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3rd August 2017

Queenstown Lakes District Council
Private Bag 50072
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services@qldc.govt.nz

Dear Sir/Madam,

RE: HEARING STATEMENT ON BEHALF OF THE OIL COMPANIES (SUBMITTER 2484) ON CHAPTER 31 (SIGNAGE) OF THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN (STAGE 2)

1. INTRODUCTION

- 1.1 I refer to the abovementioned matters set down for hearing commencing 3rd – 28th September 2018. Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (*“the Oil Companies”*) will not be presenting evidence at the hearing, but instead advise of its position in respect of these submission points through this tabled statement.
- 1.2 This statement has been prepared on behalf of the Oil Companies (identified as submitter 2484) and represents its views. The statement relates to those submissions by the Oil Companies relevant to Chapter 31 – Signage.
- 1.3 There is general satisfaction with the recommendations of the Reporting Planner in relation to Chapter 31 – Signage, as confirmed in Section 2.0 below, subject to incorporation of the advice note associated with Rule 31.5.20 into the rule itself.
- 1.4 It would be appreciated if you could table this statement before the QLDC Hearings Panel.

2. CHAPTER 31 – SIGNAGE

- 2.1 **The Oil Companies (Submission Point 19) sought to retain Rule 31.5.9 as notified.** There were no further submissions. The Reporting Planner recommends retaining Rule 31.5.9. The recommendation of the Reporting Planner is supported and the Committee is urged to accept it.
- 2.2 **The Oil Companies (Submission Point 20) sought to retain Rule 31.5.20 as notified.** There were no further submissions. The Reporting Planner has recommended retaining Rule 31.5.9 subject to the addition of an advice note, as follows:

Advice Note: Signage permitted by this rule is not subject to any of the other rules within Chapter 31.

- 2.3 The intent of the advice note is supported by the Oil Companies. However, an advice note has no legal standing and as such, it could still be argued that the permitted activity conditions apply. For the avoidance of doubt as to interpretation, and to ensure clarity of plan provisions, it is considered more appropriate to amend Rule 31.5.20 to incorporate the advice note into the rule itself. Such an amendment would reflect a similar approach to the notified wording of Rule 31.5.23(c), and therefore the approach has already been accepted in principle in the Plan.
- 2.4 The QLDC Hearings Panel is urged to adopt the amendments to Rule 31.5.20 as set out below.

Recommendation to the Hearings Panel

- 2.5 Amend Rule 31.5.20 to incorporate the advice note proposed by the Reporting Planner, as follows:

Rule 31.5.20

Signs required by acts of Parliament, legislation or statutory requirements that are permitted by this rule are not subject to any of the other rules within Chapter 31.

3. CONCLUDING STATEMENT

- 3.3 Thank you for your time and acknowledgement of the issues raised in the Oil Companies submission. Please do not hesitate to contact the writer on (09) 917 4316 should you wish to clarify any matters addressed herein.

Yours sincerely

BURTON PLANNING CONSULTANTS LIMITED



John McCall
Planner | Int.NZPI