

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
Hazards and Risks / Hazardous Substances / General HS	Greater Wellington Regional Council	351.117	Oppose	<p>Considers the 2017 amendments to the RMA repealed the provisions of s30 and s31 relating to the function of regional councils and territorial authorities with respect to management of the use of, or use of land for, hazardous substances. This is no longer a function of either the WCC or Greater Wellington, and hazardous substance use is managed under the HSNO Act by the Environmental Protection Authority.</p> <p>Greater Wellington controls the discharge of hazardous substances only because they are a 'contaminant', and RMA s15 applies. Greater Wellington notes that the purpose of HSNO Act is to prevent or manage any adverse effects of hazardous substances, so there is no category of risk that is not managed under the HSNO Act</p>	Seeks the consideration of the deletion of the chapter.
Hazards and Risks / Hazardous Substances / General HS	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.78	Support in part	The approach to hazardous substances and the Hazardous Substances Chapter as set out in the section 32 report is supported. In particular, efforts to only control matters in relation to hazardous substances that are not covered by other more specific legislation including the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Health and Safety at Work Act 2015 (HSWA).	Retain the Hazardous substances chapter as notified, with amendments.
Hazards and Risks / Hazardous Substances / General HS	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.79	Support	Supports the introduction to the chapter.	<p>Retain the introduction to the Hazardous Substances chapter.</p> <p>[Inferred decision requested].</p>
Hazards and Risks / Hazardous Substances / New HS	Firstgas Limited	304.38	Amend	<p>Considers that a new rule should be added to the Hazardous Substances chapter. The Plan should adopt a precautionary approach to hazard risk management. The use of explosives (e.g. for quarrying purposes) near the Gas Transmission Network poses a health and safety, and environmental risk should the activity not be properly managed. It is sought that the Plan apply a new rule, which requires that the use of explosives within 100 metres of the Gas Transmission Network be assessed as a restricted discretionary activity.</p> <p>The reverse sensitivity effects from such activities are not specifically addressed under the Hazardous Substances and New Organisms Act 1996 (HSNO). In particular, there are no controls or rules around the use of explosives within the HSNO. There are also no controls around the use of explosives within proximity to pipelines. The use of a rule is consistent with HS-O1 (Protection from unacceptable residual risk) which provides direction that the use of a rule would be appropriate in this circumstance.</p> <p>The gas network delivers significant benefits to people and communities, supporting their social and economic well-being, as well as providing for their health and safety. Potential degradation to the gas network, resulting from explosive activities, has the potential to result in risk to people and communities. Explosive activities which may result in potentially adverse effects on the integrity of the network, and consequently the health and wellbeing of people and communities, shall be required to demonstrate the residual risk can be avoided, remedied or mitigated to an acceptable level.</p>	<p>Add a new Rule to the Hazardous Substances chapter as follows:</p> <p><u>Restricted Discretionary Activities</u> <u>The use of explosives within 100 metres of the Gas Transmission Network</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>i) The risk of hazards affecting public or individual safety, and the risk of property damage;</u> <u>ii) Measures proposed to avoid or mitigate potential adverse effects on the Gas Transmission Network;</u> <u>iii) Technical advice from the owner and operator of the Gas Transmission Network, including an assessment of the level of risk;</u> <u>iv) The outcome of any consultation with the owner and operator of the Gas Transmission Network;</u> <u>and</u> <u>v) Whether the use of explosives could be located a greater distance from the Gas Transmission Network</u></p>
Hazards and Risks / Hazardous Substances / HS-O1	Fire and Emergency New Zealand	273.58	Support	Supports the objective on the basis that the objective seeks to protect people, communities and identified areas from unacceptable residual risks associated with the handling of hazardous substances within appropriate facilities and activities.	Retain HS-O1 (Protection from unacceptable residual risk) as notified.

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Hazards and Risks / Hazardous Substances / HS-O1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.80	Support	HS-O1 is supported, as it seeks to protect people and communities from unacceptable residual risks from facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances.	Retain Objective HS-O1 (Protection from unacceptable residual risk) as notified.
Hazards and Risks / Hazardous Substances / HS-O1	Wellington International Airport Ltd	406.202	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-O1 (Protection from unacceptable residual risk) as notified.
Hazards and Risks / Hazardous Substances / HS-O2	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.81	Support	HS-O2 is supported, as it seeks that sensitive activities are appropriately located to minimise reverse sensitivity effects and unacceptable residual risk from established hazardous facilities.	Retain Objective HS-O2 (Protection of established facilities) as notified.
Hazards and Risks / Hazardous Substances / HS-O2	Ministry of Education	400.41	Support	Supports HS-O2 to encourage sensitive activities, including educational facilities, to be located away from established hazardous facilities.	Retain HS-O2 (Protection of established facilities) as notified.
Hazards and Risks / Hazardous Substances / HS-O2	Wellington International Airport Ltd	406.203	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-O2 (Protection of established facilities) as notified.
Hazards and Risks / Hazardous Substances / HS-P1	Fire and Emergency New Zealand	273.59	Support	Notes that fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor. However, there is sometimes a need temporarily store large quantities of product in an emergency. The policy allows the flexibility to utilise hazardous substances when and where necessary for operations and to ensure an effective response to a fire or other emergency.	Retain HS-P1 (Residual risk to people and communities) as notified.
Hazards and Risks / Hazardous Substances / HS-P1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.82	Oppose	HS-P1 is opposed as it extends to a range of matters which are not specific to hazardous substances and which would be better managed through provisions applicable to all activities affected by these specific areas or overlays (i.e. in their own chapters). HS-P1 could potentially conflict with these chapters including, for example, the Natural Hazards chapter which does not explicitly seek to avoid hazardous substances in natural hazard areas. Instead, hazardous substance activities would be more appropriately determined on a case-by-case basis depending on, for example, the specific activity's sensitivity to natural hazard risk.	Delete HS-P1 (Residual risk to people and communities) in its entirety and instead determine hazardous activities on a case-by-case basis.

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Hazards and Risks / Hazardous Substances / HS-P1	CentrePort Limited	402.84	Amend	Considers that this is an avoid policy. Large parts of the Special Port Zone are within natural hazards areas especially the Wellington fault. CentrePort is a Major Hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016. The policy should recognise that there may be functional need or operational requirements for hazardous substances to be handled within these areas.	Amend HS-P1 (Residual risk to people and communities) as follows: 7. ... Unless <u>1. There is a functional need or operational requirement and there are no practicable alternatives; and</u> <u>2. it can be demonstrated that the residual risk to human health, people and communities or these identified areas and their values will be avoided or, if avoidance is not possible, unacceptable risk is adequately mitigated.</u>
Hazards and Risks / Hazardous Substances / HS-P1	Wellington International Airport Ltd	406.204	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-P1 (Residual risk to people and communities) as notified.
Hazards and Risks / Hazardous Substances / HS-P2	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.83	Support	HS-P2 is supported as it seeks to appropriately locate hazardous activities and facilities to mitigate individual and cumulative residual risk associated with multiple hazardous activities and facilities and to avoid unacceptable residual risks to people and sensitive activities by internalising effects through site layout and design.	Retain HS-P2 (Location of hazardous facilities and activities) a notified.
Hazards and Risks / Hazardous Substances / HS-P2	CentrePort Limited	402.85	Support	Support the intent of this policy.	Retain HS-P2 (Location of hazardous facilities and activities) as notified.
Hazards and Risks / Hazardous Substances / HS-P2	Wellington International Airport Ltd	406.205	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-P2 (Location of hazardous facilities and activities) as notified.
Hazards and Risks / Hazardous Substances / HS-P3	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.84	Support	HS-P3 is supported as it seeks to avoid locating sensitive activities in close proximity to MHF where there is potential to be exposed to unacceptable residual risks and/or constrain the development, operation, upgrading or maintenance of an exiting MHF.	Retain HS-P3 (Sensitive activities) as notified.
Hazards and Risks / Hazardous Substances / HS-P3	Ministry of Education	400.42	Support	Supports HS-P3 ensure sensitive activities, including educational facilities, are located away from established major hazardous facilities.	Retain HS-P3 (Sensitive activities) as notified.
Hazards and Risks / Hazardous Substances / HS-P3	CentrePort Limited	402.86	Support	Support the intent of this policy.	Retain HS-P3 (Sensitive activities) as notified.
Hazards and Risks / Hazardous Substances / HS-P3	Wellington International Airport Ltd	406.206	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-P3 (Sensitive activities) as notified.

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Hazards and Risks / Hazardous Substances / HS-R1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.85	Support	HS-R1 is supported as it enables the manufacture, use, storage, transportation or disposal of hazardous substances as a permitted activity and provides an appropriate rule framework relating to new and existing MHFs and the requirements for Quantitative Risk Assessments (QRA) in specific situations (e.g. greater than a 10% increase in the volume of hazardous substances).	Retain HS-R1 (The manufacture, use, storage, transportation or disposal of hazardous substances) as notified.
Hazards and Risks / Hazardous Substances / HS-R1	CentrePort Limited	402.87	Support	Support the intent of this rule.	Retain HS-R1 (The manufacture, use, storage, transportation or disposal of hazardous substances) as notified.
Hazards and Risks / Hazardous Substances / HS-R1	Wellington International Airport Ltd	406.207	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. Generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain HS-R1 (The manufacture, use, storage, transportation or disposal or hazardous substances) as notified.
Hazards and Risks / Hazardous Substances / HS-R2	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.86	Support	[No specific reason given beyond decision requested - refer to original submission]	Retain HS-R2 (Existing major hazard facility) as notified.
Hazards and Risks / Hazardous Substances / HS-R2	Ministry of Education	400.43	Support	Supports HS-R2 as the submitter supports the Section 88 information requirements for existing major hazards facilities to consider any adverse effects on nearby sensitive activities (including educational facilities). The submitters considers that this will help to identify any risks to appropriately manage and mitigate them.	Retain HS-R2 (Existing major hazard facility) as notified.
Hazards and Risks / Hazardous Substances / HS-R2	CentrePort Limited	402.88	Support	Support the intent of this rule.	Retain HS-R2 (Existing major hazard facility) as notified.
Hazards and Risks / Hazardous Substances / HS-R3	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.87	Support	[No specific reason given beyond decision requested - refer to original submission]	Retain HS-R3 (New major hazard facility) as notified.
Hazards and Risks / Hazardous Substances / HS-R3	CentrePort Limited	402.89	Support in part	Considers that the Special Purpose Port Zone should be listed as a discretionary option under this rule for any proposal for a new major hazard activity as there is for the General Industrial Zone.	Retain HS-R3 (New major hazard facility), with amendment.
Hazards and Risks / Hazardous Substances / HS-R3	CentrePort Limited	402.90	Amend	Considers that the Special Purpose Port Zone should be listed as a discretionary option under this rule for any proposal for a new major hazard activity as there is for the General Industrial Zone.	Amend HS-R3 (New major hazard facility) as follows: 1. Activity status: Discretionary Where: a. The activity is located within the General Industrial Zone <u>or the Special Purpose Port Zone.</u> ...