

Hazardous Substances

Issues

Hazardous substances pose potential threats to the health and safety of people and can have significant adverse effects on the environment. At the same time, it is recognised that their use, storage, manufacture and disposal allow people to provide for their social and economic wellbeing, and their health and safety.

Hazardous substance use and storage is controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO) and associated regulations. The District Plan should not duplicate those regulations but can instead target residual risks to the environment not addressed by HSNO.

Operative District Plan Approach

The Operative District Plan comprehensively addresses hazardous substances but no changes have been made since the Plan became operative in 2005. This means that the Plan provisions are not consistent with the 2017 RMA amendments and other regulatory changes, which created Health and Safety at Work (Hazardous Substances) Regulations administered by Worksafe New Zealand.

Proposed Plan Approach

The approach to hazardous substances in the Proposed Plan is to target only major hazard facilities, which are identified and mapped in the Proposed Plan.

The Proposed Plan supports the ongoing operation of existing legally established major hazard facilities, while directing new such facilities into appropriate areas and environments, and avoiding new sensitive activities establishing in close proximity to them.

There is a shift to ensure the specific environmental effects are considered and there is no overlap with regulations already controlling the use, storage and transportation of hazardous substances.

The Proposed District Plan also manages other hazardous facilities in sensitive environments and flood assessment areas.

Changes

Key changes include:

Major hazard facilities are identified and mapped in the Proposed Plan.

Rules enable hazardous facilities outside of sensitive environments and flood assessment areas.

Rules control the maintenance, repair and alteration of major hazardous facilities.

Rules restrict new major significant hazardous facilities establishing in close proximity to sensitive areas.

Non-complying activity status rule applies to new sensitive activities, which is a defined term, locating within 250m of a major hazardous facility.

Reasons

The proposed changes will align with current legislation and regulations and provide more certainty to users and the community of the requirements under the Plan. The location of major hazard facilities is managed where there are residual risks to the values of the natural and cultural environment.

Sensitive activities should not locate in near proximity to significant hazardous facility to protect those facilities from reverse sensitivity effects, and to protect the health of people.

What this Means in Practice

The rules in the hazardous substances chapter effect only existing major hazard facilities, which are identified in the Proposed Plan, and any new significant hazard facility, which is a defined term on the Plan. New sensitive activities such as a residential activity, place of assembly, education facility, and a visitor accommodation will be discouraged from locating within 250m of a significant hazardous facility.

