

Dunedin City District Plan  
**PROPOSED DISTRICT PLAN  
CHANGE 13  
Hazardous Substances**

Section 32 Report

September 2011



**DUNEDIN CITY  
COUNCIL**  
Kaunihera-a-rohe o Otepoti  
**CITY PLANNING**

## City Development

## **Proposed District Plan Change 13: Hazardous Substances**

### **1 PURPOSE OF REPORT**

Before a proposed plan change can be publicly notified, the Council is required under section 32 of the Resource Management Act 1991 (RMA) to carry out an evaluation of alternatives, costs and benefits of the proposed change.

As outlined in section 32 of the RMA, the evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of [the RMA]; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.*

An evaluation must also take into account:

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.

A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed change is publicly notified.

This report summarises the evaluation of Proposed Plan Change 13: Hazardous Substances, as required by the RMA. It should be read together with the text of the Plan Change itself.

### **2 CONTEXT**

The management of hazardous substances in New Zealand is achieved mainly through the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Resource Management Act 1991 (RMA).

HSNO and its associated regulations set minimum performance standards for all hazardous substances, which apply regardless of circumstances such as activity, location and quantity. The HSNO standards govern the following matters:

- Containment
- Packaging
- Identification/labelling
- Tracking
- Competency of handling
- Emergency management requirements
- Disposal

The RMA controls, on the other hand, address those aspects of hazardous substances management associated with a particular location or land use. Under section 31(1)(b)(ii) of the RMA, territorial authorities have the following function:

- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of...*

(ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances*

The two Acts work together. HSNO provides the framework for managing hazardous substances anywhere in New Zealand, and the RMA provides 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.

However, the current operative District Plan controls for the management of activities involving hazardous substances – contained in District Plan Section 17: Hazards, Hazardous Substances and Earthworks – were drafted in the early 1990s, before HSNO and its associated regulations had come fully into force. District Plan Rules 17.5.1 to 17.5.4 set out various classes of hazardous substance, and the quantities beyond which resource consent is required for the storage, use or disposal of each class of substance. In many cases, the classes and quantities set out in the District Plan do not align with HSNO regulations, specifically the Hazardous Substances (Classification) Regulations 2001. In addition, there is scope to make the presentation of the rules clearer, simpler and more user-friendly.

### **3 PROPOSED PLAN CHANGE**

Proposed Plan Change 13 would revise and update Rules 17.5.1 to 17.5.4 of District Plan Section 17: Hazards, Hazardous Substances and Earthworks, in order to give effect to the following objective and policy in that section:

#### ***Objective 17.2.2***

*Prevent or mitigate the adverse environmental effects and risks arising from facilities and activities involving the storage, use, disposal or transportation of hazardous substances.*

#### ***Policy 17.3.8***

*Control activities involving the storage, use, disposal and transportation of hazardous substances, and identify sites where hazardous substance processes and facilities which pose a risk to the environment and to health are located.*

The proposed plan change does not intend to change the above objective and policy. The proposed plan change would help to achieve the objective and implement the policy by reviewing the rules to introduce an up-to-date system of classification for different types of hazardous substance. The new system of classification would be based on the HSNO Act and Regulations, in particular the Hazardous Substances (Classification) Regulations 2001. This would allow for better co-ordination between District Plan and HSNO controls on hazardous substances.

Prior to the completion of this report, the proposed plan change rules were sent out to key stakeholders for feedback. The feedback proved valuable and resulted in changes being made to reflect the nature of those specific non-residential zones which provide for more intensive activities on large sites where there are often a number of hazardous installations contained within any given site. As such, the permitted quantity thresholds, proposed by this plan change, are to be applied per subject site, except for within the Campus, Port 1, Airport and Industrial 1 zones and forestry and timber treatment activities in the Rural zone, where the permitted quantity thresholds apply per hazardous sub-facility.

The definition of a hazardous sub-facility as proposed for Section 3 of the District Plan is intended to provide for a number of hazardous installations contained within any given site which are associated with more intensive activities. Where more than one activity is carried out per site or hazardous sub-facility, the cumulative amount of each substance stored, used or disposed of for all activities should comply with the threshold for the site or hazardous sub-facility; otherwise, it is intended that a resource consent would be required.

The proposed plan change also is anticipated to simplify and clarify the presentation of the rules, making this section of the District Plan more user-friendly.

#### **4 APPROPRIATENESS OF EXISTING DISTRICT PLAN MECHANISMS**

Section 32 of the Act requires that the Council is satisfied both that the objectives of the District Plan are the most appropriate means of achieving the purpose of the Act and that the policies, rules and methods are the most appropriate means of achieving the Plan's objectives.

The proposed plan change does not introduce any new objectives or policies; its purpose is to contribute to the implementation of existing Policy 17.3.8, thereby helping to achieve amended Objective 17.2.2 as discussed above.

#### **5 SCOPE OF PROPOSED PLAN CHANGE**

The scope of the proposed plan change neither alters nor calls for submissions on any of the existing resource management issues, objectives, policies in Section 17 of the District Plan. The scope of the change is limited to updating Methods 17.4.2, 17.4.5 and 17.4.6, Rules 17.5.1 to 17.5.4, and Assessment Matters listed under 17.6, in order to implement Policy 17.3.8 and to achieve Objective 17.2.2.

#### **6 OPTIONS FOR REVIEW**

The following options have been considered to address the issues outlined in section 2 of this report:

**Option 1: Status quo**

No changes to be made to the District Plan.

**Option 2: Review rules for each zone to align with HSNO and improve presentation**

Carry out a plan change to:

- Introduce an up-to-date system of classification for different types of hazardous substance, based on the system used in HSNO; and
- Review limits for different types of hazardous substance allowed within each District Plan zone; and
- Simplify and clarify the presentation of the hazardous substance rules.

**Option 3: Review rules for each activity to align with HSNO and improve presentation**

Carry out a plan change to:

- Introduce an up-to-date system of classification for different types of hazardous substance, based on the system used in HSNO; and
- Review limits for different types of hazardous substance allowed for each type of activity; and
- Simplify and clarify the presentation of the hazardous substance rules.

**Option 4: Adopt Hazardous Facility Screening Procedure**

Carry out a plan change to:

- Adopt the standard Hazardous Facility Screening Procedure (HSFP), which is a standardised land use planning tool to assess whether a hazardous facility requires resource consent under the RMA, and a more detailed assessment of environmental effects and risks. Specifically, the HFSP is used to determine maximum permissible quantities of hazardous substances stored or used on a site in a particular land use zone, before a resource consent is required.
- This would involve implementing an entirely new method, format and rules for this section of the plan.

Table 1, below, discusses the benefits, costs, efficiency and effectiveness of each option.

**Table 1: Analysis of options for review of Rules 17.5.1 to 17.5.4**

	<b>OPTION 1 Status quo</b>	<b>OPTION 2 Revise rules per zone</b>	<b>Option 3 Revise rules per activity</b>	<b>Option 4 Adopt HSFP</b>
<b>Benefits</b>	<p>Environmental benefits:</p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul> <p>Social benefits:</p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul> <p>Economic benefits:</p> <ul style="list-style-type: none"> <li>• Administrative costs of plan change would be avoided.</li> <li>• Potential costs of litigation would be avoided.</li> </ul>	<p>Environmental and economic benefits:</p> <ul style="list-style-type: none"> <li>• Allows for improved coordination between the District Plan and HSNO regulations, resulting in a set of rules that achieves desired environmental outcomes more efficiently. Provides for concentration of hazardous substances away from residential activity.</li> </ul> <p>Social benefits:</p> <ul style="list-style-type: none"> <li>• Improvements to the presentation of the rules make the District Plan more user-friendly and accessible.</li> </ul>	<p>Environmental and economic benefits:</p> <ul style="list-style-type: none"> <li>• Allows for improved coordination between the District Plan and HSNO regulations, resulting in a set of rules that achieves desired environmental outcomes more efficiently. Allows each activity to be addressed regarding its hazardous substances requirements.</li> </ul> <p>Social benefits:</p> <ul style="list-style-type: none"> <li>• Improvements to the presentation of the rules make the District Plan more user-friendly and accessible.</li> </ul>	<p>Environmental and economic benefits:</p> <ul style="list-style-type: none"> <li>• Allows for improved coordination between the District Plan and HSNO regulations, resulting in a set of rules that achieves desired environmental outcomes more efficiently.</li> </ul> <p>Social benefits:</p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul>
<b>Costs</b>	<p>Environmental and economic costs:</p> <ul style="list-style-type: none"> <li>• Continued lack of coordination between HSNO and a set of District Plan rules that are based on out-dated legislation. Creates inefficiency and hinders achievement</li> </ul>	<p>Environmental costs:</p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul> <p>Social costs:</p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul> <p>Economic costs:</p> <ul style="list-style-type: none"> <li>• Administrative costs of plan change.</li> <li>• Potential costs of litigation.</li> <li>• Potential future costs to rename if zone</li> </ul>	<p>Environmental costs:</p> <ul style="list-style-type: none"> <li>• Could increase risk to sensitive or incompatible activities close to hazardous facilities which were not anticipated within the zone.</li> <li>• Difficult to control substance limits in relation to intensity, density and sensitivity of surrounding</li> </ul>	<p>Environmental costs:</p> <ul style="list-style-type: none"> <li>• Standardised model would not fit Dunedin and would need to be modified to ensure adequate environmental protection for Dunedin.</li> </ul> <p>Social costs:</p> <ul style="list-style-type: none"> <li>• Confusing and off-putting for public, resulting in reluctance to enter into</li> </ul>

	<p>of desired environmental outcomes.</p> <p>Social costs:</p> <ul style="list-style-type: none"> <li>Existing District Plan rules are presented in a complex way, hindering their accessibility particularly for users not already familiar with the process.</li> </ul>	<p>names change or new zones are introduced to the District Plan.</p>	<p>environment and proposed activity.</p> <p>Social costs:</p> <ul style="list-style-type: none"> <li>Could provide for indiscriminate locations of facilities close to sensitive or incompatible activities.</li> </ul> <p>Economic costs:</p> <ul style="list-style-type: none"> <li>Administrative costs of plan change.</li> <li>Potential costs of litigation.</li> </ul>	<p>process within Council.</p> <ul style="list-style-type: none"> <li>Would require standardising to become "Dunedin appropriate" leading to confusion from those from outside of Dunedin.</li> </ul> <p>Economic costs:</p> <ul style="list-style-type: none"> <li>Costly and time consuming to implement. Would require significant staff and public training to effectively implement and reduce errors.</li> <li>Administrative costs of plan change.</li> <li>Potential costs of litigation</li> </ul>
<b>Effectiveness and efficiency</b>	<p>Maintaining the status quo would not be an effective approach, as rules are currently based on out-dated legislation and are presented in a complex way.</p>	<p>This approach effectively addresses the issue by aligning District Plan rules with HSNO and improving the user-friendliness of the rules. By using the different zones when applying levels to the hazardous substances, it ensures separation of such substances from concentrations of residential activity.</p>	<p>This approach effectively addresses the issue by aligning District Plan rules with HSNO and improving the user-friendliness of the rules. By applying levels of the hazardous substances to different activities when it ensures that the level of hazardous substance is appropriate for the individual activity.</p>	<p>This approach does address the issue by aligning District Plan rules with HSNO but not in an effective manner and will not result in a user friendly version of the plan.</p>

## Assessment

Having undertaken the assessment set out above, and after comparing the costs and benefits of each option, it is considered that on the basis of effectiveness and efficiency, Option 2 will achieve the best outcome and is the most appropriate means of achieving existing District Plan objectives and policies.



## 7 EVALUATION OF THE RULES: COSTS, BENEFITS, RISK OF ACTING AND RISK OF NOT ACTING

Table 2 examines the costs and benefits of the proposed amended hazardous substance rules and associated amendments to definitions, and assesses the risk of acting or not acting.

**Table 2 Evaluation of proposed amended hazardous substance rules and associated definitions**

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Insert definition for hazardous sub-facility.	None identified.	Provides for more than one controlled facility per site within specified zones	Low.	Will require large industries to obtain resource consents to reflect what is on the ground.
Amendment to definition of hazardous substance, so that it specifically includes hazardous wastes.	None identified.	Provides clarity that District Plan hazardous substance provisions control the environmental effects of hazardous wastes, as well as those of other hazardous substances.	Low.	Lack of clarity may lead to inconsistent interpretation. Risk of environmental effects if hazardous wastes are not controlled via District Plan rules.
Amend Method 17.4.2 - Hazardous Substances Register to remove reference to combustibles and oxidants and insert reference to-explosives, flammable gases, liquids, and solids, oxidizers, toxics, corrosives, ecotoxics, and hazardous wastes exhibiting the preceding characteristics.	None identified.	Provides more certainty in respect of characteristics of hazardous substances and activities to be included within the Hazardous Substances Register.	Low.	Lack of clarity may lead to inconsistent interpretation.
Amend Method 17.4.5 - Liaison to define specific agencies with whom to liaise.	None identified.	Provides direction to the public and Council Staff to which agencies have jurisdiction and an interest in hazardous substances.	Low.	May lead to uncertainty over which agencies are concerned with hazardous substances.
Amend Method 17.4.6 - Accords and Protocols to remove reference to the Hazardous Facility Screening Procedure and industry codes of practice.	None identified.	Removes outdated references which could lead to confusion.	Low.	May lead to use of outdated references which could lead to confusion.

Permitted Activity Rule 17.5.1(i): hazardous substances to be permitted if they are part of a consumer product intended for domestic use, stored in original container and used/disposed of according to manufacturer's instructions. No other performance standards to apply.	Maximum permitted quantity thresholds and storage specifications will not apply to these substances; the Council's control over them is therefore reduced. However, given the stipulation that substances must be stored in original packaging and used according to instructions, this is unlikely to result in adverse environmental effects.	Avoids requiring land use consents for everyday domestic use of hazardous substances, thereby creating a more efficient and workable system.	Low.	Inappropriate land use consent requirement for domestic use of hazardous substances.
Permitted Activity Rule 17.5.1(ii): storage and use of fuel in vehicles, boats, aircraft and small engines to be permitted. No other performance standards to apply.	Maximum permitted quantity thresholds and storage specifications will not apply to these substances; the Council's control over them is therefore reduced. However, quantities of fuel stored in vehicles and engines are unlikely to result in adverse environmental effects.	Avoids requiring land use consent for storage/use of fuel in vehicles and engines, thereby creating a more efficient and workable system.	Low.	Inappropriate land use consent requirement for storage/use of fuel in vehicles and engines.

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Permitted Activity Rule 17.5.1(iii): storage, use or disposal of hazardous substances not covered by Rules 17.5.1(i) and (ii) to be permitted subject to performance standards set out in Table 17.1 (maximum quantity thresholds plus, in certain cases, storage requirements).	None identified.	Table 17.1 uses the HSNO system of classification for hazardous substances, as set out in the Hazardous Substances (Classification) Regulations 2001. This ensures that all types of hazardous substance are comprehensively covered by the table, and also that the District Plan controls are aligned and compatible with HSNO. The table is set out clearly and simply, improving the user-friendliness of the rules. Performance standards vary according to the District Plan zone in which the activity is located, and in certain cases according to the type of land use activity with which the hazardous substance use is associated. This allows suitable standards to be put in place depending on the sensitivity of land use activities in the surrounding area. Performance standards have been selected following expert consultant input, best practice analysis and key stakeholder consultation.	Low.	District Plan controls remain out-dated and are not aligned with the HSNO classification system. Presentation of District Plan controls remains complex and inaccessible, particularly to new users. This creates inefficiency in the implementation of controls, and hinders the avoidance of adverse environmental effects associated with hazardous substances.
Controlled Activity Rule 17.5.2(i): Certain storage methods for certain gases and flammable liquids – as specified in the rule – to be a controlled activity. Control restricted to location/design of storage facility, monitoring, emergency response plans and site security/containment. Assessment matters to include relevant codes of practice, site storage conditions and surrounding activities.	None identified.	Controlled activity status for the storage of the specified gases and flammable liquids provides greater certainty for the developer since applications for consents under this rule must be granted, subject to conditions. Council control is restricted to appropriate matters, and assessment matters are relevant to the potential effects of the activity.	Low.	Without this rule, the activities specified in it would take on a default discretionary activity (unrestricted) status. This could increase the costs of the land use consent process unnecessarily, and result in inefficiencies both for the Council and the developer.

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Controlled Activity Rule 17.5.2(ii): Underground storage of aquatic and soil ecotoxics to be a controlled activity. Control restricted to location/design of storage facility, monitoring, emergency response plans and site security/containment. Assessment matters to include relevant codes of practice.	None identified.	Controlled activity status for the underground storage of the specified substances provides greater certainty for the developer since applications for consents under this rule must be granted, subject to conditions. Council control is restricted to appropriate matters, and assessment matters are relevant to the potential effects of the activity.	Low.	Without this rule, the activities specified in it would take on a default discretionary activity (unrestricted) status. This could increase the costs of the land use consent process unnecessarily, and result in inefficiencies both for the Council and the developer.
Controlled Activity Rule 17.5.2(iii): Storage, use or disposal of radioactive materials not exceeding 100 times permitted quantity to be a controlled activity. Control restricted to location/design of facility, monitoring, emergency response plans and site security/containment. Assessment matters to include adherence to the requirements of the National Radiation Laboratory and nature/density of surrounding land use activities.	None identified.	Controlled activity status for the storage, use and disposal of radioactive materials in the specified quantities provides greater certainty for the developer since applications for consents under this rule must be granted, subject to conditions. Council control is restricted to appropriate matters, and assessment matters are relevant to the potential effects of the activity.	Low.	Without this rule, the activities specified in it would take on a default discretionary activity (unrestricted) status. This could increase the costs of the land use consent process unnecessarily, and result in inefficiencies both for the Council and the developer.
Discretionary Activity (Restricted) Rule 17.5.3(i): Multi-vessel tank storage of LPG to be a discretionary activity (restricted). The Council's discretion to be restricted to public safety, avoidance of effects from spillage, location/design of storage tanks, monitoring, emergency response plans and site security/containment.	None identified.	Discretionary activity (restricted) status is desirable for multi-vessel tank storage of LPG, since the potential effects are such that the Council should retain the ability to withhold consent. However, the Council's discretion, in withholding consent or imposing conditions, is restricted to a limited range of appropriate matters.	Low.	Without this rule, the activities specified in it would take on a default discretionary activity (unrestricted) status. This could increase the costs of the land use consent process unnecessarily, and result in inefficiencies both for the Council and the developer.

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Discretionary Activity (Restricted) Rule 17.5.3(ii): Aboveground storage in the Port 2 Zone of certain flammable liquids, toxics, corrosives and ecotoxics, as specified in the rule, to be a discretionary activity (restricted). The Council's discretion to be restricted to public safety, avoidance of effects from spillage, location/design of storage tanks, monitoring, emergency response plans and site security/containment.	None identified.	Discretionary activity (restricted) status is desirable for the aboveground storage of the specified substances in the Port 2 Zone, since the potential effects are such that the Council should retain the ability to decline consent. However, the Council's discretion, in withholding consent or imposing conditions, is restricted to a limited range of appropriate matters.	Low.	Without this rule, the activities specified in it would take on a default discretionary activity (unrestricted) status. This could increase the costs of the land use consent process unnecessarily, and result in inefficiencies both for the Council and the developer.
Discretionary Activity (Unrestricted) Rule 17.5.4(i): storage, use or disposal of hazardous substances other than as provided for in Rules 17.5.1 to 17.5.3 to be a discretionary activity (unrestricted).	None identified.	This is the default rule; it covers all activities involving hazardous substances that are not managed via Rules 17.5.1 to 17.5.3. Inclusion of this rule provides clarity regarding the status of these activities. In these cases, discretionary activity (unrestricted) status is appropriate, since a wide range of activities will be covered by the rule and the Council should be able to consider all relevant matters when determining whether to grant consent and/or impose conditions.	Low.	Lack of clarity regarding default activity status for activities not covered by Rules 17.5.1 to 17.5.3.

In summary, Table 2 indicates that the identified benefits of the amended rules, including amendments to definitions and methods, are greater than the costs, and that the risk of acting is low. The proposed amendments to the rules, methods and definitions are therefore considered the most appropriate means of achieving existing Objective 17.2.2 and existing Policy 17.3.8 in District Plan Section 17: Hazards, Hazardous Substances and Earthworks.

## **8 CONCLUSION**

Proposed Plan Change 13 reviews Methods 17.4.2, 17.4.5 and 17.4.6 and Rules 17.5.1 to 17.5.4 of District Plan Section 17: Hazards, Hazardous Substances and Earthworks. The existing rules are based on legislation that has become out-dated. They are also presented in a complex way that reduces user-friendliness and accessibility. The proposed new rules are clearer and simpler and are based on the classification system set out in the Hazardous Substances (Classification) Regulations 2001, thereby improving compatibility between District Plan and HSNO controls.

Following key stakeholder consultation and an evaluation of the costs, benefits, risks of acting and risks of not acting associated with the proposed amended rules and associated definitions, this report finds that, having regard to their efficiency and effectiveness, the proposed changes are the most appropriate means of achieving existing Objective 17.2.2 and Policy 17.3.8 in District Plan Section 17. The proposed plan change is therefore the most appropriate way to achieve the purposes of the RMA.

## APPENDIX A

### BEST PRACTICE SUMMARY: HAZARDOUS SUBSTANCES

This appendix provides a summary of best practice from a selection of the territorial authorities around New Zealand that have updated their hazardous substance rules to align with the classification system set out in the Hazardous Substances (Classification) Regulations 2001.

<b>Territorial authority plan</b>	<b>Activities permitted without the need to comply with maximum quantity thresholds</b>	<b>Activities permitted provided that maximum quantity thresholds are not exceeded</b>	<b>Planning zone divisions – for the purposes of hazardous substance performance standards</b>	<b>Controlled Activities</b>	<b>Discretionary Activities (Restricted)</b>	<b>Discretionary Activities (Unrestricted)</b>
Gore District Plan	<ul style="list-style-type: none"> <li>• X-ray machines</li> <li>• The incidental use and storage of hazardous substances in domestic quantities.</li> <li>• Fuel in motor vehicles, boats and small engines.</li> <li>• Retail outlets for the domestic use of hazardous substances (but not bulk storage for the supply of retail outlets).</li> <li>• Trade waste sewers.</li> <li>• Temporary military training (other conditions apply).</li> <li>• Service stations (other conditions apply).</li> </ul>	Storage or use of all other hazardous substances.	Residential; Rural; Commercial; Industrial	None	Storage or use of hazardous substances in quantities that exceed maximum permitted quantity thresholds. Discretion is restricted to the environmental effects of that storage/use.	Facilities for the disposal of hazardous substances.

<b>Territorial authority plan</b>	<b>Activities permitted without the need to comply with maximum quantity thresholds</b>	<b>Activities permitted provided that maximum quantity thresholds are not exceeded</b>	<b>Planning zone divisions – for the purposes of hazardous substance performance standards</b>	<b>Controlled Activities</b>	<b>Discretionary Activities (Restricted)</b>	<b>Discretionary Activities (Unrestricted)</b>
Waikato District Plan	<ul style="list-style-type: none"> <li>Service stations (other conditions apply).</li> </ul>	Storage or use of all other hazardous substances.	Industrial Zone, Agricultural Research Centre Campus and Waikato Innovation Park; Rural, Coastal and Business Zones; Living, Country Living, Recreation and Pa Zones.	None	None	Storage or use of hazardous substances in quantities that exceed maximum permitted quantity thresholds.
Proposed Wairarapa District Plan	<ul style="list-style-type: none"> <li>Consumer products for domestic purposes provided they are stored in their original containers and used according to the manufacturers' instructions.</li> <li>Fuel or safety equipment in motor vehicles, boats or small engines.</li> <li>Safety ammunition and small fireworks.</li> <li>Fuel in service stations (other conditions apply).</li> <li>Agrichemical use, storage, transportation and disposal (must comply with NZS8409:2004).</li> <li>Storage of fuel for primary production in rural zones (other conditions apply).</li> </ul>	Storage or use of all other hazardous substances.	Industrial; Commercial and Rural; Residential.	<ul style="list-style-type: none"> <li>Hazardous facilities where quantities exceed permitted activity thresholds but comply with controlled activity thresholds.</li> <li>Hazardous facilities involving use or storage of radioactive materials in excess of amounts specified as exempt in the Radiation Protection Regulations 1982, but below 100 terabecquerels.</li> </ul>	None	Hazardous facilities where quantities exceed controlled activity thresholds.



<b>Territorial authority plan</b>	<b>Activities permitted without the need to comply with maximum quantity thresholds</b>	<b>Activities permitted provided that maximum quantity thresholds are not exceeded</b>	<b>Planning zone divisions – for the purposes of hazardous substance performance standards</b>	<b>Controlled Activities</b>	<b>Discretionary (Restricted) Activities</b>	<b>Discretionary Activities (Unrestricted)</b>
Western Bay of Plenty District Plan	<ul style="list-style-type: none"> <li>Fuel contained in tanks of motor vehicles, boats, aircraft and small engines.</li> <li>The storage and use of hazardous consumer products in domestic quantities, including flammable gases.</li> <li>The storage of hazardous consumer products for sale in retail outlets, e.g. supermarkets, hardware stores and pharmacies.</li> <li>Gas and oil pipelines.</li> <li>Trade waste sewers, or waste treatment and disposal facilities.</li> <li>Service stations (other conditions apply).</li> <li>Hazardous facilities that are part of a permitted activity in the rural zones and that comply with NZS8409:2004.</li> </ul>	Any other hazardous facility.	Rural; Industrial; Future Urban; Commercial (includes buffer zone of 20m); Residential, Rural-Residential, Lifestyle, Natural Environment, Areas Subject to Flooding (includes buffer zone of 30m).	None	Hazardous facilities that comply with permitted maximum quantity thresholds but that do not comply with one or more performance standards relating to site design, site layout, spill containment systems, stormwater drainage, washdown areas, fuel storage tanks, signage and waste management.	<ul style="list-style-type: none"> <li>Hazardous facilities that do not comply with permitted maximum quantity thresholds.</li> <li>Service stations that do not comply with performance standards.</li> <li>Facilities primarily designed for the disposal or destruction of hazardous substances and hazardous wastes.</li> </ul>