

Appendix 2: Submissions and Further Submissions on the Contaminated Land and Hazardous Substances Topic with Recommendations

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer recommendation
S140.013	Heritage New Zealand Pouhere Taonga	HS - P2	Support	Retain policy as proposed	Accept in part
S140.014	Heritage New Zealand Pouhere Taonga	HS - P3	Support	Retain policy as proposed	Accept in part
S181.004	Westland District Council	Contaminated Land	Support	Retain the objectives, policies and rules	Accept
S190.143	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	CL - O1	Support	Retain objective.	Accept
S190.144	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	Contaminated Land Policies	Amend	We recommend the following policy is added: <u>CL-P3 - Protect the environment and population health from adverse effects of contaminated land, particularly used and closed landfills by: 1). Taking a precautionary approach to subdivision, development, or activities within the margins of a used or closed landfill; 2). Ensuring that new and future landfill sites are developed in areas that have lower risk of being impacted by natural hazards, including flooding.</u>	Accept

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S190.145	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	CL - P1	Support	Retain policy.	Accept
S190.146	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	CL - P2	Support	Retain policy.	Accept
S190.147	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	Contaminated Land Rules	Support	Retain rules.	Accept
S190.149	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	HS - O1	Support	Retain objective.	Accept
S190.150	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	HS - P1	Support	Retain policy.	Accept
S190.151	Te Mana Ora (Community and Public Health) of	HS - P2	Support	Retain policy.	Accept

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	the NPHS/ Te Whatu Ora				
S190.152	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	HS - P3	Support	Retain policy.	Accept
S190.153	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	HS - P4	Support	Retain policy.	Accept
S299.001	Transpower New Zealand Limited	Contaminated Land	Support	Retain the definition	Accept
S438.021	Manawa Energy Limited (Manawa Energy)	Definitions	Not Stated	Add a new definition of the term 'major hazard facility' as follows: <u>major hazard facility: Has the same meaning as the Health and Safety at Work (Major Hazard Facilities) Regulations 2016. means a facility that WorkSafe has designated as a lower tier major hazard facility or an upper tier major hazard facility under regulation 19 or 20.</u>	Accept in part
FS222.0173	Westpower Limited		Support	Allow	Accept in part
S438.059	Manawa Energy Limited (Manawa Energy)	Overview	Support	Cross reference to new definition of the term 'major hazard facility' requested.	Accept
S441.007	Silver Fern Farms Limited by its authorised agents	Definitions	Amend	Silver Fern Farms requests that a definition be included for a major hazard facility, as this term is referred to in the TTPP (see Rule HS - P4).	Accept

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	Mitchell Daysh Limited				
S441.011	Silver Fern Farms Limited by its authorised agents Mitchell Daysh Limited	CL - O1	Support in part	Amend as follows: To ensure that contaminated land is used, subdivided, developed or managed in a way that avoids, <u>remedies or</u> mitigates adverse effects on the environment and manages the risk to human health to a level that is appropriate for the intended use.	Accept
S441.012	Silver Fern Farms Limited by its authorised agents Mitchell Daysh Limited	Hazardous Substances	Support	Retain as notified	Accept
S441.013	Silver Fern Farms Limited by its authorised agents Mitchell Daysh Limited	HS - P3	Support in part	Amend as follows: Provide for the establishment and expansion of major hazard facilities within the Industrial, Port and General Rural Zones, where adequate separation distances are maintained from existing sensitive activities and valued natural, cultural and historic heritage features.	Accept
S441.014	Silver Fern Farms Limited by its authorised agents Mitchell Daysh Limited	HS - P4	Support	Retain as notified.	Accept
S446.008	Margaret Montgomery	Contaminated Land	Support	Retain the provisions	Accept
S446.009	Margaret Montgomery	Hazardous Substances	Amend	Amend provisions to directly refer to the HSNO Act.	Reject

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S456.014	Ministry of Education Te Tāhuhu o Te Mātauranga	HS - P4	Support	Retain as proposed	Accept
S474.029	Rocky Mining Limited	Hazardous Substances	Amend	Provide specific recognition of hazardous substance facilities associated with mining	Accept
S486.022	Horticulture New Zealand	CL - P1	Support in part	Amend CL-P2 as follows: At the time of subdivision, change of use or development, <u>if required by the Resource management (National Environmental Standard for assessing and Managing contaminants in Soil to Protect Human Health) Regulations 2011</u> , identify sites that may be subject to potential contamination as a result of historical land use and activities and investigate the risks to human health and the environment.	Reject
FS101.003	Silver Fern Farms Limited		Support	Allow	Reject
S486.023	Horticulture New Zealand	HS - O1	Support	Retain HS-O1	Accept
FS101.004	Silver Fern Farms Limited		Support	Allow	Awaiting recommendation
S486.024	Horticulture New Zealand	HS - P2	Support in part	Include a definition for major hazard facilities: Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016	Accept
FS101.007	Silver Fern Farms Limited		Support	Allow	Accept
S493.031	TiGa Minerals and Metals Limited	HS - P3	Amend	Amend: Provide for the establishment and expansion of major hazard facilities within the Industrial, Port, <u>Minerals Extraction</u> and General Rural Zones, where adequate separation distances	Accept

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				are maintained from sensitive activities and valued natural, cultural and historic heritage features.	
FS68.014	Katherine Crick		Oppose	Disallow	Reject
FS218.016	Mike Spruce		Oppose	Disallow	Reject
S500.018	Papahaua Resources Limited	Hazardous Substances	Support	Provide specific recognition of hazardous substance facilities associated with mining	Accept
S524.039	Federated Farmers of New Zealand	HS - O1	Support	Retain HS-O1	Accept
S524.040	Federated Farmers of New Zealand	HS - P2	Support in part	Include a definition for major hazard facilities: Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016	Accept
FS55.22	Horticulture New Zealand		Support	Allow	Accept
FS1.260	Grey District Council		Support	Allow	Accept
S536.065	Straterra	HS - P3	Amend	Add, "at mining operations".	Accept in part
S536.066	Straterra	HS - P4	Amend	Delete "avoided" and replace with "remedied", "mitigated" or "offset".	Accept
S538.089	Buller District Council	Contaminated Land Objective	Support	Retain as notified.	Accept in part
S538.090	Buller District Council	Contaminated Land Policies	Support	Retain as notified.	Accept

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S538.091	Buller District Council	Contaminated Land Objective	Support	Retain as notified.	Accept in part
S538.092	Buller District Council	Hazardous Substances Objectives	Support	Retain as notified.	Accept
S538.093	Buller District Council	Hazardous Substances Policies	Support	Retain as notified.	Accept in part
S552.045	Buller Conservation Group	Contaminated Land	Support	retain	Accept
S552.046	Buller Conservation Group	HS - 01	Amend	HS - 01 The benefits associated with the use of hazardous substances are recognised while ensuring that risks to the environment and human health arising from subdivision use and development <u>or any other</u> activities involving hazardous substances are minimised.	Reject
FS222.013	Westpower Limited		Oppose	Disallow	Accept
S552.047	Buller Conservation Group	Hazardous Substances Objectives	Support	Add <u>O2 To encourage and promote the safe and efficient handling and disposal of hazardous substances throughout the District.</u>	Reject
FS101.005	Silver Fern Farms Limited		Oppose	Disallow	Accept
FS222.012	Westpower Limited		Oppose	Disallow	Accept

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer recommendation
S552.048	Buller Conservation Group	Hazardous Substances Policies	Amend	<u>P5 Compliance with approved codes of practice and national guidelines and standards shall be required for all activities involving the use, storage and transport of hazardous substances.</u>	Reject
FS101.008	Silver Fern Farms Limited		Oppose	Disallow	Accept
FS222.014	Westpower Limited		Oppose	Disallow	Accept
S552.049	Buller Conservation Group	HS - P1	Support	HS - P1 Activities and facilities involving the use and storage of hazardous substances shall be designed, located, constructed and operated so as to <u>avoid minimise residual</u> risk to people and the environment	Reject
FS101.006	Silver Fern Farms Limited		Oppose	Disallow	Accept
FS222.015	Westpower Limited		Oppose	Disallow	Accept
S553.045	Frida Inta	Contaminated Land	Support	retain	Accept
S553.046	Frida Inta	HS - O1	Amend	Amend The benefits associated with the use of hazardous substances are recognised while ensuring that risks to the environment and human health arising from subdivision use and development <u>or any other</u> activities involving hazardous substances are minimised.	Reject
FS222.0123	Westpower Limited		Oppose	Disallow	Accept
S553.047	Frida Inta	HS - O1	Support	Amend: <u>To encourage and promote the safe and efficient handling and disposal of hazardous substances throughout the</u>	Reject

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				<u>District.</u>	
FS222.0124	Westpower Limited		Oppose	Disallow	Accept
S553.048	Frida Inta	Hazardous Substances Policies	Amend	Add: <u>Compliance with approved codes of practice and national guidelines and standards shall be required for all activities involving the use, storage and transport of hazardous substances.</u>	Reject
FS222.0125	Westpower Limited		Oppose	Disallow	Accept
S553.049	Frida Inta	HS - P1	Amend	HS - P1 Activities and facilities involving the use and storage of hazardous substances shall be designed, located, constructed and operated so as to <u>avoid</u> minimise residual risk to people and the environment	Reject
FS222.0126	Westpower Limited		Oppose	Disallow	Accept
S558.733	Chris & Jan Coll	CL - O1	Support	Retain	Accept
S558.734	Chris & Jan Coll	Contaminated Land Policies	Support	Retain	Accept
S558.735	Chris & Jan Coll	HS - O1	Support	Retain	Accept
S558.736	Chris & Jan Coll	Hazardous Substances Policies	Support	Retain	Accept
S560.184	Royal Forest and Bird Protection Society of New	Contaminated Land	Amend	Amend Objectives, polices and rules so environment explicitly includes risks to native species and their habitat	Reject

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer recommendation
	Zealand Inc. (Forest & Bird)				
FS222.0248	Westpower Limited		Oppose	Disallow	Accept
S560.185	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Hazardous Substances	Amend	Amend Objectives, polices and rules so environment explicitly includes risks to native species and their habitat	Reject
FS222.0249	Westpower Limited		Oppose	Disallow	Accept
S563.006	Geoff Volckman	Contaminated Land Objective	Support	Retain	Accept
S563.007	Geoff Volckman	Contaminated Land Policies	Support	Retain	Accept
S563.008	Geoff Volckman	Hazardous Substances Objectives	Support	Retain	Accept
S563.009	Geoff Volckman	Hazardous Substances Policies	Support	Retain	Accept
S564.009	Catherine Smart-Simpson	CL - O1	Amend	Retain	Accept
S564.010	Catherine Smart-Simpson	Contaminated Land Policies	Support	Retain	Accept

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer recommendation
S564.011	Catherine Smart-Simpson	HS - O1	Support	Retain	Accept
S564.012	Catherine Smart-Simpson	Hazardous Substances Policies	Support	Retain	Accept
S566.733	Chris J Coll Surveying Limited	CL - O1	Support	Retain	Accept
S566.734	Chris J Coll Surveying Limited	Contaminated Land Policies	Support	Retain	Accept
S566.735	Chris J Coll Surveying Limited	HS - O1	Support	Retain	Accept
S566.736	Chris J Coll Surveying Limited	Hazardous Substances Policies	Support	Retain	Accept
S567.090	William McLaughlin	CL - O1	Support	Retain	Accept
S567.091	William McLaughlin	Contaminated Land Policies	Support	Retain	Accept
S567.092	William McLaughlin	HS - O1	Support	Retain	Accept
S567.093	William McLaughlin	Hazardous Substances Policies	Support	Retain	Accept
S573.002	Fire and Emergency New Zealand	CONTAMINATED LAND	Support	No amendment sought	Accept

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer recommendation
S573.004	Fire and Emergency New Zealand	Hazardous Substances	Amend	Hazardous Substances has the same meaning as in section 2 of the RMA: includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance-- a) with 1 or more of the following intrinsic properties: i. explosiveness: ii. flammability: iii. a capacity to oxidise: iv. corrosiveness: v. toxicity (including chronic toxicity): vi. ecotoxicity, with or without bioaccumulation; or which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).	Accept
S574.733	Laura Coll McLaughlin	CL - O1	Support	Retain	Accept
S574.734	Laura Coll McLaughlin	Contaminated Land Policies	Support	Retain	Accept
S574.735	Laura Coll McLaughlin	HS - O1	Support	Retain	Accept
S574.736	Laura Coll McLaughlin	Hazardous Substances Policies	Support	Retain	Accept
S577.009	Koiterangi Lime Co LTD	CL - O1	Support	Retain	Accept

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S577.010	Koiterangi Lime Co LTD	Contaminated Land Policies	Support	Retain	Accept
S581.013	David Ellerm	HAZ - Hazards and Risks	Support	Retain	Accept
S599.035	WMS Group (HQ) Limited and WMS Land Co. Limited	HS - P3	Amend	Amend HS - P3 as follows: Provide for the establishment and expansion of major hazard facilities within the Industrial, Port, <u>Minerals Extraction</u> and General Rural Zones, where adequate separation distances are maintained from sensitive activities and valued natural, cultural and historic heritage features.	Accept
S601.029	Birchfield Coal Mines Ltd	HS - P3	Amend	Amend HS - P3 as follows: "Provide for the establishment and expansion of major hazard facilities within the Industrial, Port, <u>Minerals Extraction</u> and General Rural Zones, where adequate separation distances are maintained from sensitive activities and valued natural, cultural and historic heritage features."	Accept
S601.119	Birchfield Coal Mines Ltd	Definitions	Amend	Insert MAJOR HAZARD FACILITY definition: <u>Has the same meaning as the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 means a facility that WorkSafe has designated as a lower tier major hazard facility or an upper tier major hazard facility under regulation 19 or 20</u>	Accept in part
S604.111	Birchfield Ross Mining Limited	Definitions	Amend	Insert MAJOR HAZARD FACILITY definition: <u>Has the same meaning as the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 means a facility that WorkSafe has designated as a lower tier major hazard facility or an upper tier major hazard facility under regulation 19 or 20</u>	Accept in part
S607.093	Whyte Gold Limited	Definitions	Amend	Insert <u>MAJOR HAZARD FACILITY: Has the same meaning as the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 means a facility that WorkSafe has designated as a lower</u>	Accept in part

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				<u>tier major hazard facility</u> or an upper tier major hazard facility under regulation 19 or 20	
S612.020	Toka Tū Ake EQC	HS - P2	Amend	Include hazardous facilities within the policy, and define what constitutes a significant natural hazard	Accept
S613.002	Fuel Companies	HS - O1	Amend	Amend Objective HS-O1 as follows: The benefits associated with the use of hazardous substances are recognised while ensuring that risks to the environment and human health arising from subdivision use and development activities involving hazardous substances at major hazard facilities are minimised.	Reject
FS101.009	Silver Fern Farms Limited		Support	Allow	Reject
FS223.021	Frida Inta		Oppose	Not stated	Reject
FS224.021	Buller Conservation Group		Oppose	Not stated	Reject
S613.003	Fuel Companies	Definitions	Amend	Introduce a definition of Major Hazard Facility as follows: <u>Major Hazard Facility: has the same meaning as in regulation 4 of the Health and Safety at Work Act 2015.</u>	Accept in part
FS1.216	Grey District Council		Support in part	Allow in part	Accept in part
S613.004	Fuel Companies	HS - P1	Amend	Amend Policy HS - P1 as follows: Activities and facilities involving the use and storage of hazardous substances <u>at major hazard facilities</u> shall be designed, located, constructed and operated so as to minimise <u>manage</u> residual risk to people and the environment.	Reject

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S613.005	Fuel Companies	Hazardous Substances Policies	Support	Retain Policies HS-P2, HS-P3, HS-P4 as notified	Accept in part
S613.006	Fuel Companies	Hazardous Substances Policies	Amend	Introduce a new policy (Policy HS-P5) as follows: <u>Avoid any unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the Plan.</u>	Reject
S613.007	Fuel Companies	CL - O1	Amend	Amend Objective CL-O1 as follows: To ensure that contaminated land is used, subdivided, developed or managed in a way that avoids or mitigates <u>manages</u> adverse effects on the environment and human health to an acceptable level.	Reject
S613.008	Fuel Companies	CL - P2	Amend	Amend Policy CL-P2 as follows: Ensure that when contaminated land is used, subdivided and/or developed, the land is managed or remediated in a way that avoids or mitigates adverse effects on the environment and manages the risk to human health to a level that is appropriate for the intended use.	Reject
FS122.014	Department of Conservation		Oppose	Disallow	Accept
S613.015	Fuel Companies	HS - P1	Support	Amend Policy HS - P1 as follows: Activities and facilities involving the use and storage of hazardous substances at major hazard facilities shall be designed, located, constructed and operated so as to minimise manage residual risk to people and the environment.	Reject
S613.016	Fuel Companies	HS - P1	Support	Amend Policy HS - P1 as follows: Activities and facilities involving the use and storage of hazardous substances at major hazard facilities shall be	Reject

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				designed, located, constructed and operated so as to minimise manage residual risk to people and the environment.	
S614.025	Karamea Lime Company	HS - O1	Support	Retain	Accept
S614.026	Karamea Lime Company	HS - P1	Support	Retain	Accept
S614.027	Karamea Lime Company	HS - P2	Support	Retain	Accept
S614.028	Karamea Lime Company	HS - P3	Support	Retain	Accept
S614.029	Karamea Lime Company	HS - P4	Support	Retain	Accept
S615.025	Peter Langford	HS - O1	Support	Retain	Accept
S615.026	Peter Langford	HS - P1	Support	Retain	Accept
S615.027	Peter Langford	HS - P2	Support	Retain	Accept
S615.028	Peter Langford	HS - P3	Support	Retain	Accept
S615.029	Peter Langford	HS - P4	Support	Retain	Accept
S620.097	Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio	HS - P2	Amend	Amend the policy wording as follows: Ensure that new or expanded major hazard facilities are located away from natural, historic and cultural overlay areas, <u>surface water</u> and away from locations that are subject to significant natural hazards, where practicable, taking into account the operational and functional needs of activities to locate in these areas.	Accept in part