



## **PUBLIC NOTICE**

### **PROPOSED DISTRICT PLAN CHANGE 13 – HAZARDOUS SUBSTANCES**

#### **DUNEDIN CITY DISTRICT PLAN**

*Clause 5 of First Schedule, Resource Management Act 1991*

#### **Council-initiated plan change**

Dunedin City Council gives notice that it has prepared a Proposed Plan Change to the Dunedin City District Plan. The Resource Management Act 1991 requires that every person in Dunedin is made aware of this plan change.

Proposed District Plan Change 13: Hazardous Substances seeks to update the District Plan controls which direct the storage, use, disposal and transportation of hazardous substances, and align those controls with the Hazardous Substances and New Organisms Act 1996 (HSNO) and its associated regulations.

The management of hazardous substances in New Zealand is achieved mainly through the HSNO and the Resource Management Act 1991 (RMA). The two Acts work together with HSNO providing the framework for managing hazardous substances anywhere in New Zealand, and the RMA providing additional controls for managing activities involving hazardous substances at particular sites. District Plan provisions for hazardous facilities are created under the RMA, but also need to be consistent with HSNO.

The District Plan pre-dates HSNO and, as a result, is not consistent with that legislation. The proposed plan change will bring the Plan into alignment with HSNO requirements and regulations. In many cases, proposed limits have been increased to reflect the day to day use of hazardous substances, such as standard household LPG tanks, and the petrol contained within your car petrol tank, which would not meet the limits currently imposed by the District Plan. Key industries occupying large sites will also have increased limits (subject to strict controls) of some hazardous substances to ensure that their needs are reasonably met without jeopardising public safety.

The key parts of the proposed plan change include:

- Setting revised limits for the amount of hazardous substances which can be stored or used on a site;
- Expanding the exemptions contained within the permitted activity rules to reflect practical everyday use;
- Creating a definition for hazardous sub-facilities within the Campus, Port 1, Airport and Industrial 1 zones and forestry and timber treatment activities in the Rural zone to provide for more intensive activities on large sites, where there are often a number of hazardous installations contained within any given site.
- Including hazardous wastes within the definition of Hazardous Substances to ensure that the storage, use, transportation and disposal of hazardous wastes are captured by the District Plan.

In order to ensure that all rules in Proposed Plan Change 13: Hazardous Substances take legal effect from the same date, the Council has made a resolution that the rules in the plan change take legal effect only once the plan change is fully operative. The resolution will have the effect of avoiding the confusion and uncertainty for both resource consent processing staff and developers that would be caused by different rules in the plan change taking effect at different times.

Details of Proposed District Plan Change 13 and the associated section 32 report can be inspected at:

- Planning Enquiries, Plaza, Civic Centre, 50 The Octagon, Dunedin
- Public libraries at Dunedin, Mosgiel, Port Chalmers, Waitati and Waikouaiti
- [www.dunedin.govt.nz/plan-change-13](http://www.dunedin.govt.nz/plan-change-13)

Please contact **Kirstyn Lindsay** on **477 4000** if you have any questions about the proposed plan change.

Subject to clauses 6(2) to 6(4) of the First Schedule of the Resource Management Act 1991, any person may make a submission on Proposed District Plan Change 13. Submissions can be sent to the Dunedin City Council in the following ways:

**Post to:** City Development Manager, Dunedin City Council, PO Box 5045, Dunedin  
**Deliver to:** Planning Enquiries, Plaza, Civic Centre, 50 The Octagon, Dunedin  
**Fax to:** 474 3451 (if you fax your submission, please post or deliver a copy to one of the above addresses)  
**E-mail to:** [planning@dcc.govt.nz](mailto:planning@dcc.govt.nz)  
**Submit online at:** [www.dunedin.govt.nz](http://www.dunedin.govt.nz)

The submission must be in Form 5 of the Resource Management (Forms, Fees and Procedures) Regulations 2003 or similar, and must state whether or not you wish to be heard on your submission. Copies of this form are available from the locations stated above, can be downloaded from [www.dunedin.govt.nz](http://www.dunedin.govt.nz) or will be mailed to you if you phone 477 4000 or email [klindsay@dcc.govt.nz](mailto:klindsay@dcc.govt.nz).

Submissions close at **5pm** on **12 December 2012**.

The process for public participation in the consideration of the proposal under the Act is as follows:

- After the closing date for submission, the Council will prepare a summary of the submissions and publicly notify the availability of that summary.
- There will be an opportunity for:
  - i. any person representing a relevant aspect of the public interest;
  - ii. any person that has an interest in the proposed plan change that is greater than that of the general public; and
  - iii. the Dunedin City Councilto make a further submission either supporting or opposing a submission or submissions already made.
- If any person making a submission asks to be heard in support of his or her submission, a hearing must be held.
- The Council will give its decision on the proposed plan change (including its reasons for accepting or rejecting submissions).
- Any person who has made a submission has the right to appeal the decision on the proposed plan change to the Environment Court.

Paul Orders  
**Chief Executive**

**Date:** 14 October 2011

For further information on the proposed plan change please phone Kirstyn Lindsay on 477 4000.

<b><i>The closing date for submissions is Monday 12 December 2011 at 5.00pm</i></b>
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