

BEFORE THE INDEPENDENT HEARING PANEL

IN THE MATTER OF the Resource Management Act 1991 (“RMA”)

AND

IN THE MATTER OF the Proposed Kaipara District Plan

**MEMORANDUM OF COUNSEL ON BEHALF OF CHANNEL TERMINAL
SERVICES LIMITED**

***Hearing 3 of the Proposed Kaipara District Plan: Part 1 – Introduction and
General Provisions (excluding Definitions, Abbreviations and Glossary)***

21 January 2026

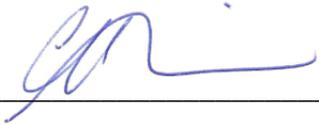
MAY IT PLEASE THE PANEL

1. This memorandum is on behalf of Channel Terminal Services Limited (“**CTS**”) in relation to Hearing 3 of the Proposed Kaipara District Plan (“**Proposed Plan**”), which addresses Part 1 – Introduction and General Provisions (excluding Definitions, Abbreviations and Glossary).
2. For the purposes of Hearing 3, CTS’s submission relates specifically to the Cross Boundary Matters provisions in Part 1 of the Proposed Plan. CTS’s submission sought greater cross boundary consistency in the management of the Ruakaka to Auckland Pipeline (“**RAP**”), a 170km long high-pressure fuels pipeline owned and operated by CTS, which traverses the Whangarei, Kaipara and Auckland districts. While CTS’s submission supported the inclusion of provisions recognising cross-boundary effects, it also sought that the Proposed Plan go further by providing for a collaborative and consistent approach to the management of infrastructure that crosses territorial boundaries, such as the RAP.
3. In relation to Cross Boundary Matters, the Hearing 3 section 42A Report states:
 49. *NZDF [284.4] and CTS [301.22] both seek to retain the provisions that recognise effects occur across boundaries. Given that there were no opposing submissions, I recommend these points are accepted.*
 50. *CTS also seeks to amend the PDP to provide for a collaborative and consistent approach to the management of infrastructure that crosses territorial boundaries. Infrastructure such as the Ruakaka to Auckland Pipeline crosses territorial boundaries, and CTS considers that a coordinated approach to management of the pipeline and landuses / activities around the pipeline is warranted. This part of the submission point is more appropriately addressed in the Infrastructure hearing and thus is deferred to that later part of the hearing process.*
4. CTS supports the deferral of the relevant part of its submission to the Infrastructure hearing (Hearing 33).
5. On this basis, and given there are no outstanding matters in contention as between CTS and the Council’s reporting planner for Hearing 3, CTS does not intend to attend Hearing 3. CTS intends to address its relevant submission points at Hearing 33 (Infrastructure), scheduled for September 2026.

6. CTS remains available to assist the Panel should any matters arise in relation to Hearing 3.

**CHANNEL TERMINAL SERVICES
LIMITED**

By its solicitors ChanceryGreen, per:



CH Simmons / CM Todd