

Memo

Date 21/06/2022

To: Warren MacLennan, Manager – Planning, Regional North West and Islands

From: Matt Connell - Planner

Subject: Plan Modification: Clause 20A modification to Auckland Unitary Plan

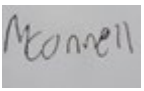



Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register¹ authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Rule or Section of Unitary Plan	Chapter K Designations AUP(OIP) GIS Viewer
Subject Site (if applicable)	Designation 6500-109 Vipond Road, Topuni to 102 Amreins Road, Taupaki Designation 6501-102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri
Nature of change	<p>A Clause 20A modification is required to correct the name of the Requiring Authority New Zealand Refining Company Ltd to Channel Terminal Services Ltd in the AUP.</p> <p>Discussion Requiring Authority New Zealand Refining Company Ltd changed its name to Channel Infrastructure NZ Ltd on 1 April 2022. Under section 23(4) of the Companies Act 1993 the change of name did not affect the rights and obligations of the company and accordingly Channel Infrastructure NZ Ltd (CHI) became responsible for designations 6500 and 6501 in the Auckland Unitary Plan. Channel Terminal Services Ltd a wholly owned subsidiary of CHI, was granted Requiring Authority status by notice in the New Zealand Gazette on 30 May 2022 [See Attachment B].</p> <p>CHI has formally transferred responsibility for designations 6500 and 6501 to Channel Terminal Services Ltd in accordance with section 180 of the Resource Management Act 1991, with the transfer effective on 1 June 2022. The notice of transfer is set out in attachment A. Therefore the Auckland Unitary Plan is required to be amended to reflect the transfer of responsibility of designations 6500 and 6501 from the New Zealand Refining Company Ltd to Channel Terminal Services Ltd.</p>

Effect of change	The change is considered to be both minor and neutral as it does not have a material effect on the intent or operation of the designation, with only the name of the Requiring Authority changing.
Changes required to be made (text/in-text diagrams)	<p>Update the Requiring Authority name of designations 6500 and 6501 from New Zealand Refining Company Ltd designations to Channel Terminal Services Ltd.</p> <p>Update the Requiring Authority name of designations 6500 and 6501 from New Zealand Refining Company Ltd to Channel Terminal Services Ltd in Chapter K Designations Accordian.</p> <p>Update the email address of the Requiring Authority from corporate@refiningnz.com to corporate@channelnz.com.</p> <p>Update the phone number of the Requiring Authority from +64 9 432 8311 to +64 9 432 5100.</p> <p>Designation Text changes are outlined in Attachments C.</p>
Changes required to be made (maps)	Requires changes to the name of Requiring Authority from New Zealand Refining Company Ltd to Channel Terminal Services Ltd In GIS Viewer Management Layers for Designations 6500 and 6501.
Attachments	<p>Attachment A: Notification of Transfer of Designation</p> <p>Attachment B: Gazette notice – Channel Terminal Services Ltd – Requiring Authority Status</p> <p>Attachment C: Corrected text (strikethrough and underlined)</p> <p>Attachment D: Correct text</p> <p>Attachment E: Updated GIS Viewer</p>

Prepared by: Matt Connell Planner- Regional North West and Islands	Text Entered by: Maninder Kaur Planning Technician
Signature: 	Signature: 
Maps prepared by: Natalia Liana Geospatial Analyst	Reviewed by: Peter Vari Team Leader- Planning, Regional North West and Islands
Signature: 	Signature: 

Decision:

I agree/disagree to authorise the Clause 20A modification using my delegated authority

Warren Maclennan
Manager Planning – Regional North West and Islands
Date: 05/07/2022

Signature:

A handwritten signature in black ink that reads "Warren Maclennan". The signature is written in a cursive style with a period at the end.

Attachment A: Notification of Transfer of Designation

30 May 2022

BY EMAIL

The Hon David Parker, Minister for the Environment
Private Bag 18041
Parliament Buildings
Wellington 6160
d.parker@ministers.govt.nz

Whangarei District Council
Private Bag 9023
Whangarei 0148
mailroom@wdc.govt.nz

Kaipara District Council
Private Bag 1001
Dargaville 0340
council@kaipara.govt.nz

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142
enquiry@aucklandcouncil.govt.nz

NOTIFICATION OF TRANSFER OF DESIGNATION

1. We act for Channel Infrastructure NZ Limited (“CHI”), formerly The New Zealand Refining Company Limited.¹
2. We also act for Channel Terminal Services Limited (“CTS”), a wholly owned subsidiary of CHI.

Summary

3. We write to advise of the transfer of responsibility for the following designations to CTS, effective 1 June 2022:
 - a. In the Whangarei District Plan: RNZ-1.
 - b. In the Kaipara District Plan: D63.
 - c. In the Auckland Unitary Plan: 6500 and 6501.

¹ The New Zealand Refining Company Limited, trading as Refining NZ, changed its name to Channel Infrastructure NZ Limited on 1 April 2022.

Background and explanation

4. CHI recently undertook a comprehensive strategic review of its operations, including a corporate restructure. This review led to the cessation of refinery operations at Marsden Point and the transition of the site to a dedicated fuel import terminal. As part of the transition and restructure, CHI is transferring certain assets, including the Marsden Point to Auckland Pipeline (the "Pipeline"), to CTS.
5. CHI is currently responsible for designations in respect of the Pipeline in the Whangarei and Kaipara District Plans and the Auckland Unitary Plan.²
6. On 30 May 2022 a gazette notice was published in the New Zealand Gazette confirming the approval of CTS as a requiring authority.³
7. We now write to advise you that CHI transfers the responsibility for the designations listed in paragraph 3 above to CTS, in accordance with section 180 of the Resource Management Act 1991 ("RMA"). The transfer will be effective 1 June 2022.
8. As required by section 180 and 175 of the RMA, please note the transfer of responsibility for the designation(s) in your respective district plan.
9. In updating the designation(s), we refer to the mandatory directions in the National Planning Standards, as they relate to designations.⁴
10. As required by section 180 of the RMA, we also hereby advise the Minister for the Environment of the transfer of responsibility for the designations to CTS.
11. Please do not hesitate to contact us should you require any further information.

Yours faithfully
ChanceryGreen



Chris Simmons
Partner
DDI: 09 357 0600
chris.simmons@chancerygreen.com

² Designation reference RNZ-1 in the Whangarei District Plan, D63 in the Kaipara District Plan; 6500 and 6501 in the Auckland Unitary Plan.

³ New Zealand Gazette, notice number 2022-go2073.

⁴ Refer in particular to the Designations Standard of the National Planning Standards.

**Attachment B: Gazette notice – Channel
Terminal Services Ltd – Requiring
Authority Status**

The Resource Management (Approval of Channel Terminal Services Limited as a Requiring Authority) Notice 2022

Pursuant to section 167 of the Resource Management Act 1991, the Minister for the Environment gives the following notice.

Notice

1. Title and commencement

(1) This notice is The Resource Management (Approval of Channel Terminal Services Limited as a Requiring Authority) Notice 2022.

(2) This notice shall come into force from the date of publication in the *New Zealand Gazette*.

2. Application of Notice

This notice shall apply in addition to, and not in substitution for, the Resource Management (Approval of the New Zealand Refining Company Limited as Requiring Authority) Notice 2004 until that notice is revoked.

3. Approval as Requiring Authority

Channel Terminal Services Limited is hereby approved as a requiring authority, under section 167(3)(a) of the Resource Management Act 1991, in respect of projects or works required for operating, maintaining, repairing, upgrading, renewing and/or replacing the Marsden Point-to-Auckland Pipeline and its ancillary facilities for the distribution or transmission by pipeline of petroleum. The Marsden Point-to-Auckland Pipeline is as shown in the maps for designation RNZ-1 of the Whangarei District Plan, designation D63 of the Kaipara District Plan and designations 6500 and 6501 in the Auckland Unitary Plan as at the date of this notice.

Dated at Nelson this 25th day of May 2022.

HON DAVID PARKER, Minister for the Environment.

Attachment C: Corrected text
(~~str~~ikethrough and underlined)

Designation Schedule - ~~New Zealand Refining Company~~ Channel Terminal Services Limited

Number	Purpose	Location
6500	Operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities ...	109 Vipond Road, Topuni to 102 Amreins Road, Taupaki
6501	Operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities ...	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri

6500 Petroleum Pipeline - Rural Section

Designation Number	6500
Requiring Authority	New Zealand Refining Company Ltd (Refining NZ) <u>Channel Terminal Services Limited</u>
Location	102 Amreins Road, Taupaki to 109 Vipond Road, Topuni
Rollover Designation	Yes
Legacy Reference	Designation 620, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The designation by The ~~New Zealand Refining Company Ltd (Refining NZ)~~ Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from Mangawhai Road at Kaiwaka and the southern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and no more than [50] lineal metres of pipeline will be excavated at any particular time; and
- ii. Upgrade will be limited to adding or replacing above the ground components, provided the relevant district Plan permitted activity standards are complied with.

The contact details for ~~Refining NZ~~ Channel Terminal Services Limited are:

Postal Address: Private Bag 9024, Whangarei, New Zealand
Telephone: ~~+64 9 432 8311~~ +64 9 432 5100
Facsimile: +64 9 432 8035
Email: ~~corporate@refiningnz.com~~ corporate@channelnz.com

Conditions

Restrictions of the Designation

1. a. No person shall:
 - i. Erect any structure; or
 - ii. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
 - iii. Plant any tree or shrub; or
 - iv. Disturb the soil below a depth of 0.4 m from the surface; or
 - v. Do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining the written consent of ~~Refining NZ~~ Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where ~~Refining NZ~~ Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Refining-NZ Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Refining-NZ Channel Terminal Services Limited will review each application with the landowner and /or developer and work to achieve the most suitable outcome for all parties. Refining-NZ Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Refining-NZ Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines > 450v either in parallel with or intersecting Refining-NZ's Channel Terminal Services Limited's petroleum pipeline, without first obtaining Refining-NZ's Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Refining-NZ's Channel Terminal Services Limited's consent is not required under section 176 of the RMA to undertake:

- i. Any works authorised by an earlier designation;
- ii. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:
 - A Road Opening Notice has been obtained from Auckland Transport;
 - Soil is not disturbed below a depth of 0.4m from the surface; and
 - After works, the finished surface level is not reduced below the pre-existing surface datum.

d. Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Refining-NZ Channel Terminal Services Limited for consent to do the works. Refining-NZ Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Refining-NZ Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

General

2. Subject to these conditions, all works shall be undertaken in general accordance with the plans and information submitted by requiring authority in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline" and additional information received 20 December 2007 entitled NZRC Pipeline Designation DRAFT — Rodney District Council (version 1: December 2007).

Designation Width

3. The maximum width of the designation shall be as follows:

- a. For land not within roads or rail corridor 12m; and
- b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

Engineering Standards

4. All works in, on or under Council roads shall be carried out in accordance with the requirements of the Council's then current Standards for Engineering Design and Construction.

Road Opening

5. Any maintenance, repair, upgrade or renewal works associated with the pipeline within public roads within the designation shall be carried out in accordance with the document "National Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

Pipeline Maintenance

6. All pipeline maintenance, repair, upgrade and renewal activities outside road reserves that involve excavation shall be in accordance with the Guide to Land Access for the Oil and gas industry and Landowners.

Utility Services

7. Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

Overland Flow Paths

8. Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

Existing Overhead Lines

9. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

Earthworks

10. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed in accordance with the current Unitary Plan standards. Prior to any earthworks within the designation the appropriate sediment control devices as per Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing activities in the Auckland Region" shall be installed.

Hours of Maintenance

11. Scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained.

Noise

12. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics Construction Noise.

Welding, Dust and Smoke

13. Maintenance works, repair, upgrade and renewal activities shall comply with the following:

All welding activities shall be screened from adjacent sites and roads.

No activity (apart from traffic travelling on formed roads, or activities authorised by resource consent for a discharge of contaminants into air) shall create a dust or smoke nuisance, which is discernible beyond the boundary of the site or sites on which the activity is being undertaken. For the purposes of this condition a dust or smoke nuisance will occur if the Council considers there is visible evidence of noxious, dangerous, offensive or objectionable deposited particulate matter settling on the ground, a building, or structure, which is traceable from a dust or smoke source; or if the Council considers that the level of dust or smoke, beyond the boundary of the site or sites on which the activity is being undertaken, is noxious, dangerous, offensive or objectionable. In making its determination as to whether there is or is not a dust or smoke nuisance, the Council shall take into account the character of the zone in which the dust or smoke is created.

Note:

- a. In addition to this condition the Auckland Unitary Plan has rules relating to the discharge of smoke and dust.*
- b. It is the nature of the rural area that rural farming activities are undertaken that will create a level of dust and/or smoke as a part of reasonable farming activities. However, this does not exempt farming activities from meeting any relevant rules.*
- c. In making the above determination Council shall utilise suitably qualified and experienced persons where possible.*

Consultation with NZTA

14. The requiring authority shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

Written Approval from the Requiring Authority

15. The Requiring Authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

Advice Notes

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. All land use activities within the designation corridor must comply with the New Zealand Code of Practice for Electrical Safety Distances (NZECP) 34:2001.
3. Any new structures within the designation may be subject to a Building Consent where applicable.
4. ~~Refining NZ~~ Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
5. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation railway and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.
6. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines — Gas and Petroleum Liquids, the Health and safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
7. Emergency works may be performed in line with the Vector advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Vector or their agent who provide an on-call service outside of normal working hours.
8. An authority may need to be obtained from Heritage New Zealand to destroy, damage or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.
9. Where any maintenance works, repair, upgrade and renewal activities affect any stream or river or where earth works are undertaken the requiring authority will need to obtain any necessary consents from the Auckland Council prior to the works commencing.
10. For the avoidance of doubt, the Requiring Authority has confirmed that it accepts that nothing in the conditions limits, or is intended to limit, the potential obligation under section 176A of the RMA to provide an Outline Plan of works in appropriate circumstances.

Attachments

No attachments.

6501 Petroleum Pipeline - Urban Section

Designation Number	6501
Requiring Authority	New Zealand Refining Company Ltd (Refining NZ) <u>Channel Terminal Services Limited</u>
Location	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri
Rollover Designation	Yes
Legacy Reference	Designation NZRC1, Auckland Council District Plan (Waitakere Section) 2003; Designation G0306 Auckland Council District Plan (Isthmus Section) 1999; and Designation 296, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The designation by ~~The New Zealand Refining Company Ltd (Refining NZ)~~ Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki and the Wiri Oil Services Terminal at 149 Roscommon Road, Wiri, Manukau City.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and maximum allowable operating pressure of no more than (9.0MPa) and no more than [20] lineal metres of pipeline will be excavated within any 14 day period.
- ii. Upgrade will be limited to adding or replacing aboveground components provided the applicable Unitary Plan permitted activity standards are complied with and the maximum allowable operating pressure is not increased. Above ground components are limited to:
 - The existing isolation valves;
 - The existing cathodic protection terminals;
 - Surface marker posts; and
 - Warning signage.
- iii. All activities within road reserve shall be in accordance with the requirements of " Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor "; and
- iv. All activities within land other than the road reserve shall be in accordance with the Guide to Land Access for the Oil and Gas Industry and Landowners.

The contact details for ~~Refining NZ~~ Channel Terminal Services Limited are:

Postal Address: Private Bag 9024, Whangarei, New Zealand
Telephone: ~~+64 9 432 8311~~ +64 9 432 5100
Facsimile: +64 9 432 8035
Email: ~~corporate@refiningnz.com~~ corporate@channelnz.com

Conditions

Restrictions of the Designation

1. a. No person shall:
 - i. Erect any structure; or
 - ii. Plant any tree or shrub; or
 - iii. Disturb the soil below a depth of 0.4m; or

iv. Do anything on or to the land which would or could damage or endanger the pipeline, without first obtaining the written consent of Refining-NZ Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Refining-NZ Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Refining-NZ Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Refining-NZ Channel Terminal Services Limited will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. Refining-NZ Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Refining-NZ Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting Refining-NZ's Channel Terminal Services Limited's petroleum pipeline, without first obtaining Refining-NZ's Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Refining-NZ's Channel Terminal Services Limited's consent is not required under section 176 of the RMA to the following activities, provided that:

- i. Road Opening Notice has been obtained from the Road Controlling Authority;
- ii. Any road widening or associated works in accordance with any existing road designation;
- iii. Any repair, maintenance or upgrade to existing road surface;
- iv. Any repair, maintenance or upgrade to any existing network utility infrastructure.

Provided in all cases that:

- Soil is not disturbed below a depth of 0.4m from the surface; and
- After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Refining-NZ Channel Terminal Services Limited for consent to do the works. Refining-NZ Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Refining-NZ Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

Emergency works may be performed in line with the Vector Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Refining-NZ Channel Terminal Services Limited or their agent (Vector Gas Ltd) who provide an on-call service outside of normal working hours.

General

2. Subject to these conditions, works shall be undertaken in general accordance with the plans and information submitted by the requiring authority in support of the Notice of Requirement in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline".

3. The maximum width of the designation shall be as follows:

- a. For land, not including roads and rail corridor 12m; and

b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

For the avoidance of doubt, where the designation applies to road or rail corridors the designation shall not extend across any adjacent private property, except to the extent that private property is subject to an easement in favour of Refining NZ Channel Terminal Services Limited.

4. All pipeline maintenance, repair, upgrade and renewal activities within road reserves that involve excavation shall be pursuant to a Road Opening Notice and shall be subject to the Road Opening Notice requirements of the Council and carried out in accordance with "Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor".

5. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed, in accordance with the current Unitary Plan standards.

6. Refining NZ Channel Terminal Services Limited shall at all times ensure that access between parts of any property held in single ownership temporarily severed by maintenance, repair, upgrade and renewal activities is maintained to a level that will enable, as far as practicable, normal activities on the property to continue.

7. Within road reserves scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) except:

- a. where otherwise stated in a Traffic Management Plan, to the satisfaction of the Council; or
- b. with the prior approval of the Road Controlling Authority.

8. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

9. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.

10. Refining NZ Channel Terminal Services Limited shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

11. Refining NZ Channel Terminal Services Limited shall consult with Auckland Transport at least 15 working days prior to carrying out any works or activities on, in or under Council-controlled roads, except in emergency situations.

12. The requiring authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

Advice Notes

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.

2. Refining NZ Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.

3. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines – Gas and Petroleum Liquids, the Health and Safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.

4. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.

5. An authority may need to be obtained from Heritage New Zealand to destroy, damage, or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

Attachments

No attachments.

Attachment D: Correct text

Designation Schedule - Channel Terminal Services Limited

Number	Purpose	Location
6500	Operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities ...	109 Vipond Road, Topuni to 102 Amreins Road, Taupaki
6501	Operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities ...	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri

6500 Petroleum Pipeline - Rural Section

Designation Number	6500
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 109 Vipond Road, Topuni
Rollover Designation	Yes
Legacy Reference	Designation 620, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from Mangawhai Road at Kaiwaka and the southern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and no more than [50] lineal metres of pipeline will be excavated at any particular time; and
- ii. Upgrade will be limited to adding or replacing above the ground components, provided the relevant district Plan permitted activity standards are complied with.

The contact details for Channel Terminal Services Limited are:

Postal Address: Private Bag 9024, Whangarei, New Zealand
Telephone: +64 9 432 5100
Facsimile: +64 9 432 8035
Email: corporate@channelnz.com

Conditions

Restrictions of the Designation

1. a. No person shall:
 - i. Erect any structure; or
 - ii. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
 - iii. Plant any tree or shrub; or
 - iv. Disturb the soil below a depth of 0.4 m from the surface; or
 - v. Do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and /or developer and work to achieve the most suitable outcome for

all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines > 450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to undertake:

i. Any works authorised by an earlier designation;

ii. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:

- A Road Opening Notice has been obtained from Auckland Transport;

- Soil is not disturbed below a depth of 0.4m from the surface; and

- After works, the finished surface level is not reduced below the pre-existing surface datum.

d. Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

General

2. Subject to these conditions, all works shall be undertaken in general accordance with the plans and information submitted by requiring authority in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline" and additional information received 20 December 2007 entitled NZRC Pipeline Designation DRAFT — Rodney District Council (version 1: December 2007).

Designation Width

3. The maximum width of the designation shall be as follows:

a. For land not within roads or rail corridor 12m; and

b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

Engineering Standards

4. All works in, on or under Council roads shall be carried out in accordance with the requirements of the Council's then current Standards for Engineering Design and Construction.

Road Opening

5. Any maintenance, repair, upgrade or renewal works associated with the pipeline within public roads within the designation shall be carried out in accordance with the document "National Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

Pipeline Maintenance

6. All pipeline maintenance, repair, upgrade and renewal activities outside road reserves that involve excavation shall be in accordance with the Guide to Land Access for the Oil and gas industry and Landowners.

Utility Services

7. Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

Overland Flow Paths

8. Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

Existing Overhead Lines

9. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

Earthworks

10. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed in accordance with the current Unitary Plan standards. Prior to any earthworks within the designation the appropriate sediment control devices as per Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing activities in the Auckland Region" shall be installed.

Hours of Maintenance

11. Scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained.

Noise

12. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics Construction Noise.

Welding, Dust and Smoke

13. Maintenance works, repair, upgrade and renewal activities shall comply with the following:

All welding activities shall be screened from adjacent sites and roads.

No activity (apart from traffic travelling on formed roads, or activities authorised by resource consent for a discharge of contaminants into air) shall create a dust or smoke nuisance, which is discernible beyond the boundary of the site or sites on which the activity is being undertaken. For the purposes of this condition a dust or smoke nuisance will occur if the Council considers there is visible evidence of noxious, dangerous, offensive or objectionable deposited particulate matter settling on the ground, a building, or structure, which is traceable from a dust or smoke source; or if the Council considers that the level of dust or smoke, beyond the boundary of the site or sites on which the activity is being undertaken, is noxious, dangerous, offensive or objectionable. In making its determination as to whether there is or is not a dust or smoke nuisance, the Council shall take into account the character of the zone in which the dust or smoke is created.

Note:

- a. In addition to this condition the Auckland Unitary Plan has rules relating to the discharge of smoke and dust.*
- b. It is the nature of the rural area that rural farming activities are undertaken that will create a level of dust and/or smoke as a part of reasonable farming activities. However, this does not exempt farming activities from meeting any relevant rules.*
- c. In making the above determination Council shall utilise suitably qualified and experienced persons where possible.*

Consultation with NZTA

14. The requiring authority shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

Written Approval from the Requiring Authority

15. The Requiring Authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

Advice Notes

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. All land use activities within the designation corridor must comply with the New Zealand Code of Practice for Electrical Safety Distances (NZECP) 34:2001.
3. Any new structures within the designation may be subject to a Building Consent where applicable.
4. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
5. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation railway and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Rounding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.
6. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines — Gas and Petroleum Liquids, the Health and safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
7. Emergency works may be performed in line with the Vector advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Vector or their agent who provide an on-call service outside of normal working hours.
8. An authority may need to be obtained from Heritage New Zealand to destroy, damage or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.
9. Where any maintenance works, repair, upgrade and renewal activities affect any stream or river or where earth works are undertaken the requiring authority will need to obtain any necessary consents from the Auckland Council prior to the works commencing.
10. For the avoidance of doubt, the Requiring Authority has confirmed that it accepts that nothing in the conditions limits, or is intended to limit, the potential obligation under section 176A of the RMA to provide an Outline Plan of works in appropriate circumstances.

Attachments

No attachments.

6501 Petroleum Pipeline - Urban Section

Designation Number	6501
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri
Rollover Designation	Yes
Legacy Reference	Designation NZRC1, Auckland Council District Plan (Waitakere Section) 2003; Designation G0306 Auckland Council District Plan (Isthmus Section) 1999; and Designation 296, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki and the Wiri Oil Services Terminal at 149 Roscommon Road, Wiri, Manukau City.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and maximum allowable operating pressure of no more than (9.0MPa) and no more than [20] lineal metres of pipeline will be excavated within any 14 day period.
- ii. Upgrade will be limited to adding or replacing aboveground components provided the applicable Unitary Plan permitted activity standards are complied with and the maximum allowable operating pressure is not increased. Above ground components are limited to:
 - The existing isolation valves;
 - The existing cathodic protection terminals;
 - Surface marker posts; and
 - Warning signage.
- iii. All activities within road reserve shall be in accordance with the requirements of " Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor "; and
- iv. All activities within land other than the road reserve shall be in accordance with the Guide to Land Access for the Oil and Gas Industry and Landowners.

The contact details for Channel Terminal Services Limited are:

Postal Address: Private Bag 9024, Whangarei, New Zealand
Telephone: +64 9 432 5100
Facsimile: +64 9 432 8035
Email: corporate@channelnz.com

Conditions

Restrictions of the Designation

1. a. No person shall:
 - i. Erect any structure; or
 - ii. Plant any tree or shrub; or
 - iii. Disturb the soil below a depth of 0.4m; or
 - iv. Do anything on or to the land which would or could damage or endanger the pipeline, without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to the following activities, provided that:

- i. Road Opening Notice has been obtained from the Road Controlling Authority;
- ii. Any road widening or associated works in accordance with any existing road designation;
- iii. Any repair, maintenance or upgrade to existing road surface;
- iv. Any repair, maintenance or upgrade to any existing network utility infrastructure.

Provided in all cases that:

- Soil is not disturbed below a depth of 0.4m from the surface; and
- After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

Emergency works may be performed in line with the Vector Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Channel Terminal Services Limited or their agent (Vector Gas Ltd) who provide an on-call service outside of normal working hours.

General

2. Subject to these conditions, works shall be undertaken in general accordance with the plans and information submitted by the requiring authority in support of the Notice of Requirement in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline".

3. The maximum width of the designation shall be as follows:

- a. For land, not including roads and rail corridor 12m; and
- b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

For the avoidance of doubt, where the designation applies to road or rail corridors the designation shall not extend across any adjacent private property, except to the extent that private property is

subject to an easement in favour of Channel Terminal Services Limited.

4. All pipeline maintenance, repair, upgrade and renewal activities within road reserves that involve excavation shall be pursuant to a Road Opening Notice and shall be subject to the Road Opening Notice requirements of the Council and carried out in accordance with "Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor".
5. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed, in accordance with the current Unitary Plan standards.
6. Channel Terminal Services Limited shall at all times ensure that access between parts of any property held in single ownership temporarily severed by maintenance, repair, upgrade and renewal activities is maintained to a level that will enable, as far as practicable, normal activities on the property to continue.
7. Within road reserves scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) except:
 - a. where otherwise stated in a Traffic Management Plan, to the satisfaction of the Council; or
 - b. with the prior approval of the Road Controlling Authority.
8. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
9. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.
10. Channel Terminal Services Limited shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.
11. Channel Terminal Services Limited shall consult with Auckland Transport at least 15 working days prior to carrying out any works or activities on, in or under Council-controlled roads, except in emergency situations.
12. The requiring authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

Advice Notes

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
3. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines – Gas and Petroleum Liquids, the Health and Safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
4. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.

5. An authority may need to be obtained from Heritage New Zealand to destroy, damage, or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

Attachments

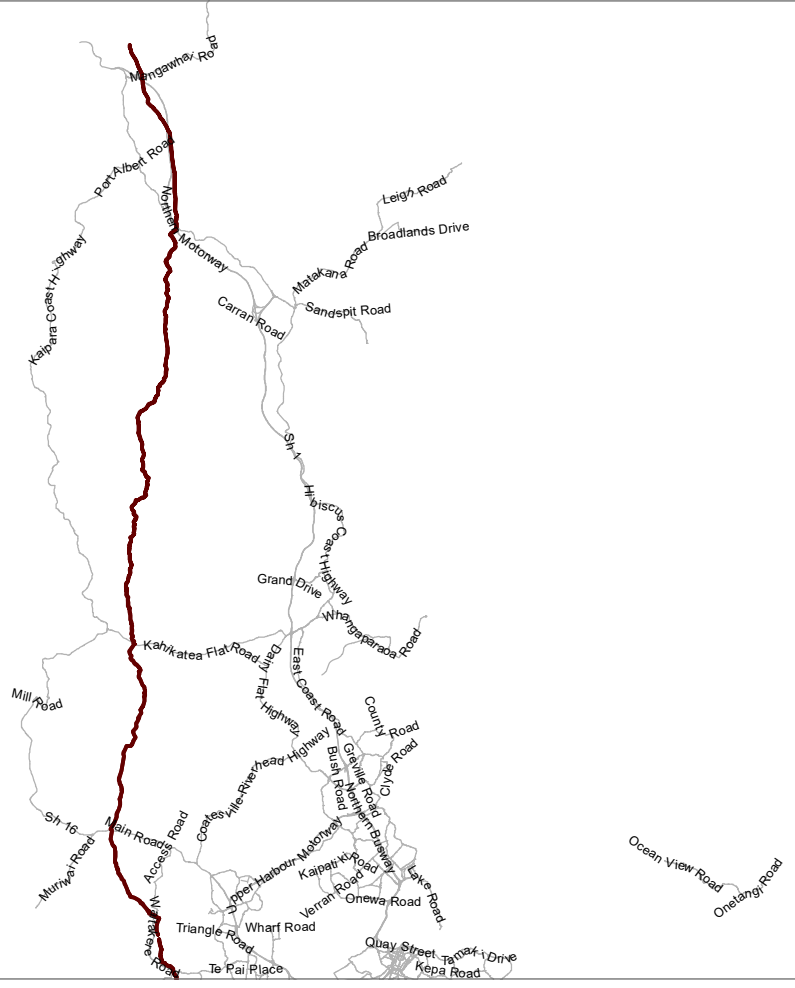
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Attachment E: Updated GIS Viewer

BEFORE

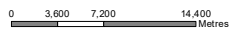
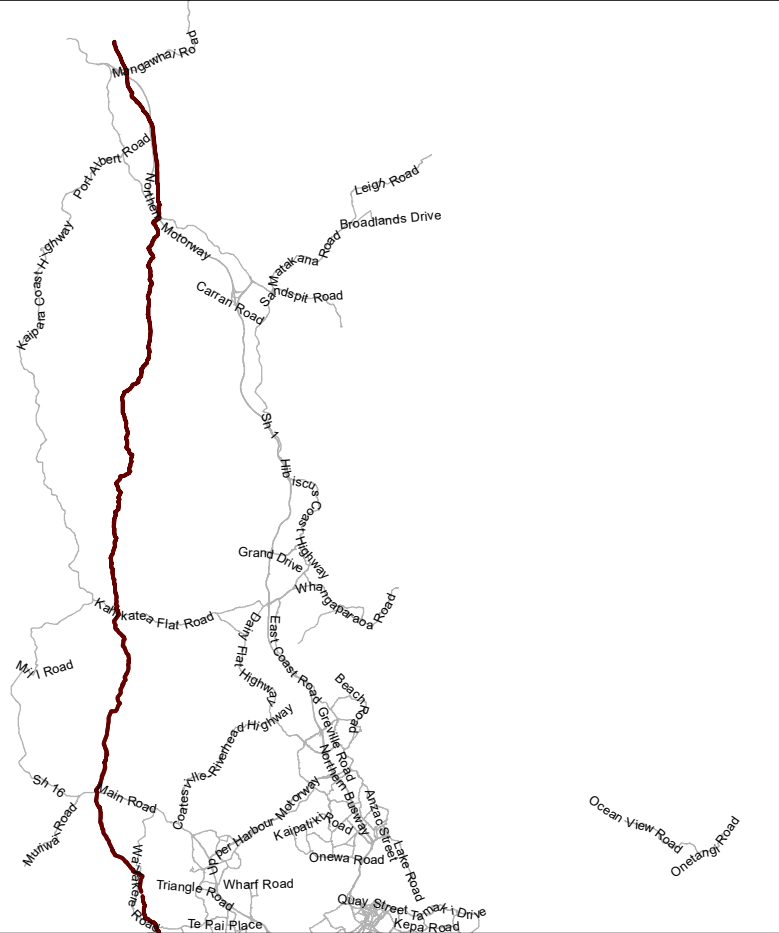


— Roads
 ■ Designations



AFTER

— Roads
 ■ Designations



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Date: 4/07/2022

Designation D6500 Requiring Authority change from New Zealand Refining Company Limited to Channel Terminal Services Limited

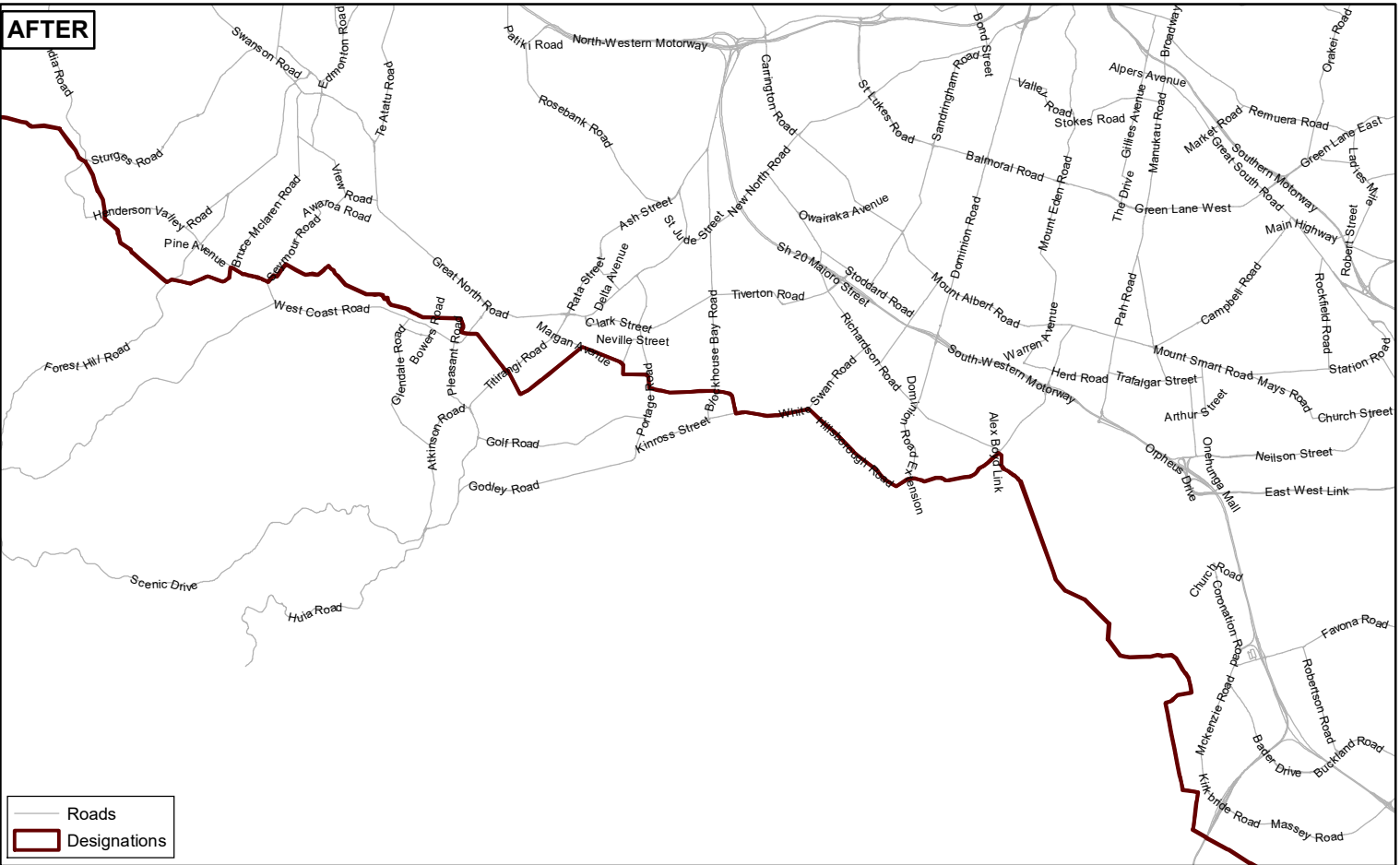
Auckland Council
 Te Kaunihera o Tāmaki Makaurau

Plans and Places

BEFORE



AFTER



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Date: 4/07/2022

Designation D6501 Requiring Authority change from New Zealand Refining Company Limited to Channel Terminal Services Limited

