

FS-1

FURTHER SUBMISSION



TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ

To: Dunedin City Council

From: Federated Farmers of New Zealand

On the: Proposed Plan Change 13: Hazardous Substances

Date: 27 February 2012

Contact: Kim Reilly
Policy Advisor

Federated Farmers of New Zealand

P O Box 5242
DUNEDIN 9058

P: 03 477 2435
E: kreilly@fedfarm.org.nz

Kim Reilly
Policy Advisor

Federated Farmers of New Zealand
P O Box 5242
DUNEDIN 9058

P 03 477 2435

Where Federated Farmers submitted on the same variation point as any other submitter it stands by its original submission.

This Further Submission provides Federated Farmers views on points raised by other submitters.

1 st Name	Submitter Number	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
Mr Tony Parata	PC-13-30	Whole of Plan Change	<p>SEEKS:</p> <ul style="list-style-type: none"> To remove thresholds for <u>agrichemicals</u> within the rural and rural/residential zones as it is provided for by HSNO; To remove thresholds for <u>above ground fuel storage</u> within the rural and rural/residential zone as it is provided for by HSNO; For all activities covered by ERMA, approved Codes of Practice or guidelines provided by HSNO to be permitted activities unless HSNO regulations are proven inadequate for a particular site 	Support in part	The HSNO Act and Regulations, Codes of Practice, Group Standards and quantity thresholds provides an extensive framework of obligations, rules and guidance in this area. Where these requirements are being met, any Council plan rule should align with those in a permitted activity framework.
Horticulture NZ (Chris Keenan)	PC-13-32	Whole of Plan Change	<p>SEEKS:</p> <ul style="list-style-type: none"> Seeks to retain reference to industry codes of practices in 17.4.6; Seeks that all activities covered by NZS8409 or which comply with HSNO requirements for on-farm storage of Class 3 fuels in rural zone are provided for as permitted activities OR that PC13 be withdrawn and gap analysis be undertaken to identify where HSNO Regs don't address an issue, therefore requiring specific provisions in a District Plan 	Support in part	<p>Given the extensive HSNO regulatory environment, a lot of the Plan Change is unnecessarily duplicative, complex and confusing. There should be alignment within a permitted activity framework. Alternatively, farm scale use and storage within the rural zone should be excluded from the definition of hazardous facilities and therefore be exempt from the hazardous substance rules within the Plan.</p> <p>Specific acknowledgement of, reference to and alignment with industry Codes of Practice within the rules would ensure greater consistency and clarity for plan users.</p>

Kim Reilly

Federated Farmers of New Zealand
P O Box 5242
DUNEDIN 9058

03 477 2435

FS-1

1 st Name	Submitter Number	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
Port Otago Limited (Lincoln Coe)	PC-13-35	Whole of Plan Change	<p>SEEKS:</p> <ul style="list-style-type: none"> Removal of all hazardous substance thresholds from the District Plan and instead reliance on HSNO Regs (group standards) to manage generic effects; 	Support in part	The Plan Change's specified intent of aligning plan rules with HSNO Act and Regulations has not been achieved. Where HSNO and Group Standards provide an adequate framework, the Plan should align with those in a permitted activity framework OR else exempt those substances/facilities from the Plan rules.
TrustPower Ltd (Laura Marra)	PC-13-40	Whole of Plan Change	<p>CONCERNS:</p> <ul style="list-style-type: none"> That PPC13 will impose restrictions that are more stringent than required by HSNO standards; That there is not consistency between the trigger quantities of hazardous substances threshold quantities under HSNO legislation and the limits that are permitted activities in PPC13; 	Support in part	Under PPC13, there will be situations where consent will be required for quantities/activities otherwise permitted under HSNO rules and regulations, Group Standards and Codes. This introduces costly and unnecessary, onerous and impractical consent requirements and is not consistent with the existing HSNO framework.
Fulton Hogan Ltd (Jonathon Green)	PC-13-42	Whole of Plan Change	SEEKS withdrawal of PPC13 as feels it isn't aligned with HSNO thresholds.	Support in part	Where HSNO and Group Standards provide an adequate framework, the Plan should align with those in a permitted activity framework OR alternatively exempt those substances/facilities from the Plan rules.
LPG Association of NZ (Peter Gilbert)	PC-13-33/a	Rule 17.5.1	<p>SEEKS</p> <ul style="list-style-type: none"> Clauses (iv)(v)(vi)(vii) be removed from Rule 17.5.1 and included within a user guide as feel they duplicate HSNO. 	Support in part	Given the extensive regulatory environment under HSNO, a lot of the Plan Change is unnecessarily duplicative, complex and confusing. Where Plan rules duplicate or conflict with HSNO, there needs to be amendment or deletion to ensure clarity and consistency for all plan users.

Kim Reilly
Policy Advisor

Federated Farmers of New Zealand
P O Box 5242
DUNEDIN 9058

03 477 2435

1 st Name	Submitter Number	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
NZ Fertiliser Manufacturers' Research Assoc. Inc.	PC-13-36/a	Rule 17.5.1	<p>SEEK:</p> <ul style="list-style-type: none"> Permitted activity status for on-farm storage and use of fertiliser products; Conditions of permitted activity status which are consistent with the HSNO fertiliser group standards; 	Support	PPC13 rules should permit fertiliser use, storage, transportation and disposal where the Fertilisers (Subsidiary Hazard) Group Standard 2006 (HSR002571) is complied with. Alternatively Rule 17.5.1(v) should include those activities which comply with group standards as permitted activities. There should also be rules permitting matters where FertResearch's Code of Practice for Nutrient Management 2007 is complied with.
Ravensdown (Murray MacKenzie)	PC-13-39/a	Rule 17.5.1	<p>SEEK the following points to be added to Rule 17.5.1:</p> <ul style="list-style-type: none"> Use or storage of a hazardous substance is a permitted activity if located in Rural OR Industrial OR Port Zones; Clarification as to whether '17-Hazardous Substances' rules apply to each substance singularly or substances falling within each HSNO class and sub-class in total 	Support in part	Clarification is required as to whether rules within '17 - Hazardous Substances' apply singularly to substances or whether HSNO sub-classes/classes or Group Standards apply. Where HSNO requirements are being met, any Council plan rule should align with those in a permitted activity framework.
NZ Fertiliser Manufacturers' Research Assoc. Inc.	PC-13-36/b	Table 17.1	<p>That HSNO Fertiliser Group Standards were produced following extensive consultation with all stakeholders and sets out conditions that enable this group of hazardous substances to be managed safely to protect human health and the environment, and with the end user in mind. That all local authority hazardous substances policy and rules must be consistent with HSNO Act and Regulations.</p> <p>Seek:</p> <ul style="list-style-type: none"> Deletion of Table 1; Reference to HSNO Group Standards as applicable or exempt fertiliser use and storage by farmers from Table 17.1 with a permitted activity status based on complying with HSNO Fertiliser Group Standards 	Support	Table 1 currently fails to take into account the situation where Group Standards apply. Under the Fertilisers (Subsidiary Hazard) Group Standard 2006 (HSR002571) fertiliser storage and use is permitted so long as the standard is complied with. Fertiliser use and storage in a rural environment should be exempt from Table 1 with a permitted activity status where the Group Standards are applicable.

Kim Reilly

Federated Farmers of New Zealand
P O Box 5242
DUNEDIN 9058

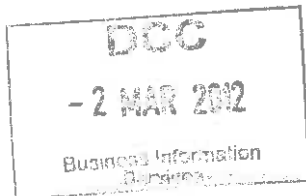
03 477 2435

1 st Name	Submitter Number	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
Ravensdown – Mr Murray MacKenzie	PC-13-39/b	Table 17.1	SEEK – correction of inconsistencies within Table 17.1	Support	Table 17.1 should be consistent with substance quantities and thresholds permitted under HSNO's extensive framework of rules, regulations, codes and guidelines.

Kim Reilly
Policy Advisor

Federated Farmers of New Zealand
P O Box 5242
DUNEDIN 9058

☎ 03 477 2435



REG IN DWX

F3-2

FORM 6

**FURTHER SUBMISSION UNDER CLAUSE 8 OF THE FIRST SCHEDULE
OF THE RESOURCE MANAGEMENT ACT 1991**

To: The Chief Executive
Dunedin Council
PO Box 5045
DUNEDIN 9058

Attn: Planning Department

Name: Mercy Hospital Dunedin Limited

Address: Private Bag 1919
DUNEDIN 9054

(Please note different address for service below)

Mercy Hospital Dunedin Limited ('Mercy Hospital') wishes to make a further submission on Proposed Plan Change 13: Hazardous Substances ('the Plan Change') to the Dunedin City District Plan.

- 1. Mercy Hospital supports in part submissions on Table 17.1 made by the following submitters:**

Mr Stewart Bayne	Antique Arms Association Otago Branch
Mr Philip Cregeen	New Zealand Antique Arms Association Inc
Mr Joanne Bayne	Antique Arms Association Otago Branch
Mr John Fooks	Dunedin Clay Target Club Inc
Mr Tim Cleminson	Dunedin Clay Target Club Inc
Ms Dianne Brown	New Zealand Deer Stalkers' Association Incorporated
Mr Paul Clark	New Council of Licensed Firearms Owners Incorporated (COLFO)
Mr Adrienne Sears	New Zealand Clay Target Association Inc
Mr Stuart Hayman	New Zealand Service Rifle Association Inc
Otago-Southland Firearm Owners Coalition C/O Chaz Forsyth	Otago-Southland Firearm Owners Coalition
Bruce Rifle Club (Inc) C/O Chaz Forsyth	Bruce Rifle Club (Inc)

Dr Lech Beltowski	Sporting Shooters Association of NZ (SSANZ)
Mr Paul Horsman	Otago Brach (Inc) New Zealand Deerstalkers' Association
Mr Greg Sneath	New Zealand Fertiliser Manufacturers Research Association Incorporated
Ms Janet Connochie	Chemsafety Limited

2. The particular parts of the submissions Mercy Hospital supports are:

Mercy Hospital supports the parts of the submissions which seek to align the permitted quantity thresholds of hazardous substances in the District Plan with HSNO legislation.

3. The reasons for Mercy Hospital's support are:

The submissions Mercy Hospital supports are in line with its submission, which opposed the proposed permitted quantity thresholds for hazardous substances on the basis that they are too stringent and inconsistent with HSNO thresholds. Mercy Hospital considers that the proposed permitted thresholds are too low and would require resource consent unnecessarily, thus resulting in costly inefficiencies. The permitted thresholds are significantly more stringent than the thresholds established under HSNO legislation. Mercy Hospital supports other submissions which seek to align the permitted quantity thresholds in the District Plan with HSNO thresholds.

4. Mercy Hospital seeks the following decision from the Dunedin City Council:

Ensure that the permitted quantity thresholds in Table 17.1 are consistent with HSNO legislation. This is particularly important for sites such as Mercy Hospital where the underlying Residential 1 zoning is anomalous with the lawfully established activities that occur on the site.

Signed by



LORNA THURSTON
(AUTHOR)



JOANNE DOWD
(REVIEWER)

(On behalf of Mercy Hospital Dunedin Limited
by its authorised agents Lorna Thurston and Joanne Dowd, Mitchell Partnerships Limited)

Dated at Dunedin this 1st day of March 2012

Address for service of applicant:

Mercy Hospital Dunedin Limited
C/- Mitchell Partnerships
P O Box 489
DUNEDIN

Contact Details:

Attn: Joanne Dowd
Phone: 03 477 7884
Fax: 03 477 7691
Email: joanne.dowd@mitchellpartnerships.co.nz

**Further Submission on Dunedin City District Plan: Proposed Plan Change 13
Hazardous Substances**

(Closing date: 2nd March 2012)

To: City Development Manager
Dunedin City Council
PO Box 5045
Dunedin

Email: planning@dcc.govt.nz

Full Name of Further Submitter:
Horticulture NZ

Full Postal Address:
P O Box 10 232
Wellington

Attn: Chris Keenan

Telephone Number: 04 470 5669

Fax Number: 04 471 2861

Horticulture NZ represents horticultural growers in Dunedin City, so represents a relevant view of the public interest.

I **do** wish to be heard in support of my submission

If others make a similar submission, I **would not** be prepared to consider preparing a joint case with them at any hearing.



.....
Signature of person making submission or person authorised to sign on behalf of person making submission.

Date:
2 March 2012

Submitter	Sub No.	Plan Provision	Support/ Oppose	Reason
Tony Parata	PC13-30	Whole of plan change	Support in part Oppose in part	The requests to remove the thresholds for agrichemicals and above ground storage of fuel in the rural zone as it is provided for by HSNO are supported. The submission seeking controls on the disposal of hazardous substances is not supported in that some substances, such as agrichemicals, can be disposed of appropriately without need for resource consent.
Port Otago Ltd	PC13-35	Whole of plan change	Support in part	The request to remove the thresholds and rely on HSNO controls is supported.
TrustPower Ltd	PC13-40	Whole of plan change	Support in part Oppose in part	The submission seeks to ensure that the District Plan does not impose controls more stringent than HSNO requirements. This is supported. Changes are sought to Objective 17.2.2, Policy 17.3.8 Method 17.4.2 and Method 17.4.5 are supported, in particular the change to Method 17.4.2 limiting the Hazardous substances register to those sites where resource consent is required. The change to Method 17.4.6 is not supported in whole as Horticulture NZ supports the deletion of the Hazardous Facilities Screening Procedure. However retention of industry codes of practice is supported.
Fulton Hogan Ltd	PC13-42	Whole of plan change	Support in part	Alignment with HSNO is supported.
NZ Fertiliser Manufacturers Research Assoc	PC13-36a)	Rule 17.5.1	Support	Permitted activity status of on-farm storage and use of fertiliser is supported.
Holcim (NZ) Ltd	PC13 – 37a)	Rule 17.5.1	Support in part Oppose in part	The submitter seeks a clause that would provide for sites with a Location Test Certificate to be permitted and other sites to require resource consent. However Location Test Certificates are only required for certain classes of substances under HSNO, where the risk is deemed higher therefore assessment of the site by a test certifier is required. Most agrichemicals will not require a location test certificate but as they are deemed lower risk and not needing a location test certificate a consent should not be required from council.
Ravensdown	PC13-39a	Rule 17.5.1	Support in part	Permitted activity status in the rural zone is supported.

Submitter	Sub No.	Plan Provision	Support/ Oppose	Reason
Federated Farmers Of NZ	PC13-43a	Rule 17.5.1	Support in part	Permitted activity status for agrichemicals where NZS8409:2004 is complied with is supported. Permitted activity status for fertiliser is supported. Alignment with HSNO is supported.
NZ Fertiliser Manufacturers Research Assoc	PC13-36b)	Table 17.1	Support	Reliance on HSNO Group Standards is supported
Chemsafety Ltd	PC13 -41c	Table 17.1	Support in part	The submitter has identified a number of places where the requirements in Table 17.1 are inconsistent with HSNO.
Ravensdown	PC13-39a	Table 17.1	Support in part	Table 17.1 should be consistent with HSNO.

Further Submission on Proposed Plan Change 13 to the Dunedin District Plan, Under Schedule 8 of the First Schedule of the Resource Management Act 1991

TO: Dunedin City Council
PO Box 5045
Dunedin, 9058

FURTHER SUBMISSION ON: Proposed Plan Change 13 Hazardous Substances

FULL NAME: Port Otago Ltd

Submitter Name	Submitter Number	Submission Summary	Decision Sought from Dunedin City Council	Support or Oppose	Particular Part of Submission that Port Otago Ltd Supports / Opposes	Reasons	Decision Sought
Mr Greg Sneath New Zealand Fertiliser Manufacturers' Research Association Incorporated	PC-13-36/a	<p>The submitter acknowledges Council has an obligation to avoid, remedy, or mitigate any adverse effects associated with the storage, use, disposal, or transportation of hazardous substances.</p> <p>The submitter is concerned that proposed Rule 17.5.1 will require resource consent for farmers who routinely apply fertiliser such as a superphosphate mix or urea. This will introduce unnecessary, onerous and impractical consent requirements and be unworkable for City Council officers and farmers alike.</p> <p>The submitter considers that proposed rule is inconsistent with the HSNO Act, it's associated Regulations, and the requirements specified in the HSNO Fertiliser (Subsidiary Hazard) Group Standard 2006.</p>	<p>Permitted Activity status for on-farm storage and use of fertiliser products.</p> <p>Conditions of permitted activity status which are consistent with the HSNO Fertiliser Group Standards.</p> <p>Adopt consequential changes to words and references within proposed Chapter 17.</p>	Support	All	<p>This submission identifies an issue with regard to the activity status for fertiliser storage and inconsistency with the HSNO Fertiliser Group Standards. While the submission refers specifically to farming activity, it is likely that issues regarding the ability to comply with these rules at a farm level, may also be a problem for bulk fertiliser stored within Port or Industrial zones and fertiliser transported through the Port.</p> <p>Port Otago Ltd submits that the District Plan rules must not duplicate the HSNO Act so that compliance costs relating to the use, storage and transportation of hazardous substances are minimised.</p>	Appropriate rules for fertiliser products which enable the storage and transportation of fertiliser products within the Port and Industrial Zones as a Permitted Activity.
Mr Grant Anderson Holcim (New Zealand) Limited	PC-13-37/a	<p>The submitter wishes to ensure that:</p> <ul style="list-style-type: none"> Unintended consequences do not arise through the adoption of this Plan Change; Perverse outcomes do not arise through the implementation of the Proposed Plan Change; The Port 2 Zone is recognised as an industrial area which holds or stores significant quantities of material; Cement, Burnt Lime and Hydrated Lime are provided for within the Plan; and The submitter's customers are not adversely affected by the proposed plan change. <p>The submitter applauds the approach which Dunedin City Council has taken to ensure consistency with the Hazardous Substances and New Organisms Act (in terms of definitions of products).</p> <p>However, the submitter is concerned that the Port 2 zone has been excluded where it would be expected to contain hazardous</p>	<p>Support Rule 17.5.1 (i) - Permitted Activities providing the following words are included ... <i>The product must be stored in the container or packaging in which it was sold...</i></p> <p>Support Rule 17.5.1 (iii) and (iv) providing those activities included in 17.5.1(i) are exempt.</p> <p>Support Rule 17.5.1 (vi) providing the Port 2 zone is included.</p> <p>Propose that a further clause is added to Rule 17.5.1 which states: <i>Where any new facility is constructed, and a Test Location Certificate or Stationary Container Certification is required, it is deemed that the certified environmental controls are considered adequate. If no Test Location Certificate or Stationary Container Certification is supplied,</i></p>	Support	All	<p>This submission identifies an issue with regard to the activity status for cement products and seeks amendment to ensure Port 2 Zone is recognised as an industrial area which holds or stores significant quantities of these materials. The submitter seeks appropriate provision for cement products and exemption where Test Certificates are held.</p> <p>An exemption for where Test Certificates are held would also be a suitable and simple solution that would ensure the District Plan rules do not duplicate the HSNO Act so that compliance costs relating to the use, storage and transportation of hazardous substances are minimised.</p>	Appropriate rules for cement products which enable the storage and transportation of cement products within the Port and Industrial Zones as a Permitted Activity.

		<p>substances.</p> <p>The submitter is also concerned that the proposed plan change may result in any of its new customers needing to obtain consent to hold the submitters product.</p> <p>The submitter seeks recognition of cement, burnt lime, hydrated lime and limestone chip in the Dunedin City Plan (as provision has been given to other materials).</p> <p>Amendments should be made to ensure that the District Plan has some 'sensitivity factor'.</p>	<p>resource consent will be required under rule 17.5.2, 17.5.3 or 17.5.4 of this Plan.</p>				
Mr Murray Mackenzie Ravensdown	PC-13-39/a	<p>The submitter seeks to ensure that</p> <ul style="list-style-type: none"> Rural activities operating in compliance with the HNSO Act, ACVM Act, and associated regulations are not disadvantaged by the adoption of this Plan Change; The manufacture and storage of fertiliser and associated products is not disadvantaged or prevented by the adoption of the Plan Change. The import and export of fertiliser and associated products through the Port is recognised Unforeseen outcomes do not arise through the implementation of the Proposed Plan Change, such as unreasonable hurdles for the production of, or use of, new products. <p>The submitter requests that activities in the Rural, Industrial and Port zones that are in compliance with the national HSNO framework are included as "Permitted Activities".</p>	<p>The following points be added to Rule 17.5.1:</p> <ul style="list-style-type: none"> Use or storage of a hazardous substance is a permitted activity if the activity is located in the Rural Zones Use or storage of a hazardous substance is a permitted activity if the activity is located in the Industrial Zones Use or storage of a hazardous substance is a permitted activity if the activity is located in the Port Zones. <p>The wording of 17.5.1 (iii) may not be clear enough. Consider the addition of "Unless provided for in 17.5.1 (i) and (ii)" to this point.</p> <p>The overall wording of District Plan "17 – Hazardous Substances" could be confusing as to whether or not the proposed rules apply to each substance singularly or substances falling within each HSNO class and sub-class in sum/aggregate.</p>	Support	All	<p>This submission seeks to ensure the import and export of fertiliser and associated products through the Port is recognised by the Plan Change and Port Otago Ltd concurs that this is essential.</p> <p>Port Otago Ltd agrees that activities in Port Zones that are in compliance with the national HSNO framework should be "Permitted Activities". This should be the case for activities in Industrial Zones also.</p>	<p>Appropriate rules for fertiliser products which enable the storage and transportation of fertiliser products within the Port and Industrial Zones as a Permitted Activity.</p>

Signature:

Date 5 March 2012

Port Otago Ltd wishes to be heard in support of its further submissions. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

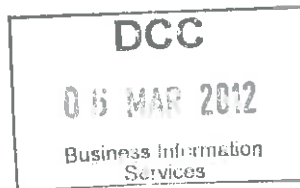
Address for service: Port Otago Ltd
PO Box 8
Port Chalmers

Contact person: Lincoln Coe
Designation: General Manager Infrastructure
Telephone No: 03 472 9884
Email Address: lcoe@portotago.co.nz

REG IN DWX

2 March 2012

Dunedin City Council
PO Box 5045
DUNEDIN 9058



Environmental Consultants
PO Box 489, Dunedin 9054
New Zealand
Tel: +64 3 477 7884
Fax: +64 3 477 7691

Our Ref: 5592
Your Ref: Plan Change 13

Attention: Kirstyn Lindsay

Dear Kirstyn

RE: SUBMISSION ON PLAN CHANGE 13 - HAZARDOUS SUBSTANCES

Please find enclosed further submissions on Plan Change 13 to the Dunedin City District Plan relating to Hazardous Substances, on behalf of TrustPower Limited.

TrustPower submitted on the proposed Plan Change on the 8th of December 2011. The further submissions have been prepared in accordance with Form 6 of the Resource Management Act 1991, which is attached.

Please note the address for service on the submission, being TrustPower Limited.

Yours sincerely,
MITCHELL PARTNERSHIPS LIMITED

Handwritten signature of Claire Hunter in black ink.

CLAIRE HUNTER

Email: claire.hunter@mitchellpartnerships.co.nz

Handwritten signature of Sonya Baird in black ink.

SONYA BAIRD

sonya.baird@mitchellpartnerships.co.nz

Enc

cc: L Marra

10

SUBMISSION FORM 6**CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991****FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS
ON PUBLICLY NOTIFIED PROPOSED DISTRICT PLAN CHANGE 13 –
HAZARDOUS SUBSTANCES**

To: Planning Policy Manager
Dunedin City Council
PO Box 5045
DUNEDIN 9058

Submission on: Proposed Plan Change 13 – Hazardous Substances

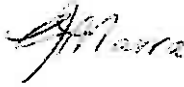
Name: TrustPower Limited (TrustPower)

Address: Private Bag 12023
TAURANGA

1. These further submissions are in support of submissions on Proposed Plan Changes 13 (Hazardous Substances) to the Dunedin City District Plan (District Plan).
2. TrustPower is a person who has an interest in the Proposal that is greater than the interest the general public has.
 - 2.1 As explained in TrustPower's original submission, within the Dunedin City District TrustPower currently operates the Deep Stream Hydro Scheme. This power scheme is an important and strategic physical resource that warrants protection under Part 2 of the Resource Management Act 1991 ("RMA") because of its contribution to the district's economic, social and cultural wellbeing.
 - 2.2 In light of the above, TrustPower considers it has an interest in this Plan Change that is greater than the interest the greater public has, by virtue of existing electricity generation assets within the District.
 - 2.3 TrustPower therefore makes the following further submissions pursuant to clause 8 of the First Schedule to the RMA.
3. **Further Submissions**

TrustPower's further submissions on Plan Changes 13 are attached as **Attachment 1**.

4. TrustPower **does** wish to be heard in relation to this submission.
5. If others make a similar submission TrustPower **will** consider presenting a joint case with them at a hearing.



Signature of person making further submission

2nd March 2012

Address for service: TrustPower Limited
Private Bag 12023
Tauranga 3143

Attn: Laura Marra

Ph: 07 574 4800

laura.marra@trustpower.co.nz

ATTACHMENT 1

Further Submissions on Proposed Plan 13

TrustPower Further Submission on Proposed Plan Change 13 to the Dunedin City District Plan

Submitter Number and Name	Part of the submission to which TrustPower's further submission relates	TrustPower's Position	Justification
Downer EDI Works Limited PC-13-38	Entire submission.	Support	TrustPower also support the intent of the Plan Change in that it is trying to better align with HSNO but agree that as proposed the chapter does not achieve this.
Federated Farmers of New Zealand PC-13-43/a	Where requirements under HSNO rules, regulations, Group Standards, approved Codes of Practice and quantity thresholds are being met, that any Council plan requirement should align with those in a permitted activity framework.	Support	Each of these submission points are seeking that the District Plan is consistent with the HSNO regulations, and that the District Plan does not impose more stringent regulations than the HSNO regulations.
Federated Farmers PC-13-43/b	This submitter is concerned that where the District Plan a resource consent application for a quantity of substance HSNO otherwise permits, this introduces costly and unnecessary, onerous and impractical consent requirements. This level of control is not consistent with current HSNO regulations and requirements.	Support	If the District Plan were to be inconsistent with the HSNO regulations, people who use, transport, store and / or dispose of hazardous substances may be required to acquire resource consent for activities that are permitted within the HSNO regulations. This would impose needless duplication, additional costs and unnecessary delays. TrustPower submits that this would be inappropriate and inefficient.
Horticulture New Zealand PC-13-32	This submitter seeks clarification around the purpose of Method 17.4.2 and proposed amendments which specify that the Hazardous Substances Register be limited to consent activities.	Support	It is not feasible to require all Hazardous Substance activities to be listed on the Hazardous Substances Register. TrustPower submit that, as suggested by the submitter, it is more appropriate to require only those Hazardous Substances for which resource consent has been granted to be included on the register.
	This submitter seeks to retain the reference to industry codes of practice in Method 17.4.6.	Support in Part	TrustPower agrees that it is not appropriate to delete the reference to "industry codes of practice" from this method. It is important that the methods are set out, and TrustPower submit that reference to industry codes of practice is appropriate.

FS-5