

Draft New Plymouth District Plan

Feedback from Climate Justice Taranaki Inc.

1. Climate Justice Taranaki Inc. (CJT) welcome the opportunity to provide the New Plymouth District Council with feedback on the Draft New Plymouth District Plan (the Plan). We are a community group comprised of residents from in and around Taranaki who are concerned about climate change, its root causes and the social injustice and environmental issues associated with it. Our core members have background in environmental science and marine ecology. We have been an incorporated society since 2015.
2. Our feedback on the Plan focusses on issues concerning petroleum and associated activities, their social and environmental impacts, Council's responsibilities in protecting rural communities and environments, the need for climate change preparedness, and opportunities for sustainable, as opposed to unsustainable, development.
3. Our proposed additions and edits of wordings in the Plan are underlined.

Climate Change

4. The Draft District Plan does not have a single mention of climate change. This is unacceptable.
5. The New Zealand government, along with 200 others, have signed the Paris Agreement on Climate Change¹, to keep global warming well below 2°C, pursue a target of 1.5°C, and invest in climate-adaptation, low-emissions and climate-resilient development. World Meteorological Organisation figures show global temperature is already 1.2°C above pre-industrial levels and 2016 is set to be the hottest year on record and a new high for the third year running². New Zealand is heating faster than global average³, with serious consequences for the environment and economy, from flooding, drought, coastal hazards and other impacts (e.g. on agriculture, ski fields, etc.).
6. In June 2016, the NZ Parliamentary Commissioner for the Environment warned⁴, *"There is no question that climate change is by far the most serious environmental issue we face. Moreover, it will have big impacts on virtually every other aspect of our environment... Most troubling is the irreversible cumulative effect of more and more carbon dioxide dissolving into the ocean and making seawater increasingly acidic, affecting the ability of zooplankton and shellfish to form shells. Eventually, marine foodwebs will become undermined... A century of clearing bush on unstable hill country has left a legacy of erosion. An enormous amount of topsoil has been, and continues to be, washed into waterways. Erosion is irreversible and cumulative... Climate change is projected to lead to more intense and frequent heavy downpours, exacerbating the problem. An eroded area will tip into another state when plants cannot re-establish because so much fertility has been lost."*
7. The Draft Coastal Plan for Taranaki⁵ was understated in noting that *"The risk or vulnerability to coastal hazards may increase over time due to climate change and sea level rise"*. The Parliamentary Commissioner for the Environment explained⁶, *"As the climate changes and sea levels continue to rise, coastal hazards will also change. Not only will erosion speed up in places and become more widespread, coastal floods will become more frequent and extensive, and in places there will be groundwater problems."*
8. CJT ask that Council take the issue of climate change seriously, follow the precautionary principle, and take proactive actions to build community resilience and minimize the risks on communities of climate disruption in all its forms. We believe the Draft Plan could have greater regard to the National Policy Statement for Renewable Electricity Generation 2011⁷ as well as considerations for other renewable/alternative energy innovations and initiatives.

Rural Development

9. The Plan states that *“The principal functions of the rural environment are to provide for productive rural activities such as pastoral farming, livestock, horticulture and forestry; resource extraction activities such as quarrying, oil and gas...”*
10. CJT believe that the principal functions of the rural environment are to provide for productive rural activities such as sustainable farming, horticulture, apiculture, forestry, fishing, as well as rural living, education, environmental restoration and biodiversity conservation.
11. We disagree with including resource extraction, notably oil and gas and other non-renewable resources, as a principal function of the rural environment, because of its non-sustainable nature, pollution and incompatibility with other rural activities.
12. We object to having a key objective (RD-O1) to recognise the so-called contribution of *“regionally significant industries to the social and economic well-being of the community”*.
13. While the government considers the oil and gas industry of national or regional significance and the industry provides financial benefits to a small minority of people in Taranaki, local communities surrounded by oil and gas extraction and production activities benefit little, if at all. Notably Waitara, Eltham, Kaponga and Patea were found to be most socio-economically deprived in the nationwide deprivation study published in 2014^{8,9}. Elsewhere in places like Tikorangi, social fabric is torn as local communities become divided¹⁰, with a few landowners making a profit from the industry while neighbours gain nothing but stress, dangerous vehicle traffic, privacy intrusion (e.g. drone flights), drop in property value, and illnesses.
14. Anecdotal research has revealed cancer clusters¹¹ around Kapuni, Taranaki’s oldest onshore gas field. Although the Taranaki District Health Board¹² has not commissioned any research, they warned recently that *“lack of evidence is not the same as evidence that people who live close to petroleum exploration and gas production activities never suffer adverse health effects. Well publicised reports from other countries, most notably the US, suggest that drilling and extraction of gas using hydraulic fracturing, commonly referred to as fracking, has the potential to adversely impact human health.”*
15. The links between fracking, deepwell injection and earthquakes are well documented, especially in the US where millions are now at risk, warned the US Geological Society¹³. Conversely, the NZ Parliamentary Commissioner for the Environment has warned of the risk to oil and gas wells from seismic activity¹⁴, especially in Hawke’s Bay area with major known earthquake faults.
16. On 14 November 2016, a 7.8 magnitude earthquake¹⁵ struck Canterbury in the South Island, with hundreds of aftershocks, causing deaths, multiple casualties and damage to properties and infrastructure, and was felt across the country. In the same month, the media reported on the discovery of a crack under the OMV Maari oil field platform which prompted a staff evacuation and halt in production. OMV reported¹⁶ that the damage was caused by *“fatigue”* and *“combined action of wind and wave”* and was unable to reject the possibility of damage from the 7.8 magnitude earthquake¹⁷.
17. Over the last decade, drilling for oil and gas has intensified drastically, with more and more wells being drilled, many side-tracked from old wells, some kilometres long, most have been fracked, water-flooded or injected with waste¹⁸. With greater intensity comes greater risks, especially as such infrastructure ages and climate disruption escalates, and of course there is always the risk of damage or exacerbation of damage by earthquakes (natural or induced) and the associated environment and social impacts.

18. It is a well-recognized fact that we need to keep fossil fuels in the ground¹⁹ if we are to limit climate disruption. Yet Council appear to be fixated on supporting fossil fuel ‘business as usual’ and lack preparedness for what is to come (See also our points 4-8 on climate change).
19. The Local Government Act 2002 section 14(1) states that: *“(b) a local authority should make itself aware of, and should have regard to, the views of all of its communities; and (c) when making a decision, a local authority should take account of— (i) the diversity of the community, and the community’s interests, within its district or region; and (ii) the interests of future as well as current communities; and (iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii)...”*
20. When the diversity of the community and the community’s interests, as well as the interests of future and current communities are considered, Council could not possibly draw such a broad statement that oil and gas exploration and extraction contribute to the social and economic well-being of the community. This statement ignores the fact that it is a minority benefiting over the majority and it does not take into account impacts on future generations.
21. In view of the above (points 12-20) and in alignment with the precautionary principle, Council should be focussing on the risks of continued reliance on and further exploration and extraction for oil and gas, and the benefits and urgent need for renewable energy and climate-resilient development, rather than proposing provisions (RD-O1; RD-P1; RD-P3; RD-P4) that tout the importance of extractive industries like oil and gas. RD-P1(a) goes even further by reserving productive, versatile land for industries.
22. For RD-O2, CJT propose to replace *“efficient”* with *“sustainable environmentally, socially and economically”* so that it reads *“Productive land and resources support a range of production oriented and resource dependent activities which are innovative and sustainable environmentally, socially and economically”*. As an example fossil fuel extraction cannot possible be sustainable because of the non-renewable nature of the activity. Likewise, intensive poultry or pig farming are neither innovative nor sustainable, and have serious animal welfare issues.
23. Although RD-P4(c) requires rural industry to be located *“with appropriate setback from sensitive activities”*, there is no discussion about the way setback is delineated. CJT believe that site-specific Quantitative Risk Assessments need to be conducted to determine adequate setback, especially when the oil and gas industry and/or hazardous substances are involved. The issue of such industrial activities locating close to property boundaries, thereby imposing impacts on neighbours and the future landuse options of neighbouring properties, also needs to be addressed. Both CJT and Taranaki Energy Watch^{20,21,22} have provided detailed submissions on the Proposed South Taranaki District Plan Review. Please consider them thoroughly especially the statements of evidence^{23,24,25,26} presented by Taranaki Energy Watch in regards to setback or separation distances. (See Annex 1 for CJT submissions and hearing statements)

Infrastructure and Connectivity

24. CJT propose to incorporate and emphasize the concept/goal of sustainability and climate change resilience in the provisions of this section.
25. For IC-O1, we propose adding the word *“sustainable”* so it reads *“Infrastructure services the needs of existing and planned activities and enables the sustainable growth, development and economic well-being of the district”*.
26. For IC-O2(a), we propose adding the words *“sustainable”* and *“climate resilient”* so it reads *“Infrastructure is designed and provided in a way that ensures: a) a sustainable, efficient, integrated, connected and climate resilient infrastructure and transport network”*.

27. For IC-P1, we propose adding “electric rail” to the examples of transport network.
28. For IC-P3(a), we propose adding “sustainable” and “fast charging²⁷ stations for electric vehicles^{28,29}” so it reads “*Require that the provision and design of the transport network is safe, sustainable and efficient and achieves connectivity by: a) linking to existing networks, access links, public transport routes, fast charging stations for electric vehicles and open space networks*”.
29. For IC-P5, add “sustainable and climate resilient” so it reads “*Require that the design, provision and maintenance of infrastructure is efficient, integrated, connected, sustainable and climate resilient by:...*”
30. For IC-P5(d), replace “a way to dispose of” with “for sewage treatment and management”, so it reads “*providing for sewage treatment and management in a sanitary manner which minimises adverse effects on the health and functioning of the environment*”.
31. Add IC-P5(f) which reads “*providing for renewable electricity and energy generation and distribution network, especially community-based initiatives*”. These may encompass roof-top solar array, wind-farms, community woodlots/plantation for firewood for space heating, or energy/fuel from biomass (e.g. farm waste) etc.

Waterbodies

32. CJT strongly support the three waterbodies objectives WB-O1 to O3 to protect and maintain the values of waterbodies and their surroundings, enhance and restore waterbodies and provide a network of indigenous biodiversity.
33. We support the policies proposed in general but have serious reservation over off-setting adverse effects of an activity, as prescribed in WB-P4(d) and WB-P5. Biodiversity offsetting has yet to establish a compelling track record of achieving its objectives and therefore remains controversial. It is however widely accepted that sound offsetting requires as prerequisites: i) strict adherence to the mitigation hierarchy, whereby an offset arrangement is only applied to residual impacts after all other impacts on biodiversity have been avoided, minimized, and rehabilitated/restored on site and ii) a recognition that some elements of biodiversity are irreplaceable or vulnerable, limiting what can be offset (Maseyk et al. in press)³⁰. These prerequisites are not mentioned in the policies.
34. We request greater protection for priority waterbodies by way of rules, such as assigning non-complying (rather than discretionary) activity status to earthworks in a setback from a priority waterbody and subdivision of land containing a priority waterbody. “Customary activities” require definitions. We are not sure that all customary activities should be allowed as a permitted or controlled activity, especially if they relate to a priority waterbody.

Indigenous Biodiversity

35. On IB-P5(d) and IB-P6, CJT have the same concern over off-set of adverse effects (See our point 33).
36. In terms of rules, CJT propose that the clearance of indigenous vegetation within a significant natural area be non-complying, rather than discretionary.

Coastal Environment

37. CJT wish to highlight the importance of council plans in reflecting the NZ Coastal Policy Statement objective 5 “*To ensure that coastal hazard risks taking account of climate change, are managed by:*

- *locating new development away from areas prone to such risks;*
 - *Considering responses, including managed retreat, for existing development in this situation; and*
 - *Protecting or restoring natural defences to coastal hazards.*”
38. CJT therefore propose expanding CE-P7(d) so it reads, “*Require that activities proposing to locate within the coastal overlay area demonstrate that the activity is located appropriately having regards to the effects of the activity, and: ... d) the presence of any natural hazards that may or may not be exacerbated by climate change, and whether the activity will exacerbate the hazard and/or be vulnerable to it*”. This proposed expansion reflects ...”
39. CJT seek clarification on the definition of ‘earthworks’ in CE-P3, and whether it includes landfarming? CJT is strongly opposed to landfarming and any other disposal of contaminated wastes in our coastal environment. Please refer to our submissions and hearing statements on the Proposed South Taranaki District Plan on this issue (See Annex 1).
40. CJT strongly support policies CE-P8(d) and CE-P10 which require or “*Encourage restoration and rehabilitation of natural character, indigenous vegetation and habitats, cultural landscape features, dunes and other natural coastal features or processes.*”
41. In regards to rules, CJT request greater protection for dune areas by assigning a non-complying activity status (rather than discretionary) to modification of dune areas. Notably “dunes” are highlighted for protection many times in the NZ Coastal Policy Statement (objective 1; policy 11, 13(2)c, 14(c)(iv), 19(3)b, 20(1)(a) and 26(2)).

Natural Hazards

42. This section lacks consideration of climate change which is expected to exacerbate the risks and impacts of natural hazards, notably flooding, river bank erosion, coastal erosion and inundation.
43. CJT propose expansion of NH-O1 so it reads, “*The risk associated with natural hazards on people, property and the environment, and the potential exacerbation of risks by climate change, are recognised and managed*”.
44. We propose expansion of NH-P1(b) so it reads, “*Identify areas where natural hazards are more likely to occur, considering climate change, and including: ... (b) along the coast and river mouths where coastal erosion and inundation from sea level rise and storm surge associated with climate change, is likely*”.
45. We strongly object to NH-P3 which allows new regionally significant infrastructure and critical infrastructure to locate in natural hazard areas. Considering the increasing risk of natural hazards due to climate change, this policy appears fool-hardy. The term “*critical infrastructure*” requires a clear definition and preferably with examples. The clause “*as far as practicable*” in NH-P3(b) “*the risks to people, property and the environment are mitigated as far as practicable*” does not offer adequate assurance.
46. We proposed expanding NH-P4 so it reads, “*Require activities locating in natural hazard areas to ensure any risks on people, property and the environment will be minimised, having regard to the effects of the activity, the exacerbation by climate change, and...*”

Subdivision

47. It is good to see sustainable, low impact design methods mentioned in S-O2 and solar gain and renewable energy mentioned in S-P2. However, these opportunities already exist. CJT therefore propose to reword and expand S-P2(j) so it reads, “*Ensure subdivision is appropriately located and*

designed to avoid, remedy or mitigate adverse effects and to provide for... j) sustainable building design including solar gain, reduction in energy and water consumption, rainwater capture, grey water reuse, sewage treatment and small-scale individual or community based renewable energy generation and distribution.

Traffic and Transport

48. This section lacks any reference, consideration or support for more sustainable transport systems, notably rail for freight and electric vehicles (for public transport, corporate/council fleets and private). Please incorporate suggestions given in points 24-29 above.
49. The issues of heavy vehicles, especially those carrying hazardous substances associated with the oil and gas industry, on small rural roads (e.g. around Tikorangi) need to be addressed seriously, as they pose real safety issues to local communities and road users, as well as liability in terms of road maintenance.

Hazardous Substances

50. CJT are pleased to see the mention of *“cumulative effects of multiple facilities”* and *“any potential adverse cumulative or synergistic effects”* (HS-P2(d)).
51. To reflect the above, rules need to be developed including setbacks between a new and existing hazardous substance activities, or *“Major Hazardous Facility”* (see our points 89-92).
52. We ask that any setback distance from *“Major Hazardous Facility”* be determined based on site-specific Quantitative Risk Assessment which would also take into account any potential adverse cumulative or synergistic effects, and the risks of natural hazards which will be exacerbated by climate change. Please refer to our submissions and hearing statements³¹ on the Proposed South Taranaki District Plan (Annex 1) as well as the submissions and statements of evidence from Taranaki Energy Watch on setback distances and hazardous substances.
53. We note that landfills and wastewater treatment plants are considered *“Major Hazardous Facility”* in the activity list. The environmental and public health issues associated with wastewater treatment plants are far-reaching and must be addressed (See CJT submission on the Draft Coastal Plan for Taranaki in Annex 2).
54. We advocate for closed-loop production, waste minimisation (education and services) and resource recovery³² as much as possible, including methane capture and energy generation from landfills^{33,34}. We ask Council to incorporate these aspects when developing the Plan, formulating budgets and when assessing consent applications.

Contaminated Land

55. CJT have serious issues over this section of the Plan. Noticeably missing in the introduction are contaminated land associated with oil and gas activities, including wellsites, mix-bury-cover sites, landfarms and wormfarms where contaminated wastes have been stored in pits, discharged onto or into land or worked into the soil. Such sites are widespread across New Plymouth district and indeed much of the Taranaki region. Their impacts on the environment, local communities and landuse must not be ignored or downplayed.
56. The Plan appears to be silent on landfarming and other forms of petroleum waste disposal such as mix-bury-cover and deepwell injection. This must be addressed when further developing the Plan.

While the Plan states that “*resource consent is triggered through the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*”, how does the Plan intend to implement this without rules? E.g. How are livestock kept (or crops prevented from being harvested) off farms or parts of the farms where petroleum wastes are being or have been spread via landfarming? Can Council explain how this has been enforced in existing landfarms or other sites that have been contaminated by petroleum activities?

57. We have written substantively on the issues associated with landfarming and contaminated land. Please refer to our submissions to the Parliamentary Commissioner for the Environment^{35,36} and to the South Taranaki District Council³⁷ (Annex 1). Please also consider thoroughly the statements of evidence from Taranaki Energy Watch on these issues, including activity status of landfarming in different zones and separation distances.

Energy

58. CJT support provisions that encourage and provide for renewable energy generation and distribution as long as they are appropriately designed and located to minimise adverse effects on communities and the environment, including cumulative effects.
59. We are strongly against further oil and gas energy development activities (See our points 12-21 above).
60. We note that Council’s definition of petroleum prospecting excludes the use of explosives. We therefore query whether seismic surveys for petroleum using explosives would be considered petroleum exploration and managed as such?
61. We note that requirement of setbacks from existing well sites (E-P3(a)) is a prudent one. However, the purpose must not be limited “*to minimise compounding noise effects*” when there are significant safety and health issues and environment effects associated with multiple wells on each well site, multiple well sites in close proximity, and multiple well sites in close proximity to other hazardous facilities.
62. We argue that surrounding communities can only be adequately protected by robust legal requirements during consenting process, such as notification and affected party status. “*Encouraging active engagement with surrounding communities*” (E-P3(e)) will not ensure protection and fairness.
63. We support the requirement of oil and gas site remediation (E-P4) but strongly disagree that such remediation be limited to “above ground” activities and only commence after decommissioning or abandonment. We request that remediation include both above and below ground activities (e.g. contaminated flare pits or storage pits) and begin before the site is abandoned. We also request that all remediation costs be awarded to the consent holder of the oil and gas activities, and indeed a bond should be imposed during consent process to make sure that the cost burden would not end up on Council or rate payers. A pertinent example is Mobil’s recent avoidance of clean-up costs estimated at \$10 million in Auckland³⁸.
64. We are strongly opposed to E-P6. We argue that if an oil and gas company cannot locate a site to access the resource without causing adverse effects, then no landuse or other consent should be granted.
65. We support E-P7 which would avoid locating oil and gas activities within or in proximity to the coastal overlay area, historic heritage and scheduled features. We ask that adequate setback be determined based on site-specific Quantitative Risk Assessment.

66. We have written substantively on the issues associated with oil and gas activities. Please refer to our submissions on the Proposed South Taranaki District Council³⁹ (Annex 1) and the Draft Coastal Plan for Taranaki⁴⁰ (Annex 2). Please also consider thoroughly the submissions and statements of evidence from Taranaki Energy Watch on these issues.

Industrial Zones

67. CJT seek clarification on IDZ-P6 and ask whether it's meant to read *"Only allow activities that are potentially compatible with the role, function and predominant character of the industrial zones..."*
68. We propose to expand IDZ-P6(f) so it reads *"the ability to avoid adverse effects on waterbodies and other sensitive features and activities in and in the vicinity of the zone"*.
69. We propose to expand IDZ-P6(g) so it reads *"the ability to internalise effects and avoid conflict with existing industrial activities and non-industrial activities in the vicinity of the zone"*.
70. We propose to expand IDZ-P8(e) so it reads *"separation from sensitive activities and features based on site-specific Quantitative Risk Assessment"*.
71. We are pleased to see IDZ-P13 – *"Ensure industrial activities located on sites adjacent to Centres, Commercial Services, Living, Open Space, Rural and Maori Purpose Zones minimise any adverse effects on Sites within those zones"*.
72. We ask that IDZ-P13(b) be expanded so it reads *"achieving adequate separation and/or setbacks based on site-specific Quantitative Risk Assessment to: ... iii) ensure safety and health are not compromised"*.

Residential Zone

73. CJT are pleased to see RZ-P13 which *"Encourage high quality living activities that are healthy, accessible and sustainable"*. We propose expanding RZ-P13(c) and (d) so they read *"c) incorporating innovative design to assist occupants in minimising water consumption, capturing rainwater, reusing grey water and managing black water (sewage)"* and *"d) providing small-scale individual or community based on-site renewable energy generation and distribution to meet the needs of occupants"*.
74. For RZ-P15 on greenfield subdivision, add similar provisions proposed above to provide for rainwater capturing, wastewater management and renewable energy generation. Under RZ-P15(f) re transport, add *"support fast charging for electric vehicles"*.

Maori Purpose Zone

75. CJT support the objectives and policies of the Maori Purpose Zone. Moreover, Council support in the form of resources and jobs is needed for hapu-based kaitiaki in coastal, riparian, forest, waahi tapu and other areas where kaitiakitanga is needed.

Rural Production Zone

76. The Plan proposes a new Rural Production Zone *"to protect our rural land and support rural activities (especially our agricultural base, nationally significant oil and gas sector and fast-growing poultry industry)." (Summary Guide p.37)*

77. RPZ-O1 says “Rural activities and rural industry are the predominant activity in the Rural Production Zone” and RPZ-P1 “Allow rural activities, rural industry and ancillary activities that are compatible with the role, function and predominant character of the Rural Production Zone.” CJT object to the lumping of rural activities (primarily agriculture) with rural industry (primarily oil and gas exploration, extraction and waste disposal such as landfarming) in a single Rural Zone. The two are not compatible. RPZ-O2 cannot work if the two are put together within the same zone. Rural Production Zone should be redefined to provide for agriculture (except intensive farming) primarily and revisions would have to be made to the corresponding objectives, policies and rules.
78. RPZ-O5, O6 and O7 which focus on rural amenity and sensitive activities do not offer the protection or conflict avoidance needed. This is because the environmental and health (including livestock health) impacts from fossil fuel and petrochemical industries on rural activities, notably sustainable or organic farming in the neighbourhood, cannot be avoided or adequately managed.
79. CJT propose that a new Rural Industrial Zone be introduced to provide for and manage industrial activities (e.g. oil and gas, petrochemical, other mineral mining, intensive farming as defined in Plan, non-agricultural manufacturing) with provisions similar to those in the Industry Zones (See our points 68-72 above). This would help to align the zoning scheme of the Draft Plan with the Proposed South Taranaki District Plan (See Annex 1). As a general point, there needs to be a standardised set of rules for all oil and gas, petrochemical and intensive farming activities across Taranaki.

Rural Lifestyle Zone

80. CJT object to RLZ-P2(h) which considers intensive farming as potentially compatible with the role, function and predominant character of the Rural Lifestyle Zone. We ask that intensive farming be classified non-complying or prohibited, rather than discretionary.
81. We support RLZ-P3 which includes industrial, hazardous and petroleum activities as incompatible with rural lifestyle character, and the classification of these activities as non-complying.
82. On RLZ-P9, we proposed to expand RLZ-P9(d) so it reads “*fully servicing the new activity with adequate on-site infrastructure and not relying on the Council’s reticulation systems, and providing for rainwater capturing, reuse of grey water and management of black water (sewage)*”.
83. We also propose to add a new provision “*f) providing for small-scale individual or community based on-site renewable energy generation and distribution to meet the needs of occupants*”.

Major Facility Zone

84. There needs to be a clear definition for Major Facility Zone if it is to be introduced to the Plan.
85. A full list of facilities to be zoned as Major Facility Zone along with their corresponding Concept Plans are also needed for submitters to determine the appropriateness of the zone-specific provisions.
86. CJT acknowledge the regional or national significance of Port Taranaki and New Plymouth Airport. However, we also recognise the need to diversify Port activities for economic resilience and the importance of shifting from air to land-based transport such as electric freight and passenger rail, to reduce fossil fuel reliance and the economic liability that comes with fossil fuel dependence. It is also worth noting that land was taken from local hapu Ngāti Te Whiti and then quarried to extend the land area for the Port which is now partly an exclusion zone. None of this recognises the rights of tangata whenua.
87. MFZ-P1 includes “major rural industry facilities” as potential “Major Facility Zones.” We seek clarification from Council as to whether these would include major oil, gas and petrochemical

facilities such as Methanex and Todd Energy McKee or Mangahewa Expansion Train 2⁴¹ production stations?

88. CJT do not accept the claimed contribution of such facilities to *“the economic and social wellbeing of the community”* (MFZ-O1). We object to having special provisions to provide for the ongoing operation and further development of such facilities (MFZ-O3) which perpetuate the exploration and extraction of fossil fuels.
89. We disagree with MFZ-P3 which allows for effects from major facility activities *“that are potentially incompatible with the role and function of the Major Facility Zone or that are not in accordance”* with the site’s concept plan. MFZ-P9 requires concept plans to address *“(e) how the effects of the activity will be managed to ensure internalization of effects to the extent practicable and minimisation of conflict at zone interfaces”*. We argue that the internalization of effects should be mandatory without exceptions, rather than *“to the extent practicable”* which is subjective and can easily be used as a ‘get out of jail free card’.
90. We are gravely concerned about the lack of consideration of safety and health effects posed by major facilities on neighbouring communities. MFZ-P7 limits the control of effects to only *“a) building/structure bulk, scale and location; b) traffic and parking effects; c) infrastructure and stormwater; d) noise and light; e) separation from sensitive activities and features; f) landscaping and screening...”*
91. *“Encouraging consultation with adjacent communities”* (MFZ-P8h) alone is not enough to protect local communities as oil companies are known to employ the ‘divide and conquer’ strategy⁴² along with misinformation and coercion.
92. We ask Council to put in place clear recognition and control of the potential safety and health issues posed by major facilities to nearby communities, and to require site-specific Quantitative Risk Assessments when determining adequate separation distances. Please consider thoroughly the submissions and statements of evidence presented by Taranaki Energy Watch during the Proposed South Taranaki District Plan Review.

Activity List (Definitions)

93. CJT find the definition of “intensive farming” in the Draft Plan confusing and incomplete. Both Cambridge and Britannica dictionaries include high inputs, notably of fertilisers, pesticides and machinery, and high output per unit area in the definition. We understand that Council’s definition of intensive pig or poultry farming would imply factory farming of animals. We are opposed to factory farming based on animal welfare concerns, as well as the adverse impacts on the environment and nearby communities, and the unsustainable nature of the operations. It is also economically foolish when world markets are increasingly demanding high quality, ethically grown animals rather than factory farmed meat. Moreover, we believe New Zealand should be pushing for agricultural diversification with a shift to more tree crops⁴³ (e.g. fruit, nuts, timber) and other plant products which are far more ecologically sustainable than meat or dairy production. Tree crops would also contribute to carbon sequestration and reduction in livestock, notably cows, would also reduce methane and other greenhouse gas emissions that are detrimental drivers of climate change.
94. For “major hazardous facility”, the Plan includes *“petroleum exploration and petroleum production (except where the Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 2013, Health and Safety at Work (Petroleum Exploration and Extraction) Regulations 2015, Health and Safety in Employment (Mining Operations) Regulations 2013 would apply)”*.
95. In our submission to the Proposed South Taranaki District Plan, CJT argued that the above exceptions are illogical. The notified Draft Plan of November 2016, following public hearings, has taken out the above exceptions and renamed *“major hazardous facility”* as *“significant hazardous facility”*. CJT

recommend Council to refer to our submissions (Annex 1) and the various officers and decision reports concerning this definition.

96. There appears to be no reference in the objectives, policies or rule summary in the Draft Plan concerning “major hazardous facility” specifically. We seek clarifications on these and whether they are intended to be encompassed by those specified for Hazardous Substances or Major Facility Zone?
97. We note the exclusion of “*the use of explosives*” in the definition of “*petroleum prospecting*” and the mention of “*use of explosives*” in “*petroleum exploration*”. We seek clarification as to whether Council consider seismic surveys involving the use of explosives to be “*petroleum exploration*” rather than “*prospecting*”? Would all rules relating to exploration then apply also to seismic surveys involving the use of explosives?
98. There is no definition of landfarming or other forms of petroleum waste disposal such as mix-bury-cover and deepwell injection. These need to be defined separately or a definition for petroleum waste disposal be introduced to incorporate them.
99. “Customary activities” and “critical infrastructure” also require definitions.

¹ UNFCCC, 2015. Paris Agreement.

http://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english_.pdf

² 2016 will be the hottest year on record, UN says. The Guardian 14/11/2016.

https://www.theguardian.com/environment/2016/nov/14/2016-will-be-the-hottest-year-on-record-un-says?utm_source=esp&utm_medium=Email&utm_campaign=KIITG+series+2016&utm_term=199820&subid=14926182&CMP=ema-60

³ By 2025 hottest years on record will be the new normal. Stuff 9/11/2016. <http://www.stuff.co.nz/environment/climate-news/86262999/by-2025-hottest-years-on-record-will-be-the-new-normal>

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Annex 1