a significant number of contractors, with operational expenditure of over \$80 million per annum.	...At current growth rates, we face a shortage of <u>industrial and business-zoned land</u> ....
Transport and Land Use	... Transport and land use are closely interrelated and should be mutually supportive. The road network is the main	Support	Transport links to the main O-I NZ site are important to the viable function of the Site as a whole and are critical to O-I NZ's	Retain current wording

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	<p>interface of Auckland's transport system with land use. The impacts of land use on the operation and management of the road should be considered as part of delivering an efficient transport system. Well-designed transport systems service growth and development, and reinforce urban development patterns.</p>		<p>supply chains for both suppliers and customers.  If O-I NZ were forced further out of the city, it would result in higher costs for transport as well as an increase in fuel emissions. Approximately 80% of O-I NZ's product is delivered within 8km of the Site, which is strategically located near suppliers, storage and motorway links to the port and south of Auckland. This location minimises transport costs and movements/emissions.</p>	
B.1.5 Sustainably Managing our Natural Resources				
Air Quality	<p>Clean air is fundamental to our health, well-being and environment. Auckland, compared to many cities in the world, has good air quality. However, air quality sometimes fails to meet the government's national environmental standards for air quality or Auckland Ambient Air Quality standards (AAQS). Emissions to air can result in elevated levels of particulate matter, nitrogen dioxide and other pollutants which are linked to negative health effects.</p>	Support	<p>O-I NZ particularly supports the acknowledgement that incompatible land uses can cause reverse sensitivity issues. However, to avoid reverse sensitivity issues, appropriate and robust zoning must be implemented.  O-I NZ supports the acknowledgement that emissions from industry have reduced in Auckland and that industry is a lesser contributor to air quality impacts.</p>	Retain current wording.

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
			O-I NZ supports the acknowledgement that inappropriate location of activities sensitive to air discharges can aggravate adverse effects.	
Chapter B, Issue 3: Enabling Economic Well-being - Te Whakaitapu Oranga Whānau				
B.3.1 Commercial and Industrial Growth				
<p><b>Introduction</b></p> <p>This chapter sets out the objectives and policies for managing and developing Auckland's economy. Commercial and industrial activities are key drivers providing employment and business opportunities, and for meeting demands for economic and social well-being associated with population growth.</p> <p>The distribution and management of these activities have an important role in determining the shape of the urban environment. The policy approach seeks to ensure:</p> <ul style="list-style-type: none"> <li>that sufficient land for differing business activities is available to provide for social and economic well-being and efficient urban form is maximised</li> <li>new development and commercial</li> </ul>	<p>Oppose, to the extent that industry is not specifically recognised.</p>	<p>O-I NZ supports provisions that enable sufficient supply for differing business activities, including land-extensive industrial activities. These activities, including O-I NZ's operations, are integral to supporting Auckland's economic and social well-being.</p> <p>The policy approach also aspires to efficient urban form to achieve maximum productivity. In this regard, O-I NZ's current site is ideal as it provides a large area with efficient supply chain links to support sites (warehousing, storage and distribution) and complementary business. For example, the Visy Material Recovery Facility (a critical supplier of cullet to O-I NZ) is located within 4km of O-I NZ's site</p>	<p>... The policy approach seeks to ensure:</p> <ul style="list-style-type: none"> <li>that sufficient land for differing business activities (<u>including industry</u>) is available to provide for social and economic well-being and efficient urban form is achieved and productivity is maximised...</li> </ul>	

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	intensification and expansion is managed to achieve high amenity, efficiency and compact urban form.		in Onehunga. O-I NZ seeks an amendment to specifically recognise industry in the introduction to this chapter.	
B.3.1 Commercial and Industrial Growth Objective 1	Employment and business opportunities meet the current and future needs of Aucklanders.	Support	Industry has an important role in providing employment opportunities. O-I NZ employs around 260 people directly on its Site. 70 to 100 contractors are expected on the site each day. O-I NZ also contributes indirectly to other businesses, including the Visy Material Recovery Facility and freight companies.	Retain as currently worded.
B.3.1 Commercial and Industrial Growth Objective 3	Industrial growth occurs in appropriate locations that: a. promote sustainable and ongoing economic development b. provide for the efficient use of buildings, land and infrastructure in business areas c. avoid conflicts between incompatible activities	Oppose	This objective focusses on growth. O-I NZ supports compatible future growth on-site and growth on adjoining properties and areas. However, while Objective 3(c) recognises reverse sensitivity issues, the current zoning of the O-I NZ's Site will allow sensitive activities to operate near O-I NZ, potentially creating conflict. Objective 3 does not explicitly support existing businesses, although Objective	Amend Objective 3 as follows: <u>Existing industry is supported and protected from reverse sensitivity conflicts.</u> <u>Industrial growth occurs in appropriate locations that:</u> a. <u>promote sustainable and ongoing economic development</u>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
B.3.1 Commercial and Industrial Growth Policy 9	Enable sufficient supply of land for industrial activities, particularly land-extensive industrial activities, where the scale and intensity of effects anticipated in those zones can be accommodated and managed.	Support with amendments	<p>3(b) implicitly supports existing infrastructure and operations.</p> <p>O-I NZ is a long established business on the Site and due to this long history and occupation, the Site contains a significant investment in buildings and infrastructure. It is an efficient use of existing buildings and infrastructure to allow O-I NZ to continue to operate on the Site and its location on the Site should be supported through the provisions of the PAUP.</p>	<p>b. <del>provide for the efficient use of buildings, land and infrastructure in business areas</del></p> <p>c. <del>avoid conflicts between incompatible activities</del></p>
	Enable sufficient supply of land for industrial activities, particularly land-extensive industrial activities, where the scale and intensity of effects anticipated in those zones can be accommodated and managed.		<p>O-I NZ supports the intent of this policy however, this policy has not been followed through into the zoning for light and heavy industry.</p> <p>There is little analysis in the s32 report for the PAUP of the difference in land available for heavy industry uses. However, Table 2, Section 2.45 of the s32 report ("Air quality buffers – heavy industry") shows that there is 1,129 hectares of land available for proposed Heavy Industry zones compared with 2,278 hectares under the legacy regional plan provisions. This difference means</p>	<p>Amend as follows:</p> <p>Enable sufficient supply of land for industrial activities, particularly land-extensive industrial activities <u>and/or</u> heavy industry, where the scale and intensity of effects anticipated in those zones can be accommodated and managed.</p> <p>And ensure that the strategic direction of this policy is carried through to the</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
			<p>that land zoned appropriately for activities such as O-I NZ's operation have decreased by half.</p> <p>Even if additional land is made available further out of the isthmus area, businesses such as O-I NZ cannot reasonably or easily relocate to other areas within Auckland, due to operation requirements, including large site area and access to transport routes for suppliers and customers.</p>	<p>regional and district objectives, policies and rules.</p>
B.3.1 Commercial and Industrial Growth Policy 10	Locate industrial land where it is relatively flat, and there is quick and efficient access to freight routes, rail or freight hubs, ports and airports.	Oppose, to the extent that the Policy does not provide for necessary infrastructure	O-I NZ's current site provides a flat site with good transport linkages, in accordance with this policy. However, the policy should be expanded to include access to necessary infrastructure such as power, gas, and sewer system designed for industrial activities.	Locate industrial land where it is relatively flat, necessary infrastructure such as <u>power, gas, and sewer system</u> designed for <u>industrial activities is in place</u> , and there is quick and efficient access to freight routes, rail or freight hubs, ports and airports.
B.3.1 Commercial and Industrial Growth Policy	Provide for the efficient use of scarce industrial land and avoid incompatible activities by: a. limiting the scale and type of	Oppose	The wording of Policy 11 is weak in relation to the establishment of non-industrial activities on land zoned for light industry, which O-I NZ is currently located	Provide for the efficient use of scarce industrial land and avoid incompatible activities

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
11	<p>non-industrial activities on land zoned for light industry</p> <p>b. preventing non-industrial activities establishing on land zoned for heavy industry</p>		<p>under the PAUP provisions.</p> <p>Policy 11(a) only 'limits' non-industrial activities on land zoned for light industry. In comparison with Policy 11(b) (which prevents non-industrial activities from entering heavy industry zones), it does not provide sufficient protection for existing heavy industrial uses located in the light industry zone.</p>	<p>by:</p> <p>a. <del>limiting the scale and type of</del> <u>avoiding sensitive non-industrial activities on land zoned for light industry</u></p> <p>b. preventing non-industrial activities establishing on land zoned for heavy industry</p>
<b>B.3.3 Transport</b>				
B.3.3 Transport Objective 1	An effective, efficient and safe transport system that supports the integrated movement of people, goods and services throughout Auckland and to other regions and nations.	Support	Access to an effective, efficient and safe transport system is important to the viability of O-I NZ many Auckland business, including O-I NZ. The current location of O-I NZ's Site has strategic links to support sites and business, and main freight routes.	Retain as currently worded
B.3.3 Transport Objective 3	A well developed, operated and maintained transport system that manages potential adverse effects on the natural environment and the health, safety and amenity of people and communities.	Support		Retain as currently worded
B.3.3 Transport	Recognise the arterial road network needs to be managed to provide priority to public	Support	O-I NZ supports the PAUP's priority of freight movements and protection of	Retain as currently worded

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
Policy 5	transport and freight movements.		alternatives to road transport for freight and trade. These policies may not have direct implications for O-I NZ's business but their implementation will encourage efficiencies in the supply chain.	
B.3.3 Transport Policy 6	Protect existing and future rail and shipping corridors and air flight paths so they can meet future passenger and/or freight and trade demand.	Support		Retain as currently worded
Chapter B, Section 6 Sustainably Managing our Natural Resources - Toitū te Whenua, Toitū te Taiāo				
B.6.1 Air				
B.6.1 Air Introduction	... Air contaminants from industries also contribute to Auckland's urban air pollution overall, but to a much lesser extent than domestic fires and vehicle emissions. However, industrial emissions can have localised adverse effects on amenity and some industrial emissions can contain noxious or dangerous substances that are hazardous to human health. Industry emissions therefore need to be managed to avoid or reduce these effects. When new sensitive activities are put in close proximity to activities with air discharges, reverse sensitivity may occur, impacting on the effective long-term operation of the existing activity.	Support	O-I NZ strongly supports this provision as it acknowledges that industry's contribution to urban air pollution in Auckland is less than other sources, and that air quality effects are predominantly associated with localised adverse effects. The provision also identifies that new sensitive activities can impact on the effective long-term operation of existing activities such as O-I NZ.	Retain as currently worded
B.6.1 Air	Air discharges and the use and development of	Oppose	O-I NZ supports managing and improving	Air discharges and the use

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions underlined)
Objective 1	land are managed to improve air quality, enhance amenity values and reduce reverse sensitivity in Auckland's urban areas and to maintain air quality at existing levels in rural and coastal marine areas.		overall air quality in Auckland, however the Objective needs to acknowledge that some areas will have reduced amenity due to existing or heavy industrial activities.	and development of land are managed to improve <u>overall Auckland-wide air quality</u> , enhance amenity values and reduce reverse sensitivity in Auckland's urban areas and to maintain air quality at existing levels in rural and coastal marine areas.
B.6.1 Air Policy 1	<p>Manage discharges to air and the use and development of land to:</p> <ul style="list-style-type: none"> <li>a. avoid significant adverse human health effects and reduce exposure to adverse air discharges</li> <li>b. regulate activities that use or discharge noxious or dangerous substances</li> <li>c. minimise reverse sensitivity conflicts by avoiding or mitigating land use conflict between air discharges and activities that are sensitive to air discharges</li> <li>d. enable the operation and development of light and heavy industrial activities and rural production activities, that</li> </ul>	Support	<p>O-I NZ supports the intent of this policy however, successful implementation of this policy is important.</p> <p>In particular, Policy 1(d) should flow through to the rules, to provide for the ongoing operation of existing industrial activities and potential future development of those sites. Provision for existing industrial activities should be recognised through appropriate zoning, so that reverse sensitivity conflicts are minimised.</p>	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>have air discharges</p> <ul style="list-style-type: none"> <li>e. protect activities that are sensitive to the adverse effects of air discharges</li> <li>f. reduce the adverse effects of emissions from domestic fires and motor vehicles</li> <li>g. minimise actual and potential risk to people and property</li> <li>h. protect flora and fauna from the adverse effects of air contaminants.</li> </ul>			
B.6.1 Air Policy 2	<p>Meet Auckland Ambient Air Quality Standards by giving priority to:</p> <ul style="list-style-type: none"> <li>a. reducing PM<sub>10</sub> and PM<sub>2.5</sub> particulate discharges from combustion sources such as domestic fires, motor vehicle emissions and industrial discharges to air;</li> <li>b. establishing caps for the total discharge of fine particles (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide from sources that require air discharge consents</li> <li>c. providing for new major discharges, or increases in existing discharges of fine</li> </ul>	Oppose	<p>The implementation of a cap on discharges from sources that require air discharge consents is inappropriate. The earlier provisions have identified that industrial activities are small contributors to overall air quality impacts in Auckland, and that effects are localised around each site. Capping discharges does not provide for new activities that will improve the Auckland economy and will also not achieve any improvements in overall air quality in Auckland.</p> <p>New discharges are required to avoid, remedy or mitigate adverse effects, which will ensure new activities do not cause</p>	<p>Delete Policy 2.</p> <p>Meet Auckland Ambient Air Quality Standards by giving priority to:</p> <ul style="list-style-type: none"> <li>a. <del>reducing PM<sub>10</sub> and PM<sub>2.5</sub> particulate discharges from combustion sources such as domestic fires, motor vehicle emissions and industrial discharges to air;</del></li> <li>b. <del>establishing caps for</del></li> </ul>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>particles (PM10 and PM2.5) where:</p> <ul style="list-style-type: none"> <li>i. the activity will not exceed the cap established under (b) above</li> <li>ii. the emissions are offset.</li> <li>d. advocating for the reduction of discharges of nitrogen oxides in motor vehicles emissions</li> <li>e. advocating for reductions in sulphur dioxide emissions from marine sources.</li> </ul>		<p>significant adverse effects on Auckland's overall and localised air quality.</p>	<p>the total discharge of fine particles (PM10 and PM2.5) and nitrogen dioxide from sources that require air discharge consents</p> <ul style="list-style-type: none"> <li>e. <del>providing for new major discharges, or increases in existing discharges of fine particles (PM10 and PM2.5) where:</del> <ul style="list-style-type: none"> <li>i. <del>the activity will not exceed the cap established under (b) above</del></li> <li>ii. <del>the emissions are offset.</del></li> </ul> </li> <li>d. <del>advocating for the reduction of discharges of nitrogen oxides in motor vehicles emissions</del></li> <li>e. <del>advocating for reductions in sulphur dioxide emissions from marine sources</del></li> </ul>



Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined&gt;</u> )
B.6.1 Air Policy 4	<p>Reduce the impacts of air contaminant discharges from motor vehicles on human health and the environment by:</p> <ul style="list-style-type: none"> <li>a. promoting patterns of land use that minimise the need to travel by motor vehicle</li> <li>b. promoting urban design that minimises the adverse effects of air discharges from motor vehicles</li> <li>c. supporting the development of passenger transport, ride sharing, cycling, walking, working from home and other measures to reduce the need to use motor vehicles to move people and goods around Auckland</li> <li>d. avoiding and mitigating the adverse effects on human health associated with high traffic generating activities and major new transport projects</li> <li>e. encouraging heavy-duty diesel vehicles to use routes that are part of the strategic freight network and to avoid routes that</li> </ul>	<p>Oppose, to the extent that 'strategic freight network' is not defined</p>	<p>O-I NZ supports the intent of Policy 4 as it encourages the development of a strategic freight network, which will assist O-I NZ's freight connections through the supply chain.</p> <p>However, the direction in Policy 4(e) is onerous as 'strategic freight network' is not defined in the PAUP text or maps, and therefore the direction for heavy-duty diesel vehicles to avoid routes that are not part of the 'strategic freight network' has unclear implications for existing supply chains e.g. O-I NZ's existing connections with Visy and storage facilities.</p>	<p><del>dieoxide emissions from marine sources</del></p> <p>Amend as follows:</p> <p>...</p> <p>e. encouraging heavy-duty diesel vehicles to use routes that are part of the strategic freight network <del>and to avoid routes that are not part of this network</del></p> <p>...</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>are not part of this network</p> <p>f. encouraging public transport to meet appropriate emission standards including the preferred use of electric and low emission vehicles</p> <p>g. supporting the use of low emission motor vehicles (both light and heavy duty).</p>			
B.6.1 Air Policy 5	<p>Manage the discharge of contaminants to air from the use and development of land and the coastal marine area in a manner that provides for different levels of amenity according to the purpose of the zone and the predominant types of activities within any given area, and in particular:</p> <p>a. allow for reduced air quality amenity in industrial areas ...</p>	Oppose	O-I NZ supports the intent to allow for reduced air quality amenity in industrial zones, but considers that reduced air amenity should specifically be allowed in both light and heavy industrial areas.	<p>Manage the discharge of contaminants to air from the use and development of land and the coastal marine area in a manner that provides for different levels of amenity according to the purpose of the zone and the predominant types of activities within any given area, and in particular:</p> <p>a. allow for reduced air quality amenity in <u>all</u> industrial areas...</p>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
B.6.3 Freshwater and Geothermal Water				
B.6.3 Freshwater and Geothermal Water Objective 1	The natural, social, economic and cultural values of freshwater and geothermal water resources are safeguarded when land, freshwater and geothermal water is used and developed.	Support	O-I NZ supports the safeguarding of land and freshwater from adverse effects of development.	Retain as currently worded
B.6.3 Freshwater and Geothermal Water Objective 5	The adverse effects of stormwater runoff and wastewater discharges on communities, freshwater systems and coastal waters are minimised and existing adverse effects are progressively reduced.	Oppose	O-I NZ supports avoiding adverse effects from stormwater runoff and wastewater discharges. However, Objective 5 indicates that existing adverse effects are progressively reduced, but does not indicate to what level. O-I NZ has made a significant investment in stormwater treatment, and systems. Objective 5 should be amended to state that effects should be reduced to ensure there are no significant adverse effects from discharges.	The adverse effects of stormwater runoff and wastewater discharges on communities, freshwater systems and coastal waters are minimised and existing <u>significant</u> adverse effects from <u>existing discharges</u> are progressively reduced.
B.6.3 Freshwater and Geothermal Water Policy 1	Integrated management of land use and freshwater ...	Support	O-I NZ supports ensuring that adequate water supply and wastewater infrastructure is in place. Inadequate supply could impact existing operations and potential future growth.	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
B.6.3 Freshwater and Geothermal Water Policy 3	<b>Managing freshwater quality</b> ...	Support	O-I NZ also supports controlling the use of land to minimise effects of stormwater runoff, and reducing existing adverse effects on degraded systems, but considers this should be based on significant adverse effects and significant contributors to degraded systems.  O-I NZ supports the requirement to manage and treat discharges of contaminants, and activities that have potential to generate contaminants. O-I NZ has made significant investments at the site to manage discharges to water.	Retain as currently worded.
<b>B.6.4 Land – Hazardous Substances</b>				
B.6.4 Land – Hazardous Substances Objective 1	The environment is protected from the adverse effects and risks associated with the storage, use, disposal and transport of hazardous substances, while recognising and providing for the social and economic benefits of these activities.	Support	O-I NZ supports the appropriate use, disposal and transport of hazardous substances. O-I NZ uses a range of hazardous substances at the Site and considers avoiding effects and risks from these substances is important and is already incorporated into systems and procedures on-site.	Retain as currently worded.
B.6.4 Land – Hazardous Substances	Manage the use and development of land for hazardous facilities to avoid unintended discharges or other unintended events resulting in adverse effects on human health and the	Support		Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions <del>struck through</del> and additions <u>underlined</u> )
Policy 1	environment.			
B.6.4 Land – Hazardous Substances Policy 2	<p>Manage the use and development of land for hazardous facilities:</p> <p>a. so that hazardous facilities are resilient to damage caused by natural hazards that could result in adverse effects, including risks to people, property, and the contamination of air, land, ground and surface waters</p> <p>b. to minimise risks caused by a natural hazard event.</p>	Support		Retain as currently worded.
B.6.4 Land – Hazardous Substances Policy 3	<p>Manage the effects associated with use and development of land for hazardous facilities by:</p> <p>a. not allowing sensitive activities to be established near hazardous facilities or areas identified for hazardous facilities if they are likely to be adversely affected by any hazardous facility or if they have the potential to constrain operation of the hazardous facility</p> <p>b. not allowing new hazardous facilities to be located near sensitive activities unless adverse effects are avoided</p>	Support	<p>O-I NZ supports separation distances between sensitive activities and hazardous facilities, and providing areas for hazardous facilities to operate.</p> <p>The implications for O-I NZ's activities, which require some use of hazardous substances (including soda ash), rely on the appropriate zoning of the site.</p>	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	<p>c. providing areas for hazardous facilities within Auckland away from sensitive activities so that they may carry out their operations without unreasonable constraints</p>			
Chapter B, Section 9: Responding to Climate Change				
B.9 Responding to Climate Change Objective 1	Auckland continually responds and adapts to the existing and future effects of climate change	Support	Waste minimisation and efficient transport systems will support this objective.	Retain as currently worded
B.9 Responding to Climate Change Policy 1	<p>Increase energy efficiency, the use of renewable energy and carbon sinks to contribute to the mitigation of the adverse effects of climate change in Auckland by:</p> <p>a. integrating land use and transport to enable an increase in the use of public transport networks and active modes such as walking and cycling.</p> <p>b. requiring 5 or more new dwellings and office and industrial buildings over 5000m<sup>2</sup> to achieve best practice sustainable design</p> <p>c. encouraging all development to incorporate</p>	Oppose	<p>O-I NZ makes an important regional and national contribution towards increasing energy efficiency, as they recycle the majority of glass in New Zealand. Policies 1(g) and (i) are supported by O-I NZ, as they support waste minimisation initiatives, which include reduction and reuse.</p> <p>However, O-I NZ considers that Policies 1(b)-(d) should be amended to ensure that development on existing buildings does not require retrofitting of the existing buildings where this is inappropriate or</p>	<p>Increase energy efficiency, the use of renewable energy and carbon sinks to contribute to the mitigation of the adverse effects of climate change in Auckland by:</p> <p>a. ...</p> <p>b. requiring 5 or more new dwellings and <u>new office and industrial buildings</u> over 5000m<sup>2</sup> to achieve best practice sustainable</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck-through and additions <u>underlined</u> )
	<p>energy efficient design through solar orientation of the building, location of windows and inclusion of appropriate insulation and thermal mass</p> <p>d. enable the retrofit of existing buildings to improve their energy efficiency and where appropriate incorporate renewable energy generation</p> <p>...</p>		<p>attracts disproportionate costs.</p>	<p>design</p> <p>c. encouraging all <u>new</u> development to incorporate energy efficient design through solar orientation of the building, location of windows and inclusion of appropriate insulation and thermal mass...</p> <p>d. enabling the retrofit of existing buildings to improve their energy efficiency and incorporate renewable energy generation where appropriate and where disproportionate costs are avoided...</p>



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Auckland 1142  
Attention: Unitary Plan Submission Team

28 February 2014

**Proposed Auckland Unitary Plan Submission Form**

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010

Clause 6 of First Schedule, Resource Management Act 1991

**FORM 2**

**Submitter details**

Organisation: ACI Operations New Zealand Limited trading as O-I New Zealand ("O-I NZ")

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**SUBMISSION ON BEHALF OF O-I NZ: STORMWATER AND ITA PROVISIONS**

**Introduction**

1. This is a submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, submissions on different sections of the PAUP are being provided in separate submissions.
3. O-I NZ could not gain an advantage in trade competition through this submission.

**Scope of Submission**

4. The provisions of the PAUP that this submission relates to are:
  - a. Those contained in Chapters C and H relating to stormwater, industrial trade activities ("ITA") and flooding. In particular, but not limited to, those provisions that relate to the management of stormwater and ITA discharges from O-I NZ's site at 752 Great South Road; and
  - b. Relevant definitions associated with the chapters listed above.

**Submission**

**Background**

5. O-I NZ operates a glass container (bottles and jars) manufacturing plant at 752 Great South Rd, Penrose ("Site"). The facility has been in continuous operation on the Site since 1922, and early photographs show the factory as one of the first buildings in the area.
6. O-I NZ is accessible to both small and large customers and is the only commercial-scale container glass manufacturer in the country.. O-I NZ's Penrose facility is also responsible for the majority of glass recycling that occurs in New Zealand and is one of the largest recycling companies in the country. The Site recycles nearly 120,000 tonnes of cullet (crushed glass) per annum. Up to 60% of final glass products is recycled content.
7. Activities at the Site are land-intensive and require significant infrastructure such as reticulated natural gas and electricity. The Site is part of a pocket of heavy industry in the Penrose area which, along with industrial areas of Onehunga, Te Papapa, Mt Wellington and Otahuhu, and employs over 70,000 people, primarily in manufacturing, trades, technology and scientific areas.
8. The Site is subject in parts to the Flood Prone Area (1 per cent AEP) and a Food Plain (1 per cent AEP), shown in the 'Flood Hazard' non-statutory information layer in the PAUP maps. Stormwater from the Site discharges to ground soakage. O-I NZ has invested over \$1 million in improving stormwater treatment at the Site in the past five years, including the installation of five sand filters, proprietary 'downstream defender' units and 'ecopod' filter units. O-I NZ holds current ITA and stormwater discharge resource consents.

**O-I NZ's submission is that:**

*Lack of consistency and clarity in provisions*

9. Greater clarity needs to be provided between the provisions relating to the management of stormwater and the discharge of contaminants from Industrial or Trade Activities:
  - a. The management of the use of land for an activity area from an Industrial or Trade Activity is principally provided for in PAUP "Chapter C 5.9 Industrial and Trade Activities (ITA)". However, Policy 14 in "Chapter C 5.15.1 Water Quality and Integrated Management" relates to the management of activity areas on industrial sites to prevent or minimise contaminated discharges from ITAs. All provisions relating to discharges from ITAs should be within "Chapter C 5.9 Industrial and Trade Activities (ITA)"; and
  - b. Inconsistent language is used within the "Chapter C 5.9 Industrial and Trade Activities (ITA)" provisions and the "Chapter C 5.15.1 Water Quality and Integrated Management" provisions. For example, the ITA provisions refer to the "use and storage of environmentally hazardous substances" in some cases, and the "discharge of environmentally hazardous substances" in other cases. At the same time, the water quality provisions refer to the "discharge of contaminants". The inconsistent language makes it unclear what the provisions are trying to achieve.



*Lack of section 32 analysis*

10. The ITA provisions are not supported by a Section 32 analysis. Page 4, Part 1 of the Section 32 Report for the Proposed Unitary Plan states that, "The evaluation report is targeted at those provisions where a significant policy shift has occurred from the current operative plans policy approach(es)". It appears therefore that the basis for not providing a Section 32 analysis is that the provisions are not considered by the Council to be significantly changed from those in the operative Auckland Council Regional Plan: Air, Land and Water Plan (*Operative Regional Plan*).
11. However, while the permitted activity controls are not significantly different, the status of consents is significantly different. The Operative Regional Plan includes rules for the use of land for an activity area from an Industrial or Trade Activity, as well as rules for the discharge of contaminants to land and/or water from an Industrial or Trade Activity. The proposed rules in the PAUP only incorporate land use rules, with no rules apparent for the discharge of contaminants to land and/or water. There is no Section 32 analysis to outline the basis for this change, or where the discharges are now managed within the PAUP.
12. The status of discharges of contaminants from the activity area of an ITA needs to be identified and incorporated into the PAUP.

*Progressive reduction of adverse effects from stormwater discharges*

13. O-I NZ opposes the progressive reduction of adverse effects from stormwater discharges required under the policies contained in 'C.5.15.1 Water Quality and Integrated Management' because these policies (particularly Policies 10 and 12) do not indicate the level to which discharges may be required to be reduced.
14. O-I NZ supports proactive management of environmental effects from the Site and has made significant investments in stormwater treatment and systems on Site. However, O-I NZ would oppose the need to undertake further improvements when the effects from stormwater discharges from the Site have been avoided, remedied or mitigated and assessed as having no significant effects on the environment.
15. O-I NZ also opposes setting blanket limits on stormwater contaminants as the adverse effects need to be based on site specific factors, as different receiving environments will have different issues and differing ability to manage contaminants (see 'H.4.14 Stormwater Management 3.4.2 Table 3').

*Stormwater quality rules*

16. The stormwater quality rules in the PAUP incorporate design effluent quality requirements for stormwater runoff for metals, suspended solids and temperature. While these rules do not specifically apply to discharges from an 'industrial or trade activity area', there is a real risk that the rules will be used by the Council as de-facto effluent water quality requirements for all sources of these contaminants, including the O-I NZ Site.
17. The application of the design effluent quality requirements may not be appropriate for the receiving environment at O-I NZ's Site (eg: stormwater from the Site goes to aquifers, which are not significantly impacted by water temperature). O-I NZ seeks removal of the proposed design effluent quality requirements or clarification that they do not apply to discharges from industrial sites.

**Decisions sought**

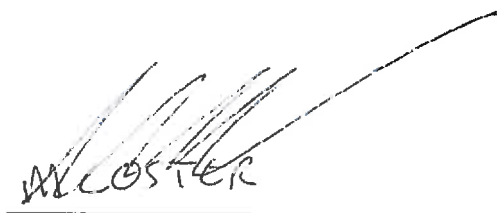
18. O-I NZ seeks the following decision:
- a. All provisions relating to discharges from ITAs be included in "Chapter C 5.9 Industrial and Trade Activities (ITA)";
  - b. Consistent language be used within the Chapter C 5.9 Industrial and Trade Activities (ITA) provisions and the "Chapter C 5.15.1 Water Quality and Integrated Management" provisions;
  - c. The status of discharges of contaminants from the activity area of an ITA be identified and incorporated into the PAUP;
  - d. Provisions relating to the progressive reduction of adverse effects from stormwater discharges be amended to address O-I NZ's submission;
  - e. The proposed design effluent quality requirements be deleted from the PAUP, or clarification provided that the provisions do not apply to discharges from industrial sites;
  - f. The detailed amendments in the table appended to this submission (**Attachment A**); and
  - g. Any other further or consequential amendments required to address O-I NZ's concerns with the PAUP.

**Hearing**

19. O-I NZ wishes to be heard in support of its submission.
20. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 28 February 2014

Signature: \_\_\_\_\_



MICHAEL COSTER

Mr Michael Coster  
Environmental Manager, O-I NZ

Attachment A: Decisions sought from Council by O-I NZ in relation to stormwater and ITA provisions

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
<p>C.5.9 Industrial and Trade Activities (ITA) Background</p>	<p><b>Background</b> Industrial or trade activities often involve the use, handling and storage of environmentally hazardous substances as part of their production and operation. Disposal of these waste products normally occurs by discharge to a trade waste sewer or other methods. However unless these activities are appropriately managed hazardous substances can be washed off the site and onto land or into rivers and streams, groundwater systems and coastal waters, often via the public stormwater network, and adversely affect water quality and ecosystem health.  Good on-site management practices are the primary method of minimising the discharge of environmentally hazardous substances and managing the risk of accidental spills</p>	<p>Support with amendments</p>	<p>The background discussion focuses on the use, handling and storage of environmentally hazardous substances, although the definition of environmentally hazardous substances does not include just substances used, handled or stored but would include those associated or generated as part of an activity.  Many Industrial or Trade Activities (ITAs) will have environmentally hazardous substances that are generated by the activity that are not used, handled or stored but do have the potential to have effects on the environment.  O-I NZ currently holds a consent for discharges from an Industrial or Trade Process that is consistent with the broader definition of</p>	<p>Amend, as follows:  Industrial or trade activities often involve the use, handling and storage of environmentally hazardous substances, <u>and associated generation of environmentally hazardous substances and contaminants</u>, as part of their production and operation...</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
			<p>environmentally hazardous substances.</p> <p>The policies and rules that sit within this section are also designed to manage the effects of environmentally hazardous substances associated with an activity and not just those that are used, stored and handled.</p>	
C.5.9 Industrial and Trade Activities (ITA) Objective 1	Environmentally hazardous substances used by ITAs are managed to avoid adverse effects on land and water as far as practicable, or to minimise adverse effects where they cannot be entirely avoided	Support with amendments	As above, the definition of environmentally hazardous substances is broader than just those that are used on a site. This broader definition should be reflected in the objective.	Environmentally hazardous substances used or generated by ITAs are managed to avoid adverse effects on land and water as far as practicable, or to minimise adverse effects where they cannot be entirely avoided
C.5.9 Industrial and Trade Activities (ITA) Policy 1	Prevent or minimise the discharge of environmentally hazardous substances from ITAs onto or into land, water or into the stormwater system by: a. requiring wastewater and other effluent to be discharged to a public trade waste sewer where one is available	Support	O-I NZ supports this policy.	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>b. requiring ITAs to have, where appropriate, onsite management systems, processes, containment and treatment</p>			
<p>C.5.9 Industrial and Trade Activities (ITA) Policy <sup>2</sup></p>	<p>Require measures to be implemented, where environmentally hazardous substances cannot be discharged to a trade waste sewer or contained on site, to minimise adverse effects on land and water including:</p> <ul style="list-style-type: none"> <li>a. consideration of options and alternatives</li> <li>b. reducing effluent volumes and contaminant concentrations as far as practicable</li> <li>c. applying treatment and other measures having regard to the nature of the discharge and the sensitivity of the receiving environment.</li> </ul>	<p>Support</p>	<p>O-I NZ supports this policy. O-I NZ has installed treatment systems for the majority of the site to minimise discharges to water.</p>	<p>Retain as currently worded.</p>
<p>C.5.9 Industrial and Trade Activities (ITA) Policy <sup>3</sup></p>	<p>Require operation and maintenance regimes to ensure the on-going functioning of any management or treatment measures.</p>	<p>Support</p>	<p>O-I NZ supports this policy. O-I NZ has an operation and maintenance regime in place for existing treatment systems.</p>	<p>Retain as currently worded.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
C.5.13 Flooding Objective 2	Development or redevelopment necessary in existing flood prone areas is designed and managed to prevent any increase in flood-related risks.	Support	O-I NZ supports this objective.	Retain as currently worded.
C.5.13 Flooding Policy 1	Adopt the 1 per cent AEP floodplain, except for flood-vulnerable infrastructure where the 0.5 per cent AEP floodplain will apply, as the primary scale of flood event when managing development and risk to life and properties.	Support	O-I NZ supports this policy.	Retain as currently worded.
C.5.13 Flooding Policy 4	Allow activities that are less vulnerable to the effects of flooding, such as commercial and industrial development, to locate in 1 per cent AEP floodplains within existing urban areas only where that activity does not increase risks to people or property of adverse effects from flooding.	Support	O-I NZ supports this policy.	Retain as currently worded.
C.5.13 Flooding Policy 11	Store and contain hazardous substances in 1 per cent AEP floodplains so the integrity of the storage method will not be compromised in a flood event in combination with storm conditions.	Support with amendments	The intent of Policy 11 is supported, but some editorial changes are required to ensure the meaning of the policy is clear.	Amend as follows: <del>Store and contain</del> <u>The storage and containment of hazardous substances should</u> in 1 per cent AEP floodplains <u>should</u> be managed so the integrity of the storage methods will not be compromised in a flood event in combination with storm conditions.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions underlined)
<p>C.5.15.1 Water Quality and Integrated Management Policy 10</p>	<p><b>Stormwater management</b> Minimise new, and reduce the existing, adverse effects of stormwater runoff on communities, freshwater systems and coastal waters from new development, intensification and re-development by:</p> <p>a. requiring measures to be adopted to reduce contaminant loads, with a focus on activities that have the potential to generate high contaminant concentrations and loads...</p>	<p>Oppose</p>	<p>The policy requires measures to be adopted to reduce contaminant loads but does not set any guidance. The policy should be amended to require contaminants be reduced to avoid significant adverse effects.  The policy also includes requiring measures to be adopted to reduce peak flow rate and volumes of stormwater from sites. The O-I NZ site is currently fully developed from an impervious area perspective and therefore is unlikely to increase impervious areas at the site which would require consideration of peak flows.</p>	<p>Amend Policy 10(a) as follows:</p> <p>a. requiring measures to be adopted to reduce contaminant loads to <u>avoid, remedy or mitigate significant adverse effects</u>, with a focus on activities that have the potential to generate high contaminant concentrations and loads...</p>
<p>C.5.15.1 Water Quality and Integrated Management</p>	<p>In determining the extent to which adverse effects of stormwater diversions and discharges are prevented or mitigated, particular regard shall be had to:</p> <p>a. the nature, quality, volume and peak</p>	<p>Support</p>	<p>O-I NZ supports this policy.</p>	<p>Retain as currently worded.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
Policy 11	<p>flow of the stormwater runoff</p> <ul style="list-style-type: none"> <li>b. the sensitivity of freshwater systems and coastal waters, including the Hauraki Gulf Marine Park, to the adverse effects of stormwater contaminants and flows</li> <li>c. the potential for the diversion and discharge to create or exacerbate flood risks</li> <li>d. options to manage stormwater on-site or the use of communal stormwater management measures</li> <li>e. practical limitations in respect of the measures that can be applied.</li> </ul>			
C.5.15.1 Water Quality and Integrated Management Policy 12	<p>Ensure the concentration of contaminants in stormwater runoff from new or redeveloped high contaminant-generating activities are managed to levels established to reduce existing and prevent or minimise new adverse effects on water and sediment quality in freshwater systems and coastal waters.</p>	Support with amendments	<p>This policy is incomplete and does not make sense.</p> <p>The definition of high contaminant generating activities excludes Industrial or Trade Activities which would include O-I NZ, although it is considered that implementing minimum performance discharge standards is not</p>	<p>Ensure the concentration of contaminants in stormwater runoff from new or redeveloped high contaminant-generating activities are managed to levels established <u>on a case-by-case basis</u> to reduce existing, and prevent or minimise new, significant adverse effects on water and sediment quality in freshwater systems and coastal waters.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
C.5.15.1 Water Quality and Integrated Management Policy 14	Manage activity areas on industrial sites to prevent or minimise contaminated discharges to the stormwater system, freshwater systems or coastal waters in accordance with the ITA provisions in the Unitary Plan.		appropriate as each site and discharge will be different, and should be determined and assessed on a site specific basis.	
C.5.15.1 Water Quality and Integrated Management Policy 14	Manage activity areas on industrial sites to prevent or minimise contaminated discharges to the stormwater system, freshwater systems or coastal waters in accordance with the ITA provisions in the Unitary Plan.	Oppose	The PAUP includes a specific section on managing discharges from industrial sites under the ITA provisions. Therefore, while this policy is supported, it should be included in the ITA section of the plan.	Move to ITA provisions.
C.5.15.1 Water Quality and Integrated Management Policy 16	Require land use and development to not exceed impervious area thresholds or, where this is not practicable, to mitigate stormwater hydrology to ensure the adequate functioning and performance of the stormwater network, contribute to retaining and enhancing stream health and values and not increase existing flood risk.	Oppose	The impervious area thresholds are focused on the management of peak flows and flooding risk. Therefore, this policy is already addressed in Section C.5.13 Flooding and is unnecessary.  This policy also does not identify that land use and development even below the impervious area thresholds can impact the function and	Delete Policy 16:  <del>Require land use and development to not exceed impervious area thresholds or, where this is not practicable, to mitigate stormwater hydrology to ensure the adequate functioning and performance of the stormwater network, contribute to retaining and enhancing stream health and values and not increase existing flood risk.</del>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
			performance of the stormwater network, stream health and can increase existing flood risks.	
C.5.15.1 Water Quality and Integrated Management Policy 17	<p><b>Ground Soakage</b></p> <p>Utilise stormwater discharge to ground soakage in areas underlain by shallow or highly permeable aquifers provided that:</p> <ol style="list-style-type: none"> <li>ground soakage is available</li> <li>any risk to people and property from land instability or flooding is avoided</li> <li>stormwater quality treatment is implemented to minimise effects on the capacity and water quality of the underlying aquifer system</li> <li>discharge to ground soakage is the most effective and sustainable option.</li> </ol>	Support	O-I NZ currently utilises ground soakage at the site, and supports the utilisation of soakage.	Retain as currently worded.
C.5.15.1 Water Quality and Integrated Management	<p><b>Other Discharges</b></p> <p>Prevent or minimise the adverse effects from construction, maintenance investigation and other activities by:</p>	Oppose	It is unclear what "other" discharges this policy is intended to refer to, and what is considered to be construction, maintenance, investigations, or "other"	Delete Policy 23: <b>Other Discharges</b> <del>Prevent or minimise the adverse effects from construction,</del>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
Policy 23	<p>a. establishing minimum performance standards for the discharges; or,</p> <p>b. where these are not appropriate or unable to be met, having regard to</p> <ul style="list-style-type: none"> <li>i. the nature, volume and concentration of the contaminants in the discharge</li> <li>ii. sensitivity of the receiving environment to the contaminants in the discharge</li> <li>iii. other options for the discharge, including reuse or discharge to the trade sewer</li> <li>iv. available measures to reduce contaminant concentrations prior to discharge or otherwise mitigate adverse effects.</li> </ul>		<p>activities". The intent and application of the policy is therefore ambiguous.</p> <p>Implementing minimum performance standards is not appropriate as each site and discharge will be different and should be determined and assessed on a site specific basis. This is particularly so for activities where the specific discharges will be dependent on the activities undertaken.</p>	<p>maintenance investigation and other activities by:</p> <ul style="list-style-type: none"> <li>a. <del>establishing minimum performance standards for the discharges; or,</del></li> <li>b. <del>where these are not appropriate or unable to be met, having regard to</del> <ul style="list-style-type: none"> <li>i. <del>the nature, volume and concentration of the contaminants in the discharge</del></li> <li>ii. <del>sensitivity of the receiving environment to the contaminants in the discharge</del></li> <li>iii. <del>other options for the discharge, including reuse or discharge to the trade sewer</del></li> <li>iv. <del>available measures to reduce contaminant concentrations prior to discharge or otherwise</del></li> </ul> </li> </ul>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
<p>H.4.8 Industrial and trade Activities (ITA) 1</p>	<p>These rules apply to the Industrial or Trade Activity area of a site. The ITA is the area of land where a particular ITA is being undertaken, which may result in the discharge of environmentally hazardous substances associated with that activity onto or into land or water. It does not necessarily relate to the entire site and the full definition provides exclusions.</p>	<p>Support with amendment</p>	<p>H.4.8 states that the following rules apply only to the use of land and not to the resulting discharges. It is unclear how discharges from relevant sites are proposed to be authorised under the PAUP, as the PAUP does not appear to contain equivalent rules to those provided under the operative ITP provisions in the Auckland Council Regional Plan: Air, Land and Water Plan.</p> <p>The Stormwater Management, Stormwater Discharge rules also seems to apply to ITAs and the discharge from existing impervious areas are permitted activities provided concentration and load of contaminants are not increased. As the ITA rules require the installation of</p>	<p>mitigate adverse effects.</p> <p>Amend rules to refer the use of land and discharges of contaminants from an Industrial or Trade Activity or provide clarification on how discharges are managed for ITA activities.</p> <p>Clarify how the ITA and Stormwater discharge provisions relate to each other.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined&gt;</u> )
H.4.12 Flooding 2.1.2 (5)			stormwater treatment from an ITA, it is unclear how the two provisions relate to each other and whether there is a duplication of function between the rules.	
H.4.12 Flooding 2.1.2 (5)	5. Stormwater management devices and flood mitigation works must be are [sic] designed, constructed, operated and maintained in accordance with any structure plan, network discharge consent and vesting requirements.	Oppose	It is unclear how this provision relates to sites with on-site stormwater management devices that are not included in a structure plan or network discharge consent.	5. Stormwater management devices and flood mitigation works must be are designed, constructed, operated and maintained in accordance with any structure plan, network discharge consent and vesting requirements <u>where relevant.</u>
H.4.14 Stormwater Management 1.2.1 (2)	Existing impervious areas a. the impervious area was existing on the date of notification of the Unitary Plan. b. stormwater flows and volumes from existing impervious areas must not be increased above those at the date of notification of the Unitary Plan, including as a result of a change in land use or removal of existing stormwater management measures.	Oppose	Under provision c., any change in the concentration and load of contaminants increased above those at the date of notification of the PAUP, including as a result of a change in land use, would result in a site no longer complying with the permitted activity rules.  It is unclear what is considered to be a change in land-use. O-	Existing impervious areas a. the impervious area was existing on the date of notification of the Unitary Plan. b. stormwater flows and volumes from existing impervious areas must not be increased above those at the date of notification of the Unitary Plan, including as a result of a change in land use or removal of existing stormwater

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
	<p>c. the concentration and load of contaminants in stormwater flows from existing impervious areas must not be increased above those at the date of notification of the Unitary Plan, including as a result of a change in land use or the removal of existing stormwater treatment measures...</p>		<p>INZ regularly changes how the Site is managed for both operational reasons and to better manage environmental aspects. These changes, while minor and within the scope of existing consents, could increase the contaminant loads or concentrations or be a change in land-use if not defined.</p> <p>It is also unclear how these controls relate to the activity area of an ITA which is managed under the ITA provisions of the PAUP. As the ITA rules require the installation of stormwater treatment from an ITA, it is unclear how the two provisions relate to each other and whether there is a duplication of function between the rules.</p>	<p>management measures.</p> <p>c. the concentration and load of contaminants in stormwater flows from existing impervious areas <u>excluding any area that is included in an Industrial or Trade Activity area</u> must not be increased above those at the date of notification of the Unitary Plan, including as a result of a change in land use or the removal of existing stormwater treatment measures...</p>
H.4.14 Stormwater Management	Assessment – Restricted discretionary activities	Oppose	O-I NZ generally supports the need to manage stormwater discharges and effects, and	Assessment – Restricted discretionary activities

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
3.4.1 (2)	<p>Matters of discretion</p> <p>New and redevelopment of existing uncovered parking or parking areas (including that which is accessory to the main use of the site)</p> <ol style="list-style-type: none"> <li>a. stormwater quality management requirements for minimising adverse effects</li> <li>b. implementation of stormwater quality management measures</li> <li>c. operations and maintenance requirements</li> <li>d. monitoring and reporting, including monitoring and reporting on a network wide basis.</li> </ol>		<p>has installed stormwater treatment devices for both parking areas on-site.</p> <p>However, O-I NZ is concerned about the use of "stormwater quality management requirements" in 1(a) of this Policy. These stormwater quality management requirements are based on average performance of specific devices that are considered to be best practice. Therefore, it would be better for 1(a) to specify the use of "best practicable option stormwater management methods" rather than include a requirement to install a device that is theoretically designed to meet the set standard. The requirement that is currently included in the PAUP creates an expectation that the devices will meet the standard where <b>the values are actually only</b></p>	<p>Matters of discretion</p> <ol style="list-style-type: none"> <li>1. New and redevelopment of existing uncovered parking or parking areas (including that which is accessory to the main use of the site)               <ol style="list-style-type: none"> <li>a. <u>Best practicable option</u> stormwater quality management <u>methods</u> requirements for minimising adverse effects</li> <li>b. implementation of stormwater quality management measures</li> <li>c. operations and maintenance requirements</li> <li>d. monitoring and reporting, including monitoring and reporting on a network wide basis.</li> </ol> </li> </ol>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
H.4.14 Stormwater Management 3.4.2 Table 3	Table 3: Stormwater quality management requirements	Oppose	<p>based on the mean performance of the devices. The inclusion of specific standards indicates the devices should meet the values and would be used as compliance values.</p> <p>The purpose of Table 3 is to identify the need to install stormwater treatment systems that on average will theoretically meet the values and therefore represent "best practice". In practice, half of all devices will not meet the values and therefore, do not represent an actual value that will be met.</p> <p>The values are also not based on the potential for adverse effects, with different receiving environments having different abilities to absorb or manage contaminant loads (e.g. aquifers or ground soaks) are less impacted by suspended</p>	Delete Table 3: Stormwater quality management requirements

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought (deletions struck through and additions <u>underlined</u> )
H.4.14 Stormwater Management 3.4.2 Table 4	Table 4: Stormwater contaminants of concern	Oppose	<p>solids than streams and marine environments).</p> <p>The values could also create an expectation that existing installed devices should meet the values and therefore be set as compliance limits or targets in consents. As the numbers do not reflect actual discharges from specific devices and are not related to the specific receiving environment, it is possible that they could not be met as compliance limits.</p> <p>Industrial activities are covered by the ITA provisions in the PAUP and should not be included in Table 4.</p>	<p>Remove industrial activities from Table 4: Stormwater contaminants of concern</p>



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Attention: Unitary Plan Submission Team

28 February 2014

**Proposed Auckland Unitary Plan Submission Form**  
Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
*FORM 2*

**SUBMISSION ON BEHALF OF O-I NZ: BUSINESS ZONES**

**Submitter details**

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**Introduction**

1. This is a submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, O-I NZ is providing separate submissions on different sections of the PAUP.
3. O-I NZ could not gain an advantage in trade competition through this submission.

**Scope of Submission**

4. The provisions of the PAUP that this submission relates to are:
  - a. The zoning of 752 Great South Road, Penrose, as Light Industry;
  - b. Provisions in Chapters D and I relating to the Light Industry and Heavy Industry zones. In particular, but not limited to, those provisions that relate to the appropriate

zoning of heavy and light industry sites, the location of heavy industry and distances to sensitive activities (reverse sensitivity issues); and

- c. Relevant definitions associated with Chapters D and I.

### **Submission**

#### **Background to O-I NZ**

5. O-I NZ operates a glass container (bottles and jars) manufacturing plant at 752 Great South Rd, Penrose ("Site"). The facility has been in continuous operation on the Site since 1922, and early photographs show the factory as one of the first buildings in the area.
6. The Penrose area has long been a manufacturing hub for Auckland, and under previous Councils has been provided for through Mixed Use / Heavy Industrial zoning. The Penrose area, along with the industrial areas of Onehunga, Te Papapa, Mt Wellington and Otahuhu, makes a substantial contribution (over \$6.2 billion) to GDP, and employs over 70,000 people, primarily in manufacturing, trades, technology and scientific areas.
7. O-I NZ itself is a significant local employer and contributor to Auckland's economy, employing around 260 people directly on the Site. Additionally, it would not be unusual for 70 to 100 contractors a day to visit the Site for work. O-I NZ also contributes indirectly to the Auckland economy. A recent estimate places O-I NZ's spend with local businesses at over \$40M annually (excluding recent upgrades to the manufacturing facility totalling over \$125M).
8. O-I NZ has an interest in recovering and recycling good quality glass to use to manufacture into new glass containers. Glass is unique in that it is infinitely recyclable: one bottle can (in theory) be recycled whole into a new bottle with no need for new material. The facility has state of the art quality testing equipment including fluorescent-spectrum camera analysis, automated laser metrology stations, and leading-edge SPC gauging, as well as its own analytical laboratory. Additionally, every line has direct oversight by highly experienced glass professionals – in many cases with over 25 or 30 years' experience.
9. O-I NZ is accessible to both small and large customers and is the only commercial-scale container glass manufacturer in the country. O-I NZ is in direct competition with companies that import glass containers, such as wine bottles, beer bottles and food jars, into New Zealand for wholesale distribution, and must ensure that it can compete in the market.
10. O-I NZ's location at the Site enables it to be responsive to customers' quality concerns. If an issue is identified on a filling line in New Zealand, O-I NZ's Quality Engineers can respond to it promptly. The availability of O-I NZ's Engineers is one of the reasons why O-I NZ's customers purchase their glass from O-I NZ (see, for example, the letter provided by one of O-I NZ's customers, Villa Maria Estate Limited, at Attachment A).
11. O-I NZ provides New Zealand exporters with the best possible assurance that their product is going to market in a high quality container that builds their brand image and will not break, spoil or otherwise endanger their markets and reputation. For example, Villa Maria Estate Limited has also explained that it relies on locally manufactured glass as part of its sustainability story (Attachment A).

12. The ability to ensure a quality product is a key reason that New Zealand exporters use New Zealand manufactured glass. Exporters need to ensure that the packaging meets the premium requirements of the product it contains and that it meets the highest standards for food safety. O-I NZ's customers need to know that their product will reach the intended export markets safe for their customers to consume. Should an inferior imported product be used and a food safety incident occurs as a result, New Zealand exporters risk the entire "New Zealand" brand identity being compromised.
13. O-I NZ's Penrose facility is also responsible for the majority of glass recycling that occurs in New Zealand and is one of the largest recycling companies in the country. The Site recycles nearly 120,000 tonnes of cullet (crushed glass) per annum, and up to 60% of final glass product is recycled content. As such, O-I NZ has an important regional and national contribution to make towards increasing waste minimisation. Without the O-I NZ facility in New Zealand, thousands of tonnes of glass recovered annually from the waste stream would be unnecessarily sent to low-level secondary markets, stockpiles, managed fills or landfills.
14. Activities at the Site are land-intensive and require significant infrastructure, such as reticulated natural gas and electricity. Processes on the Site produce discharges to air of fine particulate, and oxides of nitrogen and sulphur, primarily from heating the gas-fired furnaces. O-I NZ has invested significantly in the installation of an electrostatic precipitator at the Site to treat fine particle emissions from this process.

#### **The consequences for O-I NZ of the PAUP as currently drafted**

15. The PAUP proposes to zone the Site "Light Industry". O-I NZ has significant concerns with the proposed Light Industry zoning of the Site and the related proposed air quality provisions in the PAUP.
16. O-I NZ submits that the Site should be zoned Heavy Industry under the PAUP. O-I NZ's existing activities at the Site fit squarely within the definition and provisions of the Heavy Industry zone in the PAUP. For example, the proposed air quality provisions in the PAUP indicate that the appropriate zone for heavy industries with discharges to air is the Heavy Industry zone, and the Heavy Industry zone provides for reduced amenity and protection from reverse sensitivity effects. These provisions should also apply to O-I NZ as the facility is a long-established heavy industrial activity. However, inappropriately, the PAUP currently zones the Site as Light Industry meaning that the Heavy Industry provisions do not apply.
17. Light Industry zoning will, in conjunction with other PAUP provisions (particularly air quality), significantly adversely affect O-I NZ's ability to continue operating on the Site effectively and efficiently. A realistic scenario is that over time, O-I NZ will be compelled to relocate as the Light Industry zoning will significantly reduce the viability of O-I NZ's operation.
18. O-I NZ's ability to continue glass recycling in Auckland if relocation is required is uncertain because of:
  - a. the shortage of suitable sites for land-intensive industry in Auckland (as acknowledged in the PAUP);
  - b. the key supply chain efficiencies resulting from the Site's proximity to transport linkages and to the Visy Material Recovery Facility in Onehunga; and

- c. the significant investment that O-I NZ has made in the Site (and the loss that would be incurred if relocation were required) since its establishment on the Site in 1922.
19. Due to the extensive capital required to establish a greenfield manufacturing facility in New Zealand, which O-I NZ estimates is in excess of NZ\$400 million, it is unlikely that such a replacement facility would receive O-I NZ's US parent company's approval to proceed. Ultimately, consolidation of operations into overseas plants (and closure of the Auckland business) could occur if operation of the business is inappropriately restricted under the PAUP. Such an outcome would be contrary to the Auckland Plan and the overarching objectives and policies, particularly the Regional Policy Statement provisions, of the PAUP.
20. O-I NZ's customers consider O-I NZ to be an integral part of their supply chain and value the strong relationships that O-I NZ has with its customers, which are a result in part of O-I NZ's close proximity to its customers' sites:
- a. Alistair Prebble, the National Procurement Manager for Coca-Cola Amatil (N.Z.) Limited has noted that Coca-Cola Amatil values the flexibility, reduced risk and strong relationships that O-I NZ's proximity to their manufacturing plants allows (included in Attachment A); and
- b. Robin Collis, National Operations Manager for Villa Maria Estate Limited, emphasises Villa Maria's reliance on locally manufactured glass and notes that having a local supplier enables Villa Maria to keep transportation to a minimum and to reduce its carbon footprint (see Attachment A).
21. Further comments from O-I NZ's customers in relation to O-I NZ's operations and important location are provided at Attachment B.
22. The PAUP plays a key role in implementing the goals of the Auckland Plan. The Auckland Plan has an overarching goal of reducing waste to zero by 2040. O-I NZ provides an important waste minimisation service to the Auckland region and beyond. The PAUP does not currently provide an appropriate framework to allow for the continued and efficient operation of the O-I NZ plant, which may impede the goals of the Auckland Plan in relation to reducing waste. The Council's continued support of businesses like O-I NZ is essential in ensuring that the waste reduction targets set in the Auckland Plan are met.
23. One important reason O-I NZ's customers choose to purchase their glass from O-I NZ is the high recycled glass content in containers. In 2012, O-I NZ achieved an average recycled container content of 60% through its use of recycled glass. O-I NZ works closely with local governments and the waste recovery sector to increase the availability of usable recycled glass.
24. The PAUP should protect the ongoing operation of existing industrial activities, such as O-I NZ, in recognition of their vital importance in providing for the social and economic well-being of people and communities by way of employment, reduction and recycling of waste and contribution to the national and Auckland economy.

**O-I NZ supports the following:**

25. *Provision of industrial zones:* O-I NZ supports the location of industrial activities within appropriate zones, to recognise the benefits of industrial activities and provide for them in areas that allow for reduced amenity and restrict the establishment of sensitive activities.

26. *Reverse sensitivity provisions:* O-I NZ supports the PAUP provisions relating to avoiding or minimising reverse sensitivity effects by maintaining adequate separation distance between incompatible land uses and activities, particularly where these provisions prevent encroachment of sensitive activities close to existing industrial sites.
27. *Heavy Industry zone provisions:* O-I NZ supports the PAUP provisions relating to Heavy Industry to be generally appropriate and supports those provisions with some amendments. Overall, the objectives and policies in the Heavy Industry zone provide protection and support for the operation of heavy industry businesses, such as O-I NZ. However, these provisions are only effective if existing heavy industry businesses are zoned appropriately. O-I NZ seeks re-zoning of the Site to Heavy Industry, as the existing activities on the Site aligns with the provisions and intent of the PAUP's Heavy Industry zone (as discussed below).

**O-I NZ opposes the following:**

*Zoning of the Site*

28. O-I NZ opposes the Light Industry zoning over the Site at 752 Great South Road, Penrose and the surrounding pocket of established heavy industry. The zoning does not reflect the activity that currently operates from the Site. The Light Industry zoning is inappropriate and, in conjunction with other provisions of the PAUP (including air quality), will undermine O-I NZ's ability to operate efficiently and effectively into the future.
29. The proposed air quality provisions provide protection and support for businesses that discharge to air (such as O-I NZ), provided that such businesses are located in the Heavy Industry zone. Any activities that discharge to air and are located outside of the proposed Heavy Industry zoning are not provided for and in fact are unsupported in the PAUP. The lack of support for discharges to air outside the Heavy Industry zone puts businesses such as O-I NZ in a very difficult position, and jeopardises O-I NZ's ability to continue operating on the Site. The PAUP's lack of support for O-I NZ and its activities on the Site also provides no recognition of long-established heavy industry uses or the need (identified in the Auckland Plan and the PAUP itself) for the protection of industrial land in Auckland.
30. The inappropriate zoning of sites and consequential potential relocation of businesses such as O-I NZ is contrary to the direction contained in the PAUP, which recognises the requirements of land-intensive heavy industries and the benefits that these industries have for Auckland's employment and GDP.

*Light Industry zone provisions*

31. If the Site and surrounding area containing heavy industry activities are not rezoned Heavy Industry, the Light Industry zone provisions need to be amended to accommodate and support the existing heavy industry activities within the Light Industry zone.
32. O-I NZ opposes the PAUP's provisions relating to Light Industry. As currently worded, the Light Industry provisions provide no recognition for existing activities operating within the zone, many of which are heavy industries. O-I NZ submits that the Light Industry zone objectives, policies and rules should be amended to recognise existing heavy industry, which has been included in the Light Industry zone, and to ensure new sensitive activities do not impede on the normal operation of existing long-established businesses.



- 33. The Light Industry provisions, as drafted, provide for new activities in the area, but do not specifically support ongoing use and development of existing sites. For example, the ongoing use and development of the Site will require a replacement furnace in the medium term (likely to require land use consent) and the replacement of regional-type consents (including discharge to air). The PAUP policy framework, as drafted, does not support the continued operation of O-I NZ's business in the Light Industry zone.
- 34. The Light Industry provisions state that activities that discharge to air are not appropriately located within the Light Industry zone. There seems little point in having an industrial zone that does not allow for air discharges, which are often a by-product of industrial activities. Businesses that are commercial activities that do not create air discharges are able to locate in other Business zones.
- 35. The wording of the PAUP's policies relating to air discharges in the Light Industry zone are not effects-based, but are instead prescriptive. Discharges to air from industrial activities should be assessed on a case-by-case basis as to whether the effects of those discharges are acceptable and in accordance with the section 5 purpose of the RMA.
- 36. The PAUP's Light Industry provisions provide for similar activities to the General Business zone, making it more akin to another business zone than an industrial zone. The provisions in the Light Industry zone do not adequately protect existing industry from the encroachment of more sensitive commercial activities. Reverse sensitivity is a key issue for industry and has significant implications for Auckland's economic well-being. Therefore, relief is sought to recognise existing industrial activities, as detailed in Attachment C.
- 37. The section 32 analysis for the PAUP states that almost half of the additional floor space required by 2041 for business activities will be for industry. However, neither the section 32 report nor the PAUP provisions provide for the severity of the shortage of industrial land (particularly for heavy industry), the potential economic and social implications of this shortage, or the significant investment that has already been made by the community in infrastructure that would have to be duplicated elsewhere if industry were forced to relocate.

**Decisions sought**

- 38. O-I NZ seeks the following amendments to the PAUP:
  - a. Re-zone the Site at 752 Great South Road, Penrose as Heavy Industry;
  - b. Re-zone sites adjacent to the Site at 752 Great South Road, Penrose, which are currently zoned as Business 5 under the Auckland Council District Plan (Isthmus Section), as Heavy Industry;
  - c. Amend PAUP zones maps 'Urban Grid 40' and 'Urban Grid 41' to show re-zoning of the Site at 752 Great South Road, Penrose and adjacent sites currently zoned as Business 5 under the Auckland Council District Plan (Isthmus Section), from Light Industry to Heavy Industry;
  - d. Recognise existing heavy industry that has been included in the PAUP's Light Industry zone and provide for ongoing heavy industry activities on these sites;
  - e. Provide for industrial activities with discharges to air in the Light Industry zone;

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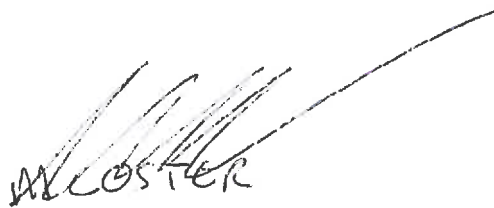
- f. Recognise the benefit of businesses like O-I NZ to Auckland's economy and waste minimisation targets, and provide for ongoing operation of these businesses and the sites on which they operate;
- g. The detailed amendments in the table appended to this submission (**Attachment C**); and
- h. Any other further or consequential amendments required to address O-I NZ's concerns with the PAUP.

**Hearing**

- 39. O-I NZ wishes to be heard in support of its submission.
- 40. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 28 February 2014

Signature:



MICHAEL COSTER

Mr Michael Coster

Environmental Manager, O-I NZ



#852

**Attachment A – Letter from Villa Maria Estate Limited and letter from Coca-Cola Amatil  
New Zealand**

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#852

Coca-Cola Amatil (N.Z.) Limited  
The Oasis, Mt Wellington, Auckland 1060  
Private Bag 14916, Panmure, Auckland 1741  
Phone 0800 COCA-COLA (0800 262 226)  
Fax 0800 COKE FAX (0800 265 332)



5<sup>th</sup> February 2014

O-I  
752 Great South Road, Penrose  
P.O. Box 12-345  
Auckland 1642

**Attn: Michael Coster**

Dear Michael,

As you're aware, O-I have been a longer term supplier of glass bottles to Coca-Cola Amatil and are an integral part of our supply chain.

We value the flexibility, reduced risk and strong relationships that O-I's close proximity to our manufacturing plant allows.

In regards to the Councils Unitary Plan and O-I's Penrose site, we encourage the Council to support manufacturing through the design and execution of its Unitary Plan, and in this case in point, support leaving the areas historically zoned Business 5 as Heavy Industrial.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alistair Prebble'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Alistair Prebble**  
National Procurement Manager  
Coca-Cola Amatil (N.Z.) Limited

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Coca-Cola Amatil (N.Z.) Limited  
The Gasis, Mt Wellington, Auckland 1060  
Private Bag 14916, Panmure, Auckland 1741  
Phone 0800 COCA-COLA (0800 262 228)  
Fax 0800 COKE FAX (0800 265 332)



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Auckland 1642

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Yours sincerely

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**Alistair Prebble**  
National Procurement Manager  
Coca-Cola Amatil (N.Z.) Limited

Classified - Public Use

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#852

**Attachment B – Additional customer comments**

11/29

## Attachment B - Comments from O-I NZ's Customers

As part of the submission process O-I NZ has sought feedback from a range of stakeholders on the value of having O-I NZ as a domestic provider of container glass.

Comments from O-I NZ customers include the following:

- **Greg Dow, Babich Wines:**

*Our business has a trading relationship with OI, which dates back over 90 years. Any rezoning of the Industrial area that OI currently operate in will obviously affect their cost of doing business and the viability of their business model.*

*The cost of glass is a significant part of our overall cost structure and is reviewed and negotiated regularly, for ourselves to incur any increase in cost of this vital raw material, or a disruption in its supply, due to a zoning change is something that we would view very seriously.*

- **Matt Wilson, Corporate Relations Manager, DB Breweries:**

*DB breweries has a long standing relationship with the O-I New Zealand Plant, who are a valued supplier of bottles to our New Zealand operations.*

*DB hold customer safety as a key aspect of our business, and as part of that we require the highest quality of packaging components available. O-I NZ meet this demand for us both through having rigorous quality controls in place, and through complying with stringent HACCP (food safety) processes.*

*Being based in Auckland O-I are also able to respond promptly to any safety or quality issues that might arise, and have skilled technical staff available who can discuss / inspect issues with us, and immediately return to the factory to enact solutions.*

*Sustainability is important to us. In New Zealand around 60% of glass is recycled at the O-I factory and we are proud to package our product using so sustainable a material. As such, the Presence of the O-I NZ factory in its' current location in Penrose, Auckland is of strategic value to our brand and business.*

- **Jim Conroy, Wineworks:**

*WineWorks bottles some 38% off all wine bottled in New Zealand for over 300 wineries throughout the country. We operate contract bottling plants in Auckland, Hastings and Blenheim.*

*This is around 60 m units of glass bottles required per year and so we place a high value on local manufacturing capability. O-I, are WineWorks largest supplier and being located in Penrose, Auckland enables O-I to provide to WineWorks with:*

- *Great flexibility in supply*
- *Fast delivery to all of our plants*
- *Skilled support and technical assistance*

*Our move into the Auckland market, identified the unique positioning of the O-I facility to all of their large customers in the Auckland market, and their close proximity to transport routes, namely, motorways and rail facilities.*

*We ourselves are based in the Penrose area for similar reasons.*

- Robin Ross, Senior Vice President- Commercial, **Constellation Wines:**

*O-I is a key supplier for Constellation and the companies have a trading relationship spanning many years.*

*O-I holds a unique position as NZ's sole glass manufacturer and has a substantial investment in the Penrose site it has occupied for [over 90] years. Being able to source locally manufactured bottles is very important to Constellation for reasons that include reduced supply chain risk, lower inventories and immediate access to technical support when required.*

*The Penrose site occupied by O-I is well-situated from a logistics perspective and enables O-I to provide its customers with attendant supply chain benefits. Certainly we believe it would be difficult for Constellation to achieve similar costs (e.g. from a relocated O-I plant) if O-I was unable to sustain its Penrose operation.*

*Overall we consider it to be imperative that O-I's unique contribution to local manufacturing is acknowledged and that its land use on its Penrose site is properly recognised and preserved under the Unitary Plan.*

- Deborah McLaughlin General Manager, **Antipodes Bottled Water**

*It is with concern that I hear about the potential re-zoning proposed by Auckland city council of the area encompassing OI Glass, and the implications this could have on our current supply.*

*Antipodes bottled water has a worldwide reputation as a sustainable product, a brand that leverages and contributes to New Zealand's "Clean Green" reputation worldwide.*

*Antipodes is particularly known for closely managing our carbon footprint and Antipodes products are certified carbon neutral, and is the only certified carbon neutral bottled water in the world. An integral part of this is that we are supplied by an NZ manufacturer to minimise the carbon foot print of our raw materials. We derive great value from O-I (New Zealand) glass, which has an extremely high recycled content (typically around 60%) and therefore meshes well with our brand and message.*

*In addition as an exporter of premium products, we rely on the fact that our product must reach the customer in perfect condition. Food safety is hugely important to our company and our brand. Beyond this, as a "value added" brand, we need our product to be presented in packaging that reflects and communicates (to the customer) the "boutique" product they are purchasing. On both counts we require high quality glass packaging, manufactured to the best possible food and packaging safety standards.*

*O-I NZ are our chosen supplier of glass for exactly this reason. O-I NZ have made a significant investment in in-house analytical and quality control capability, as well as having highly experienced staff available to immediately investigate any technical issues that may arise. This enables them to provide us with high quality glass product and quickly respond to any quality issues.*

*A similar level of support would simply not be possible from a foreign supplier.*

*Therefore as a New Zealand exporter we would encourage Auckland Council to support manufacturing in Auckland by maintaining adequate land zoned for Heavy Industrial use. In this particular case we would also encourage Auckland Council to zone the North East part of Penrose (which encompasses the O-I factory) as Heavy Industrial and thereby continue to support O-I NZ and their customers.*

Attachment C: Decisions sought from Council by O-I NZ in relation to business zone provisions

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
D.3 Business Introduction	... The General Business, Light Industry and Heavy Industry zones provide locations for development that may not be appropriate in centres or have particular characteristics that require separation from pedestrian intensive and sensitive uses. A good standard of amenity is expected in the General Business zone, recognising that some activities that establish in the zone may attract reasonable numbers of people. The Light Industry and Heavy Industry zones are expected to have a lesser standard of amenity consistent with their principal focus on productive activity...	Support	O-I NZ supports the intention to provide business/industry zoned land, with lower amenity in industrial zones to allow for businesses like O-I NZ to operate without undue restriction.	Retain current wording.
<b>Light Industry Zone Provisions</b>				
D.3.10 Light Industry Zone Description	This zone provides for light industrial activities that do not generate objectionable odour, dust or noise emissions. This includes light manufacturing, production, logistics, storage, transport and distribution	Oppose to the extent that the policy does not recognise existing heavy industry zoned as	The business that O-I NZ operates from its Penrose site is a traditional industrial activity. However, O-I NZ's operation does not fit with the description of the types of activities that are deemed to be acceptable	Amendments as follows: This zone provides for light industrial activities that do not generate objectionable odour, dust or noise emissions. This

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	<p>activities.</p> <p>Due to the industrial nature of the activities, sensitive activities such as residential, office or retail activities that are not related to the predominant use onsite are not appropriate. An exception is made for trade suppliers, motor vehicle sales and garden centres, which may locate in the zone subject to location and traffic considerations.</p>	<p>Light Industry</p>	<p>within the Light Industry zone in the PAUP. Having an industrial zone in the PAUP that does not support traditional industrial activities is not logical.</p> <p>There is no acknowledgement within the PAUP that the light industry zones may include existing traditional industrial activities (such as O-I NZ) that historically exist and which do not fit within the activity types proposed for the Light Industry zone. The PAUP should acknowledge that existing traditional heavy industries may be present in the light industrial area and should support the continued operation of these activities as important to Auckland's economy.</p> <p>O-I NZ supports the PAUP statement that sensitive activities are not considered appropriate in the Light Industry zone. However, the ability for trade suppliers, motor vehicle sales and garden centres to locate in this zone is inappropriate as those activities are likely to be sensitive to</p>	<p>includes including light manufacturing, production, logistics, storage, transport and distribution activities. <u>The zone also provides for established heavy industry which create objectionable odour, dust or noise emissions.</u></p> <p>Due to the industrial nature of the activities, sensitive activities such as residential, office or retail activities that are not related to the predominant use onsite are not appropriate. <u>An exception is made for trade suppliers, motor vehicle sales and garden centres, which may locate in the zone subject to location, avoidance of reverse sensitivity and the displacement of industrial activities, and traffic considerations.</u></p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
D.3.10 Light Industry Objective 1	Light industrial activities locate and function productively within the zone.	Oppose, to the extent that the policy does not recognise existing heavy industry zoned as Light Industry	amenity effects, including dust or noise, and these activities fall under the category of retail activities.  This policy provides for light industrial activities, but does not protect existing industry already located in those areas zoned for light industry, which may not be considered to be 'light industry'.  There is no definition in the plan for 'light industry', so referencing light industrial activities within the objective wording is not appropriate as it is unclear what activities fall within this description.	Amend as follows:  Light Industrial activities locate and function productively within the zone.
D.3.10 Light Industry Objective 2	The establishment of activities that may diminish the efficiency and functionality of the zone for industrial activities is avoided.	Support with minor amendments	The protection of the ability for all industrial activities to function effectively is supported. A minor amendment is suggested for clarity.	Amend as follows:  The establishment of activities that may diminish the efficiency and functionality of the zone for <u>all</u> industrial activities is avoided.
D.3.10 Light Industry Objective 3	Adverse effects on the natural environment and general amenity, both within the zone and on adjacent areas, are managed.	Support with minor amendments	O-I NZ supports the requirement to manage environmental effects and amenity, however, the reference to 'general amenity' is vague given that	Amend as follows:  Adverse effects on the natural environment and general amenity values, both within the zone and on

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
D.3.10 Light Industry Policy 1	Enable a range of light industrial activities to locate in the zone.	Oppose	<p>there is a lower standard of amenity expected in the industrial zones.</p> <p>"Light industry" is not defined and therefore it is unclear what constitutes "a range of light industrial activities". This lack of clarity could enable a number of more sensitive activities to locate near existing industrial activities in this area, causing reverse sensitivity issues. The equivalent policy for the heavy industry zone (D.3.11 Heavy Industry Policy 1) gives better guidance about appropriate activities which could be located in an industrial zone.</p>	<p>adjacent areas, are <u>appropriately</u> managed.</p> <p>Amend as follows:            Enable a range of <u>light industrial activities</u> to locate and operate in the zone, with a <u>level of certainty</u> that <u>their operations will not be unreasonably constrained by other activities.</u></p>
D.3.10 Light Industry Policy 2	Avoid activities that create reverse sensitivity effects and constrain the the [sic] establishment and operation of light industrial activities.	Oppose	<p>This policy does not protect established heavy industrial activities which are currently located in a proposed light industry zone. As much as the light industry zone indicates a less intensive style of industry compared to the heavy industry zone, the zone is still set aside for industry.</p> <p>The equivalent policy for the heavy</p>	<p>Amend as follows:  <del>Avoid activities that create reverse sensitivity effects and constrain the the establishment and operation of light industrial activities.</del>  <u>Prevent activities that do not support the primary function of the zone, such as:</u>            a. <u>residential activities other than</u></p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
			<p>industry zone (D.3.11 Heavy Industry Policy 2) gives better guidance about appropriate activities which could be located in an industrial zone. The uses listed in D.3.11 Heavy Industry Policy 2 are also not appropriate in the light industry zone (residential, retail, commercial etc.)</p>	<p>for persons whose duties require them to live onsite</p> <p>b. <u>office activities other than accessory office activities</u></p> <p>c. <u>retail activities other than convenience type retail to serve local worker population</u></p> <p>d. <u>the establishment of commercial activities that do not have a functional requirement to be located within an industrial zone</u></p> <p>e. <u>community, educational or medical facilities sensitive to the effects of industrial activities</u></p>
D.3.10 Light Industry Policy 3	<p>Limit retail activities in the zone to:</p> <p>a. convenience retail that serves the local worker population</p> <p>b. trade suppliers, service stations, motor vehicle sales and garden centres</p>	Oppose	<p>The listed activities, particularly motor vehicle sales and garden centres, are likely to be more sensitive to existing industrial activities, particularly dust and odour emissions generated. Car saleyards are specifically identified as a sensitive commercial activity in the Appendix 3.45.2 to the s32 report ("Separation Distances for Industry: A</p>	<p>Amend as follows:</p> <p>Limit retail activities in the zone to:</p> <p>a. convenience retail that serves the local worker population</p> <p>b. <del>trade suppliers, service stations, motor vehicle sales and garden centres</del></p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
			<p>discussion document", prepared by Emission Impossible and dated 9 July 2012). Garden centres are likely to attract similar reverse sensitivity issues.</p> <p>The establishment of these activities in the light industrial zone could affect existing businesses such as O-I NZ. Only convenience retail that supports the local worker population is appropriate within the industrial zone due to the scarcity of industrial zoned land.</p>	
D.3.10 Light Industry Policy 4	<p>Avoid:</p> <ul style="list-style-type: none"> <li>a. office activities, except where they are accessory to the primary activity onsite</li> <li>b. residential activities other than for persons whose duties require them to live onsite</li> </ul>	Support	<p>Office and residential activities which are not ancillary to industrial activities are not appropriate in industrial zones, as their establishment would cause reverse sensitivity issues for industry.</p>	Retain as currently worded.
D.3.10 Light Industry Policy 6	<p>Manage development so that it does not adversely effect [sic] the safe and efficient operation of the transport network, particularly for freight.</p>	Support	<p>Providing for the safe and efficient operation of the transport network is supported. However, the effect of the zoning provisions is currently that O-I NZ may have to consider moving</p>	Retain as currently worded.

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Reference	Provislon wording	Support/ Oppose/ Neutral	Comment	Relief sought
<b>Heavy Industry Zone Provisions</b>				
D.3.11 Heavy Industry Zone Description	<p>This zone provides for industrial activities that may produce objectionable odour, dust and noise emissions. Air quality emissions standards that are different to the rest of Auckland will often apply. A key attribute of the zone is that it contains sites large enough to accommodate large scale low intensity industrial activities.</p> <p>Sensitive activities are not appropriate in the zone and buildings are expected to have a mainly functional standard of amenity. The zone is typically located close to key freight routes.</p>	Support	<p>The zone description is the most appropriate for O-I NZ's activities, including being close to key freight routes.</p> <p>While O-I NZ undertakes effective management of effects from its operations, the site does produce odour, dust and noise emissions that could impact on more sensitive activities if they were to locate in the vicinity.</p>	Retain as currently worded.

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
D.3.11 Heavy Industry Objective 1	The efficiency of heavy industry is maximised without being unreasonably constrained by other activities.	Support	<p>This objective recognises that the provision of business/industry zone land is important for economic well-being, and that reverse sensitivity is a key issue for industry.</p> <p>This is a stronger objective than the equivalent in the light industry zone, which states: "Light industrial activities locate and function productively within the zone."</p>	Retain as currently worded.
D.3.11 Heavy Industry Objective 2	<p>Heavy industry zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:</p> <ol style="list-style-type: none"> <li>a. sensitive activities such as residential, community, education or medical facilities</li> <li>b. commercial activities that are more suited to other business zones</li> </ol>	Support with amendments	Support the protection of heavy industry and land required for such activities. However, it is unclear what 'commercial activities that are more suited to other business zones' might be. The definition of commercial activities and industrial activities should be more clearly defined, to show a distinction.	<p>Amend the definitions of 'commercial activities' and 'industrial activities' to distinguish between the two types of activities, as follows:</p> <p>Commercial activities:  <del>The range of commercial activities including offices,</del> retail and commercial services providers.</p> <p>Industrial activities:  The manufacturing, assembly, or packaging, wholesaling or storage of products or the</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
				processing of raw materials and other accessory activities, including <u>wholesaling or storage of products directly associated with the industrial activity.</u>
D.3.11 Heavy Industry Objective 4	Adverse effects on the natural environment and general amenity, both within the zone and on adjacent areas, are managed.	Support	The reference to 'general amenity' is vague given that there is a lower standard of amenity expected in the industrial zones.	Amend as follows: Adverse effects on the natural environment and general amenity values, both within the zone and on adjacent areas, are <u>appropriately</u> managed.
D.3.11 Heavy Industry Policy 1	Enable heavy industrial activities to operate with a level of certainty that their operations will not be unreasonably constrained by other activities.	Support	This policy provides strong support to heavy industry sites that are located in the Heavy Industry zone.	Retain as currently worded.
D.3.11 Heavy Industry Policy 2	Prevent activities which do not support the primary function of the zone, such as: a. residential activities other than for persons whose duties require them to live onsite b. office activities other than accessory	Support	This policy helps protect heavy industry zoned activities from reverse sensitivity. It would be appropriate to apply to O-I NZ and the surrounding areas.	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	<p>office activities</p> <p>c. retail activities other than convenience-type retail to serve local worker population</p> <p>d. the establishment of commercial activities that do not have a functional requirement to be located within the Heavy Industrial zone</p> <p>e. community, educational or medical facilities sensitive to the effects of industrial activities</p>			
D.3.11 Heavy Industry Policy 3	Avoid subdivision that results in the creation of small sites.	Oppose	Small sites are not defined so this policy is not particularly useful and does not add anything further to the direction contained in D.3.11 Heavy industry zone Objective 3.	Delete D.3.11 Heavy industry zone Policy 3: <del>Avoid subdivision that results in the creation of small sites.</del>
D.3.11 Heavy Industry Policy 5	Manage development so that it does not adversely affect [sic] the safe and efficient operation of the transport network, particularly for freight.	Support	Providing for the safe and efficient operation of the transport network is supported.  Note typo: "effect" should be "affect".	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
<b>Business Zone Provisions</b>				
I.3 Business 1 Industrial Zones Activity Table	Industrial zones activity table	Oppose	<p>The activity table carries through the assumption made in the objectives and policies of the Heavy and Light Industry zones that activities with air discharges (including dust and odour) will be located in the Heavy Industry zone only. Based on the PAUP's current zoning proposals, this assumption is incorrect and long-established traditional industry currently operates in areas the PAUP proposes to zone as Light Industry.</p> <p>O-I NZ supports the protection given to heavy industry by ensuring that sensitive activities have a more stringent activity status if locating in the Heavy Industry zone.</p> <p>However, the provision for certain activities, e.g. storage, as a permitted activity in the Light Industry zone is problematic for established heavy industry such as O-I NZ. Storage that is not ancillary to an industrial activity, which manufactures goods or processes materials, is not an</p>	<p>Ensure that the rules applicable to the Light Industry zone are appropriate for industrial activities rather than commercial activities, and alter the activity status of potentially sensitive activities, as follows:</p> <ul style="list-style-type: none"> <li>- Entertainment facilities, care centres, community facilities to be <b>non-complying</b> instead of discretionary activities;</li> <li>- Garden centres and motor vehicle sales to be <b>non-complying</b> instead of restricted discretionary activities; Drive-through facilities to be <b>discretionary</b> instead of restricted discretionary activities;</li> <li>- Show homes, storage and lock-up facilities, and emergency services to be <b>discretionary</b> instead of permitted activities;</li> <li>- Animal breeding or boarding and horticulture to be <b>non-complying</b> instead of permitted</li> </ul>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
			<p>industrial activity but rather a commercial activity. Commercial activities, such as storage, should only be permitted in the light industrial zones if it is ancillary to an industrial use.</p> <p>Additionally, it is inappropriate to provide for horticulture and other rural activities as a permitted activity in an area that is known to be contaminated by existing industry.</p>	activities.
I.3 Business 5.3	<p>Maximum impervious area</p> <p>Purpose: manage the amount of stormwater runoff generated by a development.</p> <ol style="list-style-type: none"> <li>1. Maximum impervious area: 80 per cent</li> <li>2. Maximum impervious area within a riparian yard: 10 per cent.</li> </ol>	Oppose	<p>This provision is superfluous to the stormwater provisions contained in Chapter H.4.14, and further reduces the ability to utilise existing scarce industrial land. Stormwater runoff from industrial sites should be managed through the stormwater provisions and any necessary consents triggered by the stormwater provisions.</p>	<p>Delete provision:</p> <p>Maximum impervious area</p> <p>Purpose: manage the amount of stormwater runoff generated by a development.</p> <ol style="list-style-type: none"> <li>1. Maximum impervious area: 80 per cent</li> <li>2. Maximum impervious area within a riparian yard: 10 per cent.</li> </ol>
I.3 Business 6.1 (3)	Garden centres, motor vehicle sales and trade suppliers in the Light Industry and General Business zones	Oppose	The ability of the Council to consider reverse sensitivity and the displacement of industrial activities is important, particularly noting that	<p>Amend as follows:</p> <p>Garden centres, motor vehicle sales and trade suppliers in the Light</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	a. intensity and scale b. reverse sensitivity and displacement of industrial activities c. design of parking, access and servicing.		garden centres and motor vehicle sales may be sensitive to industrial activities.  Garden centres, motor vehicle sales and trade suppliers are retail activities and should not be provided for in the Light Industry zone.	<del>Industry and General Business zones</del> a. intensity and scale b. reverse sensitivity and displacement of industrial activities c. design of parking, access and servicing.
I.3 Business 6.1 (4)	Offices that are accessory to an industrial activity in the site and the GFA exceeds 30 per cent of all buildings on the site in the Heavy Industry and Light Industry zones a. centre vitality b. reverse sensitivity and the displacement of industrial activities.	Support	Support the inclusion of reverse sensitivity and the displacement of industrial activities in the matters of discretion.	Retain as currently worded.
I.3 Business 6.2 (3)	Garden centres, motor vehicle sales and trade suppliers in the Light Industry and General Business zones a. Intensity and scale i. Refer to the assessment criteria in 1(a) above.	Oppose	Garden centres, motor vehicle sales and trade suppliers should not be given a special exclusion to locate in an industrial zone. These are commercial activities and are potentially sensitive to industrial activities. Additionally, these activities	Amend as follows: Garden centres, motor vehicle sales and trade suppliers in the Light Industry and General Business zones a. Intensity and scale

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	<p>b. Reverse sensitivity and displacement of industrial activities</p> <ul style="list-style-type: none"> <li>i. Nonindustrial activities in the industrial zones should not reduce the ability of industrial activities to establish and operate within the zones.</li> <li>ii. Accessory offices in the industrial zones should not discourage or displace permitted activities. The scale and design of accessory offices should not be likely to attract further similar or supporting activities.</li> <li>iii. Consideration will be given to whether the accessory offices will increase the industrial efficiency of the industrial activity by integrating supporting administration, services or clerical functions.</li> </ul> <p>c. Design of parking, access and</p>		<p>provide competition for large lots and scarce industrial land.</p>	<ul style="list-style-type: none"> <li>i. Refer to the assessment criteria in 1(a) above.</li> <li>b. Reverse sensitivity and displacement of industrial activities             <ul style="list-style-type: none"> <li>i. Nonindustrial activities in the industrial zones should not reduce the ability of industrial activities to establish and operate within the zones.</li> <li>ii. Accessory offices in the industrial zones should not discourage or displace permitted activities. The scale and design of accessory offices should not be likely to attract further similar or supporting activities.</li> <li>iii. Consideration will be given to whether the accessory offices will increase the efficiency</li> </ul> </li> </ul>

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	servicing. i. Refer to the assessment criteria in 1(c) above.			of the industrial activity by integrating supporting administration, services or clerical functions.  eb. Design of parking, access and servicing. i. Refer to the assessment criteria in 1(c) above.
1.3 Business 6.2 (4)	Offices that are accessory to an industrial activity in the site and the GFA exceeds 30 per cent of all buildings on the site in the Heavy Industry and Light Industry zones a. Centre vitality i. Refer to the assessment criteria in 2(b) above. b. Reverse sensitivity and the displacement of industrial activities ii. Refer to the assessment criteria in 3(b) above.	Support	Support the inclusion of reverse sensitivity and the displacement of industrial activities in the matters of discretion.	Retain as currently worded.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
<b>Definitions</b>				
Definitions	<p>Commercial activities:</p> <p>The range of commercial activities including offices, retail and commercial services providers.</p> <p>Industrial activities:</p> <p>The manufacturing, assembly, packaging, wholesaling or storage of products or the processing of raw materials and other accessory activities.</p> <p>Reverse sensitivity</p> <p>The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities which are sensitive to the pre-existing activity.</p>	Oppose in part	<p>Commercial activities and industrial activities need to be more clearly defined, to be able to give proper effect to the objectives and policies of the zones and achieve the desired outcomes.</p> <p>The definition of reverse sensitivity appropriately describes the issues associated with encroachment of more sensitive commercial activities into areas that have traditionally been used for industrial purposes.</p>	<p>Amend definitions of commercial activities and industrial activities as follows:</p> <p>Commercial activities:</p> <p><del>The range of commercial activities-including offices,</del> retail and commercial services providers.</p> <p>Industrial activities:</p> <p>The manufacturing, assembly or packaging, wholesaling or storage of products or the processing of raw materials and other accessory activities, including wholesaling or storage of products directly associated with the industrial activity.</p> <p>Retain the definition of 'reverse sensitivity' as currently worded.</p>

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Auckland 1142  
Attention: Unitary Plan Submission Team

28 February 2014

**Proposed Auckland Unitary Plan Submission Form**

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
**FORM 2**

**Submitter details**

Organisation: ACI Operations New Zealand Limited trading as O-I New Zealand ("O-I NZ")

Address for service: O-I NZ  
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**SUBMISSION ON BEHALF OF O-I NZ: CHAPTERS C, G AND H OF THE PAUP**

**Introduction**

1. This is a submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, submissions on different sections of the PAUP are being provided in separate submissions.
3. O-I NZ could not gain an advantage in trade competition through this submission.

**Scope of Submission**

4. The provisions of the PAUP that this submission relates to are:
  - a. Those contained in Chapters C, G and H relating to O-I NZ's activities at 752 Great South Road;
  - b. In particular, but not limited to:

- i. Provisions of the PAUP contained in Chapters C and H relating to hazardous substances, including those provisions that affect O-I NZ's operations involving storage and use of hazardous substances (specifically soda ash);
- ii. Provisions in Chapters C and H relating to other matters associated with the operation and sustainability of industrial activities, such as O-I NZ's operations at the site, including noise and vibration, contaminated land, transport, sustainable design/development and water quantity;
- c. General rules and special information requirements contained in Chapter G; and
- d. Relevant definitions associated with Chapters C, G and H.

### **Submission**

#### **Background**

5. O-I NZ operates a glass container (bottles and jars) manufacturing plant at 752 Great South Rd, Penrose ("Site"). The facility has been in continuous operation on the Site since 1922, and early photographs show the factory as one of the first buildings in the area.
6. O-I NZ is a significant local employer and contributor to Auckland's economy, employing around 260 people directly on the Site. Additionally, it would not be unusual for 70 to 100 contractors a day to visit the Site for work. O-I NZ also contributes indirectly to the Auckland economy. A recent estimate places O-I NZ's spend with local businesses at over \$40M annually (excluding recent upgrades to the manufacturing facility totalling over \$125M).
7. O-I NZ is accessible to both small and large customers and is the only commercial-scale container glass manufacturer in the country.
8. O-I NZ's Penrose facility is also responsible for the majority of glass recycling that occurs in New Zealand and is one of the largest recycling companies in the country. The Site recycles nearly 120,000 tonnes of cullet (crushed glass) per annum, and up to 60% of final glass products is recycled content. As such, O-I NZ has an important regional and national contribution to make towards increasing waste minimisation. Without the O-I NZ facility in New Zealand, thousands of tonnes of glass recovered annually from the waste stream would be unnecessarily sent to low-level secondary markets, stockpiles, managed fills or landfills.
9. Activities at the Site are land-intensive and require significant infrastructure such as reticulated natural gas and electricity and adequate water supply. The Site is part of a pocket of heavy industry in the Penrose area which, along with industrial areas of Onehunga, Te Papapa, Mt Wellington and Otahuhu, makes a substantial contribution (over \$6.2 billion) to national GDP, and employs over 70,000 people, primarily in manufacturing, trades, technology and scientific areas.
10. The activities at the Site include storage of hazardous substances, specifically soda ash which is used in the glass manufacturing process. Soda ash is classified under the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 as sub-class 6.1 Category D, 6.3 Category A and 6.4 Category A. O-I NZ stores up to 120 tonnes of soda ash on site, and also stores soda ash off-site (within Auckland).



O-I NZ supports the following:

11. The objectives and policies relating to the management of hazardous substances (Section C.5.7). These objectives and policies provide for hazardous facilities that contribute to the Auckland economy, while ensuring that environmental effects are managed appropriately.
12. Provisions in Chapters C and H relating to other matters associated with the operation of O-I NZ's Site, including noise and vibration, contaminated land, transport, and water quantity. These provisions will generally allow for the Site to operate 'business as usual' and for future development of the Site.
13. The intent of the sustainable building design provisions contained in Chapters C and H to improve efficiency, reduce environmental effects and provide healthy working environments, and the exclusion of existing buildings from these provisions.

O-I NZ opposes the following:

*Determining activity status*

14. 'G.2.1 Determining Activity Status' creates an expectation that where multiple resource consent applications are required at the same time, these must always be bundled. Bundling consent applications is not always appropriate or necessary. Bundling has been the subject of case law, which provides advice on when it is appropriate to apply the principle of bundling. The current wording of the rule does not allow discretion to assess applications on a case by case basis.

*Activities not provided for*

15. 'G.2.2 Activities Not Provided For' states that the default status of activities not otherwise specified in the PAUP is non-complying. This classification is likely to cover a range of relatively innocuous activities, which may fall outside of the standard but which do not generate the level of effects necessary for consideration under the gateway tests of s104D of the Resource Management Act 1991 (RMA). In addition, s87B of the RMA states that any activity not provided for in a plan is a discretionary activity. The PAUP should be amended so that it is consistent with the RMA, and so that activities not provided for in the plan are discretionary activities.
16. The default non-complying activity status will specifically affect O-I NZ particularly in relation to the rules governing the management of hazardous substances, which cover the storage of soda ash (classified as a toxic substance, sub-class 6.1C and 6.3-6.9 under "H.4.6 Managing hazardous substances 1" of the PAUP). The PAUP activity table states that under 40 tonnes of soda ash is a restricted discretionary activity, but does not contain any activity status for storage over this amount. Therefore, the storage of soda ash over 40 tonnes would be a non-complying activity, under "G.2.2 Activities not provided for". The consenting requirements for storing over 40 tonnes of soda ash on O-I NZ's Site would become unnecessarily onerous and not commensurate with the level of adverse effects generated from this activity, particularly when considered against the effects of storing 40 tonnes of soda ash.

*Information requirements for resource consent applications – Design Statements*

- 17. 'G.2.7.2 Information Requirements for Resource Consent Applications – Design Statements' requires applicants to provide design statements and context analysis. Applicants must already provide a complete package of supporting documentation with resource consent applications under Schedule 4 of the RMA, in the form of an assessment of environmental effects (AEE). The design statement requirements proposed in G.2.7.2 of the PAUP duplicate the information that would otherwise be provided in an AEE. It is unnecessary and unduly onerous to require the information specified in G.2.7.2 with a resource consent application, in addition to an AEE.

*Information requirements for resource consent applications – Cultural Impact Assessment*

- 18. The requirement for Cultural Impact Assessments associated with the listed resource consent applications in 'G.2.7.4 Cultural Impact Assessment (4)' is inappropriate and unnecessary. The proposed Cultural Impact Assessment process places an undue burden on consents staff, applicants and iwi through the addition of an additional administrative workload, whether required or not.
- 19. O-I NZ, like all responsible applicants, consults with all appropriate parties, including iwi when necessary, on consent applications. The ordinary consultation process undertaken for resource consent applications appropriately identifies whether mana whenua / cultural concerns should be addressed as part of a given consent.
- 20. The blanket Cultural Impact Assessment requirement proposed in the PAUP dilutes the importance of consultation with iwi, by requiring cultural assessments whether or not they are genuinely appropriate to a given proposal. The Cultural Impact Assessment proposal is not consistent with Part 2 of the RMA.

*Sustainable development*

- 21. 'H.6.4 Sustainable Development' requires new large-scale office and industrial development to be designed and constructed to achieve a 4-star sustainability rating. O-I NZ opposes the sustainable development requirement in the PAUP, particularly as it applies to industrial activities. O-I NZ supports sustainable development in principle, however such provisions are often inappropriate and impractical to apply to industrial activities and are likely to impose inappropriately excessive costs on industrial activities. A detailed cost analysis of these requirements on industrial activities needs to be undertaken before these provisions are imposed.

**Decisions sought**

- 22. O-I NZ seeks the following amendments to the PAUP:
  - a. Retain the objectives and policies in Chapters C and H relating to other matters associated with the operation of O-I NZ's Site, including [noise and vibration,] [contaminated land,] [transport,] and [water quantity] as currently worded;
  - b. Amend the general provisions (Chapter G) of the PAUP to ensure that the provisions in relation to bundling, default activity status and information requirements for resource consent applications (design statements and Cultural Impact Assessments)

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are reasonable and consistent with RMA best practice, as detailed in the table appended to this submission (**Attachment A**);

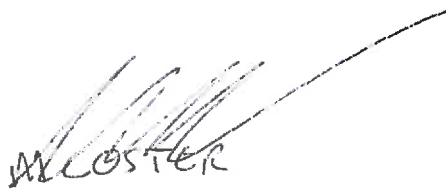
- c. Other amendments to the PAUP in relation to hazardous substances and sustainable development provisions in Chapter H that O-I NZ detailed in the table appended to this submission (**Attachment A**); and
- d. Any other further or consequential amendments required to address O-I NZ's concerns with the PAUP.

**Hearing**

- 23. O-I NZ wishes to be heard in support of its submission.
- 24. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 28 February 2014

Signature: \_\_\_\_\_



MICHAEL COSTER

Mr Michael Coster  
Environmental Manager, O-I NZ

Attachment A: Decisions sought from Council by O-I NZ

Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
C.5.7 Managing Hazardous Substances Objective 1	The risks of hazardous facilities to people, property and the environment are minimised to acceptable levels while recognising the benefits of these facilities.	Support	O-I NZ supports provision for hazardous facilities that contribute to the Auckland economy, while ensuring environmental effects are managed appropriately.	Retain as currently worded.
C.5.7 Managing Hazardous Substances Policy 1	Manage hazardous substances by: a. locating, designing, constructing and managing hazardous facilities to avoid or adequately mitigate adverse effects, including risks, to people, property and the environment b. identifying, assessing and managing cumulative effects of hazardous facilities so they do not increase to unacceptable levels of risk to people, property and the environment controlling the transport of hazardous substances as part of a land use activity so adverse effects associated with the transport of hazardous substances on roading infrastructure and other land use activities along transport routes are minimised.	Support	O-I NZ supports good management practices for hazardous substances and associated risk.	Retain as currently worded.
G.2.1 Determining Activity Status	1. General rule a. The most restrictive activity status determines the overall activity status of the proposal. 2. Determining activity status where same matter is controlled by more than one rule a. To determine the activity status of a proposal: i. the user must firstly review the activity status of the activity and its associated controls within the zone and any precinct, or Auckland-wide provisions applying to the site. The activity status within a precinct takes precedence over the same activity within a zone or an Auckland-wide provision, whether more restrictive or enabling. ii. taking the activity status resulting from clause i above, the user must then review any overlays that apply to the site. If an overlay rule applies to the same matter then the most restrictive activity status will apply.  Note: to identify whether a rule is classified as an Auckland	Oppose	General rule 1(a), that the most restrictive activity status determines the overall activity status of the proposal, effectively means that proposals requiring multiple consent applications will always be bundled. Bundling is not always appropriate for every proposal. This provision takes away the discretion of applicants and Council to manage resource consent applications on a case by case basis.	Delete this provision and allow for assessments on bundling of resource consent applications to be provided on a case by case basis.  4. General rule a. The most restrictive activity status determines the overall activity status of the proposal. b. Determining activity status where same matter is controlled by more than one rule i. the user must firstly review the activity status of the activity and its associated controls within the zone and any precinct, or Auckland-wide provisions applying to the site. The activity status within a precinct takes precedence over the same activity within a zone or an Auckland-wide provision, whether more restrictive or enabling. ii. taking the activity status resulting from clause i above, the user must then review any overlays that apply to the site. If an overlay rule applies to the same matter then the most restrictive activity status will apply.

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	-wide, zone, overlay or precinct rule, the user must refer to the beginning of chapters H, I, J, K of the Unitary Plan.			Note: to identify whether a rule is classified as an Auckland-wide, zone, overlay or precinct rule, the user must refer to the beginning of chapters H, I, J, K of the Unitary Plan.
G.2.2 Activities Not Provided For	Any activity that is not specifically listed in the Unitary Plan as a permitted, controlled, restricted discretionary, discretionary or prohibited activity is a non-complying activity.	Oppose	This will catch a number of small-scale activities with minor effects. A non-complying activity status for unlisted activities is inappropriate, overly onerous and inconsistent with the RMA.	Either delete this provision or default to a discretionary status for activities not specifically listed in the PAUP  Any activity that is not specifically listed in the Unitary Plan as a permitted, controlled, restricted discretionary, discretionary or prohibited activity is a non-complying activity.  Or  Any activity that is not specifically listed in the Unitary Plan as a permitted, controlled, restricted discretionary, discretionary or prohibited activity is a non-complying discretionary activity.
G.2.7.2 Design Response	Whole section	Oppose	Applicants are required under Schedule 4 of the RMA to provide a complete package of supporting documentation with any resource consent application in the form of an assessment of environmental effects (AEE). The Proposed Unitary Plan design statement and context analysis requirements duplicate most, if not all, of the information that an applicant would provide in an AEE. It is unnecessarily onerous to require design statements and context analysis as an additional discrete package of information.	Delete G.2.7.2 Design Response from the PAUP, and make any consequential changes to rules in the PAUP as required.
G.2.7.4 Cultural Impact Assessment (4) (When an assessment is required)	A cultural impact assessment will be required for the following resource consent applications where the proposal may have adverse effects on Mana Whenua values:  a. discharges to water or the CMA b. discharges to air c. discharge to land d. diversion, taking or using of surface water, ground water, coastal water or geothermal resources e. damming of water and associated damming structures f. drilling to construct a bore g. structures affecting river beds and the CMA	Oppose	This requirement is onerous and does not allow Council, the applicant or mana whenua to exercise their professional discretion when deciding whether the effects of an activity require a cultural impact assessment.	Delete this provision or amend as below to allow for cultural impact assessments for resource consent applications to be provided on a case by case basis where required.  A cultural impact assessment will be required for the following resource consent applications where the proposal may have adverse effects on Mana Whenua values:  a. discharges to water or the CMA b. discharges to air c. discharge to land d. diversion, taking or using of surface water, ground water, coastal water or geothermal resources e. damming of water and associated damming structures

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
	<p>h. disturbance to river beds and the CMA</p> <p>i. reclamations</p> <p>j. mineral extraction</p> <p>k. removal of mangroves</p> <p>l. construction of significant infrastructure</p> <p>m. establishment of new landfills, the expansion or closure of existing landfills, clean fills, recycling plants, waste treatment or hazardous waste infrastructure and bio waste infrastructure and deposition of bio-solids</p> <p>n. removal of outstanding specimens of native vegetation</p> <p>o. Land disturbance or vegetation clearance in the following overlays:</p> <p>i. Outstanding Natural Features overlay</p> <p>ii. Outstanding Natural Landscapes overlay</p> <p>iii. Outstanding and High Natural Character and Coastal Areas overlay</p> <p>iv. Significant Ecological Areas overlay</p> <p>p. Applications that require integration of mātauranga and tikanga</p> <p>Land disturbance and subdivision within archaeological sites of Māori origin where the locations have been confirmed and are shown on the council's cultural heritage inventory</p>	<p>Neutral</p>		<p>f. drilling to construct a bore</p> <p>g. structure affecting river beds and the CMA</p> <p>h. disturbance to river beds and the CMA</p> <p>i. reclamations</p> <p>j. mineral extraction</p> <p>k. removal of mangroves</p> <p>l. construction of significant infrastructure</p> <p>m. establishment of new landfills, the expansion or closure of existing landfills, clean fills, recycling plants, waste treatment or hazardous waste infrastructure and bio waste infrastructure and deposition of bio-solids</p> <p>n. removal of outstanding specimens of native vegetation</p> <p>o. Land disturbance or vegetation clearance in the following overlays:</p> <p>v. Outstanding Natural Features overlay</p> <p>vi. Outstanding Natural Landscapes overlay</p> <p>vii. Outstanding and High Natural Character and Coastal Areas overlay</p> <p>viii. Significant Ecological Areas overlay</p> <p>p. Applications that require integration of mātauranga and tikanga</p> <p>Land disturbance and subdivision within archaeological sites of Māori origin where the locations have been confirmed and are shown on the council's cultural heritage inventory.</p>
<p>H.4.6 Managing Hazardous Substances 1</p>	<p>Managing hazardous substances activity table</p>	<p>Oppose</p>	<p>O-I NZ stores up to 120 tonnes of soda ash on site, and also stores soda ash off-site.</p> <p>The PAUP activity table states that under 40 tonnes of soda ash is a restricted discretionary activity, but does not contain any activity status for storage of over this amount. Therefore, the storage of soda ash over 40 tonnes would be a non-complying activity, under G.2.2 Activities not provided for.</p>	<p>Amend the table to allow for storage of soda ash above 40 tonnes as a discretionary activity.</p>

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Reference	Provision wording	Support/ Oppose/ Neutral	Comment	Relief sought
H.6.4 Sustainable Development	Whole Section	Oppose	<p>A non-complying activity status is a change from the existing rules in the current District Plan, under which the storage of up to 120 tonnes of soda ash was a discretionary activity. A discretionary activity status for the storage of up to 120 tonnes of soda ash is appropriate as it allows a full assessment of environmental effects, and should be provided for in the PAUP.</p> <p>The Proposed Unitary Plan requires new large-scale office and industrial building development to be designed and constructed to achieve a 4-star sustainability rating.</p> <p>While O-I NZ supports initiatives for sustainable development, the requirements in the Proposed Unitary Plan are inappropriate because:</p> <ul style="list-style-type: none"> <li>- The Green Star tools are not intended for statutory or mandatory application;</li> <li>- The application to only new large-scale office and industrial development is arbitrary;</li> <li>- There are other means of achieving sustainable development;</li> <li>- For some forms of industrial activities, it would be impracticable and excessively costly to comply with the requirement;</li> </ul> <p>Detailed cost analysis of the imposition of this rule on activities (particularly industrial activities) needs to be undertaken before the rule is imposed.</p>	Delete the parts of H.6.4 Sustainable Development which relate to office and industrial development.

**APPENDIX 4 – O-I’S FURTHER SUBMISSION**



22 JUL 2014



**Further submission in support of, or in opposition to, submissions on the Proposed Auckland Unitary Plan**

Section 123 Local Government (Auckland Transitional Provisions) Act 2010;

Clause 8 of Schedule 1, Resource Management Act 1991

FORM 3 Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan)

Regulations 2013

Auckland Council  
Freepost Authority 237170  
Private Bag 92300  
Auckland 1142  
Attention: Unitary Plan Submission Team

22 July 2014

**Further submitter details**

Organisation: ACI Operations New Zealand Limited trading as O-I New Zealand ("O-I NZ")

Address for service: O-I NZ  
c/o Michael Coster  
Environmental Manager, O-I NZ  
752 Great South Road, Penrose  
P.O. Box 12-345, Auckland 1642  
Telephone: 09 976 7146  
Email: michael.coster@ap.o-i.com

**Introduction**

1. This is a further submission on the Proposed Auckland Unitary Plan ("PAUP").
2. O-I NZ is submitting on a number of aspects of the PAUP. For ease of processing, further submissions on different sections of the PAUP are being provided in separate tables, themed as per the Council summary.
3. The themes that O-I NZ is submitting on are as follows:
  - Air quality
  - Business (not city centre)
  - Definitions

- General
- Hazardous substances and ITAs
- Natural Hazards and Flooding
- Regional Policy Statement
- Water
- Zoning

**Interest in the submission**

4. O-I NZ represents a relevant aspect of the public interest and has an interest in the PAUP greater than the general public because:
- a O-I NZ is the only commercial-scale glass manufacturer in the country and O-I NZ's Penrose facility is responsible for the majority of glass recycling that occurs in New Zealand. O-I NZ's operations therefore form a major part of the region's waste management infrastructure, the sustainable management of which will be largely dependent on the direction, issues, objectives, policies, rules, zoning, overlays and other text contained in the PAUP.
  - b O-I NZ holds several resource consents, including land-use and discharge permits, and will require new resource consents into the future, which are and will be governed by the provisions of the PAUP.
  - c O-I NZ is a significant local employer and contributor to Auckland's economy, employing around 260 people directly (as well as contractors). O-I NZ's ability to provide for the social and economic wellbeing of the Auckland region will be dependent on the reasonableness and appropriateness of the PAUP provisions.

**Decisions sought**

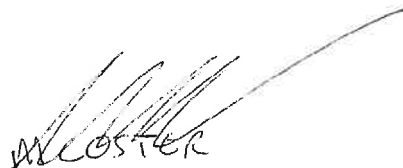
5. The decisions sought are detailed in the tables attached to this form.

**Request to be heard in support of further submission**

6. O-I NZ wishes to be heard in support of its further submission.
7. If others make a similar submission, O-I NZ will consider presenting a joint case with them at a hearing.

Date: 22 July 2014

Signature: \_\_\_\_\_



Mr Michael Coster  
Environmental Manager, O-I NZ

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
AML Limited and Allied Concrete Limited	5947-14	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend policies so that activities sensitive to air discharges cannot locate within 500m of the boundary of a Heavy Industry zoned area unless the effects of those emissions can be avoided, remedied or mitigated by the sensitive activity.	The suggested amendment is supported in principle provided that the policy is clear that the methods used by the sensitive activity to avoid, remedy or mitigate effects must be sufficiently robust and certain that they will apply even if the nature of activities within the Heavy Industry zone changes over time.	Allow submission in part, specifically Point 14
AML Limited and Allied Concrete Limited	5947-15	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend policies so that the Air Quality - Sensitive Activity Restriction applies to all residential zones and business zones that allow residential activity occurring within 500m of a Heavy Industry zoned area.	In order to be effective, the Air Quality - Sensitive Activity Restriction Overlay needs to be applied outside industrial-zoned land (to the greatest extent practicable). O-I NZ would like to be involved in any discussions relating to the Air Quality - Sensitive Activity Restriction Overlay.	Allow submission in part, specifically Point 15
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Mount Rex) Atlas Concrete Limited (Mount Wellington) Atlas Concrete Limited (Rosedale) Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Wairau Road Milford) Atlas Concrete Limited (Warkworth) Atlas Concrete Limited (Wiri)	3792-4, 5612-6, 3787-4, 5595-6, 3705-4, 5599-8, 4843-4, 3698-2	Support	C5.1 Background, objectives and policies	Amend Objective 1 to read 'ambient air quality' instead of 'air quality'.	The suggested amendment to Objective 1 would make it clear that the policy relates to ambient air quality and the localised impact of a specific source.	Allow submissions in part, specifically Points 3792-4, 5612-6, 3787-4, 5595-6, 3705-4, 5599-8, 4843-4 & 3698-2
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Mount Rex) Atlas Concrete Limited (Mount Wellington) Atlas Concrete Limited (Rosedale) Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Wairau Road Milford)	3792-109, 5612-51, 3787-63, 5595-53, 3705-110, 5599-46, 4843-106 & 3698-43	Support	H4.1 Auckland wide rules	Amend Activity Table by rationalising into three columns: 1 - Rural and Future Urban, 2 - Commercial 5/6, Industry and Special Purpose - Quarry, 3 - All other zones.	The proposed amendment to the Activity Table makes the intent of the table clearer.	Allow submissions in part, specifically Points 3792-109, 5612-51, 3787-63, 5595-53, 3705-110, 5599-46, 4843-106 & 3698-43

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Atlas Concrete Limited (Warkworth)	4843-106 3698-43					
Atlas Concrete Limited (Wiri)	3792-88 5612-41 3787-47 5595-42 3705-89	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend overlay to be within 500m of heavy industrial zoned land and 100m of light industrial zoned land and add a requirement to consider reverse sensitivity effects in all zone rules.	O-I NZ supports the intent of this submission, which is to provide for an Air Quality - Sensitive Activity Restriction Overlay around the Light Industry zone, as well as the Heavy Industry zone. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around Industrial-zoned land.	Allow submissions in part, specifically Points 3792-88, 5612-41, 3787-47, 5595-42, 3705-89, 4843-85 & 3698-33, to the extent that it requests that a buffer be established around the Light Industry zone as well as the Heavy Industry zone.
Atlas Concrete Limited (Kumeu)	3792-89	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 3 to add a 100m buffer for the light industry zone.	O-I NZ supports the establishment of Air Quality - Sensitive Activity Restriction Overlay around the Light Industry zone, as well as the Heavy Industry zone. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around industrial-zoned land.	Allow submissions in part, specifically Points 3792-89, 5612-42, 3787-48, 5595-43, 3705-90, 4843-86 & 3698-34, to the extent that it requests that a buffer be established around the Light Industry zone as well as the Heavy Industry zone.
Atlas Concrete Limited (Mount Rex)	5612-42	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 4 to add a 100m buffer for the light industry zone.	O-I supports the establishment of Air Quality - Sensitive Activity Restriction Overlay around the Light Industry zone, as well as the Heavy Industry zone. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around industrial-zoned land.	Allow submissions in part, specifically Points 3792-90, 5612-43, 3787-49, 5595-44, 3705-91, 4843-87 & 3698-35, to the extent that it requests that a buffer be established around the Light Industry zone as well as the Heavy Industry zone.
Atlas Concrete Limited (Mount Wellington)	3787-48 5595-43	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Rosedale)	3705-89	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Silverdale)	4843-85	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Warkworth)	3698-33	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Wiri)	3792-89 5612-42 3787-48 5595-43 3705-90	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Kumeu)	3792-90	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Rex)	5612-43	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Wellington)	3787-49	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Wellington)	5595-44	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Rosedale)	3705-91	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Silverdale)	4843-86	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Warkworth)	3698-34	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Wiri)	3792-89 5612-42 3787-48 5595-43 3705-90	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Kumeu)	3792-90	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Rex)	5612-43	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Wellington)	3787-49	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Mount Wellington)	5595-44	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Rosedale)	3705-91	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Silverdale)	4843-87	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			
Atlas Concrete Limited (Warkworth)	3698-35	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction			

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Atlas Concrete Limited (Warkworth)	4843-87					
Atlas Concrete Limited (Wiri)	3698-35					
Atlas Concrete Limited (Kumeu)	3792-83	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend the Sensitive activity restriction overlay description to replace all instances of 'Heavy Industry zones' with 'Industry zones'; amend the references to the buffer of 500m from a heavy industry zone to also include a 100m buffer to the light industry zone; and delete Item 1, as per pages 24 to 26 of Submission.	O-I NZ supports the intent of this submission, which is to provide for an Air Quality - Sensitive Activity Restriction Overlay around the Light Industry zone, as well as the Heavy Industry zone. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around industrial-zoned land.	Allow submissions in part, specifically Points 3792-83, 5612-36, 3787-42, 5595-37, 3705-84, 4843-80 & 3698-28, to the extent that it requests that a buffer be established around the Light Industry zone as well as the Heavy Industry zone.
Atlas Concrete Limited (Mount Rex)	5612-36					
Atlas Concrete Limited (Mount Wellington)	3787-42					
Atlas Concrete Limited (Rosedale)	5595-37					
Atlas Concrete Limited (Silverdale)	3705-84					
Atlas Concrete Limited (Warkworth)	4843-80					
Atlas Concrete Limited (Wiri)	3698-28					
Atlas Concrete Limited (Rosedale)	5595-87	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Require residential areas within the Air Quality Sensitive Activity Restriction overlay buffer areas to be zoned single dwelling.	O-I NZ supports this requirement as a possible method to avoid the establishment or intensification of sensitive activities close to industry zones.	Allow submissions in part, specifically Points 5595-87 & 3705-168
Atlas Concrete Limited (Warkworth)	4843-104	Support	CS.1 Background, objectives and policies	Amend to explain air quality high and reduced amenity areas in Chapter Cor E.	There is no mention of the "amenity areas" referred to in the headings in the rules table anywhere in the Air Quality objectives, policies or definitions. These terms should be explained or deleted.	Allow submissions in part, specifically Points 4843-104, 3705-108 & 3792-107.
Atlas Concrete Limited (Silverdale)	3705-108					
Atlas Concrete Limited (Kumeu)	3792-107					
Atlas Concrete Limited (Wiri)	3698-27	Support	Overlay E7.11 Air Quality - Industry Transition	Delete the Industry Transition Zone overlay.	O-I NZ considers that the 'Air Quality - Industry Transition Overlay' should be deleted as any buffer should be provided outside the Heavy Industry zone.	Allow submission in part, specifically Points 3698-27 & 3787-41.
Atlas Concrete Limited (Mount Wellington)	3787-41					
Auckland Council	5716-3434	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Review the Air discharge zone [overlay] boundaries around Auckland, particularly in Mangere and Otahuhu, in relation to residential areas to provide consistent distances across the region [Refer to Mangere-Otahuhu Local Board Views, Volume 26, pages 14 and 15/103].	While O-I NZ supports reviewing the overlays, O-I NZ considers that it is more important to maximise the use of the Air Quality - Sensitive Activity Restriction Overlay wherever possible than to achieve consistency in buffer distances across the Region.	Disallow submission in part, specifically Point 3434

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Ballance Agr-Nutrients Limited	5827-4	Support	C5.1 Background, objectives and policies	Amend Objective 5 as follows 'Incompatible land uses and activities are adequately separated to appropriately avoid or minimise adverse effects of air discharges and reverse sensitivity conflicts are avoided or minimised. Reverse sensitivity conflicts are avoided by the appropriate siting of residential and other sensitive land uses away from permitted and/or lawfully established activities that have air discharges.'	O-I NZ supports the proposed amendment to Objective 5, which seeks to avoid the inappropriate siting of residential activities close to existing activities with discharges to air.	Allow submission in part, specifically Point 4
Carter Holt Harvey Limited	5791-12	Support	C5.1 Background, objectives and policies	Amend Objective 1 as follows 'Air quality is maintained in those parts of Auckland that have excellent or good air quality, and air quality is enhanced to the extent reasonably practicable in those parts of Auckland where it is poor, recognising the operational requirements of industry and other infrastructure activities'. Add an overlay 'Air Quality - Industry Transition'. Repeat development controls from the High Land Transport Noise overlay in relation to noise and ventilation for new residential activities sensitive to noise or discharges to air, within 1km of existing heavy industry.	Objective 1 should recognise that there may be circumstances where air quality may be described as poor, but there would be no RMA purpose served by enhancing air quality, for example in a heavy industry area where there is limited exposure or potential for adverse effects.	Allow submission in part, specifically Point 12
Carter Holt Harvey Limited	5791-55	Oppose	Overlay E7.11 Air Quality - Industry Transition	Amend Policy 2 so that the overlay extends into zones containing light industry where the nature of the industry in those is heavy.	O-I NZ supports the intent of the submission; however, it is unclear how the proposed development controls relating to ventilation would be effective in mitigating the effects of air emissions. It is also unclear how this overlay relates to the Air Quality - Sensitive Activity Restriction Overlay.	Disallow submission in part, specifically Point 55
Carter Holt Harvey Limited	5791-24	Oppose	Overlay E7.11 Air Quality - Industry Transition	Amend Policy 3 as follows 'Avoid locating or intensifying activities sensitive to air discharges that require air discharge consents in the Air Quality - Industry Transition overlay unless it can be shown that reverse sensitivity adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated.'	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the Heavy Industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 24
Carter Holt Harvey Limited	5791-25	Oppose	Overlay E7.11 Air Quality - Industry Transition	Amend Policy 3 as follows 'Avoid locating or intensifying activities sensitive to air discharges that require air discharge consents in the Air Quality - Industry Transition overlay unless it can be shown that reverse sensitivity adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated.'	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 25
Carter Holt Harvey Limited	5791-23	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain the overlay.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve	Disallow submission in part, specifically Point 23



Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Coal Association of New Zealand and Straterra	6097-14	Oppose	H4.1 Auckland wide rules	Add a new Restricted Discretionary Activity: 'Any activity falling to meet the Auckland Ambient Air Quality Standards (AAAQS)'.  Add new matters of discretion for 'any activity not complying with the Auckland Ambient Air Quality Standards (AAAQS)' as detailed in the submission on page 56/58.	required separation distances between industry and sensitive receptors.  O-I NZ supports the intent of the submission, which is to reflect that exceedance of AAAQs may be appropriate in some circumstances. However, O-I NZ considers that this should be addressed at a policy level and not by the introduction of a new restricted discretionary activity rule.	Disallow submission in part, specifically Point 14
Coal Association of New Zealand and Straterra	6097-15	Oppose	H4.1 Auckland wide rules	Amend policy 13 (managing air quality from individual discharge sources) to include a reference to 'remedying or mitigating', consistent with the RMA. Refer to the full submission for suggested wording changes [page 22/36]	O-I NZ supports the intent of the submission, which is to reflect that exceedance of AAAQs may be appropriate in some circumstances. However, O-I NZ considers that this should be addressed at a policy level and not by the introduction of a new restricted discretionary activity rule.	Disallow submission in part, specifically Point 15
Contact Energy Limited	6084-32	Support	C5.1 Background, objectives and policies	Amend policy 13 (managing air quality from individual discharge sources) to include a reference to 'remedying or mitigating', consistent with the RMA. Refer to the full submission for suggested wording changes [page 22/36]	Policy 13 should provide for the alternatives of remedying or mitigating adverse effects where they cannot be avoided.	Allow submission in part, specifically Point 32
Contact Energy Limited	6084-30	Support	C5.1 Background, objectives and policies	Amend policy 6 (relating to air quality amenity) to recognise that visual emissions of water vapour within the Heavy Industry zone may be appropriate. Refer to the full submission for suggested wording changes [page 22/36].	O-I NZ supports recognition that visual emissions of water vapour may be appropriate in Industrial zones. Both Heavy and Light Industry zones should be included in the policy.	Allow submission in part, specifically Point 30
Contact Energy Limited	6084-33	Support	C5.1 Background, objectives and policies	Delete policy 15(b) (managing air quality from individual discharge sources): 'demonstrate for activities that require discretionary air discharge consent that any adverse effects on aircraft stability and/or safety are avoided'.	The issue of aircraft stability is already addressed through the Civil Aviation Act so does not need to be included in the PAUP.	Allow submission in part, specifically Point 33
DB Breweries Limited	4868-3	Oppose	C5.1 Background, objectives and policies	Retain Policy 4 about the need to manage air quality amenity.	O-I NZ has submitted on suggested amendments to Policy 4.	Disallow submission in part, specifically Point 3
DNZ Property Fund Limited et al	3863-53	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Remove the overlay from the properties on Rockridge Avenue, Penrose.	O-I NZ supports the use of the Air Quality - Sensitive Activity Restriction Overlay to protect areas of industrial-zoned land from reverse sensitivity effects. O-I NZ wishes to be involved in any discussions that would amend the provisions of the Air Quality - Sensitive Activity Restriction Overlay.	Disallow submission in part, specifically Point 53
Firth Industries Division (Firth) - Fletcher Concrete and Infrastructure Limited	1831-5	Support	C5.1 Background, objectives and policies	Amend policy 5.1.6 as follows: 6. Manage reduced amenity in the Light Industry, Heavy Industry and Quarry zones in the Unitary Plan and in the Commercial 6 zone, in the Hauraki Gulf Islands section....	O-I NZ supports the inclusion of Light Industry in policy 5.1.6.	Allow submission in part, specifically Point 5

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Firth Industries Division (Firth) - Fletcher Concrete and Infrastructure Limited	1831-6	Oppose	C5.1 Background, objectives and policies	Delete policy 5.1.7.	Policy 7 should not be deleted in its entirety as it provides the policy basis for the Sensitive Activity Restriction Overlay, which is supported by O-I NZ.	Disallow submission in part, specifically Point 6
Firth Industries Division (Firth) - Fletcher Concrete and Infrastructure Limited	1831-18	Support	C5.1 Background, objectives and policies	Delete the Light Industry zone from the 'Air quality high amenity area' column in activity table 1.1, and insert this zone into the column 'Air quality reduced amenity area'.	The Light Industry zone should be recognised as an area with reduced amenity.	Allow submission in part, specifically Point 18
Fletcher Building Group	5819-14	Support	C5.1 Background, objectives and policies	Add a new policy as follows: 'Manage reduced amenity in the Light Industry zone in the Unitary Plan by accepting some reduction in air quality amenity, provided any discharge to air is minimised and any discharge of hazardous air pollutant does not cause adverse health effects.'	Given the scarcity of 'heavy industry' zoned land, and the use of the Light Industry zone in many areas where there are established industries with discharges to air, O-I NZ considers that it is important to provide for reduced amenity in the Light Industry zone.	Allow submission in part, specifically Point 14
Fletcher Building Group	5819-17	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Add rules to give effect to the objectives and policies.	O-I NZ agrees with this submission in principle in that the addition of rules will make the Air Quality - Sensitive Activity Restriction Overlay more effective at restricting the establishment or intensification of sensitive activities close to industry zones. O-I NZ wishes to be involved in any discussions about new rules relating to the Overlay.	Allow submission in part, specifically Point 17
Fletcher Building Group	5819-16	Support in part	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend the objectives and policies to recognise a 200m buffer around the Light Industry zone.	O-I NZ supports the establishment of Air Quality - Sensitive Activity Restriction Overlay around the Light Industry zone, as well as the Heavy Industry zone. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around industrial-zoned land.	Allow submission in part, specifically Point 16, to the extent that it requests that a buffer be established around the Light Industry zone as well as the Heavy Industry zone.
Fletcher Building Group	5819-15	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Retain the objectives and policies.	O-I NZ supports the Air Quality - Sensitive Activity Restriction Overlay but considers that changes are required to the objectives and policies so that the Air Quality - Sensitive Activity Restriction Overlay applies to a larger number of zones, applies outside the Light Industry (in addition to the Heavy Industry) zone and is more effective at restricting the establishment or intensification of sensitive activities close to industry zones.	Disallow submission in part, specifically Point 15
Fulton Hogan Limited	5776-2	Support	C5.1 Background, objectives and policies	Align the industrial zones throughout the region with the 'Industrial Air Quality Management Area' in the Operative Regional Plan: Air, Land and Water.	The Industrial Air Quality Management Areas under the ARP:ALW are aligned with the legacy District Plan zones that provided for heavy industry as well as specifically allowing for reduced amenity and restrictions on sensitive activities (i.e. a small subset of the industry zoned land in the legacy Plans). Given the scarcity of industrial zoned land, these	Allow submission in part, specifically Point 2



Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Fulton Hogan Limited	5776-24	Support	C5.1 Background, objectives and policies	Amend Policy 21 to ensure that it does not set more stringent requirements than the National Environmental Standard for Air Quality.	areas should be protected for use by heavy industry, particularly those industries with discharges to air.  The AAAQS should not be more stringent than the National Environmental Standards for Air Quality (NESAQ).	Allow submission in part, specifically Point 24
Fulton Hogan Limited	5776-27	Support	C5.1 Background, objectives and policies	Amend the policies to remove the proposed offsetting requirements and to make reference to the mandatory offset requirements in the National Environmental Standard for Air Quality.	There is no need to duplicate the offsetting provisions of the NESAQ. This will avoid the potential for the NESAQ to change in the future resulting in inconsistent, and additional, requirements under the PAUP.	Allow submission in part, specifically Point 27
Fulton Hogan Limited	5776-19	Oppose	C5.1 Background, objectives and policies	Delete Policy 7 about adequate separation distances between air discharges and activities sensitive to air discharges.	Policy 7 should not be deleted in its entirety as it provides the policy basis for the Sensitive Activity Restriction Overlay, which is supported by O-I NZ.	Disallow submission in part, specifically Point 19
Fulton Hogan Limited	5776-51	Support	H4.1 Auckland wide rules	Retain Activity Table, Line 1 under 'General permitted controls'; 'Activities meeting the general permitted activity controls and not provided for by any other rule' and retain its status as a permitted activity.	It is appropriate for a range of discharges to air to be provided for as permitted activities.	Allow submission in part, specifically Point 51
Greater East Tamaki Business Association Incorporated Wirī Business Association Incorporated	2004-75 2466-56	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 4 as follows: '(4) Avoid re-zoning land within 500m of a Heavy Industry zone to a zone with a higher residential density, or to a zone that allows activities that increase the potential for reverse sensitivity effects; <del>unless it is an existing zone listed in Policy 2(b) above (on the date of notification of this Unitary Plan)</del> '	O-I NZ considers Policy 4 should be amended to reduce the number of zones over which the Air Quality - Sensitive Activity Restriction Overlay is not applied.	Allow submissions in part, specifically Points 2004-75 & 2466-56
Greater East Tamaki Business Association Incorporated	2004-76	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 5 as follows: '(5) Avoid locating activities sensitive to air discharges within 500m of the Heavy Industry zone edge, unless the activity has: (a) a permitted activity status; <del>or (b) it is within a zone listed in Policy 2(b) above (on the date of notification of this Unitary Plan)</del> '.	O-I NZ considers Policy 5 should be amended to reduce the number of zones over which the Air Quality - Sensitive Activity Restriction Overlay is not applied.	Allow submission in part, specifically Point 76
Heart of the City	6246-23	Oppose	C5.1 Background, objectives and policies	Amend Policy 4(a) to add the words 'and invisible' after the word 'visible'. The full change is: <i>Manage the air quality amenity in the CMA and urban areas by:</i> <i>a. avoiding offensive or objectionable odour, dust, particulate, ash, smoke, fumes, overspray and visible and invisible emissions</i>	Policy 4(a) relates to amenity effects and therefore should not refer to "invisible" emissions as the only invisible emission that could cause amenity effects is odour, which is already listed. Transport emissions to air are not considered to have significant amenity effects and should not be included in Policy 4(b).	Disallow submission in part, specifically Point 23

Theme: Air Quality						
Name of submitter	Subw/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Horticulture New Zealand: Pukekohe Vegetable Growers Association	5431-198	Oppose	H4.1 Auckland wide rules	<i>b. avoiding any significant adverse effects from transport, industrial or rural activities air discharges...</i> Amend the general controls explanation relating to the FIDOL assessment to read "The use of the FIDOL factors provides a framework for making an objective and consistent assessment of the degree of effects. The nature of the zone, relevant policy and rule provisions and the background amenity of the zone which the discharges of contaminants into air are affecting will form part of the assessment undertaken."	The more detailed explanation of FIDOL under Rule 4.5.1 of the Auckland Regional Plan: Air, Land and Water should be included in the PAUP as it is clearer and more useful.	Disallow submission in part, specifically Point 198
James Fletcher Drive Industry Group	853-4	Support	Overlay E7.11 Air Quality - Industry Transition	Delete 7.11 Air Quality - Industrial Transition	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point 4
James Kirkpatrick Group Limited	1889-18	Support	Overlay E7.11 Air Quality - Industry Transition	Delete all provisions, which are about managing the effects of air emissions on sensitive activities and is applied to the Heavy Industry zone.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point 18
James Kirkpatrick Group Limited	1889-4	Support	Overlay E7.11 Air Quality - Industry Transition	Delete the Air Quality Industrial Transition overlay text from the Unitary Plan.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point 4
Jason Pene	5014-5	Support	C5.1 Background, objectives and policies	Amend Policies 4(c), 12(a), 14(g), 18(c) and 18(d) and replace references to "best practice" with "best practicable option"	Reference to "best practice" is inappropriate for these policies as best practice is continually changing and subjective and therefore does not provide adequate certainty. Also, best practice does not take into account other factors such as the nature of effects, sensitivity of the receiving environment and financial cost. O-I NZ supports replacing references to "best practice" with "best practicable option".	Allow submission in part, specifically Point 5

Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Jason Pene	5014-6	Oppose	C5.1 Background, objectives and policies	Amend Policy 19 to read: "Monitor air quality in accordance with nationally and internationally accepted standards and protocols to ensure adverse effects on human health, property or the environment are adequately avoided, remedied or mitigated and air quality meets the NES Ambient Air Quality Standards or the AAQs in the Table 1."	The intent of the submission is supported, however it is inappropriate to suggest that monitoring air quality will ensure any of the listed outcomes. O-I NZ's suggested wording would be: Monitor air quality in accordance with nationally and internationally accepted standards and protocols to ensure adverse effects on human health, property or the environment are adequately avoided, remedied or mitigated and air quality meets the NES Ambient Air Quality Standards or the AAQs in the Table 1."	Disallow submission in part, specifically Point 6
Jason Pene	5014-9	Support	C5.1 Background, objectives and policies	Amend Policy 21 (f) and (g) to read: "...f. be treated as having the same health effects irrespective of the source of the PM10 or PM2.5. There will be no consideration of the particulate composition of the source or offset; g. be undertaken if ground-level concentrations exceed 2.5µg/m3 of PM10 or if mass emissions from the premises exceed 4t per year of PM10.	O-I NZ supports removing the reference to PM2.5 in Policy 21(f) and (g).	Allow submission in part, specifically Point 9
Jason Pene	5014-8	Support	C5.1 Background, objectives and policies	Amend Policy 21 to read: "21. Give effects to the requirements of the National Environmental Standard for Air Quality and comply with the AAQs by offsetting new discharges of PM10 or PM2.5 particulate matter that require consent and will discharge into the Auckland airshed. Offsets must be achieved within five years without any breach of the AAQs for PM10 or PM2.5 b. be for new activities..."	O-I NZ considers that there is no need to duplicate the current requirements of the NES in relation to offsetting. This will avoid the potential for the NES to change in the future resulting in inconsistent, and additional, requirements under the PAUP.	Allow submission in part, specifically Point 8
Jason Pene	5014-4	Oppose	C5.1 Background, objectives and policies	Amend Policy 7(a) to read: "a. encouraging heavy industry that requires an air discharge consent to locate in Heavy Industry zone and be separated by an appropriate distance of at least 500m from zones providing for from activities sensitive to air discharges."	O-I NZ supports the intent of the submission, which is to provide flexibility around what constitutes an appropriate separation distance. However it is impractical to require heavy industry with discharges to air to locate in the Heavy Industry zone as there is insufficient land available and many of the long-established industrial areas in Auckland (where industrial activities are legally established) are not zoned Heavy Industry in the PAUP.	Disallow submission in part, specifically Point 4
Jason Pene	5014-1	Oppose	C5.1 Background, objectives and policies	Delete and replace Objectives (5) and (6) with the following: 'Land Use is managed and incompatible activities are located to avoid or mitigate adverse effects on human health (particularly on sensitive sectors of the population) on amenity and to avoid and minimise and reverse sensitivity conflicts.'	Objectives 5 and 6 address separate issues and should not be combined into a single objective. Further, O-I NZ does not agree with a reference to "sensitive sectors of the population" as air quality standards and guidelines are set to protect public health, including sensitive sub-groups.	Disallow submission in part, specifically Point 1

Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Mahunga Drive Business Association Incorporated	1602-57	Support	Overlay E7.12 Air Quality - Industry Transition	Delete the Air Quality Industry Transition overlay so that heavy industry is not restricted to allow for activities sensitive to air discharges that have encroached within the 500m distance.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point 57
Mahunga Drive Business Association Incorporated	1602-60	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 2, 4 and 5 as follows: (2) Locate the overlay so that... (b) in brownfield areas the overlay surrounds the Heavy Industry zone to a distance of 500m from the Heavy Industry zone edge, except for any area within the 500m that is one of the following zones: (i) City-Centre zone (ii) Metropolitan-Centre zone (iii) Town-Centre zone (iv) Local-Centre zone (v) Neighbourhood-Centre zone (vi) Mixed-Use zone (vii) Mixed-Housing-Urban zone (viii) Mixed-Housing-Suburban zone (ix) Terrace-Housing and Apartment zone (x) Healthcare-Facility zone (xi) Retirement Village zone; and (4) Avoid re-zoning land within 500m of a Heavy Industry zone to a zone with a higher residential density, or to a zone that allows activities that increase the potential for reverse sensitivity effects, unless it is an existing zone listed in Policy 2(b) above (on the date of notification of this Unitary Plan); and (5) Avoid locating activities sensitive to air discharges within 500m of the Heavy Industry zone edge, unless the activity has: (a) a permitted activity status; or (b) it is within a zone listed in Policy 2(b) above (on the date of notification of this Unitary Plan); as stated in the submission (refer page 32/45).	O-I NZ supports the intent of this submission, which is that existing sensitive activities within 500m of the Heavy Industry zone are not intensified and that the Overlay should be applied over the listed zones to reflect the scarcity, and importance of maintaining the effective use, of the Heavy Industry zone.	Allow submission in part, specifically Point 60
Mahunga Drive Business Association Incorporated Greater East Tamaki Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-58 2004-50 2555-49 3031-49	Support	Overlay E7.12 Air Quality - Sensitive A activity Restriction	Amend the overlay description as follows: "For this reason heavy industry zones should ideally not be located within 500m of zones that provide for activities sensitive to air discharges. For this reason activities sensitive to air discharges should not be located within 500m of heavy industry zones. In some circumstances however, zones that provide for activities sensitive to air discharges have encroached within this 500m distance."	The proposed change correctly emphasises the importance of not allowing sensitive activities to encroach on heavy industry zones.	Allow submission in part, specifically Points 1602-58, 2004-50, 3031-49

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Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Manukau ECE Taskforce	6029-12	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend the air quality overlay so it does not apply to early learning services.	Early learning services are sensitive to discharges to air, and should not be allowed to establish within the Air Quality - Sensitive Activity Restriction Overlay unless it can be demonstrated that reverse sensitivity effects on existing or future industrial activities within industrial zoned land can be avoided, remedied or mitigated.	Disallow submission in part, specifically Point 12
Mighty River Power Limited	836-66	Oppose	C5.1 Background, objectives and policies	Add a new policy (policy 22) that enables offsets to be used for contaminants other than just particulates when achieving compliance with the National Environmental Standard or Auckland Ambient Air Quality Standards and Table 1 to denote where limits are the same as the regulations. Refer to full submission for details [pages 36-39/65].	The intent of this submission, to enable offsets to be used for other contaminants in the event that air quality exceeds the AAQOS, is supported. However, this is subject to O-I NZ's other submission points in relation to Policy 21, including that the AAQOS should be no more stringent than the national air quality standards and guidelines.	Disallow submission in part, specifically Point 66
Mighty River Power Limited	836-65	Support	C5.1 Background, objectives and policies	Add new clause (d) to policy 6 to read: 'Recognising that visual emissions of water vapour within heavy industrial zones may be appropriate'	O-I NZ supports recognition that visual emissions of water vapour may be appropriate in industrial zones. Both Heavy and Light Industry zones should be included in the policy.	Allow submission in part, specifically Point 65
Mighty River Power Limited	836-64	Support	C5.1 Background, objectives and policies	Amend policies 4, 12, 13 and 18 to include reference to 'remedy or mitigate' or 'mitigate'. Refer to full submission for details [pages 36-39/65].	Policies 4, 12, 13 and 18 should provide for the alternatives of remedying or mitigating adverse effects where they cannot be avoided.	Allow submission in part, specifically Point 64
Mighty River Power Limited	836-142	Support	C5.1 Background, objectives and policies	Retain the general approach taken in Part 2, Chapter C, 5.1, in particular the policies which accept a reduced amenity expectation within the Heavy Industry zone and discourage sensitive activities from locating in or near the Heavy Industry zone.	O-I NZ supports these policies insofar as they accept a reduced amenity expectation within the Heavy Industry zone and discourage sensitive activities from establishing within or near the zone.	Allow submission in part, specifically Point 142
Mighty River Power Limited	836-100	Oppose	Overlay E7.11 Air Quality - Industry Transition	Amend objective 1, to read: 'Significant adverse effects of industrial air discharges on health, property and the environment are avoided, remedied or mitigated.'	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 100
Mighty River Power Limited	836-99	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain the general approach of E7.11 'Air Quality - Industry Transition'.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve	Disallow submission in part, specifically Point 99



Theme: Air Quality						
Name of submitter	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Mighty River Power Limited	836-101	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend E.7.12, objective 1, to read: 'Significant adverse effects of industrial air discharges on health, property and the environment are avoided, remedied or mitigated.'	required separation distances between industry and sensitive receptors. O-I NZ supports the intent of the submission; however, O-I NZ considers that Objective 1 should be deleted.	Disallow submission in part, specifically Point 101
New Zealand Starch Limited	3230-7	Support	C5.1 Background, objectives and policies	Amend Background to read '... there are also industrial processes that cannot avoid discharging contaminants into the air and their operation needs to be recognised and supported. Therefore, the effects of these activities can be managed through methods such as using suitable management techniques and by where practicable locating such industries in appropriate areas.'	O-I NZ supports the addition of "where practicable" to reflect that many industries are already located in areas that may now not be considered "appropriate" under the provisions of the PAUP.	Allow submission in part, specifically Point 7
New Zealand Starch Limited	3230-11	Support	C5.1 Background, objectives and policies	Amend Table 1: Auckland Ambient Air Quality Standards (AAQS) for sulphur dioxide as set out in the table on page 14/122 of the submission. In particular, adopt the MFE 24-hour guideline by changing the 24-hour standard from 20 µg/m³ to 120 µg/m³.	Table 1: Auckland Ambient Air Quality Standards should be amended so that it is aligned with national air quality standards and guidelines.	Allow submission in part, specifically Point 11
New Zealand Starch Limited	3230-19	Support	H4.1 Auckland wide rules	Retain H.4.1.5.2, assessment criterion 1.	This assessment criterion is appropriate as it recognises not only the AAQS, but also other nationally and internationally accepted standards, guidelines and guidance.	Allow submission in part, specifically Point 19
New Zealand Steel Limited	868-46	Support	C5.1 Background, objectives and policies	Amend Policy 21 as follows: Give effect ... of PM10 or PM2.5 ... Offsets must be required until the Auckland urban airshed achieves five years without any breach of the AAQS for PM10 or PM2.5 ... f. be treated as having the same health effects irrespective of the source of the PM10 or PM2.5. There will be no consideration of the particulate composition of the source or offset g. be undertaken if ground level concentrations exceed 2.5µg/m3 of PM10 beyond the boundary of the site or if mass emissions from the premises exceed 4t per year of PM10 ...	O-I NZ supports removing reference to PM2.5 and to the mass emission threshold for PM10 from Policy 21 as no scientific basis has been presented for this threshold.	Allow submission in part, specifically Point 46
New Zealand Steel Limited	868-37	Support	C5.1 Background, objectives and policies	Delete and replace Policy 1 as follows: Protect human health by: a. requiring that air discharges do not cause outdoor air quality to exceed the AAQS in Table 1 for the specified contaminants wherever a person might reasonably be expected to be exposed to the contaminant over the relevant averaging period; and b. managing the	O-I NZ supports the clarification that the location where the standards apply is related to the potential for exposure over the relevant averaging period.	Allow submission in part, specifically Point 37

Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
New Zealand Steel Limited	868-60	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised. Retain Policy 5.	O-I NZ supports the intent of Policy 5, but considers that it should be amended to reduce the number of zones over which the Air Quality - Sensitive Activity Restriction Overlay is not applied.	Disallow submission in part, specifically Point 60
Nufarm (NZ) Limited	921-4	Support	Overlay E7.11 Air Quality - Industry Transition	Delete clause 7.11 (Air Quality - Industrial Transition) of Part 2, Chapter E	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point 4
Onehunga Business Association Incorporated Rosebank Business Association Incorporated Wiri Business Association Incorporated Greater East Tamaki Business Association Incorporated	2555-51 3031-51 2466-54 2004-52	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend Policy 2 as follows: '2. Locate the overlay so that:...(b) in brownfield areas the overlay surrounds the Heavy Industry zone to a distance of 500m from the Heavy Industry zone edges, except for any area within the 500m that is one of the following zones: (i) City Centre zone (ii) Metropolitan Centre zone (iii) Town Centre zone (iv) Local Centre zone (v) Neighbourhood Centre zone (vi) Mixed Use zone (vii) Mixed Housing Urban zone (viii) Mixed Housing Suburban zone (ix) Terraced Housing and Retirement Village zone.'	In order to be effective, the Air Quality - Sensitive Activity Restriction Overlay needs to be applied outside industry zoned land (to the greatest extent practicable).	Allow submissions in part, specifically Points 2555-51, 3031-51, 2466-54 & 2004-52
Onehunga Business Association Incorporated Rosebank Business Association Incorporated Greater East Tamaki Business Association Incorporated Mahunga Drive Business Association Incorporated	2555-50 3031-50 2004-51 1602-59	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend the overlay description by deleting the fifth paragraph and replace with the following text: 'In some cases however there are existing zones that provide for activities sensitive to air discharges within 500m of the Heavy Industry zone edge (eg (i) Mixed Housing Urban, Mixed Housing Suburban, Terraced Housing and Apartment zones (ii) Mixed Housing Urban, Mixed Housing Suburban, Terraced Housing and Apartment zones (iii) and business zones that allow residential activity (Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, and Mixed Use (L)). Ideally these zones should not locate within 500m of a Heavy Industry zone, but as they are existing, the overlay is applied to ensure that sensitive activities in these zones are not intensified. This ensures that the reverse sensitivity problem is not exacerbated.'	O-I NZ supports the intent of the submission, which is that existing sensitive activities within 500m of the Heavy Industry zone are not intensified,	Allow submissions in part, specifically Points 2555-50, 3031-50, 2004-51 & 1602-59

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Theme: Air Quality							
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought	
Ports of Auckland Limited	5137-125	Support	C5.1 Background, objectives and policies	Amend Objective 1 as follows: 'Air quality is maintained in those parts of Auckland that have excellent or good air quality, and air quality is enhanced in those parts of Auckland where it is poor, while recognising that enhancing air quality in some areas of Auckland is not appropriate due to operational requirements of industry and other infrastructure activities.'	Objective 1 should recognise that there may be circumstances where air quality may be described as poor, but there would be no RIMA purpose served by enhancing air quality, for example in a heavy industry area where there is limited exposure or potential for adverse effects.	Allow submission in part, specifically Point 125	
Ports of Auckland Limited	5137-131	Support	C5.1 Background, objectives and policies	Amend Policy 21 to remove all references to PM [particulate matter] 2.5.	O-I NZ supports removing the reference to PM2.5 from Policy 21.	Allow submission in part, specifically Point 131	
Ports of Auckland Limited	5137-130	Support	C5.1 Background, objectives and policies	Retain Policy 10.	O-I NZ supports the intent of Policy 10, which is to locate sensitive activities away from sources of motor vehicle emissions.	Allow submission in part, specifically Point 130	
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-45	Support	C5.1 Background, objectives and policies	Amend Objective 4 to read: '4. Industrial and rural activities are located within appropriate zones...and to avoid, remedy or mitigate adverse effects...'	Objective 4 should provide for the alternatives of remedying or mitigating adverse effects where they cannot be avoided.	Allow submission in part, specifically Point 45	
Radio New Zealand Limited	2750-47	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain the air quality industry transition overlay.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 47	
Radio New Zealand Limited	2750-48	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Retain the air quality sensitive activity restriction overlay.	NZO-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors. O-I NZ has submitted that the Sensitive Activity Restriction Overlay should be established within 500 metres of all industrial land. O-I NZ wishes to be involved in any discussions about the extent of the Overlay around industrial-zoned land.	Allow submission in part, specifically Point 48	
Stevenson Group Limited	3682-62	Oppose	C5.1 Background, objectives and policies	Amend Objective 2 as follows: 'Air discharges, including PM10, (and PM2.5 once national standards have been developed for (particle pollution- or particulate matter), are reduced to protect public health and amenity, and to meet national and Auckland Ambient Air Quality Standards (AAQS) in Table 1.1. [p.19/111 vol.3]'	O-I NZ considers that it is not appropriate to refer to the adoption of standards in the future, once they have been developed, as this does not provide adequate certainty.	Disallow submission in part, specifically Point 62	
Valerie Cole	4236-57	Oppose	C5.1 Background, objectives and policies	Amend Policy 15 to reinstate policy (a) from the Draft Unitary Plan Policy 12.	Policy 12(a) from the Draft Plan should not be reinstated as it is unclear as to what is meant by "low levels" and it also confuses the impact of fuel	Disallow submission in part, specifically Point 57	

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Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Valerie Cole	4236-55	Oppose in part	C5.1 Background, objectives and policies	Amend Reverse sensitivity and separation distances policies to reinstate Draft Unitary Plan policies (c) and (e) and the references to "buffers".	sources and combustion conditions on emissions of contaminants. O-I NZ supports the re-instatement of Clause d) from Policy 5 of the Draft Plan as this would ensure that land within 500m of the Heavy Industry zone would not be zoned for sensitive activities. O-I NZ opposes the re-instatement of Clause e) as this unrealistic and impractical.	Allow submission in part, specifically the re-instatement of Policy 5(d) of the Draft Auckland Unitary Plan. Disallow submission in part, specifically the re-instatement of Policy 5(e) of the Draft Auckland Unitary Plan.
Valerie Cole	4236-56	Oppose	C5.1 Background, objectives and policies	Amend to include a policy that states: "Activities that have difficulty in maintaining acceptable air quality standards shall consider relocating so as to achieve appropriate separation distances from sensitive activities".	A policy of this nature is impractical and unworkable.	Disallow submission in part, specifically Point 56
Valerie Cole	4236-73	Oppose	H4.1 Auckland wide rules	Retain Air Quality rules activity table and the inclusion of the light industrial zones in the air quality high amenity area.	The light industrial zones should not be included as air quality high amenity areas.	Disallow submission in part, specifically Point 73
Wendy Gray	7059-32	Oppose	H4.1 Auckland wide rules	Amend to require emissions testing of vehicles.	Controls of this nature are more appropriately introduced at a national, rather than regional, level.	Disallow submission in part, specifically Point 32
Wilson Hellaby Group of Companies	4112-10	Support	Overlay E7.11 Air Quality - Industry Transition	Add a buffer overlay around industrial zones to make new activities sensitive to noise and new activities sensitive to air discharges subject to development controls [e.g. using High Land Transport Noise overlay provisions with the Air Quality Industry Transition overlay].	The intent of this submission is supported' however, further discussion would be required to understand the detail of how it would be achieved.	Allow submission in part, specifically Point 10
Wilson Hellaby Group of Companies	4112-55	Oppose	Overlay E7.11 Air Quality - Industry Transition	Add a new section 'J7.2 Air Quality - Industry Transition', repeating the development controls contained in the High Land Transport Noise overlay, in relation to noise and ventilation for new activities sensitive to noise or discharges to air for residential activities within 1km of existing heavy industry.	The intent of the submission is supported, however it is unclear how the proposed development controls relating to ventilation would be effective in mitigating the effects of air emissions and avoiding reverse sensitivity effects.	Disallow submission in part, specifically Point 55
Wilson Hellaby Group of Companies	4112-27	Oppose	Overlay E7.11 Air Quality - Industry Transition	Add rules for this overlay to require improved ventilation and other controls appropriate to ensure that new residential use or intensification is appropriate within an area that has reduced air quality.	The intent of the submission is supported, however it is unclear how the proposed rules relating to ventilation and other controls would be effective in mitigating the effects of air emissions and avoiding reverse sensitivity effects. It is also unclear how this overlay relates to the Air Quality - Sensitive Activity Restriction Overlay.	Disallow submission in part, specifically Point 27
Wilson Hellaby Group of Companies	4112-24	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain the overlay.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered	Disallow submission in part, specifically Point 24

Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Wiri Business Association Incorporated	2466-53	Support	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Amend the overlay description as follows: <del>For this reason heavy industry zones should ideally not be located within 500m of zones that provide for activities sensitive to air discharges. For this reason activities sensitive to air discharges should not be located within 500m of heavy industry zones. In some circumstances however, zones that provide for activities sensitive to air discharges have encroached within this 500m distance, and delete the fifth paragraph and replace with the following text: 'In some cases however, there are existing zones that provide for activities sensitive to air discharges within 500m of the Heavy Industry zone edge (eg Isic Mixed Housing Urban, Mixed Housing Suburban, Terraced Housing and Apartment zones [sic] and business zones that allow residential activity (Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, and Mixed Use [sic]). Ideally these zones should not locate within 500m of a Heavy Industry zone, but as they are existing, the overlay is applied to ensure that sensitive activities in these zones are not intensified. This ensures that the reverse sensitivity problem is not exacerbated.'</del>	Inappropriate to limit activities with discharges to air inside the heavy industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Allow submission in part, specifically Point
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-35	Oppose	C5.1 Background, objectives and policies	Retain Table 1 'Auckland Ambient Air Quality Standards'.	Table 1: Auckland Ambient Air Quality Standards should be amended so that it is aligned with national air quality standards and guidelines.	Disallow submission in part, specifically Point 35
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-39	Oppose	H4.1 Auckland wide rules	Retain the Activity Table; the general permitted controls and associated activity status; and the associated General Controls including the explanation relating to Frequency, Intensity, Duration, Offensiveness and Location (FDOL).	The explanation of the FDOL factors under H4.1.3.1.1 is inadequate. The more detailed explanation under Rule 4.5.1 of the Auckland Regional Plan: Air, Land and Water should be included in the PAUP as it is more clear and useful.	Disallow submission in part, specifically Point 39
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-26	Oppose	Overlay E7.11: Air Quality - Industry Transition	Amend the policy overlay description to read 'The purpose of the overlay ... air discharges, and that activities that are sensitive to air do not compromise the use of the heavy industrial zone'.	O-I NZ supports the intent of the submission. However, O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the heavy industry zone. O-	Disallow submission in part, specifically Point 26

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Theme: Air Quality						
Name of submitter	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-31	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain Objectives 1 - 2.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the Heavy Industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 31
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-25	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain Overlay description.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the Heavy Industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 25
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-36	Oppose	Overlay E7.11 Air Quality - Industry Transition	Retain Policies 1, 2 and 3.	O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay as it is considered inappropriate to limit activities with discharges to air inside the Heavy Industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 36
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-32	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Retain Objectives 1 - 3.	O-I NZ considers that Objective 1 should be deleted as it is not appropriate in relation to the Air Quality - Sensitive Activity Restriction Overlay, the purpose of which is to avoid reverse sensitivity.	Disallow submission in part, specifically Point 32
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-37	Oppose	Overlay E7.12 Air Quality - Sensitive Activity Restriction	Retain Policies 1, 2, 3, 4 and 5.	O-I NZ considers that Policy 2, 4 and 5 should be amended to reduce the number of zones over which the Air Quality - Sensitive Activity Restriction Overlay is not applied.	Disallow submission in part, specifically Point 37

Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
28, 38 and 72 Barrys Point Road Limited	1820-2	Oppose	Business	Delete Rule 2.1 Notification, which makes non-complying activity applications for office, retail and dwellings subject to the normal RMA tests for notification.	Automatic public notification of office, retail and dwellings within the industrial zones reflects a strong stance that these activities should not be located within the industrial zones. O-I NZ supports the retention of this provision and therefore oppose this submission which seeks its removal.	Disallow submission in part, specifically Point 2
656 Syndicate	5543-2	Oppose	Business	Add a new objective to read: Recognise and provide for the expansion of existing and development of new commercial activities within the Light Industry Zone, where they do not impact upon the functionality of the zone.	The issue is not only the impacts or reverse sensitivity effects of commercial activities on industrial activities but also the scarce supply in Auckland of industrial land which should be reserved for industrial activities and not used up by activities that do not otherwise need to be located in an industrial zone.	Disallow submission in part, specifically Point 2
656 Syndicate	5543-7	Oppose	D3.10 Light Industrial zone desc, obs & polys	Add policy to read: "5. Recognise and provide for commercial activities on sites within the Light Industry Zone that immediately adjoin the Business Park Zone, including but not limited to, land legally described as Lot 1 Deposited Plan 169338, Lot 1 Deposited Plan 176485 and Lot 2 Deposited Plan 176485 and where it can be demonstrated that: a. commercial activities will not adversely impact upon the efficiency and functionality of both the Light Industry Zone and the Business Park Zone, and b. the proposed uses will complement the Business Park Zone, while ensuring that it does not detract from the effectiveness and efficiency of existing commercial centres."	The issue is not only the impacts or reverse sensitivity effects of commercial activities on industrial activities but also the scarce supply in Auckland of industrial land which should be reserved for industrial activities and not used up by activities that do not otherwise need to be located in an industrial zone.	Disallow submission in part, specifically Point 7
656 Syndicate	5543-8	Oppose	D3.10 Light Industrial zone desc, obs & polys	Amend Activity Table to state that "Offices not otherwise provided for" are a discretionary activity (rather than non-complying).	The non-complying activity status for offices not otherwise provided for within the zone reflects a higher level policy direction to set aside industrial land for industrial activities. Industrial land is in scarce supply in Auckland and should be reserved for industrial activities rather than being occupied by activities that do not otherwise need to locate in an industrial zone.	Disallow submission in part, specifically Point 8
656 Syndicate	5543-15	Oppose	Business	Amend Assessment Criteria under Rule 6.1(2) and (6) to include retail in the Light Industry zone and development of visitor accommodation on the submitters site.	The issue is not only the impacts or reverse sensitivity effects of commercial activities on industrial activities but also the scarce supply in Auckland of industrial land which should be reserved for industrial activities and not used up by activities that do not otherwise need to be located in an industrial zone.	Disallow submission in part, specifically Point 15

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Theme: Business (not City Centre)						
Name of submitter	Sub# / Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
656 Syndicate	5543-3	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend Policy 1 to read: "1. Enable a range of light industrial activities to locate in the zone and provide for the continuation and further development of non-industrial related activities on sites where these uses have been lawfully established prior to 30th September 2013."	Oppose further development of non-industrial activities within the industrial zone which should be reserved for industrial activities given the scarcity of industrial zoned land in Auckland.	Disallow submission in part, specifically Point 3
656 Syndicate	5543-4	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend Policy 2 to read: "2. Avoid activities that create reverse sensitivity effects and constrain the establishment and operation of light industrial activities, unless these effects can be appropriately mitigated and the will not adversely impact upon the functionality of the zone."	The issue is not only the impacts or reverse sensitivity effects of non-industrial activities on industry but also the scarce supply in Auckland of industrial land which should be reserved for industrial activities and not used up by activities that do not otherwise need to be located in an industrial zone.	Disallow submission in part, specifically Point 4
656 Syndicate	5543-5	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend Policy 4(a) to read: "4. Avoid: a. office activities, except: (i) where they are accessory to the primary activity on-site; (ii) the office development is associated with a lawfully established office development that existed prior to 30th September 2013; or (iii) where it can be demonstrated that the development of new offices will not adversely impact upon the functionality of the zone."	Oppose further development of non-industrial activities within the industrial zone which should be reserved for industrial activities given the scarcity of industrial zoned land in Auckland.	Disallow submission in part, specifically Point 5
656 Syndicate	5543-6	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend Policy 4(b) to read: "b. residential activities other than for persons whose duties require them to live on-site, except: (i) where this includes visitor accommodation facilities that may be provided for under Policy 5."	The issue is not only the impacts or reverse sensitivity effects of commercial activities on industrial activities but also the scarce supply in Auckland of industrial land which should be reserved for industrial activities and not used up by activities that do not otherwise need to be located in an industrial zone.	Disallow submission in part, specifically Point 6
A M Finnigan and Ellis Gould Tinos Trustee Limited	123-3	Oppose	Business	Amend the activity status for 'Educational facilities not otherwise provided' in the Light Industry zone from Discretionary to Permitted.	The Industrial zones should be set aside for activities that are industrial in nature and through the nature of their activity and operation need to be located within an industrial zone. The PAUP has many other general business zones which can accommodate activities such as Educational facilities. Furthermore the introduction of these types of sensitive activities into the industrial zones will result in reverse sensitivity effects on lawfully established industrial activities operating within the zone.	Disallow submission in part, specifically Point 3
A M Finnigan and Ellis Gould Tinos Trustee Limited	123-4	Oppose	Business	Amend the activity status for 'Offices not otherwise provided for' in the Light Industry zone from Non-complying to Discretionary.	The Industrial zones should be set aside for activities that are industrial in nature and through the nature of their activity and	Disallow submission in part, specifically Point 4



Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
A M Finnigan and Ellis Gould Timos Trustee Limited	123-5	Oppose	Business	Amend the objectives and policies for the Light Industry zone to reflect the changes sought in this submission to the activities in the Light Industry zone.	operation need to be located within an industrial zone.	
Alex Wakefield	9375-7	Oppose	Business	Amend to change the activity status for all activities in the Light Industry zone listed as non-complying to discretionary.	The industrial zones should be set aside for activities that are industrial in nature and through the nature of their activity and operation need to be located within an industrial zone.	Disallow submission in part, specifically Point 5
Alex Wakefield	9375-3	Oppose	Business	Delete non-complying activity status for offices and retail premises not otherwise provided for.	The non-complying activity status for activities listed as non-complying within the zone reflects a higher level policy direction to set aside industrial land for industrial activities. Industrial land is in scarce supply in Auckland and should be reserved for industrial activities rather than being occupied by activities that do not otherwise need to locate in an industrial zone.	Disallow submission in part, specifically Point 7
AML Limited and Allied Concrete Limited	5947-12	Support	Business	Amend objectives and policies to recognise existing Heavy Industry located within Light Industry zones.	The non-complying activity status for activities listed as non-complying within the zone reflects a higher level policy direction to set aside industrial land for industrial activities. Industrial land is in scarce supply in Auckland and should be reserved for industrial activities rather than being occupied by activities that do not otherwise need to locate in an industrial zone.	Disallow submission in part, specifically Point 3
Argosy Property Limited	2444-3	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend 2 'Notification', to read: "1. The council will publicly notify resource consent applications for the following activities are subject to the normal notification tests of the relevant sections of the RMA: (a) Non-ancillary office, non-ancillary retail and dwellings..."	Many heavy industrial activities have been zoned as Light Industry. Existing industries should be recognised and their continued operation supported.	Allow submission in part, specifically Point 12
Argosy Property Limited	2444-9	Oppose	Business	Amend Activity Table, regarding the ancillary office and ancillary retail thresholds and statuses. Refer to the full submission for specific changes (page 12/30).	The PAUP is trying to send a strong message that these activities are not appropriate in the industrial zones and do not reflect higher level strategic policy and are likely to result in reverse sensitivity effects on industrial activities - hence they should be notified.	Disallow submission in part, specifically Point 3
Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Kumeu)	3705-142 3792-142	Oppose	Business	Amend activity table to read 'Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail GFA does not exceed 10 per cent of all buildings on the site.'	Industrial zones should primarily be for industrial activities. The threshold provisions place emphasis on this.	Disallow submission in part, specifically Point 9

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Theme: Business (not City Centre)						
Name of submitter	Sub# / Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Atlas Concrete Limited (Warkworth)	4843-143	Oppose	Business	Amend activity table to include new activity 'Trade suppliers that are accessory to an industrial activity on the site' as a Permitted activity.	This could result in large parts of industrial sites being taken up with retail activity that has a tenuous link to the industry on site.	Disallow submissions in part, specifically Points: 4843-143 5599-64 3705-143 5595-76 5612-74 3792-143 3787-89
Atlas Concrete Limited (Wairau Road Milford)	5599-64					
Atlas Concrete Limited (Silverdale)	3705-143					
Atlas Concrete Limited (Rosedale)	5595-76					
Atlas Concrete Limited (Mount Rex)	5612-74					
Atlas Concrete Limited (Kumeu)	3792-143					
Atlas Concrete Limited (Mount Wellington)	3787-89					
Atlas Concrete Limited (Warkworth)	4843-144	Oppose	Business	Retain community activities as Permitted or Discretionary.	Community facilities should be non-complying in the industrial zones, due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submissions in part, specifically Points 4843-144, 3792-144 & 3705-144
Atlas Concrete Limited (Kumeu)	3792-144					
Atlas Concrete Limited (Silverdale)	3705-144					
Atlas Concrete Limited (Wiriri)	3698-63	Oppose	Business	Amend Heavy Industry Activity Table to read 'Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site or are ancillary to the industrial activity and the retail GFA does not exceed 10 per cent of all buildings on the site.'	This could result in large parts of industrial sites being taken up with retail activity that has a vague link to the industry on site.	Disallow submission in part, specifically Point 63
Auckland Council	5716-54	Oppose	Business	Amend 6.1(3) Assessment criteria: '3. Garden centres, motor vehicle sales, marine retail and trade suppliers in the Light Industry and General Business zones'	Marine retail is a form of retail activity and is not appropriate for the Light Industry zone and takes away from actual industrial activities establishing in the zone.	Disallow submission in part, specifically Point 54
Auckland Council	5716-50	Oppose	D3.11 Heavy Industrial zone desc, obs & pols	Amend activity table to include 'Marine retail' as a non-complying activity in the Heavy Industry zone and a restricted discretionary activity in the Light Industry zone.	Marine retail is still a form of retail activity and is not appropriate for the Light Industry zone and takes away from actual industrial activities establishing in the zone.	Disallow submission in part, specifically Point 50
Bladon Holdings Limited	5880-3	Oppose	Business	Amend to provide for offices as a Permitted activity in the Light Industry, Mixed Use and General Business zone, irrespective of size.	Offices should not be unlimited in the Light Industry zone. Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 3
Bunnings Limited	6096-23	Oppose	Business	Add new activity as follows; 'Distribution centres'. [refer also to submission point 82 on p 29/32]	This submission proposes that the operation of distribution centres is included in the definition of industrial activities. Distribution centres are not defined. Supply	Disallow submission in part, specifically Point 23

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Bunnings Limited	6096-24	Oppose	Business	Add permitted activity status for the new activity 'Distribution centres' [see submission point 23] in the Heavy Industry zone. [p 12/32]	of industrial land is scarce and industrial zones should not allow for activities (such as distribution centres) that could otherwise establish in a general business zone.	Disallow submission in part, specifically Point 24
Bunnings Limited	6096-25	Oppose	Business	Add permitted activity status for the new activity 'Distribution centres' [see submission point 23] in the Light Industry zone. [p 12/32]	Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 25
Bunnings Limited	6096-37	Oppose	Business	Amend 6.2(3) restricted discretionary assessment criteria as follows; Garden centres, and motor vehicle sales in the Light Industry and General Business zones and trade suppliers in the Light Industry and General Business zones.	Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce. Oppose on the grounds that these activities should not be provided for in the Light Industry zone.	Disallow submission in part, specifically Point 37
Bunnings Limited	6096-19	Oppose	D3.10 light industrial zone desc, obs & pools	Amend the activity status for 'Offices not otherwise provided for' in the Heavy Industry zone from non-complying to discretionary.	Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 19
Bunnings Limited	6096-20	Oppose	Business	Amend the activity status for 'Offices not otherwise provided for' in the Light Industry zone from non-complying to discretionary.	Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 20
Bunnings Limited	6096-21	Oppose	Business	Retain the activity status for 'Trade suppliers' in the Light Industry zone as restricted discretionary.	Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 21
Chalmers Properties Limited	2260-4	Oppose	Business	Amend the activity status of 'Motor vehicle sales' from non-complying to restricted discretionary in the Heavy Industry zone.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 4
Chalmers Properties Limited	2260-3	Oppose	Business	Delete the threshold for 'ancillary offices' from the activity table and retain the word 'ancillary' [inferred that this relates to Offices that are accessory to an industrial activity on the site and: a. the office GFA does not exceed 30 per cent of all buildings on the site or b. the office GFA does not exceed 100m <sup>2</sup> ].	The industrial zones should be set aside for industrial activities, not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 3



Theme: Business (not City Centre)						
Name of submitter	Sub# / Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Chalmers Properties Limited	2260-2	Oppose	D3.10 Light Industrial zone desc, obs & pois	Retain the permitted activity status of 'development' in Light Industry and Heavy Industry zones.	The industrial zones should be set aside for industrial activities, not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 2
Chong Family Trust	6516-6	Oppose	Business	Add new provisions that will raise the quality of landscaping and design outcomes within industrial areas (Light Industry zone), in particular requiring landscaping on front boundaries.	Landscaping and design on sites used for industry may not be appropriate. There are already front yard provisions contained within the industry zoning rules which require landscaping. NB: This submission point has been themed under 'RPS' however clearly fits within the Business (not City Centre) theme.	Disallow submission in part, specifically Point 6
CLC Auckland Trust (Incorporated)	5815-8	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend the Activity Table to provide for "Community facilities and education facilities not otherwise provided for" as a Controlled activity in the Light Industry zone, with conditions able to be imposed in respect of internal noise levels.	Community facilities should be non-complying in the industrial zones, due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 8
Corey Martin	2923-6	Oppose	Business	Add objectives and policies which support activities such as dog day care being included in the General Business, Business Park and Light Industry zones.	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 6
Corey Martin	2923-7	Oppose	Business	Add objectives and policies which support activities such as dog day care being included in this zone.	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 7
Corey Martin	2923-8	Oppose	D3.8 General Business zone desc, obs & pois	Add objectives and policies which support activities such as dog day care being included in this zone.	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 8
Corey Martin	2923-9	Oppose	D3.9 Business Park zone desc, obs & pois	Add objectives and policies which support activities such as dog day care being included in this zone.	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 9
Corey Martin	2923-3	Oppose	Business	Amend Table 1 to provide for "dog day care" in the General Business, Business Park and Light Industry zone, and provide appropriate associated provisions in those zones (controls, assessment criteria).	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 3
Corey Martin	2923-1	Oppose	D3.10 Light Industrial zone	Retain "animal breeding and boarding" as a permitted activity and associated controls in the Light Industry zone.	Animal breeding and boarding is not a compatible activity in the Light Industry zone and has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 1

Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-11 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
EIV Property Investments Limited	1822-9	Oppose	Business desc, obs & pois	Add 'Food and beverage' to the activity table for the 'Light Industry zone' as a permitted activity.	sensitivity effects on industrial activities operating in the zone.	
EIV Property Investments Limited	1822-10	Oppose	Business	Add 'Funeral directors' premises' to the activity table for the 'Light Industry zone' as a permitted activity.	Food and beverage not servicing the industrial zone has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 9
EIV Property Investments Limited	1822-20	Oppose	Business	Add 'Healthcare facilities' to the activity table for the 'Heavy Industry zone' as a non complying activity.	Funeral directors' premises has the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 10
EIV Property Investments Limited	1822-21	Oppose	Business	Add 'Healthcare facilities' to the activity table for the 'Light Industry zone' as a permitted activity.	Healthcare activities have the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 20
EIV Property Investments Limited	1822-23	Oppose	Business	Add 'Light manufacturing and servicing' to the activity table for the 'Light Industry zone' as a permitted activity.	Healthcare activities have the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 21
EIV Property Investments Limited	1822-5	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add new clause to Policy 3, "small retail activities that provide a range of services to the residential and business community" to policy 3. of the light industry zone" after the first clause.	Light manufacturing and servicing activities have the potential to create reverse sensitivity effects on industrial activities operating in the zone. In particular, it may be sensitive to air discharges including dust.	Disallow submission in part, specifically Point 23
EIV Property Investments Limited	1822-3	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add new Objective "Provide for a broad range of service and support activities including some retail".	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 5
EIV Property Investments Limited	1822-6	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add new Policy, "Limit office activities in the zone to: a. office activities that are accessory to the primary activity on the site. b. small local-scale office activity." to the light industry zone.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 3
EIV Property Investments Limited	1822-6	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add new Policy, "Limit office activities in the zone to: a. office activities that are accessory to the primary activity on the site. b. small local-scale office activity." to the light industry zone.	This type of policy only works if the primary activity on site is restricted to those which are industrial in nature.	Disallow submission in part, specifically Point 6

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
EIV Property Investments Limited	1822-26	Oppose	Business	Add new zone, splitting the light industry zone into two, to recognise extensive services and support industries.	The PAUP has many proposed general business zones that can adequately cater for general commercial activities. The PAUP provides minimal industrial zones and these should not be further dissected to result in essentially more business zones and less available industrial land within the region.	Disallow submission in part, specifically Point 26
EIV Property Investments Limited	1822-14	Oppose	Business	Add 'Offices greater than 500m2 GFA per site' to the activity table for the 'Light Industry zone' as a discretionary activity.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 14
EIV Property Investments Limited	1822-13	Oppose	Business	Add 'Offices up to 500m2 GFA per site' to the activity table for the 'Light Industry zone' as a permitted activity.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 13
EIV Property Investments Limited	1822-24	Oppose	Business	Add 'Repairs and maintenance services' to the activity table for the 'Light Industry zone' as a permitted activity.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 24
EIV Property Investments Limited	1822-15	Oppose	Business	Add 'Retail up to 200m2 GFA per site' to the activity table for the 'Light Industry zone' as a permitted activity.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 15
EIV Property Investments Limited	1822-16	Oppose	Business	Add 'Retail up to 450m2 GFA per site' to the activity table for the 'Light Industry zone' as a discretionary activity.	The industrial zones should be set aside for industrial activities not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 16
EIV Property Investments Limited	1822-2	Oppose	Business	Add to 'Zone description', end of 1st paragraph, "The zone also provides for a broad range of service industries and business support functions, including small retail and office, repair and maintenance services, warehousing and storage, and a range of community activities" to the zone description for light industry".	The Light Industry zone should provide for industrial activities and not the wide range of businesses that is listed in this submission.	Disallow submission in part, specifically Point 2
EIV Property Investments Limited	1822-25	Oppose	Business	Add 'Warehousing and storage' to the activity table for the 'Light Industry zone' as a permitted activity.	Warehousing and storage activities have the potential to create reverse sensitivity effects on industrial activities operating in the zone. In particular, warehousing and storage activities may be sensitive to air discharges, including dust, and create competition for scarce industrial land.	Disallow submission in part, specifically Point 25
EIV Property Investments Limited	1822-4	Oppose	D3.10 Light industrial zone desc, obs & pois	Amend Policy 1, to read: Enable a range of light industrial, service, and support activities to locate in the zone.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones	Disallow submission in part, specifically Point 4

Theme: Business (not City Centre)						
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EJV Property Investments Limited	1822-8	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend the activity status for 'Commercial services' in the 'Light Industry zone' from discretionary to permitted.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 8
EJV Property Investments Limited	1822-19	Oppose	Business	Amend the activity status for 'Education facilities not otherwise provided for' in the 'Light Industry zone' from discretionary to permitted.	Education facilities not associated with industrial activities introduce a sensitive activity into an industrial zone and take up scarce industrial zoned land for a commercial activity.	Disallow submission in part, specifically Point 19
EJV Property Investments Limited	1822-11	Oppose	Business	Delete 'Offices not otherwise provided for' from the activity table for the Heavy Industry zone.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 11
EJV Property Investments Limited	1822-12	Oppose	Business	Delete 'Offices not otherwise provided for' from the activity table for the Light Industry zone.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 12
EJV Property Investments Limited	1822-7	Oppose	D3.10 Light Industrial zone desc, obs & pols	Delete Policy 4(a).	O-I NZ supports Policy 4 as it states that any office activity that is not ancillary to a primary activity on site, should be avoided within the zone. The industrial zones are not the correct areas for general office activities to establish in.	Disallow submission in part, specifically Point 7

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Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
EV Property Investments Limited	1822-17	Oppose	Business	Delete 'Retail, up to 450m2, not otherwise provided for' from the activity table for the Heavy Industry zone.	The industrial zones are not the correct areas for retail activities to establish in. Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. It also puts restrictions on and creates reverse sensitivity effects for actual industrial facilities that are trying to operate in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 17
EV Property Investments Limited	1822-18	Oppose	Business	Delete 'Retail, up to 450m2, not otherwise provided for' from the activity table for the Light Industry zone.	The industrial zones are not the correct place for retail activities to establish themselves. Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 18
Fletcher Building Group	5819-26	Oppose	Business	Amend the Activity Table to provide for 'Dairies' and 'Food bars' to a maximum of 300m <sup>2</sup> GFA as permitted in the Heavy Industry zone.	A dairy or food bar of 300m <sup>2</sup> in area is large and more closely resembles a small supermarket than a dairy. The industrial zones are in scarce supply and should be set aside for industrial activities.	Disallow submission in part, specifically Point 26
Fletcher Building Group	5819-27	Oppose	Business	Amend the Activity Table to provide for 'Dairies' and 'Food bars' to a maximum of 300m <sup>2</sup> GFA as permitted in the Light Industry zone.	A dairy or food bar of 300m <sup>2</sup> in area is large and more closely resembles a small supermarket than a dairy. The industrial zones are in scarce supply and should be set aside for industrial activities.	Disallow submission in part, specifically Point 27
Fletcher Building Group	5819-28	Oppose	Business	Delete the ancillary office threshold for the Heavy Industry zone.	Ancillary offices should not be unlimited in the Heavy Industry zone. Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 28
Fletcher Building Group	5819-29	Oppose	Business	Delete the ancillary office threshold for the Light Industry zone.	Offices should not be unlimited in the Light Industry zone. Industrial zones are for industrial activities and should not allow for activities that could otherwise establish in a general business zone. Supply of industrial land is scarce.	Disallow submission in part, specifically Point 29



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General Trust Board of the Anglican Diocese of Auckland	8932-51	Oppose	Business	Amend Activity table description by increasing the threshold for office activity from 30% to 50% of all buildings as a Restricted Discretionary activity.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 51
General Trust Board of the Anglican Diocese of Auckland	8932-52	Oppose	Business	Amend the Activity table description by increasing the threshold for retail activity from 10% to 30% of all buildings as a permitted activity.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 52
General Trust Board of the Anglican Diocese of Auckland	8932-53	Oppose	Business	Amend the Activity table, activity status for offices not otherwise provided for from Non-Complying to Discretionary.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 53
Giltrap Group Holdings Limited	6269-2	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend the activity status of 'Motor vehicle sales' in the Light Industry zone, from restricted discretionary to permitted.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 2
Greater East Tamaki Business Association Incorporated	2004-32	Oppose	Business	Amend the activity status of Care centres and early childhood learning services activity from discretionary to restricted discretionary activity in the Light Industry zone.	The industrial zones should be set aside for industrial activities, not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 32
Greater East Tamaki Business Association Incorporated Onehunga Business Association Incorporated Wiri Business Association Incorporated	2004-35 2555-35 2466-41	Oppose	Business	Amend the activity status of Education facilities related to industrial activities, from permitted to restricted discretionary in the Heavy Industry zone.	As long as an education facility is related to an industrial activity on site, it should be permitted to operate, as internal training is an important function of operating a successful industrial facility.	Disallow submissions in part, specifically Points 2004-35, 2555-35 & 2466-41
Greater East Tamaki Business Association Incorporated	2004-29 2466-34	Support in part	Business	Amend the Heavy Industry zone Objective 2 and Policy 2 to provide greater clarity and specificity regarding the types of activities discouraged from the zone, by inserting the following clause at the end of both the objective and policy: "(particularly places of worship and including care centres and tertiary education facilities)".	Places of worship are included as "community facilities", however care centres and tertiary education facilities are not technically covered by the definition for "education facilities". It may be more effective for the definitions to be amended then adding onto this objective or policy.	Allow submissions in part, specifically Points 2004-29 & 2466-34
Greater East Tamaki Business Association Incorporated Onehunga Business Association Incorporated	2004-36 2555-36 2466-78	Oppose	Business	Amend the activity status of Education facilities related to industrial activities, from permitted to discretionary in the Light Industry zone.	As long as an education facility is related to an industrial activity on site, it should be permitted to operate, as internal training is an important function of operating a successful industrial facility.	Disallow submissions in part, specifically Points 2004-36, 2555-36 & 2466-78.

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Wiri Business Association Incorporated						
Hauraki Meadows Limited	871-5	Oppose	D3.11 Heavy Industrial zone desc, obs & pois	Retain the Light Industry zone for 2 Woodbine Avenue, Greenlane (as an alternative relief to rezoning requests) but amend the zone objectives, policies and rules to provide for offices that are not accessory to an industrial activity. Refer to submission for details of proposed restrictions.	Industrial zones should be reserved for Industrial activities and not activities that could otherwise locate in a general business zone such as offices.  While the submission appears to seek site specific relief, the actual wording of the relief would have wider implications for the zone as a whole.	Disallow submission in part, specifically Point 5
Janine Bell	3765-3	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend Policy 5 to read: Require development that is adjacent <del>adjacent</del> public open space or residential zones to maintain the amenity values of those places.	While the submission appears to seek site specific relief, the actual wording of the relief would have wider implications for the zone as a whole. O-I NZ seek to ensure that this policy does not compromise the operation of light industrial activities within the Light Industry zone.	Disallow submission in part, specifically Point 3
Janine Bell	3765-5	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend the activity status of 'Dwellings' in the Light Industry zone from Non-complying to Discretionary.	The Industrial zone should be set aside for industrial activities and sensitive activities like dwellings should not be located within the zone.  While the submission appears to seek site specific relief, the actual wording of the relief would have wider implications for the zone as a whole.	Disallow submission in part, specifically Point 5
Janine Bell	3765-16	Oppose	Business	Retain Development control 5.3 Maximum Impervious area.	This provision should be deleted. The stormwater provisions already effectively deal with run-off and this control is unnecessary and only results in a further reduction in available industrial land.	Disallow submission in part, specifically Point 16
KLC Property Limited	5011-13	Oppose	Business	Amend Activity Table to state that "Residential activities" are a non-complying activity in the Heavy Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities. Residential activities are also highly sensitive to industrial activities and are not appropriate for the zone.	Disallow submission in part, specifically Point 13
KLC Property Limited	5011-11	Oppose	Business	Amend to provide for "Large Format Retail" as a Restricted Discretionary Activity subject to retail threshold controls and assessment criteria to protect town centres.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 11
KLC Property Limited	5011-10	Oppose	Business	Amend to provide for "Offices" as a Permitted Activity in the Light Industrial zone, where such offices have frontage onto an arterial route.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 10

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KLC Property Limited	5011-12	Oppose	Business	Amend to state that "Large Format Retail" is a Non-Complying Activity in the Heavy Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 12
KLC Property Limited	5011-14	Oppose	Business	Delete 3.2 and rely on the normal notification tests of the RMA for office, retail and dwellings within the Light Industry zone.	Automatic public notification of office, retail and dwellings within the industrial zones reflects a strong stance that these activities should not be located within the industrial zones. O-I NZ supports the retention of this provision and therefore oppose this submission which seeks its removal.	Disallow submission in part, specifically Point 14
Lincoln Junction Limited	5315-2	Oppose	Business	Delete Policy 2 and replace with Policy 7 from B3.1 to read: "New commercial activities are, where appropriate, to be enabled on identified growth corridors: a) In business, Light Industry and Mixed Use zones, having regard to:....."	Commercial activities should not be earmarked for Light Industry zones.	Disallow submission in part, specifically Point 2
Mahunga Drive Business Association Incorporated	1602-33	Support	Business	Amend Activity Table so that Commercial services activity is a non complying activity in the Light Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Allow submission in part, specifically Point 33
Mahunga Drive Business Association Incorporated	1602-47	Support	Business	Amend Activity Table so that Hospitals are a non complying activity in the Light Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Allow submission in part, specifically Point 47
Mahunga Drive Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-45 2555-34 3031-34	Support	Business	Amend the activity status of Education facilities and Tertiary education facilities not otherwise provided for activity, from discretionary to non complying in the Light Industry zone.	Education facilities ancillary to industrial activities are supported however, otherwise the industrial zones should be set aside for industrial activities, not other types of activities that could locate within other zones.	Allow submissions in part, specifically Points 1602-45, 2555-34 & 3031-34
Mamaku Investment Management Limited	5144-2	Oppose	Business	Amend the activity status for "Storage and lock-up facilities" in Industrial zones from Non-complying to restricted discretionary.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 2
Mangere Lawn Cemetery Trust Board	6764-2	Oppose	Business	Amend to provide for Cemeteries as a Permitted Activity within the Light Industry zone.	Land in the industrial zones is scarce and should be set aside for industrial activities only. Cemeteries can also be land intensive and it would be inappropriate to take up valuable industrial land.	Disallow submission in part, specifically Point 2
Mansons TCLM Limited	3194-5	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend Policy 4(a) as follows: 'Avoid: (a) office activities, <del>except where they are necessary to the primary activity on site where they introduce reverse sensitivity issues (b)...</del> '	Office activities that are not related to an industrial activity should not be located within industrial zones, due to the shortage of industrial land in Auckland. There are many other general business zones where office activities can be located.	Disallow submission in part, specifically Point 5

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Mansons TCIIM Limited	3194-4	Oppose	Business	Amend the Description, as follows: 'Due to the industrial nature of the activities, sensitive activities such as residential-office or retail activities that are not related to the predominant use on-site are not appropriate....' Add new line to the Activity Table, under Commerce, so that 'drive-through restaurants' are listed as a permitted activity in the Light Industry zone. Refer submission for text.	Office activities that are not related to an industrial activity should not be located within industrial zones, due to the shortage of industrial land in Auckland. There are many other general business zones where office activities can be located.	Disallow submission in part, specifically Point 4
McDonalds Restaurants (NZ) Limited	4857-10	Oppose	Business	Amend the activity table for the Heavy Industrial zone to enable distribution of goods, trade supplies and retail activities accessory to an industrial activity whether the goods are manufactured on site or not, as discretionary activities.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 10
Michael R Johnston	3487-3	Oppose	Business	Amend the activity table to provide for retirement villages as a Permitted activity in all zones.	These activities should be directly linked to an industrial activity.	Disallow submission in part, specifically Point 3
Oceania Group	4290-40	Oppose	Business	Amend Activity Table to provide for retirement villages as a Permitted activity in all zones.	Retirement villages are a form of residential living and have the same sensitivity to industrial activity effects as other residential activities. The industrial zones are not an appropriate location for people to live, including the elderly. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 40
PACT Group (New Zealand) Limited	7109-30	Oppose	Business	Insert the following into the activity table as a permitted activity in the Heavy and Light industry zones: <u>Offices not accessory to an industrial activity on the site up to 500m<sup>2</sup> GFA</u>	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for office activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 30
Penrose Business Association	2675-1	Support	Business	Recognise existing heavy industries by zoning their sites Heavy Industry zone.	There are existing industries operating in Auckland that are "heavy industry" by nature but have been zoned as Light Industry. Their continued operation would be better achieved through a Heavy Industry zoning.	Allow submission in part, specifically Point 1
Penrose Business Association	2675-2	Support in part	D3.1.1 Heavy Industrial zone desc, obs & polls	Retain amount of Heavy Industry zone	O-I NZ supports retaining the amount of industrial land currently zoned under the operative District Plans and expanding this if possible. There is a scarcity of industrial land in Auckland, which is recognised in the RPS but is not carried through to the zoning.	Allow submission in part, specifically Point 2

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Piermark Investments Limited	4403-5	Oppose	Business	Provide for Heavy industry and Light Industry for: Retail up to 200m <sup>2</sup> per site as a discretionary activity [text also refers to allowing this as a permitted activity] - see Submission page 3/4 for detail.	Industrial sites should be set aside for Industrial activities not retail.	Disallow submission in part, specifically Point 5
Portage and Waitakere Licensing Trusts and West Auckland Trust Services Limited	3676-4	Oppose	Business	Amend the Light Industry zone provisions to reflect those of the legacy Waitakere District Plan Working Environment controls.	Industrial zones should be saved for Industrial activities not commercial ones.	Disallow submission in part, specifically Point 4
Portage and Waitakere Licensing Trusts and West Auckland Trust Services Limited	3676-2	Oppose	Business	Delete the automatic notification provision 2(1)(a) for office, retail and dwellings specified as Non complying activities in the Light Industry Zone	Automatic public notification of office, retail and dwellings within the Industrial zones reflects a strong stance that these activities should not be located within the industrial zones. O-I NZ supports the retention of this provision and therefore oppose this submission which seeks its removal.	Disallow submission in part, specifically Point 2
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-90	Support	D3.10 Light Industrial zone desc, obs & pols	Add the following new policy: 'Enable the continued operation of existing industrial activities that have the potential to generate odour, dust or noise emissions where the adverse effects are appropriately avoided, remedied or mitigated.'	Support the intent of this proposed policy, as it recognises that existing industrial activities located in the Light Industry zone have potential odour, dust or noise emissions and should be allowed to continue to operate.	Allow submission in part, specifically Point 90
Progressive Enterprises Limited	5723-164	Oppose	Business	Add a new policy after Policy 1 as follows: '(2) Enable a range of commercial activities that are either: (a) difficult to accommodate within centres due to their scale and functional requirements, or (b) are more appropriately located outside of the City Centre, Metropolitan Centre or Town Centre zones.'	Industry zones should be set aside for industrial activities as already there is little provision within the PAUP for these activities.	Disallow submission in part, specifically Point 164
Progressive Enterprises Limited	5723-170	Oppose	D3.11 Heavy Industrial zone desc, obs & pols	Add a new policy, after Policy 1, as follows: '(2) Enable a range of commercial activities that are either: (a) difficult to accommodate within centres due to their scale and functional requirements, or (b) are more appropriately located outside of the City Centre, Metropolitan Centre or Town Centre zones.'	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for commercial activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 170
Progressive Enterprises Limited	5723-298	Oppose	D3.11 Heavy Industrial zone desc, obs & pols	Add to the Activity table a new activity 'Supermarkets' and assign a discretionary activity status in the Heavy Industry zone.	Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for commercial activities, including supermarkets, that are land intensive and that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully	Disallow submission in part, specifically Point 298

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Progressive Enterprises Limited	5723-299	Oppose	Business	Add to the Activity table a new activity 'Supermarkets' and assign a restricted discretionary activity status in the Light Industry zone.	established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 299
Progressive Enterprises Limited	5723-171	Oppose	D3.1.1 Heavy Industrial zone desc, obs & pols	Amend Policy 2 as follows: 'Prevent' Discourage activities which do not support the primary function of the zone, such as:...	The policy wording of 'prevent' reflects the higher level RPS provisions about protecting industrial land for industrial activities.	Disallow submission in part, specifically Point 171
Progressive Enterprises Limited	5723-172	Oppose	D3.1.1 Heavy Industrial zone desc, obs & pols	Amend Policy 2(c) as follows: 'Prevent' Discourage activities which do not support the primary function of the zone, such as: (c) retail activities other than the supply of food and groceries intended to serve the local worker population.'	The policy wording of 'prevent' reflects the higher level RPS provisions about protecting industrial land for industrial activities.	Disallow submission in part, specifically Point 172
Progressive Enterprises Limited	5723-173	Oppose	D3.1.1 Heavy Industrial zone desc, obs & pols	Amend Policy 2(d) as follows: 'Prevent' Discourage activities which do not support the primary function of the zone, such as: (d) the establishment of commercial activities that do not have a functional requirement for example due to size and scale, or objectionable emissions of odour, dust and noise) to be located within the Heavy Industrial zone.'	The policy wording of 'prevent' reflects the higher level RPS provisions about protecting industrial land for industrial activities. Additionally, the intent of the amendment is unclear.	Disallow submission in part, specifically Point 173
Progressive Enterprises Limited	5723-165	Oppose	D3.1.0 Light Industrial zone desc, obs & pols	Amend Policy 3 as follows: 'Limit' Encourage the following retail activities in the zone: ...'	The policy wording of 'limit' reflects the higher level RPS provisions about protecting industrial land for industrial activities.	Disallow submission in part, specifically Point 165
Progressive Enterprises Limited	5723-166	Oppose	D3.1.0 Light Industrial zone desc, obs & pols	Amend Policy 3(a) as follows: 'Limit' Encourage the following retail activities in the zone: (a) convenience retail that serves the local worker population..'	The policy wording of 'limit' reflects the higher level RPS provisions about protecting industrial land for industrial activities.	Disallow submission in part, specifically Point 166
Progressive Enterprises Limited	5723-169	Oppose	D3.1.0 Light Industrial zone desc, obs & pols	Delete Objective 2(b) which is about protecting the zone from the encroachment of commercial activities more suited to other business zones.	This objective is supported. Industrial land is scarce and should be set aside for industry purposes, particularly with regards to activities which could locate in other zones.	Disallow submission in part, specifically Point 169

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Quadrant Properties Limited	4820-7	Oppose	Business	Amend the Activity Table to provide for Large Format Retailing and residential activities as a Non complying activity in the Heavy Industry zone.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 7	
Quadrant Properties Limited	4820-6	Oppose	Business	Amend the Activity Table to provide for Large Format Retailing as a Restricted discretionary activity subject to retail threshold controls and assessment criteria to protect town centres.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 6	
Quadrant Properties Limited	4820-5	Oppose	Business	Amend the Activity Table to provide for Offices as a permitted activity in the Light Industry zone where they have frontage to an arterial route.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 5	
Ross Holdings Limited	4804-31	Oppose	Business	Amend the Activity Table for 'Storage and lock-up facilities' from a Discretionary to a Permitted Activity in the Light Industry zone.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 31	
Ross Holdings Limited	4804-30	Oppose	D3:10 Light Industrial zone desc, obs & pols	Amend the Activity Table to include 'healthcare' as a Discretionary Activity in the Light Industry zone.	Healthcare activities have the potential to create reverse sensitivity effects on industrial activities operating in the zone.	Disallow submission in part, specifically Point 30	
Stevenson Group Limited	3682-189	Oppose	Business	Add new line to Activity table as follows: 'Offices not accessory to an industrial activity on the site up to 500m <sup>2</sup> GFA' as a permitted activity. [p 62/111 vol 3]	Offices can locate in a general business zone and should not take up scarce industrial land.	Disallow submission in part, specifically Point 189	
Stevenson Group Limited	3682-190	Oppose	Business	Add new line to Activity table as follows: 'Retail, up to 450m <sup>2</sup> GFA per tenancy which is not otherwise provided for' as a discretionary activity [currently non-complying]. [p 62/111 vol 3]	The industrial zones are not the correct place for retail activities to establish themselves. Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 190	
Stevenson Group Limited	3682-131	Oppose	D3:10 Light Industrial zone desc, obs & pols	Amend Policy 4 as follows; '4. Avoid: a. office activities, except where they are accessory to the primary activity on-site or provide commercial services to the local industrial activities.' [p 43/111 vol 3]	This wording could be interpreted broadly to cover a variety of activities and could result in valuable industrial land being used for commercial activities that have no requirement to be located in the zone.	Disallow submission in part, specifically Point 131	
Summerset Group Holdings Limited	6650-72	Oppose	Business	Amend activity statuses for activities in the Light Industry zone to align with the Business 4 zone of the Isthmus section of the Auckland City District Plan.	The Light Industry zone is more aligned with the Business 5 zone in the Isthmus Plan not Business 4, which was a Mixed Use zone.	Disallow submission in part, specifically Point 72	

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Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Summerset Group Holdings Limited	6650-71	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend activity table to make retirement villages a discretionary activity in the Light Industry zone.	The industrial zones are not an appropriate location for people to live, including the elderly. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 71
Summerset Group Holdings Limited	6650-122	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend activity table to provide for retirement villages as a discretionary activity in the Light Industry zone.	The industrial zones are not an appropriate location for people to live, including the elderly. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 122
Summerset Group Holdings Limited	6650-73	Oppose	Business	Amend Policy 4 'Avoid: a office activities, except where they are accessory to the primary activity on-site b. residential activities other than for persons whose duties require them to live on-site and retirement villages.'	The industrial zones are not an appropriate location for people to live, including the elderly. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 73
Summerset Group Holdings Limited	6650-135	Oppose	Business	Amend Rule 4.20 'Dwellings, visitor accommodation and boarding houses' by adding the following '4. Rule 3.4.20 does not apply to retirement village activities. Refer to specific retirement village activity Rule XX in Chapter H: Auckland Wide Rules.'	Retirement villages are a form of residential living and have the same sensitivity to industrial activity effects as other residential activities. The industrial zones are not an appropriate location for people to live, including the elderly. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 135
Summerset Group Holdings Limited	6650-70	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend zone description to read 'Due to the industrial nature of the activities, sensitive activities such as residential, office or retail activities that are not related to the predominant use on-site are not appropriate. An exception is made for trade suppliers, motor vehicle sales and garden centres, and retirement villages which may locate in the zone subject to location and traffic considerations.'	Retirement villages are equally (and perhaps more) sensitive to industrial activities. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 70
Summerset Group Holdings Limited	6650-68	Oppose	Business	Amend zone description to read 'With the exception of retirement villages, residential activity is also not envisaged due to the presence of light industrial activities and the need to preserve land for out-of-centre commercial opportunities.'	Retirement villages are equally (and perhaps more) sensitive to industrial activities. In addition, industrial land is scarce and should be set aside for industry purposes.	Disallow submission in part, specifically Point 68
Tegel Foods Limited	5657-5	Support	D3.10 Light Industrial zone desc, obs & pois	Add a new policy to read: 'Enable the continued operation of existing industrial activities that have the potential to generate odour, dust or noise emissions where the adverse effects are appropriately avoided, remedied or mitigated.'	O-I NZ supports the intent of the provision, which is to provide for established activities in areas zoned as Light Industry, many of which have air discharges due to the nature of the activities carried out on site.	Allow submission in part, specifically Point 5

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
The Church of Jesus Christ of Latter-day Saints Trust Board	7344-26	Oppose	D3.11 Heavy Industrial zone desc, obs & pols	Amend activity status for community facilities to Permitted (from Discretionary) in Light Industry zone.	Community facilities should be non-complying in the industrial zones, due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for industrial activities.	Disallow submission in part, specifically Point 26
The National Trading Company of New Zealand Limited	2632-49	Support	Business	Add the following activity to the Heavy Industry zone, 'Supermarkets' and assign it the activity status of prohibited.	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not supermarkets which can be located in other general business zones.	Allow submission in part, specifically Point 49
The National Trading Company of New Zealand Limited	2632-50	Oppose	Business	Add the following activity to the Light Industry zone, 'Supermarkets' and change the activity status from non-complying to discretionary.	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not supermarkets which can be located in other general business zones.	Disallow submission in part, specifically Point 50
The National Trading Company of New Zealand Limited	2632-42	Oppose	Business	Amend Policy 3, as in some cases it may be appropriate for other retail activities to locate in the zone as follows: <del>Light</del> Enable the following retail activities in the zone: (a) convenience retail that serves the local worker population (b) trade suppliers, service stations, motor vehicle sales and garden centres.	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not retail which can be located in other general business zones.	Disallow submission in part, specifically Point 42
The National Trading Company of New Zealand Limited	2632-48	Oppose	D3.10 Light Industrial zone desc, obs & pols	Amend the activity class as follows: 'Large format retail (excluding supermarkets)'.	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not retail which can be located in other general business zones.	Disallow submission in part, specifically Point 48
The National Trading Company of New Zealand Limited	2632-56	Oppose	Business	Amend the Unitary Plan to recognise and provide for supermarkets as stated in the submission (volume 1, page 8/40).	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not retail which can be located in other general business zones.	Disallow submission in part, specifically Point 56
The New Zealand Institute of Architects	5280-33	Oppose	Business	Add a new objective: Single retail stores that are greater than 4500m2 and sell predominantly bulky goods that are purchased infrequently will be provided for in managed locations	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 33
The New Zealand Institute of Architects	5280-86	Oppose	D3.10 Light Industrial zone desc, obs & pols	Add two activities to the Activity Table for Light Industry zone as follows: Add as a Discretionary activity "Retail stores over 4500m2 GFA in a single tenancy and sell predominantly bulky goods that are purchased infrequently". Add as a Non Complying Activity "Supermarkets and Department Stores".	The industrial zones are not appropriate for retail and supermarket activities to establish themselves. Industrial zoned land is in very scarce supply in Auckland and particularly under the PAUP. This land should not be allowed to be utilised for activities that could otherwise locate in one of the many business zones provided under the PAUP. Such uses can create restrictions and reverse sensitivity effects on lawfully established industrial facilities operating in the zone and have nowhere else to locate in the region.	Disallow submission in part, specifically Point 86

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
The University of Auckland	5662-95	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend Activity table [Industrial] to include the activity 'Tertiary Education Facility' as a permitted activity in all business zones.	There is a shortage of industrial land under the PAUP. Land zoned for industry should be set aside for industrial activities only. In addition, sensitive activities such as Tertiary Education facilities should not be introduced to industrial zones.	Disallow submission in part, specifically Point 95
The University of Auckland	5662-94	Oppose	Business	Amend Activity table to include the activity 'Tertiary Education Facility' as a permitted activity in all business zones.	There is a shortage of industrial land under the PAUP. Land zoned for industry should be set aside for industrial activities only. In addition, sensitive activities such as Tertiary Education facilities should not be introduced to industrial zones.	Disallow submission in part, specifically Point 94
The Urban Design Forum New Zealand	5277-36	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add a new objective: <u>Single retail stores that are greater than 4500m<sup>2</sup> and sell predominantly bulky goods that are purchased infrequently will be provided for in managed locations.</u>	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 36
The Urban Design Forum New Zealand	5277-88	Oppose	D3.10 Light Industrial zone desc, obs & pois	Add two activities to the Activity Table for Light Industrial zone as follows: Add as a Discretionary activity "Retail stores over 4500m <sup>2</sup> GFA in a single tenancy and sell predominantly bulky goods that are purchased infrequently". Add as a Non-Complying Activity "Supermarkets and Department Stores".	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 88
The Warehouse Limited	2748-79	Oppose	D3.10 Light Industrial zone desc, obs & pois	Amend Policy 3, as follows: <u>Limit Enable the following retail activities in the zone to: (a) convenience retail that serves the local worker population (b) trade suppliers, service stations, motor vehicle sales and garden centres.</u>	Industrial zones are scarce under the PAUP and should be reserved for industrial activities only not retail which can be located in other general business zones.	Disallow submission in part, specifically Point 79
Toa Greening	3371-13	Oppose	D3.11 Heavy Industrial zone desc, obs & pois	Add a new zone to act as a rural, light commercial or light industrial zone buffer of at least 500 metres between residential zones and heavy industrial zones	Existing industry should be protected and allowed to operate in industrial zones. In some cases, heavy industry and residential zones have historically developed over time in close proximity to each other.  We note that O-I NZ seeks the deletion of the Air Quality - Industry Transition Overlay which provides a buffer, as it effectively limits activities with discharges to air inside the Heavy Industry zone. O-I NZ considers that the Air Quality - Sensitive Activity Restriction Overlay should be used to achieve required separation distances between industry and sensitive receptors.	Disallow submission in part, specifically Point 13
Toa Greening	3371-12	Oppose	Business	Prohibit heavy industrial zones next to residential zones	Existing industry should be protected and allowed to operate. In some cases, heavy industry and residential zones have	Disallow submission in part, specifically Point 12

Theme: Business (not City Centre)							
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought	
Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	5566-143	Oppose	Business	Amend Rule 3.1 Activity tables to provide for commercial (office) activities up to 500m2 GFA as permitted activities in the Light Industry zone.	historically developed over time in close proximity to each other.  Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 143	
Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	5566-144	Oppose	Business	Amend Rule 3.1 Activity tables to provide for commercial (office) activities over 500m2 GFA as restricted discretionary activities in the Light Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 144	
Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	5566-142	Oppose	Business	Amend Rule 3.1 Activity tables, to provide for retail activities up to 500m2 GFA as permitted activities in the Light Industry zone.	Land available for industrial activities is scarce and should not be utilised for non-industrial activities.	Disallow submission in part, specifically Point 142	
Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	5566-137	Oppose	Business	Amend Rule Activity table so that activities in the Mixed Use and Light Industry zones that are not provided for as permitted activities are restricted discretionary activities and applications will be considered without public or limited notification or the need to obtain written approval from affected parties.	There are many activities that are not appropriate within the Light Industry zone and they can have significant reverse sensitivity effects on industrial activities operating within the zone.	Disallow submission in part, specifically Point 137	
Trevor Baker and Mary Anna Smith Family Trust	5540-2	Oppose	Overlay E4.5 Identified Growth Corridor	Permit retail activity in the Light Industry zone as it applies to Barry's Point Road, Takapuna.	Industrial zones should be reserved for Industrial activities and not activities that could otherwise locate in a general business zone such as offices.  While the submission appears to seek site specific relief, the actual wording of the relief would have wider implications for the zone as a whole.	Disallow submission in part, specifically Point 2	
Trust Management on behalf of Saint Johns College Trust Board et al	6785-40	Oppose	Business	Amend the Activity Table by increasing the threshold for retail activity from 10% to 30% of all buildings as a Permitted activity.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for Industrial activities.	Disallow submission in part, specifically Point 40	
Trust Management on behalf of Saint Johns College Trust Board et al	6785-39	Oppose	Business	Amend the Activity Table by increasing the threshold for office activity from 30% to 50% of all buildings as a Restricted Discretionary activity.	This is opposed due to potential reverse sensitivity effects and the scarce supply of industrial land which should be set aside for Industrial activities.	Disallow submission in part, specifically Point 39	

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Theme: Business (not City Centre)						
Name of submitter	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Udy Investments Limited	2955-2	Oppose	Business	Delete Rule 2.1 and make the establishment of office, retail and dwellings subject to the normal notification tests of the RMA within the Light Industrial Zone.	Automatic public notification of office, retail and dwellings within the industrial zones reflects a strong stance that these activities should not be located within the industrial zones. O-1 NZ supports the retention of this provision and therefore oppose this submission which seeks its removal.	Disallow submission in part, specifically Point 2
Wiri Business Association Incorporated	2466-76	Oppose	Business	Amend the activity status of Care centres and Early childhood learning services activity from discretionary to restricted discretionary in the Light Industry zone.	The industrial zones should be set aside for industrial activities; not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 76
Wiri Business Association Incorporated	2466-77	Oppose	Business	Amend the activity status of Education facilities and Tertiary education facilities not otherwise provided for activity, from discretionary to restricted discretionary in the Light Industry zone.	The industrial zones should be set aside for industrial activities, not other types of activities that could locate within other zones.	Disallow submission in part, specifically Point 77
Wiri Oil Services Limited	5682-13	Oppose	Business	Delete the permitted activity status for Education facilities accessory to industrial activities.	As long as an education facility is related to an industrial activity on site, it should be permitted to operate, as internal training is an important function of operating a successful industrial facility.	Disallow submission in part, specifically Point 13
Wiri Oil Services Limited	5682-15	Support	Business	Amend rule to include a requirement that applications for office, retail and dwellings in the Heavy Industry zone as well as the Light Industry zone will be publicly notified.	O-1 NZ would general support automatic public notification of office, retail and dwellings within the industrial zones as this reflects a strong stance that these activities should not be located within the industrial zones.	Allow submission in part, specifically Point 15

Theme: Definitions					
Name	Sub#/ Point	Support/Oppose the original submission	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
AMP Capital Property Portfolio Limited	2575-62	Oppose	Amend the definition of Activities sensitive to noise, as follows: 'Activities sensitive to high levels of transport noise being any dwellings, visitor accommodation, boarding houses, retirement villages, supported residential care, care centres, class rooms in education facilities and hospital night wards.'	This request is to limit the definition only to transport noise. However noise can be generated from other activities and activities sensitive to noise from industry should also be considered to be sensitive.	Disallow submission in part, specifically Point 62
Auckland Council	5716-364	Oppose	Amend the definition of 'Large format retail' to add garden centres, marine retail and motor vehicle sales to the list of exclusions.	Garden centres, marine retail and motor vehicle sales would appropriately fit under the 'Large format retail' definition, as they are retail activities which tend to require over 450m <sup>2</sup> GFA to operate.	Disallow submission in part, specifically Point 364
Bunnings Limited	6096-84	Oppose	Amend definition of Trade suppliers as follows; 'A business engaged in sales to businesses and institutional customers and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following categories:... -home furnishing, including cleaning and storage suppliers... -lifestyle including leisure, BBQ/ outdoor furniture suppliers.	Large retail outlets that sell home furnishing and other products directly to the general public cannot be defined as 'trade suppliers' and instead more accurately align with the description for retail.	Disallow submission in part, specifically Point 84
Bunnings Limited	6096-82	Oppose	Amend the definition of 'industrial activities' as follows; 'The manufacturing, assembly, packaging, wholesaling or storage of products or the processing of raw materials or the operation of distribution centres and other accessory activities.' [refer also to submission point 23 on p 12/32]	'Industrial activities' need to be clearly defined, to be able to give proper effect to the objectives and policies of the zones and achieve the desired outcomes. The inclusion of distribution centres into the 'industrial activities' definition adds an additional activity which may not be appropriate within industrial zones, particularly given the scarcity of industrial land for traditional industry. Moreover, 'distribution centres' are not defined in the PAUP so it is not clear what activities may be included.	Disallow submission in part, specifically Point 82
Bunnings Limited	6096-83	Oppose	Amend the definition of retail as follows; 'Selling goods to the general public. Excludes: - Trade suppliers.'	This change is not consistent with the definition of 'trade suppliers' being "A business engaged in sales to businesses and institutional customers and may also include sales to the general public..."	Disallow submission in part, specifically Point 83
Hugh Green Limited	5259-82	Oppose	Add a new definition for 'convenience retail': 'Any individual shop tenancy with a floor area greater than 100m <sup>2</sup> GFA where the tenancy is created freehold, leasehold, licence or any other arrangement to occupy. This includes: Restaurants and Cafes, Dairies and Commercial Services.'	There is already a definition for Dairies in the PAUP, which specifically excludes restaurants, cafes and supermarkets. This proposed definition is too wide ranging, with no upper GFA limit. It could cover a wide range of activities, which each generate very different effects.	Disallow submission in part, specifically Point 82

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Theme: Definitions					
Name	Sub# / Point	Support/Oppose the original submission	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Hugh Green Limited	5259-175	Oppose	Add 'Heavy Vehicle Sales and Servicing' under "Industrial Activities" in the nesting table.	The industrial activities definition already includes "repair and maintenance services". There is no need for such a specific request.	Disallow submission in part, specifically Point 175
Hugh Green Limited	5259-89	Oppose	Amend the definition of 'industrial activities' to include Heavy Vehicle Sales and Servicing.	The 'industrial activities' definition already includes "repair and maintenance services". There is no need for such a specific request.	Disallow submission in part, specifically Point 89
Infratil Infrastructure Property Limited	4136-1	Oppose	Amend the 'industry nesting table' to include 'public transport depots'.	Many public transport depots are within urban retail/commercial environments and are not industrial activities.	Disallow submission in part, specifically Point 1
Kiwi Income Property Trust and Kiwi Property Holdings Limited	5253-23	Oppose	Amend the definition of 'large format retail' to: 'any individual shop tenancy with a floor area greater than 1,000m <sup>2</sup> 450-m <sup>2</sup> , where the tenancy is created by freehold, leasehold...'	Oppose the expansion of the floor area in the definition of 'large format retail'. 450m <sup>2</sup> is an appropriate area and constitutes a large retail outlet.	Disallow submission in part, specifically Point 23
Ports of Auckland Limited	5137-534	Support	Amend the definition of 'activities sensitive to air discharges' as follows: 'Activities sensitive to reduced air quality amenity.'	The suggested change is appropriate to clarify that some activities are more sensitive to amenity effects, while health based air quality standards and guidelines apply everywhere.	Allow submission in part, specifically Point 534
Rockgas Limited	6257-22	Oppose	Amend the definitions of 'industrial activities' and 'repair and maintenance services'. See submission page 22/29 for suggested amendment.	The insertion of 'servicing, testing and repair' of products is not appropriate within the definition of industrial activities.	Disallow submission in part, specifically Point 22
Sanford Limited	3416-32	Oppose	Amend the definition of 'Marine retail': The sale or hire of boats, wholesale and retail sale of fish, and accessory goods and services. Includes accessory offices, retail sale of fish associated with fish processing and coolstores, chandleries, boat yards, and residential accommodation for people whose duties require living on site.'	Oppose to the extent that 'Marine retail' is proposed as a restricted discretionary activity within the Light Industry zone by the Auckland Council submission. Therefore the extended definition of 'marine retail', particularly retail sale of fish, fish processing and coolstores, could introduce sensitive activities into industry zones.	Disallow submission in part, specifically Point 32
Stevenson Group Limited Carter Holt Harvey Limited Auckland International Airport Limited Board of Airline Representatives of New Zealand Incorporated	3682-210 5791-58 5294-324 5128-128	Support	Amend definition of 'Reverse sensitivity' as follows: 'The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the pre-existing activity.'	The suggested change to the definition is of reverse sensitivity is appropriate and reflects a genuine concern for large businesses and / or commercial operators.	Allow submissions in part, specifically Points 3682-210, 5791-58, 5294-324 & 5128-128
The National Trading Company of New Zealand Limited	2632-205	Oppose	Amend the definition of 'Trade suppliers' by adding a ninth bullet point, as follows: 'Wholesale grocery, domestic and merchandise suppliers.'	The sale of food and beverages is separately defined as should not be included as 'trade supply'. There would be a risk in this definition of wholesale supermarkets establishing themselves as 'trade suppliers' when in reality they are selling to the general public as a traditional supermarket.	Disallow submission in part, specifically Point 205

Theme: Definitions					
Name	Sub#/ Point	Support/Oppose the original submission	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
The New Zealand Institute of Architects The Urban Design Forum New Zealand	5280-107 5277-387	Oppose	Amend the definition of Large Format Retail to read: Any individual shop tenancy with a floor area greater than 4500m <sup>2</sup> , where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy.	Oppose the expansion of the floor area in the definition of 'large format retail'. 450m <sup>2</sup> is an appropriate area and constitutes a large retail outlet.	Disallow submissions in part, specifically Points 5280-107 & 5277-387
The New Zealand Refining Company Limited	4734-40	Support	Add new definition 'Activities sensitive to hazardous facilities' Includes: Dwellings Care centres Hospitals Healthcare facilities with an overnight stay facility Education facilities Marae complex Community facilities Entertainment facilities Visitor accommodation Retirement villages Workers accommodation Tertiary education facilities	This definition is appropriate and could aid in restricting the establishment of sensitive activities within areas where industry operates.	Allow submission in part, specifically Point 40
Transpacific Industries Group (New Zealand) Limited	877-143	Support	Amend 'Activities sensitive to air discharges' to add high intensity residential activities to the definition. Refer to submission for proposed changes. [p 5/23 vol 17]	The suggested change to the definition is appropriate and reflects a true concern for large businesses or commercial operators.	Allow submission in part, specifically Point 143
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited Wiri Oil Services Limited	3678-65 5682-31	Support	Add a definition for 'activities sensitive to hazardous substances'. See suggested wording on page 11/39, volume 5/9 of submission.	This definition is appropriate and could aid in restricting the establishment of sensitive activities within areas where industry operates.	Allow submissions in part, specifically Points 65

Theme: General Topic: Chapter G General provisions							
Name	Sub#/Point	Support/Oppose the original submission	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought	
Fletcher Residential Limited	1731-76	Support	G2.4 Notification	Retain rule 2.4.	O-I NZ supports the retention of the notification rules as drafted, as they are consistent with the RMA and current planning practice.	Allow submission in part, specifically Point 76	
Firth Industries Division (Firth) - Fletcher Concrete and Infrastructure Limited	1831-17	Support	G2.4 Notification	Retain rule 2.4.	O-I NZ supports the retention of the notification rules as drafted, as they are consistent with the RMA and current planning practice.	Allow submission in part, specifically Point 17	

Theme: Hazardous substances and Industrial Trade Activities (ITA)									
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per the AC summary)	Subtopic (as per the AC summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought		
Ardmore Airport Limited	5659-30	Support	Hazardous substances	H4.6.1 Activity table	Amend the hazardous substances rules to reflect the approach to managing hazardous substances under most of the legacy district plans (i.e. the Hazardous Facilities Screening Procedure).	The Hazardous Facilities Screening Procedure process is currently in use and is considered an appropriate assessment tool as it involves detailed evaluation and consultation and considers the overall risk from sites.	Allow submission in part, specifically Point 30		
Auckland Council	5716-2447	Support	Industrial and Trade activities (ITA)	H4.8.4 Table of ITAs	Amend Table 3 column 5 to specify the date of notification of the PAUP, as 30 September 2013.	This amendment reflects the date of notification of the PAUP.	Allow submission in part, specifically Point 2447		
Auckland Regional Public Health Service	6100-149	Oppose	Hazardous substances	H4.6.1 Activity table	Ensure greater control around the location of hazardous substances with respect to environmental, human health and water quality risk.	The existing controls enable the risk from facilities to be assessed. If the effects on the environment, human health and water quality cannot be adequately mitigated, then consent will not be granted.	Disallow submission in part, specifically Point 149		
EnviroWaste Services Limited	5844-19	Oppose	Industrial and Trade activities (ITA)	H4.8.1 Activity table	Amend activity table to change the timeframe from 'at notification date of the Unitary Plan' to 'October 2001'.	The date in this activity table should reflect the date of notification of the PAUP and not previous planning documents.	Disallow submission in part, specifically Point 19		
Fletcher Building Group	5819-35	Support	Hazardous substances	C5.7 Background, objectives and policies	Amend the rules to set appropriate thresholds for the Light Industry and Heavy Industry zones, refer submission page 13/20 [refer also point number 34].	The current thresholds are not appropriate and O-I NZ supports setting appropriate thresholds.	Allow submission in part, specifically Point 35		
Horticulture New Zealand: Pukekohe Vegetable Growers Association	5431-127	Oppose	Hazardous substances	C5.7 Background, objectives and policies	Amend to replace references to 'hazardous facilities' with 'hazardous substances'.	The rules apply to 'hazardous facilities' which has a specific definition, which is different to hazardous substances. This change would affect O-I-NZ's site as it is not currently classified as a hazardous facility, but it does have and use hazardous substances.	Disallow submission in part, specifically Point 127		
Mighty River Power Limited	836-110	Support	Hazardous substances	H4.6.1 Activity table	Amend the Managing Hazardous Substances rules for industrial activities that hold environmentally hazardous substances at quantities greater than that which is used for domestic purposes and that have developed an Emergency Spill Response Plan and Environmental Management Plan to be permitted activities.	Where the hazardous substances are only environmentally hazardous substances and used at an ITA, the ITA provisions already implement controls so without amendment these provisions would duplicate the ITA provisions.	Allow submission in part, specifically Point 110		
New Zealand Defence Force	838-266	Support	Industrial and Trade activities (ITA)	H4.8.1 Activity table	Amend the Industrial or Trade Activities and stormwater management sections of the PAUP to ensure that these sections clearly and appropriately work together and that there are rules to address the discharge of contaminants as required by section 15 of the RMA.	Clarity between the ITA and stormwater management rules is essential to ensure there is no duplication of requirements and that the obligations for site operators are clear.	Allow submission in part, specifically Point 266		

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Theme: Hazardous substances and Industrial Trade Activities (ITA)							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per the AC summary)	Subtopic (as per the AC summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
New Zealand Defence Force	838-270	Support	Industrial and Trade activities (ITA)	H4.8.2 Controls/ H4.8.3 Assessment	Amend permitted activity control 2.1.1(2) 'General', so that unlisted and low risk ITAs are not required to prepare an environmental management plan.	Low risk sites have already been identified as having a low risk of effects on the environment from activities. Therefore, there is limited value in requiring an Environmental Management Plan. It is considered appropriate to require a Spill Response Plan if storing environmentally hazardous substances.	Allow submission in part, specifically Point 270
New Zealand Defence Force	838-271	Support	Industrial and Trade activities (ITA)	H4.8.2 Controls/ H4.8.3 Assessment	Amend the permitted activity controls in 2.1.2 'Moderate risk ITA sites', to refer to 'stored environmentally hazardous substances' only. For example, amend control (4) to read 'For environmentally hazardous substances stored in quantities not covered by Part 4...'	The requirements relate to preparation of spill response plan and storage requirements for substances and therefore should only relate to the storage and not use.	Allow submission in part, specifically Point 271
New Zealand Steel Limited Stolthaven Australia Propriety Limited	868-65 5735-12	Support	Industrial and Trade activities (ITA)	H4.8.1 Activity table	Amend 'Consented existing high risk ITAs' activity within 1. Activity Table as follows: Use of land and associated discharge for a high risk ITA that is authorised by a resource consent listed in Table 4 of a resource consent to discharge contaminants onto or into land from an industrial or Trade Process (or Activity) that was granted under the provisions of the Auckland Regional Plan: Air, Land and Water, and for which the specified consent has not expired or may be exercised under s. 124(1) and (3) of the RMA	Activities that obtained resource consents for ITAs under the provisions of the Auckland Regional Plan should continue to be controlled via those consents until they expire, without the need to obtain additional consents under these new provisions.	Allow submissions in part, specifically Points 868-65 & 5735-12
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-162	Support	Industrial and Trade activities (ITA)	H4.8.1 Activity table	Add new permitted activity to read: 'Consented existing high risk Industrial and Trade Activities: Use of land and associated discharge for a high risk Industrial and Trade Activities that is authorised by a resource consent listed in Table 4 and for which the specified consent has not expired or may be exercised under s. 124(1) and (3) of the RMA.'	Activities that obtained resource consents for ITAs under the provisions of the Auckland Regional Plan should continue to be controlled via those consents until they expire, without the need to obtain additional consents under these new provisions.	Allow submission in part, specifically Point 162
Stevenson Group Limited	3682-170	Support	Industrial and Trade activities (ITA)	H4.8.4 Table of ITAs	Amend Table 2 Environmental management plan requirements, item iii as follows: 'Set out the methods to be used to avoid discharges of environmentally hazardous substances onto or into land or water where practicable and remedy or mitigate such discharges where they cannot be avoided.' (p 58/111 Vol 3)	Discharges may not be able to be avoided in all situations and the ability to remedy or mitigate is appropriate, as indicated by (iv) in the table.	Allow submission in part, specifically Point 170

Theme: Hazardous substances and Industrial Trade Activities (ITA)									
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per the AC summary)	Subtopic (as per the AC summary)	Particular parts of the original submission that O-J NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought		
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-73	Support	Hazardous substances	H4.6.1 Activity table	Amend to provide a default to discretionary, rather than non-complying activity status, for all hazardous substances where the relevant quantity threshold is not met. See suggested wording on page 26/39, volume 5/9 of submission.	The current default status of non-complying is unnecessarily onerous and a default status of discretionary, within the quantity threshold, would be more appropriate.	Allow submission in part, specifically Point 73		
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-13	Support	Industrial and Trade activities (ITA)	H4.8.1 Activity table	Amend the rules to clearly sanction diversions and discharges of stormwater from ITA areas that may include environmentally hazardous substances, where they meet the provisions for Industrial and trade activities.	There are no rules in the plan to permit discharges to land from ITAs (currently controlled via the ITA rules under the Auckland Council Regional Plan: Air, Land and Water) but it is clear that these rules are intended to do so.	Allow submission in part, specifically Point 13		



Theme: Natural Hazards and Flooding Topic: Flooding						
Name	Sub#/ Point	Support/Oppose the original submission	Subtopic (as per Council summary)	Particular parts of the original submission that we support/oppose	Reasons for support/opposition to the original submission	Relief sought
Mighty River Power Limited	836-79	Support	C5.13 Background, objectives and policies	Amend Objective 1 to read: 'New development vulnerable to the adverse effects of flooding does not occur in areas at risk of flooding within the Flood Plain hazard other than in the specific circumstances specified in the policies below.'	O- NZ support the acknowledgement that some development or redevelopment in flood plains may be acceptable provided the risks are managed.	Allow submission in part, specifically Point 79
Fonterra Co-operative Group Limited	6087-17	Support	H4.12 Rules	Amend activity in activity table to read 'Storage of material in any zone including the storage of hazardous substances where the amount of hazardous substances would be permitted by the hazardous rules apply to the residential zones.'	The storage of hazardous substances is appropriate provided controls such as bunding are used to avoid any effects due to flooding.	Allow submission in part, specifically Point 17
Fonterra Co-operative Group Limited	6087-18	Support	H4.12 Rules	Delete the activity 'Storage of hazardous substances in any zone where the amount would not be permitted by the hazardous substances rules applying to the residential zones.'	The hazardous substance rules are designed to address different hazards not specific to flooding. Therefore, they are not an appropriate tool to use within the flooding rules. The storage of hazardous substance can also be managed to avoid risks and should not be included in the rules.	Allow submission in part, specifically Point 18
Mighty River Power Limited	836-115	Support in part	H4.12 Rules	Amend the activity table, row 22 to read: 'Storage of hazardous substances in any zone where the amount would not be permitted by the hazardous substances rules applying to the residential zones – Discretionary activity (excluding existing consented Industrial Trade Activities)'	O- NZ supports the clear exclusion of Industrial Trade Activities (ITAs) from the Flooding activity table, as these should be provided for by the ITA rules however, the activity table should exclude all Industrial Trade Activities and not just existing consented Industrial Trade Activities,	Allow submission in part, specifically Point 115, but exclude all existing ITAs and not just existing consented ITAs.

Theme: Regional Policy Statement							
Name	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Andrew Walters	9072-4	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend growth strategy to make better use of current inner industrial land for brownfield redevelopments, and encourage more industry in outer areas.	Established industrial areas such as Penrose generally accommodate land-intensive activities that are strategically located to take advantage of supply chain linkages. Industrial land in Auckland is scarce and O-I NZ has made a significant investment in operating their business in Penrose, which is an industrial zone.	Disallow submission in part, in particular Point 4
Brendan and Natalie Doherty	4680-2	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Rezoned Light Industry areas near rail lines and other transit routes to Mixed Use	A number of established industries are strategically located to take advantage of supply chain linkages, such as rail lines. The re-zoning of these areas to Mixed Use would create significant operational uncertainties for industry.	Disallow submission in part, in particular Point 2
Carter Holt Harvey Limited Wilson Hellaby Group of Companies	5791-8 4112-8	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Add new objectives as follows 'Industrial activities are protected from reverse sensitivity effects and incompatible subdivision, use and development' and 'The locational or function-based requirements of industrial activities are recognised'.	O-I NZ supports the explicit acknowledgement of reverse sensitivity and locational issues for industry within the RPS.	Allow submissions in part, in particular Points 5791-8 & 4112-8
Carter Holt Harvey Limited Wilson Hellaby Group of Companies	5791-9 4112-9	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Add new policies as follows 'Provide for the efficient development, use, operation, of industrial activities', 'Recognise and provide for the operational and technical requirements of industrial activities', 'Avoid reverse sensitivity effects by requiring subdivision, use and development to not occur in a location or form that constrains the use and operation of existing and planned industrial activities'.	O-I NZ supports the explicit acknowledgement of reverse sensitivity and locational issues for industry within the RPS.	Allow submissions in part, in particular Points 5791-9 & 4112-9

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Theme: Regional Policy Statement:							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Carter Holt Harvey Limited Wilson Hellaaby Group of Companies	5791-4 4112-5	Support	Urban growth	B2.1 Providing for growth in a quality compact urban form	Add a new clause (d) to policy 3, to read: <u>'reverse sensitivity effects on industrial activities are avoided'</u>	O-I NZ supports this amendment, which seeks to ensure that future development and associated adverse effects are carefully considered, including reverse sensitivity effects on existing industrial activities.	Allow submissions in part, particularly Points 5791-4 & 4112-5
Carter Holt Harvey Limited Wilson Hellaaby Group of Companies	5791-2 4112-2	Support	Urban growth	B2.1 Providing for growth in a quality compact urban form	Amend Objective 3 as follows 'Land within and adjacent to centres, frequent public transport routes and facilities, but which avoids reverse sensitivity effects on industrial activities, is the primary focus for residential intensification with a lesser degree of intensification in surrounding neighbourhoods.	O-I NZ supports the intent of the submission, which is to protect existing industrial activities from reverse sensitivity arising from commercial and residential intensification and growth.	Allow submission in part, particularly Points 5791-2, 4112-2
Friends of Oakley Creek Te Auauanga	5745-23	Oppose	Natural resources	B6.3 Freshwater and Geothermal Water	Amend water quality objectives to require all water bodies to comply with the bottom lines by 2030.	O-I NZ opposes setting bottom line limits as the adverse effects need to be based on site-specific factors because different receiving environments will have different issues and differing abilities to manage contaminants.	Disallow submission in part, particularly Point 23
Mahunga Drive Business Association Incorporated Greater East Tamaki Business Association Incorporated Wiri Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-64 2004-56 2466-61 2555-55 3031-55	Support	Economic / Business / Infrastructure / Energy / Transport	B3.3 Transport	Add a new objective, as follows: <u>"Placing particular emphasis to freight movement and other related business travel on international, national, and Auckland-wide transport corridors."</u>	O-I NZ supports the addition of this objective, as supply chain movement is important to enable the efficient operation of businesses within the region.	Allow submission in part, particularly Points 1602-64, 2004-56, 2466-61, 2555-55 & 3031-55
Mahunga Drive Business Association Incorporated Greater East Tamaki Business Association Incorporated Wiri Business Association Incorporated	1602-65 2004-57 2466-62 2555-56 3031-56	Support	Economic / Business / Infrastructure / Energy / Transport	B3.3 Transport	Add a new policy under the sub-heading <u>'Provision of an integrated transport system, after Policy 4, as follows: "Placing particular emphasis on freight movement and other related business travel on international, national, and Auckland-wide transport corridors."</u>	O-I NZ supports the addition of this policy, as supply chain movement is important to enable the efficient operation of businesses within the region.	Allow submission in part, particularly Points 1602-65, 2004-57, 2466-62, 2555-56 & 3031-56

Theme: Regional Policy Statement							
Name	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Onehunga Business Association Incorporated Rosebank Business Association Incorporated							
Mahunga Drive Business Association Incorporated Wiriri Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-6 2466-7 2555-6 3031-6	Support	Issues	B1.1 Enabling quality urban growth	Amend Social Well-being, first paragraph, as follows: "Aucklanders' quality of life and their social well-being is influenced by the affordability of housing, access to quality public open space, <u>business/employment opportunities</u> and access to social and community infrastructure.	O-1 NZ supports provisions which recognise the benefits that business, including industry, has for employment and Auckland's economic well-being.	Allow submissions in part, particularly Points 1602-6, 2466-7, 2555-6, 3031-6
Mahunga Drive Business Association Incorporated Wiriri Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-7 2466-8 2555-7 3031-7	Support	Issues	B1.1 Enabling quality urban growth	Amend Supply of land in appropriate locations, third paragraph, as follows: "...high quality urban living, lifestyle choices, <u>business/employment opportunities</u> , a healthy environment..."	O-1 NZ supports provisions which recognise the benefits that business, including industry, has for employment and Auckland's economic well-being.	Allow submissions in part, particularly Points 1602-7, 2466-8, 2555-7, 3031-7
Mahunga Drive Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-9 2555-9 3031-9	Support	Issues	B1.2 Enabling economic wellbeing	Add a new paragraph into the Explanation, describing the role of transport linkages and major areas of business land as stated in submission [page 8/45].	The major areas of business/industrial land as described in the submission (Penrose, Wiriri, East Tamaki to Onehunga/Mangere, Rosebank and linkages to the north) and the supply chains that these areas rely upon are essential to Auckland's economy and overall wellbeing, and should be provided for and protected in the PAUP provisions.	Allow submissions in part, particularly Points 1602-9, 2555-9, 3031-9
Mahunga Drive Business Association Incorporated Onehunga Business Association Incorporated Rosebank Business Association Incorporated	1602-12 2555-12 3031-12	Support	Issues	B1.2 Enabling economic wellbeing	Add a new sub-section entitled Industrial land, describing the role of industrial land as stated in submission [page 10/47]. The sub-section details the role of industrial land, including employment and wealth generation, and recognises that it must be protected against encroachment from general business, retail and residential use.	O-1 NZ supports the insertion of this sub-section (or similar wording) as it would explicitly recognise the scarcity of industrial land within the Auckland region and reverse sensitivity issues.	Allow submissions in part, particularly Points 1602-12, 2555-12, 3031-12
Mighty River Power Limited	836-23	Support	Issues	B1.5 Sustainably managing our natural resources	Amend the last sentence of the first paragraph under the heading 'Air Quality' to read: 'Emissions to air can result in elevated levels of particulate matter, <u>nitrogen-dioxide</u> and other pollutants	O-1 NZ supports the deletion of the specific reference to nitrogen dioxide, as it is not clear why nitrogen dioxide is specifically identified as a priority in the RPS.	Allow submission in part, particularly Point 23

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Theme: Regional Policy Statement							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes which are linked to negative health effects.	Reasons for support/opposition to the original submission	Relief sought
New Zealand Starch Limited	3230-2	Support	Issues	B1.5 Sustainably managing our natural resources	Amend Issue to read 'Clean air is fundamental to ... falls to meet acceptable levels or comply with the Resource Management (National Environmental Standards for Air Quality) 2004—the government's national environmental standards for air quality of Auckland Ambient Air Quality standards (AAQS). Emissions to air can result in elevated levels of ...'	O-I NZ supports the deletion of the reference to AAQs in the PAUP and a reliance on the national environmental standards for air quality instead.	Allow submission in part, particularly Point 2
New Zealand Steel Limited Trustpower Limited	868-29 5230-53	Support	Natural resources	B6.1 Air	Retain Objective 4.	O-I NZ supports the retention of Objective 4, which seeks to avoid, remedy or mitigate adverse effects of air discharges.	Allow submissions in part, particularly Points 868-29, 5230-53
Onehunga Business Association Incorporated Mahunga Drive Business Association Incorporated Rosebank Business Association Incorporated Wiri Business Association Incorporated	2555-13 1602-13 3031-13 2466-14	Support	Issues	B1.2 Enabling economic wellbeing	Amend the Auckland Plan strategic directions and priorities by adding strategic directive 6.3 from the Auckland Plan as a new bullet point as follows: 'protect, enhance and improve business-zoned areas and business improvement districts.'	O-I NZ supports the intent of this provision, which recognises the importance of business-zoned areas to the Auckland economy.	Allow submissions in part, particularly Points 2555-13, 1602-13, 3031-13 & 2466-14
Ports of Auckland Limited	5137-61	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and Industrial growth	Add three new policies as follows 'Protect, enhance and improve business-zoned areas'; 'Plan and provide for sufficient business-zoned land to increase employment opportunities and improve economic opportunity.' and 'Provide for the long-term needs of the Port of Auckland and Auckland Airport to support New Zealand's international freight, trading competitiveness, and visitor industry.'	O-I NZ supports the protection and provision of land for business purposes, particularly industry.	Allow submission in part, in particular Point 61

Theme: Regional Policy Statement							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Ports of Auckland Limited	5137-59	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend the 'introduction' to be more closely aligned with the economic strategic direction of the Auckland Plan and to reference the contribution of significant infrastructure to the economy by adding a new sentence as follows 'Improving the economic performance of Auckland will assist in addressing socio-economic inequalities. A substantial improvement in educational attainment and an increased focus on exports, rather than domestic consumption, are to be encouraged. Auckland's economic growth will therefore be transformational, inclusive and equitable; built on innovation, a green economy and a business-friendly attitude'; adding new bullet point 'the contribution that significant infrastructure makes to the prosperity of Auckland and New Zealand in terms of employment and economic growth is recognised and supported.'; and amending bullet point 1 as follows 'that sufficient land for differing business commercial and industrial activities is available to provide for social and economic well-being.'	O-I NZ supports the distinction between commercial and industrial activities (rather than 'business').	Allow submission in part, in particular Point 59
Ports of Auckland Limited	5137-10	Support	Issues	B1.1 Enabling quality urban growth	Add new paragraph to 'social well-being' as follows 'Without providing for sufficient business-zoned land and infrastructure, employment capacity targets will not be achieved in areas that are accessible to the local population, and economic opportunity will be lost. In order to provide for the social well-being, it is essential that Auckland's economy develops to deliver opportunity and prosperity for all Aucklanders.'	O-I NZ supports provisions that recognise the benefits of business, including industry, for employment and Auckland's economic well-being.	Allow submission in part, particularly Point 10
Ports of Auckland Limited	5137-13	Support	Issues	B1.1 Enabling quality urban growth	Amend 'Auckland Plan Strategic Directions and Priorities' to incorporate 'Strategic Direction 6: Develop an economy that delivers opportunity and prosperity for all Aucklanders' and New Zealand. Grow a business friendly and well-functioning city.'	O-I NZ supports this amendment, which provides an additional link to the Auckland Plan's strategic directions and priorities.	Allow submission in part, particularly Point 13



Theme: Regional Policy Statement							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Ports of Auckland Limited	5137-6	Support	Issues	B1.1 Enabling quality urban growth	Amend 'Explanation' as follows 'Auckland is the place in New Zealand where more and more people want to live and work. While this drives economic growth, enhances regional GDP, and encourages development of a world-class city, <del>it</del> <u>our</u> resource management issues stem from the need to sustainably manage <del>impacts</del> <u>growth</u> <del>with</del> <u>our</u> natural and physical resources in the context of this growth, in a way which enables us to provide for our social, economic, and cultural well-being and for our health and safety.'	O-I NZ supports this amendment, which focuses on the sustainable management focus of the RMA.	Allow submission in part, particularly Point 6
Ports of Auckland Limited	5137-8	Support	Issues	B1.1 Enabling quality urban growth	Amend paragraph one of 'social well-being' as follows 'Aucklanders' quality of life and their social well-being is influenced by the affordability of housing, access to quality public open space, and access to social and community infrastructure, and access to a diverse range of employment opportunities.'	O-I NZ supports the amendment to recognise employment opportunities as of vital importance to Auckland's overall social well-being. This amendment supports provisions which recognise the benefits business, including industry, has for employment and Auckland's economic well-being and the need to protect and enhance business-zoned land (with particular reference to industrial-zoned land).	Allow submission in part, particularly Point 8
Ports of Auckland Limited	5137-14	Support	Issues	B1.2 Enabling economic wellbeing	Add new paragraph to introduction as follows 'Sufficient business-zoned land and infrastructure is required to achieve employment capacity targets and improve economic opportunity. Efficient and effective regulatory processes, with strong public-private relationships are also required to reduce uncertainty around costs, timings, and outcomes.'	O-I NZ supports provisions that recognise the benefits of business, including industry, for employment and Auckland's economic well-being	Allow submission in part, particularly Point 14
Ports of Auckland Limited	5137-42	Support	Issues	B1.5 Sustainably managing our natural resources	Add new paragraph to 'Air Quality' as follows 'Balanced against this are the air discharge requirements of significant infrastructure and other industry, which require reduced air quality amenity in defined locations in order to operate. Such activities have an important role to play in Auckland's economic well-being, and provision is made for different levels of amenity according to the purpose of the zone and the predominant types of activities within any given area. The social	O-I NZ supports provisions that recognise the need for areas with different amenity expectations within the region. This recognition is particularly important to provide for heavy industry.	Allow submission in part, particularly Point 42

Theme: Regional Policy Statement							
Name	Sub#/ Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes  and <del>economic cost from particulate emissions in Auckland is significant.</del>	Reasons for support/opposition to the original submission	Relief sought
Ports of Auckland Limited	5137-85	Support	Natural resources	B6.1 Air	Add new objective as follows 'The air discharge requirements of significant infrastructure and industry are provided for by enabling reduced air quality amenity in such locations.'	O-I NZ supports the need to enable, and provide for, industry in Auckland.	Allow submission in part, particularly Point 85
Ports of Auckland Limited	5137-86	Support	Natural resources	B6.1 Air	Amend Objective 2 to remove reference to PM [particulate matter] 2.5.	O-I NZ supports the removal of the reference to PM2.5 in Objective 2. O-I NZ supports implementation of the requirements of the National Environmental Standard for Air Quality (NESAQ), which does not have any standards for and does not apply to PM2.5.	Allow submission in part, particularly Point 86
Ports of Auckland Limited	5137-56,	Support	Urban growth	B2.2 A quality built environment	Add new policy as follows 'Recognise the functional and operational needs of commercial and industrial activities.'	O-I NZ supports an acknowledgement of the needs of commercial and industrial activities, along with residential activities, within the provisions for "A quality built environment".	Allow submission in part, particularly Point 56
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-4,	Support	Issues	B1.5 Sustainably managing our natural resources	Add the following wording to the third paragraph of Air Quality: 'However, while industry contributions to regional air pollution have reduced, industry emissions can still impact on local air quality if not appropriately managed.'	O-I NZ supports recognition that in many cases, industrial emissions can be managed so that they do not have any appreciable impact on local air quality.	Allow submission in part, particularly Point 4
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-5	Support	Issues	B1.5 Sustainably managing our natural resources	Add the following new paragraph after paragraph four to Air Quality: 'Amenity values are the qualities and characteristics of an area that influence how people appreciate that area. Amenity values may be diminished through poor air quality. However, the expected amenity of an area should be reasonable. What may be considered offensive or objectionable in an urban residential area may not necessarily be considered offensive or objectionable in an industrial or rural area.'	O-I NZ supports the intent of the submission to provide greater clarity around what is meant by amenity values in relation to air quality. However O-I NZ considers that the explanation could be further improved by including specific reference to odour and dust.	Allow submission in part, particularly Point 5

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Theme: Regional Policy Statement							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	4495-5	Support	Issues	B1.5 Sustainably managing our natural resources	Add the following new paragraph after paragraph four to Air Quality: 'Amenity values are the qualities and characteristics of an area that influence how people appreciate that area. Amenity values may be diminished through poor air quality. However, the expected amenity of an area should be reasonable. What may be considered offensive or objectionable in an urban residential area may not necessarily be considered offensive or objectionable in an industrial or rural area.'	O-I NZ supports the need to acknowledge that amenity values vary in different receiving environments, and to provide clarity on what is meant by amenity values in relation to air quality. O-I NZ considers that the explanation could be further improved by included specific reference to odour and dust.	Allow submission in part, particularly Point 5
Progressive Enterprises Limited	5723-41	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Add a new section to Auckland-wide objectives and policies to specifically recognise and provide for Supermarkets as stated in the submission [page 17/93].	It would be inappropriate to insert objectives and policies specifically for supermarkets into the RPS section of the PAUP, as supermarkets represent one of a number of commercial activities which operate in the Auckland region. In addition, O-I NZ does not support the operation of supermarkets in industrial zones. Due to the acknowledged scarcity of industrial-zoned land in Auckland, these areas should be reserved for industrial purposes.	Disallow submission in part, in particular Point 41
Progressive Enterprises Limited	5723-19	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend the Introduction, first paragraph as follows: '...providing employment and business opportunities, and for meeting demands for economic and social well-being goods and services associated with population growth.'	The RPS should present a strategic vision. It is not appropriate to focus on 'goods and services' rather than broader 'economic and social well-being' within the RPS section of the PAUP.	Disallow submission in part, in particular Point 19
Ravensdown Fertiliser Cooperative Limited Coal Association of New Zealand and Stratera	5963-45 6097-8	Support in part	General	B12 Environmental Results Anticipated/ Table 1/New ERAs	Amend Table 5 'Natural resources', the second 'Environmental result anticipated' to read: 'Air quality consistent with protecting human health and amenity is achieved throughout the Auckland Region. The Auckland Ambient Air Quality Standards and National Environmental Standards are met, and in particular priority is given to meeting the annual average standards for fine particles (PM10 and PM2.5) and hourly and 24-hourly standards for nitrogen dioxide.'	O-NZ supports the intent of the submission, which is to remove reference to the AAAQS and provide for a more general approach in the PAUP. O-I NZ wishes to be involved in any discussions about the wording of Table 5.	Allow submissions in part, particularly Points 5963-45 & 6097-8

Theme: Regional Policy Statement							
Name	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Ravensdown Fertiliser Cooperative Limited Coal Association of New Zealand and Straterra	5963-44 6097-6	Oppose	General	B12 Environmental Results Anticipated/Table 1/New ERAs	Amend Table 5 'Natural resources', the second Natural Resource Objective to read: 'Acceptable air quality is achieved throughout Auckland including meeting the and Resource Management (National Environmental Standards for Air Quality) Regulations 2004 and the Ministry for the Environment's Ambient Air Quality Guidelines are met, and in particular priority is given to meeting the annual average standards for fine particles (PM10 and PM2.5) and hourly and 24-hourly standards for nitrogen dioxide.'	O-I NZ supports removing reference to the AAAQS and referring to the NES and AAQG. However, this has consequential effects, including (but not limited to) that PM2.5 is not included in the NESZ or AAQG and should not therefore be highlighted as a priority.	Disallow submissions in part, particularly Points 5963-44 & 6097-6
Ravensdown Fertiliser Cooperative Limited Coal Association of New Zealand and Straterra	5963-40 6097-3	Support	Issues	B1.5 Sustainably managing our natural resources	Amend 'Air Quality' to read 'However, air quality sometimes fails to meet acceptable levels or comply with the Resource Management (National Environmental Standards for Air Quality) 2004, the government's national environmental standards for air quality or Auckland Ambient Air Quality standards (AAAQS).'	O-I NZ supports the deletion of the reference to AAAQs in the PAUP and a reliance on the national environmental standards for air quality instead.	Allow submissions in part, particularly Points 5963-40 & 6097-3
Ravensdown Fertiliser Cooperative Limited Coal Association of New Zealand and Straterra	5963-43 6097-7	Support in part	General	B12 Environmental Results Anticipated/Table 1/New ERAs	Amend Table 5 'Natural resources', the second Environmental results anticipated to read: 'Air discharges and the use and development of land are managed to improve air quality, enhance amenity values and a reduction in reverse sensitivity complaints in Auckland's urban areas and to maintain air quality at existing levels in rural and coastal marine areas.'	O-I NZ does not consider that the focus should be on "improving" air quality and enhancing amenity in urban areas, as within these urban areas (including the Industry zones), there is specific provision for reduced amenity in certain locations and there may be some localised degradation of air quality.	Allow submissions in part, particularly Points 5963-43 & 6097-7
Ravensdown Fertiliser Cooperative Limited Coal Association of New Zealand and Straterra	5963-42 6097-5	Oppose	Natural resources	B6.1 Air	Amend Objective 2 to read: 'The Auckland Ambient Air Quality Standards Acceptable air quality is achieved throughout Auckland including meeting the and Resource Management (National Environmental Standards for Air Quality) Regulations 2004 are met and the Ministry for the Environment's Ambient Air Quality Guidelines, and in particular priority is given to meeting the annual average standards for fine particles (PM10 and PM2.5) and hourly and 24-hourly standards for nitrogen dioxide.'	O-I NZ supports the removal of the reference to the Auckland Ambient Ambient Air Quality Standards but does not support the inclusion of references to PM2.5.	Allow submissions in part, particularly Points 5963-42, 6097-5

Theme: Regional Policy Statement							
Name	Sub#/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Robert J Asplin Catherine Fraser Andrew Walters Anthony R Bolland Juliette B Laird Harvey Norman William W Rayner Save our Saint Heliers Incorporated and Saint Heliers/Glendowie Residents' Association Incorporated Helen Geany The Character Coalition Devonport Heritage Incorporated Bridget M Graham Salmond Reed Architects Limited Sandra Thomas	2550-3 3204-9 9072-7 6995-3 3501-5 5924-11 6174-9 6770-13 2688-36 6370-85 3263-5 5334-11 4413-37 2050-4	Oppose	Urban growth	B2.2 A quality built environment	Include the Auckland Urban Design Manual as a statutory document within the PAUP, or similar request.	O-I NZ is opposed to incorporating an urban design manual as a statutory document, as this does not allow for changes over the lifetime of the PAUP.	Disallow submissions in part, particularly Points: 2550-3 3204-9 9072-7 6995-3 3501-5 5924-11 6174-9 6770-13 2688-36 6370-85 3263-5 5334-11 4413-37 2050-4
Sally Peake	2418-25	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Include reference to landscape.	The intent of the submission point is unclear. A general clause on landscape is not considered appropriate, or a good fit, in the commercial and industrial growth provisions.	Disallow submission in part, in particular Point 25
Stevenson Group Limited	3682-31	Oppose	Natural resources	B6.1 Air	Amend Objective 2 as follows: 'The Auckland Ambient Air Quality Standards and National Environmental Standards are met, and in particular priority is given to meeting the annual average standards for fine particles (PM10 and PM2.5) and further developing standards for PM2.5 and hourly and 24-hourly standards for nitrogen dioxide.' [p 9/11 vol 3]	O-I NZ supports the removal of the reference to the Auckland Ambient Air Quality Standards but does not support the development of further standards for PM2.5, as this is inconsistent with the NESAQ.	Disallow submission in part, particularly Point 31
The National Trading Company of New Zealand Limited	2632-8	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend Policy 11 to acknowledge that there is some industrial land that is no longer suited or desirable for this use: 'provide for the efficient use of scarce industrial land in suitable locations and avoid incompatible activities by...'	Due to the acknowledged scarcity of industrial zoned land in Auckland, areas zoned for industry within the PAUP should be reserved for industrial purposes.	Disallow submission in part, in particular Point 8
The National Trading Company of New Zealand Limited	2632-55	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend the plan to ensure that supermarkets have an appropriate planning status in all business zones and	Due to the acknowledged scarcity of industrial zoned land in Auckland, O-I NZ considers that areas zoned for industry	Disallow submission in part, in particular Point 55

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Theme: Regional Policy Statement							
Name	Sub/Point	Support/Oppose the original submission	Topic (as per Council summary)	Subtopic (as per Council summary)	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
The University of Auckland	5662-80	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	the light industry zone, as stated in the submission [refer volume 1 page 6/40].  Add new Policy 12 as follows: "Enable business and industry to co-locate with major tertiary educational facilities."	should be reserved for industrial purposes, not supermarkets which require a large amount of space to operate and may generate reverse sensitivity effects for existing industry.  O-I NZ does not support the ability for tertiary education not ancillary to industry to operate in industrial zones. Due to the acknowledged scarcity of industrial zoned land in Auckland, these areas should be reserved for industrial purposes.	Disallow submission in part, in particular Point 80
The Warehouse Limited	2748-39	Oppose	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Amend Policy 11, first clause, as follows: "Provide for the efficient use of scarce industrial land in suitable locations and avoid incompatible activities by:..."  Retain Policy 4 about identifying and protecting areas and routes critical for developing Auckland's future transport infrastructure.	Due to the acknowledged scarcity of industrial zoned land in Auckland, areas zoned for industry should be reserved for industrial purposes.  O-I NZ supports the retention of Policy 4 as currently written.	Disallow submission in part, in particular Point 39
Transpacific Industries Group (New Zealand) Limited	877-202	Support	Economic / Business / Infrastructure / Energy / Transport	B3.3 Transport	Retain first paragraph under 'Transport and Land Use'.	O-I NZ supports this paragraph, which recognises the close linkages between transport and land use, and the need for efficient transport systems to ensure effective supply chains to and from businesses.	Allow submission in part, particularly Point 176
Transpacific Industries Group (New Zealand) Limited	877-175	Support	Issues	B1.2 Enabling economic wellbeing	Retain text under 'Urban Form'.	O-I NZ supports the retention of this text as it provides high level direction for compact cities with good connections. It appropriately recognises the shortage of business-zoned land and the importance of transport linkages.	Allow submission in part, particularly Point 175
Transpacific Industries Group (New Zealand) Limited	877-181	Support	Issues	B1.5 Sustainably managing our natural resources	Amend first paragraph under 'Air quality' as follows: 'Clean air is fundamental to our health, well-being and environment. Auckland, compared to many cities in the world, has good air quality. However, air quality sometimes fails to meet the government's national environmental standards for air quality or Auckland Ambient Air Quality Standards (AAQS). Emissions to air can result in elevated levels of particulate matter, nitrogen dioxide and other pollutants which are linked to negative health effects.'	O-I NZ supports the deletion of the reference to AAQs in the PAUP and a reliance on the national environmental standards for air quality instead.	Allow submission in part, particularly Point 181

Theme: Regional Policy Statement							
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Wilson Hellaby Group of Companies	4112-9	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Add new policies, to read: 'Provide for the efficient development, use, operation, of industrial activities.', 'Recognise and provide for the operational and technical requirements of industrial activities.', and 'Avoid reverse sensitivity effects by requiring subdivision, use and development to not occur in a location or form that constrains the use and operation, of existing and planned industrial activities.'	O-I NZ supports the intent of the submission, which is to provide for reverse sensitivity and locational issues for industry within the RPS.	Allow submission in part, in particular Point 9
Wilson Hellaby Group of Companies	4112-8	Support	Economic / Business / Infrastructure / Energy / Transport	B3.1 Commercial and industrial growth	Add two new objectives, to read: 'Industrial activities are protected from reverse sensitivity effects and incompatible subdivision, use and development.' and 'The locational or function-based requirements of industrial activities are recognised.'	O-I NZ supports the explicit acknowledgement of reverse sensitivity and locational issues for industry within the RPS.	Allow submission in part, in particular Point 8
Wiri Business Association Incorporated	2466-13	Support	issues	B1.1 Enabling quality urban growth	Add a new sub-section entitled Industrial land, describing the role of industrial land as stated in submission [page 9/49].	O-I NZ supports the intent of the submission, which recognises that industrial land is an essential part of urban development and should be provided for.	Allow submission in part, particularly Point 13
Wiri Business Association Incorporated Onehunga Business Association Incorporated Mahunga Drive Business Association Incorporated	2466-6 2555-5 1602-5	Support	issues	B1.1 Enabling quality urban growth	Amend Our Sense of Place, paragraph 4, to include an additional bullet point, as follows: 'business growth and the support of job creation.'	O-I NZ supports provisions which recognise the benefits business, including industry, has for employment and Auckland's economic well-being.	Allow submissions in part, particularly Points 2466-6, 2555-5, 1602-5

Theme: Water							
Name	Sub# / Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Warkworth)	3792-61 3705-63 4843-59	Support	Water quality and integrated management - objectives & policies	Policy 23 – Other discharges	Amend Policy 23(b) to ensure rule parameters to define/assess where other discharges are not appropriate or are unable to meet standards.	O-I NZ have requested deletion of this policy, as it is unclear what "other" discharges this policy is intended to refer to, and what is considered to be construction, maintenance, investigations, or "other activities". The intent and application of the policy is therefore ambiguous. Further, implementing minimum performance standards is not appropriate as each site and discharge will be different and should be determined and assessed on a site specific basis. Therefore, O-I NZ would support amendments based on the use of the 'best practicable option' and avoiding, remedying or mitigating adverse effects.	Allow submissions in part, specifically Points 3792-61, 3705-63 & 4843-59
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Silverdale)	3792-138 3705-137	Support	Stormwater	H4.14.3 Stormwater - quality rules	Amend provisions to make consent holders of existing high contaminant generating activities exempt from the need to require consent under the stormwater quality controls until water consents expire and new applications are made.	O-I NZ already holds consent for discharges of stormwater which will include flow and quality issues. If these consents allow for future development then additional consents should not be required under the PAUP.	Allow submissions in part, specifically Points 3792-138 & 3705-137
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Warkworth)	3792-58 3705-60 4843-56	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Retain Policy 11.	O-I NZ supports retention of Policy 11, which provides a pragmatic approach to managing the adverse effects of stormwater discharges and diversions....	Allow submissions in part, specifically Points 3792-58, 3705-60 & 4843-56
Atlas Concrete Limited (Kumeu) Atlas Concrete Limited (Silverdale) Atlas Concrete Limited (Warkworth)	3792-59 3705-61 4843-57	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Retain Policy 16.	O-I NZ has requested deletion of Policy 16 because the impervious area thresholds are focused on the management of peak flows and flooding risk. Therefore, this policy is already addressed in Section C.5.13 Flooding and is unnecessary. This policy also does not identify that land use and development below the impervious area thresholds can impact the function and performance of the stormwater network, stream health and can increase existing flood risks.	Disallow submissions in part, specifically Points 3792-59, 3705-61 & 4843-57

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Theme: Water							
Name	Sub# / Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Auckland International Airport Limited	5294-140	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 11 as follows: 'In determining the extent to which adverse effects of stormwater diversions and discharges are prevented, avoided, remedied, or mitigated, particular regard shall be had to: ...'	O-I NZ supports the use of 'avoided, remedied or mitigated', which is consistent with the RMA.	Allow submission in part, specifically Point 140
Auckland International Airport Limited	5294-141	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 12 as follows: 'Ensure the concentration of contaminants in stormwater runoff from new or redeveloped high contaminant-generating activities are managed to levels established to reduce existing and prevent or minimise avoid, remedy or mitigate new adverse effects on water and sediment quality in freshwater systems and coastal waters.'	The use of 'avoid, remedy or mitigate' is consistent with the RMA.	Allow submission in part, specifically Point 141
Auckland International Airport Limited	5294-142	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 14 as follows: 'Manage activity areas on industrial sites to prevent avoid, remedy or minimise mitigate contaminated discharges to the stormwater system, freshwater systems or coastal waters in accordance with the ITA provisions in the Unitary Plan.'	The use of 'avoid, remedy or mitigate' is consistent with the RMA...	Allow submission in part, specifically Point 142
Carter Holt Harvey Limited	5791-64	Support	Stormwater	H4.14.1 Stormwater discharge rules	Amend to clarify that industrial trade activities and the discharge of contaminants, including environmentally hazardous substances and any contaminants in stormwater arising from activity areas of any Industrial or Trade Activity is regulated by the Industrial and Trade Activity rules. See page 24/32 of submission.	The rules need further clarification as there are some uncertainties about where the rules on ITA and stormwater overlap. This is in line with O-I NZ's submission, which requests that the application of these rules is clarified.	Allow submission in part, specifically Point 64
Environmental Defence Society Incorporated	4735-281	Oppose	Water quality and integrated management - objectives & policies	Policy 23 - Other discharges	Amend Policy 23 to provide for all other activities, specify that minimum performance standards will reflect current best practice, and restrict (b) to situations where minimum performance standards have not been developed due to prioritising development for the discharges of most environmental concern.	O-I NZ supports clarification of this policy, which is currently ambiguous. However, O-I NZ does not support the broad application of this policy to all other discharges, which are already adequately addressed in other provisions in the PAUP. In addition, reference to 'best practice' is inappropriate for these policies as best practice is continually changing and subjective and therefore does not provide adequate certainty. Also, best practice does not take into	Disallow submission in part, specifically Point 281

Theme: Water							
Name	Sub#/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-1 NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Environmental Defence Society Incorporated	4735-275	Oppose	Water quality and integrated management - objectives & policies	Policies 17,18 Groundwater soakage	Amend policy 17 (c) to specify that the treatment must achieve a quality that will not result in any reduction in the water quality of the underlying aquifer system.	account other factors such as the nature of effects, sensitivity of the receiving environment and financial cost.  The use of stormwater quality treatment for discharges to ground soakage is consistent with the best practicable option, but these discharges may still have very minor effects on water quality and it is inappropriate to require that they do not result in any reduction in the water quality of the underlying aquifer system.	Disallow submission in part, specifically Point 275
Environmental Defence Society Incorporated	4735-267	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 9 to: require other adverse effects to be avoided, remedied or mitigated; making it apply to brownfield areas; amending (c) to indicate Council requirements; amending (d) by deleting 'where practicable' and requiring adoption of green infrastructure as a core development approach.	The use of green infrastructure is not always achievable or appropriate to manage effects and should only be used where practicable.  The issues relating to brownfield developments are different to greenfield areas as there are existing discharges which are part of the existing environment. Brownfield areas are provided for in Policy 10.	Disallow submission in part, specifically Point 267
Environmental Defence Society Incorporated	4735-268	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 10 by: Transferring methods relevant to green and brownfields to Policy 9; Restricting Policy 10 to address the unique challenges to intensification; Require an overall reduction in adverse effects of stormwater runoff as intensification occurs compared to the current baseline and include the methods that are relevant to intensification; Separating (f) into a separate policy.	The issues relating to brownfield developments are different to those in greenfield areas as there are existing discharges which are part of the existing environment and it is appropriate that these are incorporated into a separate policy.  In addition, the policy needs to be based on actual effects on the receiving environment, and not just a reduction in contaminant concentration.	Disallow submission in part, specifically Point 268
Environmental Defence Society Incorporated	4735-270	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 12 to require an overall reduction in contaminant concentration from new or redeveloped activities.	The policy needs to be based on actual effects on the receiving environment, and not just a reduction in contaminant concentration.	Disallow submission in part, specifically Point 270
Environmental Defence Society Incorporated	4735-272	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 14; to apply to existing and new activities; to require overall reduction compared to current; by deleting 'or minimise'.	Discharges from industrial sites cannot be prevented in all circumstances. Where they cannot be prevented, minimisation of discharges and effects is appropriate and consistent with the purpose of the RMA.	Disallow submission in part, specifically Point 272



Theme: Water									
Name	Sube/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought		
Environmental Defence Society Incorporated	4735-274	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 16 to specify that stormwater hydrology should be mitigated to the extent that will, at a minimum, offset the increase in impervious area.	The proposed change is not related to effects on the environment. Offsetting the impervious area may not be appropriate in some circumstances and may provide no additional benefit to the environment.	Disallow submission in part, specifically Point 274		
Ports of Auckland Limited	5137-167	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 11 to replace 'prevented' with 'avoided and remedied'.	The proposed change is consistent with the language used in the RMA.	Allow submission in part, specifically Point 167		
Ports of Auckland Limited	5137-168	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 12 as follows: 'Ensure the concentration of contaminants in stormwater runoff from new or redeveloped high contaminant-generating activities are managed to levels established to reduce existing and prevent or minimise avoid, remedy or mitigate new-adverse effects on water and sediment quality in freshwater systems and coastal waters.'	Preventing discharges is not achievable. The use of 'avoid, remedy or mitigate' is consistent with the RMA.	Allow submission in part, specifically Point 168		
Ports of Auckland Limited	5137-169	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 14 to replace 'prevent or minimise' with 'avoid, remedy or mitigate'.	The use of 'avoid, remedy or mitigate' is consistent with the RMA.	Allow submission in part, specifically Point 169		
Royal Forest and Bird Protection Society of New Zealand Inc	4848-259	Oppose	Water quality and integrated management - objectives & policies	Policy 23 - Other discharges	Amend Policy 23 to provide for discharges from all other activities; specify that minimum performance standards will reflect current best practice, and restrict (b) to situations where minimum performance standards have not been developed due to prioritising development for the discharges of most environmental concern.	O-I NZ supports clarification of this policy, which is ambiguous. However, O-I NZ does not support the broad application of policy 23 to all other discharges, which are already adequately addressed in other provisions. In addition, to "best practice" is inappropriate for these policies as best practice is continually changing and subjective and therefore does not provide adequate certainty. Also, best practice does not take into account other factors such as the nature of effects, sensitivity of policy should refer to the receiving environment and financial cost.	Disallow submission in part, specifically Point 259		
Royal Forest and Bird Protection Society of New Zealand Inc	4848-252	Oppose	Water quality and integrated management - objectives & policies	Policies 17, 18 Groundwater soakage	Amend Policy 17 (c) to specify that the stormwater treatment must achieve a quality that will not result in any reduction in the water quality of the underlying aquifer system.	The use of stormwater quality treatment for discharges to ground soakage is consistent with the best practicable option, but these discharges may still have very minor effects on water quality and it is inappropriate to require that	Disallow submission in part, specifically Point 252		

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Theme: Water							
Name	Sub#/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Royal Forest and Bird Protection Society of New Zealand Inc	4848-244		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 10 to only address the unique challenges from intensification, to require an overall reduction in adverse effects of stormwater runoff as intensification occurs compared to the current baseline, and include the methods that are relevant to intensification.	they do not result in any reduction in the water quality of the underlying aquifer system.  This suggestion changes the implications of Policy 10 significantly. O-I NZ supports proactive management of environmental effects and has made significant investments in stormwater treatment and systems on Site. However, O-I NZ opposes the need to undertake further improvements to require an overall reduction in adverse effects of stormwater runoff when the effects from stormwater discharges from their site have been avoided, remedied or mitigated and assessed as having no significant effects on the environment.	
Royal Forest and Bird Protection Society of New Zealand Inc	4848-247		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 12 to require an overall reduction in contaminant concentration from new or redeveloped activities.	The policy needs to be based on to actual effects on the receiving environment, and not just a reduction in contaminant concentration.	
Royal Forest and Bird Protection Society of New Zealand Inc	4848-249		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 14 to apply to existing and new industrial activities and to require an overall reduction of contaminated discharges compared to the current level; delete the word 'minimise' so the requirement is to prevent contaminated discharges.	Discharges from industrial sites cannot be prevented in all circumstances. Where they cannot be prevented, minimisation of discharges and effects is appropriate and consistent with the purpose of the RMA.	
Royal Forest and Bird Protection Society of New Zealand Inc	4848-251	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 16 to specify that stormwater hydrology should be mitigated to the extent that will, at a minimum, offset the increase in impervious area.	The proposed change is not related to effects on the environment. Offsetting the impervious area may not be appropriate in some circumstances or provide no additional benefit to the environment.	Disallow submission in part, specifically Point 251
Royal Forest and Bird Protection Society of New Zealand Inc	4848-238		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 9 so that it applies to brownfield as well as greenfield areas.	The use of green infrastructure is not always achievable or appropriate to manage effects and should only be required where practicable.  The issues relating to brownfield developments are different to greenfield areas as there are existing discharges which are part of the existing environment. Brownfield developments are provided for in Policy 10.	Disallow submission in part, specifically Point 238

Theme: Water							
Name	Subj/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Royal Forest and Bird Protection Society of New Zealand Inc	4848-242		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Delete the words 'where practicable' from Policy 9 (d) and require the adoption of green infrastructure as a core development approach.	Each site and discharge will be different and should be determined and assessed on a site-specific basis. Therefore directing that 'green infrastructure' (not defined) is to be used on each site is not appropriate.	Disallow submission in part, specifically Point 242
Royal Forest and Bird Protection Society of New Zealand Inc	4848-237	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Retain the requirement to avoid significant adverse effects in Policy 9, but amend to require other adverse effects to be avoided, remedied or mitigated.	O-I supports avoiding significant adverse effects and avoiding, remedying or mitigating other effects.	Allow submission in part, specifically Point 237
Royal Forest and Bird Protection Society of New Zealand Inc	4848-243		Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Transfer the methods in Policy 10 that are relevant to greenfield and brownfields to Policy 9.	The issues relating to brownfield developments are different to those in greenfield areas as there are existing discharges which are part of the existing environment and it is appropriate that these are incorporated into a separate policy.	
Stevenson Group Limited	3682-121	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 10 about the adverse effects of stormwater runoff from development to recognise that concepts such as water-sensitive design are not always appropriate; and that water-sensitive design may not be practicable for industrial and commercial developments. Refer to submission for proposed changes. [p 40/111 vol 3]	The use of water-sensitive design on industrial sites may not be achievable due to the need to manage specific contaminants and issues.	Allow submission in part, specifically Point 121
Stevenson Group Limited	3682-122	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 11 as follows; '11. In determining the extent to which adverse effects of stormwater diversions and discharges are avoided, remedied or mitigated, particular regard shall be had to...'. [p 40/111 vol 3]	Preventing discharges is not achievable. The use of avoided, remedied and mitigated is consistent with the RMA.	Allow submission in part, specifically Point 122
Stevenson Group Limited	3682-123	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 12 as follows; '12. Ensure the concentration of contaminants in stormwater runoff from new or redeveloped high contaminant-generating activities are managed to levels established to reduce existing and prevent or minimise avoid, remedy or mitigate new adverse effects on water and sediment quality in freshwater	The use of 'avoid, remedy or mitigate' is consistent with the RMA	Allow submission in part, specifically Point 123

Theme: Water							
Name	Sub#/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Stevenson Group Limited	3682-124	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 14 as follows: '14. Manage activity areas on industrial sites to <u>prevent avoid, remedy or minimise mitigate</u> contaminated discharges to the stormwater system, freshwater systems or coastal waters in accordance with the ITA provisions in the Unitary Plan.' [p 41/111 vol 3]	The use of 'avoid, remedy or mitigate' is consistent with the RMA	Allow submission in part, specifically Point 124
Te Ākītai Waiohū Waka Tāua Trust	6386-201	Oppose	Stormwater	H4.14 Introduction	Amend the provisions so that 'green' engineering methods are afforded a more favourable activity status over traditional engineering solutions.	O-I NZ supports innovative methods to treat stormwater runoff. However, a more favourable activity status for that 'green' engineering methods (rather than 'traditional' engineering solutions) is not supported, as these are site-specific and the best practicable option will evolve over the life of the PAUP.	Disallow submission in part, specifically Point 201
Te Ākītai Waiohū Waka Tāua Trust	6386-214	Oppose	Stormwater	H4.14.3 Stormwater - quality rules	Amend so that the mauri of water is a criterion for assessment.	O-I NZ opposes the proposed changes as discharges should be assessed on a site-by-site basis. This is not the correct place for mana whenua values to be considered. Assessment of these values will be required under the consent process which is the appropriate place for these issues to be managed.	Disallow submission in part, specifically Point 214
The Ngāti Tamaoho Trust	6297-9	Oppose	Stormwater	H4.14.1 Stormwater discharge rules	Add mana whenua values to the criteria for discharges.	O-I NZ opposes the proposed changes to the criteria for discharges as discharges should be assessed on a site-by-site basis. This is not the correct place for mana whenua values to be considered.	Disallow submission in part, specifically Point 9
The Sustainability Society	6429-3	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Add a schedule of components for water sensitive urban design to be included at various stages of planning. The schedule of components refer to - the protection of natural assets; modifications to landforms and areas of earthworks and compaction; protection of floodplains and overland flowpaths; <b>avoidance of run-off; water treatment</b> methods; discharge into sensitive environments; road design	What constitutes water sensitive design may change over time, and prescriptive provisions in the PAUP would not allow for water sensitive design to respond to current knowledge or developments in information.	Disallow submission in part, specifically Point 3

Theme: Water							
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The Sustainability Society	6429-2	Oppose	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Strengthen and integrate requirements for water sensitive urban design throughout all parts of the PAUP, particularly during structure planning and subdivision.	The use of water sensitive design may not always be appropriate or achievable, particularly on industrial sites.	Disallow submission in part, specifically Point 2
The University of Auckland	5662-85	Support	Stormwater	H4.14.1 Stormwater discharge rules	Amend control 112(c) to provide greater clarity of meaning as follows: "When a change in land use or the removal of existing stormwater treatment measures is proposed, the concentration and load in stormwater flows from existing impervious areas must not be increased above those at the date of notification of the Unitary Plan, including as a result of."	O-I NZ supports the additional clarity provided by excluding existing impervious areas where no changes are proposed.	Allow submission in part, specifically Point 85
The University of Auckland	5662-84	Support	Stormwater	H4.14 Introduction	Amend the entire stormwater management provisions to avoid overlap between stormwater management - flow rules and stormwater discharge rules and improve overall clarity and legibility.	O-I NZ supports amendments to improve the clarity of the different water rules and avoid overlap between these rules. This is currently a very complex section to interpret and comply with.	Allow submission in part, specifically Point 84
Transpacific Industries Group (New Zealand) Limited	877-49	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 15 as follows: 'Require any necessary stormwater quality or flow management to be selected based on a Best Practicable Option (BPO) approach on-site unless there is a downstream communal device or facility designed to cater for the site's stormwater runoff that will achieve the same or better level of stormwater management performance.'	O-I NZ supports the 'best practicable option' approach as this is consistent with the RMA.	Allow submission in part, specifically Point 49
Waikato Island Community Planning Group Incorporated	5111-51	Oppose	Stormwater	H4.14.1 Stormwater discharge rules	Amend the stormwater controls to make them more stringent.	O-I NZ considers that, with some amendments as noted in its original submission, the overall level of control on stormwater discharges in the PAUP is appropriate.	Disallow submission in part, specifically Point 51
Westfield (New Zealand) Limited	2968-206	Support	Water quality and integrated management - objectives & policies	Policies 9-16 Stormwater management	Amend Policy 15 so that on-site treatment is not necessarily preferred over other stormwater management options. Amend as follows '15. Require any necessary stormwater quality or flow management to be achieved on-site unless there is a downstream communal device or facility designed to	O-I NZ supports the ability to select the appropriate mitigation measures based on the specific circumstances and the application of the 'best practicable option'.	Allow submission in part, specifically Point 206

Theme: Water							
Name	Sub#/ Point	Support/Oppose the original submission	Topic	Subtopic	Particular parts of the original submission that O-I NZ supports/opposes	Reasons for support/opposition to the original submission	Relief sought
Winstone Aggregates et al	3492-321	Support	Stormwater	H4.14.1 Stormwater discharge rules	enter for the site's stormwater runoff that will achieve the same or better level of stormwater management performance selected based on best practicable option approach (BPO) as set out in section 2 of the RMA. [37/43 vol 2]	O-I NZ supports retaining the permitted activity controls subject to minor amendments to improve workability and clarity.	Allow submission in part, specifically Point 321
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-14	Support	Stormwater	H4.14.1 Stormwater discharge rules	Add a new permitted activity in the Activity Table for diversion and discharges from Industrial and trade activity premises. See page 17/22 of volume 2/9 of submission.	O-I NZ supports additional clarification of the overlap between stormwater and ITA provisions.	Allow submission in part, specifically Point 14
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-127	Support	Stormwater	H4.14.3 Stormwater-quality rules	Clarify the application and relevance of the reference to Industrial and Trade Activity area in Table 4.	Industrial and Trade Activity (ITA) Areas should be covered by the ITA rules only and should not be included in the stormwater rules.	Allow submission in part, specifically Point 127
Z Energy Limited and BP Oil Company Limited and Mobil Oil NZ Limited and Wiri Oil Services Limited	3678-107	Support	Stormwater	H4.14 Introduction	Clarify that controls on the discharge of stormwater apply to such areas under the Industrial and trade activity (ITA) provisions and that discharges of stormwater from ITA areas are sanctioned under the ITA provisions. See suggested amendments on page 29/45, volume 8/9 of submission.	O-I NZ supports clarification of the overlap between ITA provisions and stormwater provisions. Industrial and Trade Activity (ITA) Areas should be covered by the ITA rules only and should not be included in the stormwater rules.	Allow submission in part, specifically Point 107

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Theme: Zoning Topic: Central						
Name	Sub#/ Point	Support/Oppose the original submission	Particular parts of the original submission that we support/oppose	Reasons for support/opposition to the original submission	Relief sought	
Donald D Millar	1694-1	Oppose	Rezone 473-491 Great South Road, Penrose from Light Industry to Mixed Use.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land from Light Industry for industrial purposes to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 1	
EIV Property Investments Limited	1822-1	Oppose	Rezone 682-710 Great South Road, Penrose and 473-491 Great South Road, Penrose from Light Industrial to Mixed Use.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land from Light Industry to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 1	
James Kirkpatrick Group Limited	1889-14	Support	Rezone the land at Gavin Street, Leonard Road, Leon Leicester Avenue and Reliable Way, Mt Wellington, from Light Industry to Heavy Industry.	Support the re-zoning to Heavy Industry, particularly in areas where there are established industries and the provisions of the Light Industry do not provide certainty for the submitter's ongoing operation.	Allow submission in part, specifically in relation to Point 14	
R M Lerner and J K Radley	2436-1	Oppose	Rezone land on both sides of Great South Road, Penrose from Light Industry to General Business or Mixed Use. Refer to full submission for a map of the area to be rezoned [page 8/8].	Oppose as this amendment would re-zone land near to O-1 NZ's manufacturing plant for more sensitive uses. Industrial land is scarce in Auckland and the re-zoning of land from Light Industry to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 1	
R M Lerner and J K Radley	2436-2	Oppose	Rezone 2 Walls Road, Penrose from Light Industry to General business or Mixed Use.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land from Light Industry to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 2	
Trevor Purkis	3269-1	Oppose	Rezone the stretch of Great South Road from Greenlane West to Station Road, Penrose to Mixed Use.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land from Light Industry to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 1	
John E Abbott	6229-6	Support in part	Rezone the land in Penrose bounded by Maurice Road, Station Road, the railway line and Church St from Light Industry to Heavy Industry.	Support the re-zoning of this area but consider that the Heavy Industry zone should also include land in Penrose between the railway line and the motorway as this area is also established for industrial activities with air discharges (with particular reference to O-1 NZ's site).	Allow submission in part, specifically in relation to Point 6, with the additional re-zoning of land in Penrose between the railway line and the motorway from Light Industry to Heavy Industry	
John E Abbott	6229-7	Support in part	Rezone the land in Penrose bounded by Station Road, Fairfax Avenue, Walls Road and Great South Road from Light Industry to Heavy Industry.	Support the re-zoning of this area but consider that the Heavy Industry zone should also include land in Penrose between the railway line and the motorway as this area is also established for	Allow submission in part, specifically in relation to Point 7	

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Theme: Zoning Topic: Central						
Name	Sub#/ Point	Support/Oppose the original submission	Particular parts of the original submission that we support/oppose	Reasons for support/opposition to the original submission	Relief sought	
Jasmine Kovach	6451-1	Oppose	Rezone Church Street, Neilson Street, Station Road, O'Rourke Road, Maurice Road - Onehunga, from Business and Heavy Industry to include Mixed Housing Urban and Terrace Housing and Apartment Buildings.	Industrial activities with air discharges (with particular reference to O-I NZ's site).	Disallow submission in part, specifically in relation to Point 1	
Mike Elliott	6657-1	Oppose	Rezone those sites on the eastern side of Great South Road and Station Road, Penrose between the Penrose Train Station and the intersection with the Ellerslie-Panmure Highway from the Light Industry Zone to the Mixed Use Zone [refer to Attachment B, page 8/9 of the submission].	Industrial land is scarce in Auckland and the re-zoning of land for industrial purposes to Mixed Housing will further reduce the land available for industry. Additionally, residential activity is likely to cause reverse sensitivity issues for established industry in the area.	Disallow submission in part, specifically in relation to Point 1	
Sky Network Television Limited	6867-3	Oppose	Rezone 10 Panorama Road, Mount Wellington, 16 Leonard Road, Mount Wellington and 34 Leonard Road, Mount Wellington from Light Industry to Mixed Use.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land from Light Industry to Mixed Use will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 3	
National Bank Partnership	9361-1	Oppose	Rezone 485 Great South Road, Penrose to allow for the continued development and use of the property to be in line with the uses that are already established in the area. Zoning could be combined with pockets of industrial or mixed use where deemed more appropriate.	Oppose on the basis that industrial land is scarce in Auckland and the re-zoning of land will further reduce the land available for industry.	Disallow submission in part, specifically in relation to Point 1	