

Appendix 2 - Officer's Recommended Decisions on Submissions (Hazardous Substances).

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
S516.006	Ngā Tai Ora - Public Health Northland	General / Plan Content / Miscellaneous	Support	Overall, Ngā Tai Ora is supportive of the decision from FNDC to include hazardous substances provisions in the PDP Ngā Tai Or's consider that the RMA has an important role to play in managing the location of land uses which store, use, transport and dispose of hazardous substances, identifying and assessing the risks and, where necessary, requiring these risks be avoided, remedied or mitigated to achieve the purpose of the RMA	Retain the 'Hazardous substances' section	Accept	5.2.1
S429.011	Kapiro Residents Association	General / Plan Content / Miscellaneous	Not Stated	In areas where freshwater issues are relevant to District Council functions and the DP, the NPS Freshwater Management of 2020 needs to be given effect in all relevant parts of the DP, including the Ecosystems & Biodiversity chapter and Natural Character chapter.	Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to: -the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2)) -Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving	Accept in part	5.2.1

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					<p>environments (NPS FM s3.5(4))</p> <p>-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...' (NPS FM s3.22). We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.</p> <p>-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.</p> <p>-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.</p> <p>-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.</p>			
FS66.24	Bentzen Farm Limited		Oppose	The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said,	Disallow		Reject	5.2.1

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				the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the regional Council.				
S516.050	Ngā Tai Ora - Public Health Northland	Rule framework	Support	Overall, Ngā Tai Ora is supportive of the decision from FNDC to include hazardous substances provisions in the PDP. Ngā Tai Ora consider that the RMA has an important role to play in managing the location of land uses which store, use, transport and dispose of hazardous substances, identifying and assessing the risks and, where necessary, requiring these risks be avoided, remedied or mitigated to achieve the purpose of the RMA.	Insert appropriate rules for the management storage, use, transport and disposal of hazardous substances in the Far North District. At a minimum, this should include (but is not limited to) the inclusion of rules managing: - The establishment or expansion of facilities managing, storing, using or disposing of hazardous substances within, or in close proximity to, sensitive environments (e.g., residential areas or adjacent to schools or health care facilities and hospitals). - The establishment of sensitive activities (e.g., residential activities, marae schools or health care facilities and hospitals) adjacent to, or within close proximity to, lawfully established hazardous substances facilities. - The establishment or expansion of facilities managing, storing, using or disposing hazardous substances in areas that may increase the risk of accident or adverse effects on public health and safety, and the environment (e.g., in areas subject to natural hazards or adjacent to sensitive natural environments or habitats). - Appropriate limits or thresholds for the storage of certain hazardous substances across the various zones in the PDP.		Reject	5.2.4
FS354.018	Horticulture New Zealand		Oppose	The submitter seeks to insert rules for the management	Disallow	Disallow S516.050	Reject	5.2.1

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
				storage, use, transport and disposal of hazardous substances in the Far North District. HortNZ supports the approach to managing hazardous substances as in the PDP.			
S512.004	Fire and Emergency New Zealand	HAZARDOUS SUBSTANCE	Support	Fire and Emergency supports the definition of 'Hazardous Substance' being consistent with 'Hazardous Substances and New Organisms Act 1996'.	retain definition hazardous substance	Accept	5.2.1
S335.001	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited	SIGNIFICANT HAZARDOUS FACILITY	Support in part	The Resource Legislation Amendment Act 2017 (RLAA) removed the explicit function of district and regional councils to control the adverse effects of the storage, use, disposal or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA). How the definition addresses petrol and diesel is of most interest to the Fuel Companies. The last paragraph in the proposed definition exempts underground storage of petrol and diesel in relation to service stations and other commercial refuelling facilities. The Fuel Companies assume this includes truck stops and therefore supports this exemption. Moreover, the Fuel Companies suggest that reference to (c) in the exemption paragraph should refer to '(d)'. The Fuel Companies also support the principle of recognising that there is the	Amend the definition of Significant Hazardous Facility means the use of land and/or buildings (or any part of) for one or more of the following activities: a. Any Major Hazard Facility desingated designated under the Health and Safety at work (Major Hazard Facilities) Regulations 2016, including the Ngawha Geothermal Plant. b. Manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis or paints). c. Petroleum exploration and petroleum production facility. d. The storage/use of more than 100,000L of petrol or diesel. e. The storage/use of more than 6 tonnes of LPG. f. Galvanising plants. g. Electroplating and metal treatment. h. Tanneries. i. Timber treatment. j. Freezing works and rendering plants. k. Wastewater treatment plants. l. Metal smelting and refining (including battery refining or recycling). m. Milk processing plants.	Accept	5.2.1

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				potential for relevant (current) HSNO codes of practice to be superseded by other documents in the future. The volume thresholds are not risk based and more recently the industry has shifted towards larger storage volumes (enabled by large capacity, modern double-skinned fibreglass tanks) to increase efficiencies and this has triggered particular consents of consenting pathways where not justified by risk.	n. Polymer foam manufacturing The storage of petrol and diesel in (c) (d) above does not include the underground storage at service stations and commercial refuelling facilities undertaken in accordance with HSNO COP 44 Below Ground Stationary Container Systems for Petroleum - Design and Installation and HSNO COP 45 Below Ground Stationary Containers Systems for Petroleum - Operation (or more recent relevant WorkSafe guidance HSNO code or practice for underground fuel storage.)		
S512.007	Fire and Emergency New Zealand	SIGNIFICANT HAZARDOUS FACILITY	Support in part	Fire and Emergency support the definition of significant hazardous facility as we consider it does not apply to their emergency service facilities. Fire and Emergency suggest including further detail on activities related with storage of hazardous substances. This is because large scale storage and transport depots for hazardous substances (e.g. like an inland port or bulk chemical warehouse) can have a large impact on neighbouring sites during emergencies	Amend the definition to better provide for the storage of hazardous substances beyond sites involved with manufacture or sites specific to petrol, diesel or LPG.	Reject	5.2.1
S421.078	Northland Federated Farmers of New Zealand	Overview	Support	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations	Retain the Overview or ensure that amendments include similar wording that achieves the same intent	Accept	5.2.1

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				involved with hazardous substances.				
FS570.1310	Vision Kerikeri 3		Oppose	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations involved with hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.1
FS346.312	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations involved with hazardous substances.	Disallow	Disallow the original submission	Reject	5.2.1
FS566.1324	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations involved with hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.1

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
FS569.1346	Vision Kerikeri 2		Oppose	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations involved with hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.1
S335.002	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited	HS-O1	Support	The fact that the focus is not solely on distance, the objective appropriately recognises that a range of factors are relevant to potential reverse sensitivity effects, although doesn't identify what they are or could be.	Retain Objective HS-O1 as notified		Accept	5.2.2
S159.044	Horticulture New Zealand	HS-O1	Support	The approach in the plan is supported with a focus on significant hazardous facilities.	Retain Objective HS-O1		Accept	5.2.2
FS151.204	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	5.2.2
FS151.205	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	5.2.2
FS151.206	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	5.2.2
FS570.206	Vision Kerikeri 3		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
FS566.220	Kapiro Conservation Trust 2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2

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FS569.242	Vision Kerikeri 2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
S421.079	Northland Federated Farmers of New Zealand	HS-O1	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Retain Objective HS-O1 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.2
FS570.311	Vision Kerikeri 3		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
FS346.313	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow the original submission	Reject	5.2.2
FS566.1325	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
FS569.1347	Vision Kerikeri 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
S335.003	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited	HS-O2	Support	The fact that the focus is not solely on distance, the objective appropriately recognises that a range of factors are relevant to potential reverse sensitivity effects, although doesn't identify what they are or could be.	Retain Objective HS-O2 as notified		Accept	5.2.2
S331.035	Ministry of Education Te Tāhuhu o Te Mātauranga	HS-O2	Support	The submitter supports objective HS-O2 as significant hazardous facilities should not be located adjacent to sensitive activities including educational facilities and preschools so as to manage adverse effects on school	Retain objective HS-O2 as proposed.		Accept	5.2.2

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				students and staff and to manage reverse sensitivity effects.				
S421.080	Northland Federated Farmers of New Zealand	HS-O2	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Retain Objective HS-O2 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.2
FS570.1312	Vision Kerikeri 3		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
FS346.314	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow the original submission	Reject	5.2.2
FS566.1326	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
FS569.1348	Vision Kerikeri 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.2
S399.038	Te Hiku Iwi Development Trust	HS-P1	Support	We support separation distances from natural water bodies and other sensitive environments as required by Policies HS-P1 - HSP3. We note our earlier submission that the definition of Sensitive Activities should include sites of significance to tangata whenua other than marae. For example urupā (burial grounds) are sensitive sites and may not always be associated with marae.	Retain Policy HS-P1		Accept	5.2.3

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
S421.081	Northland Federated Farmers of New Zealand	HS-P1	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Retain Policy HS-P1 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.3
FS347.003	Bp Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited		Support	The Fuel Companies support the retention of Policy HS-P1. The Fuel Companies also note that that the consideration of "residual risk" under clause (c) must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the Hazardous Substances and New Organisms Act 1996 (HSNOA) or Health and Safety at Work Act 2015 (HSWA)).	Allow	allow original submission	Accept	5.2.3
FS570.1313	Vision Kerikeri 3		Oppose	The Fuel Companies support the retention of Policy HS-P1. The Fuel Companies also note that that the consideration of "residual risk" under clause (c) must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the Hazardous Substances and New Organisms Act 1996	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				(HSNOA) or Health and Safety at Work Act 2015 (HSWA)).				
FS346.315	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	The Fuel Companies support the retention of Policy HS-P1. The Fuel Companies also note that that the consideration of "residual risk" under clause (c) must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the Hazardous Substances and New Organisms Act 1996 (HSNOA) or Health and Safety at Work Act 2015 (HSWA)).	Disallow	Disallow the original submission	Reject	5.2.3
FS566.1327	Kapiro Conservation Trust 2		Oppose	The Fuel Companies support the retention of Policy HS-P1. The Fuel Companies also note that that the consideration of "residual risk" under clause (c) must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the Hazardous Substances and New Organisms Act 1996 (HSNOA) or Health and Safety at Work Act 2015 (HSWA)).	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3

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FS569.1349	Vision Kerikeri 2		Oppose	The Fuel Companies support the retention of Policy HS-P1. The Fuel Companies also note that that the consideration of "residual risk" under clause (c) must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the Hazardous Substances and New Organisms Act 1996 (HSNOA) or Health and Safety at Work Act 2015 (HSWA)).	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
S335.004	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited	HS-P2	Support	The policy requires separation distances or mitigation, to manage the effects of reverse sensitivity between SHF and sensitive activities.	Retain Policy HS-P2 as notified		Accept	5.2.3
S399.039	Te Hiku Iwi Development Trust	HS-P2	Support	We support separation distances from natural water bodies and other sensitive environments as required by Policies HS-P1 - HSP3. We note our earlier submission that the definition of Sensitive Activities should include sites of significance to tangata whenua other than marae. For example urupā (burial grounds) are sensitive sites and may not always be associated with marae.	Retain Policy HS-P2		Accept	5.2.3
S421.082	Northland Federated	HS-P2	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Retain Policy HS-P2 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.3

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	Farmers of New Zealand							
FS570.1314	Vision Kerikeri 3		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS346.316	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow the original submission	Reject	5.2.3
FS566.1328	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS569.1350	Vision Kerikeri 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
S399.040	Te Hiku Iwi Development Trust	HS-P3	Support	We support separation distances from natural water bodies and other sensitive environments as required by Policies HS-P1 - HSP3. We note our earlier submission that the definition of Sensitive Activities should include sites of significance to tangata whenua other than marae. For example urupā (burial grounds) are sensitive sites and may not always be associated with marae.	Retain Policy HS-P3		Accept	5.2.3
S421.083	Northland Federated Farmers of New Zealand	HS-P3	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Retain Policy HS-P3 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.3

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
FS570.1315	Vision Kerikeri 3		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS346.317	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow the original submission	Reject	5.2.3
FS566.1329	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS569.1351	Vision Kerikeri 2		Oppose	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
S483.119	Top Energy Limited	Rules	Oppose	Whangārei District Council has recently notified Plan Change 91 to the Whangārei District Plan which proposes to retain objectives and policies relating to hazardous substances for the consideration at resource consent stage, but deletes any rules relating to hazardous substances. Top Energy supports the WDC approach which is consistent with the 2017 RMA amendments which removed explicit function for local authorities to control the adverse effects of the storage, use, disposal, and transportation of hazardous substances.	Delete rules for hazardous substances in the PDP.		Reject	5.2.4
FS196.204	Joe Carr		Support	is sensible and will be consistent with WDC plans	Allow		Accept	5.2.4

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FS345.170	Ngawha Generation Limited		Support	is sensible and will be consistent with WDC plans	Allow	Allow all of the relief sought by Top Energy Limited in its submission (S483).	Reject	5.2.4
S454.075	Transpower New Zealand Ltd	Rules	Not Stated	The use, storage or disposal of hazardous substances in greater than normal household usage quantities within the National Grid Yard poses a potentially significant health and safety risk to people and communities. Transpower therefore requests a new Hazardous Substances rule that limits the use, storage or disposal of hazardous substances to normal household use volumes within the National Grid Yard as a permitted activity.	Insert a new rule in the Hazardous Substances chapter of the FNPDP as follows: HS-Rx The use storage or disposal of hazardous substances near the National Grid All Zones Activity status: Permitted Where:HH. Normal household usage volumes of hazardous substances are used, stored or disposed of. Activity status when compliance not achieved with HS-R1.1: Non complying		Accept in part	5.2.4
FS354.089	Horticulture New Zealand		Oppose	The submitter seeks that there is a new rule for the use storage or disposal of hazardous substances near the National Grid that would permit the activity where normal household usage volumes of hazardous substances are used, stored or disposed of. Such a rule would preclude the application of agrichemicals and fertiliser in the National Grid Yard as would be a 'use' greater than normal household usage and would be 'non-complying' under the rule that is sought. This is not supported. It is accepted that storage of hazardous substances within the National Grid Yard should be limited but not the use of such substances.	Disallow in part	Disallow S454.075 in relation to use of hazardous substances and non-complying activity status.	Reject	5.2.4

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FS369.342	Top Energy		Support in part	The submitter seeks that there is a new rule for the use storage or disposal of hazardous substances near the National Grid that would permit the activity where normal household usage volumes of hazardous substances are used, stored or disposed of. Such a rule would preclude the application of agrichemicals and fertiliser in the National Grid Yard as would be a 'use' greater than normal household usage and would be 'non-complying' under the rule that is sought. This is not supported. It is accepted that storage of hazardous substances within the National Grid Yard should be limited but not the use of such substances.	Allow in part	Retain	Reject	5.2.4
S454.076	Transpower New Zealand Ltd	Rules	Not Stated	Hazardous facilities located within the National Grid Yard can pose a potentially significant health and safety risk to people and communities. Transpower requests that any new hazardous facility within 12m of the centre line of a National Grid Transmission line be a non-complying activity.	Insert a new rule in the Hazardous Substances chapter of the FNPDP as follows: HS-Rx New significant hazardous facility in the National Grid Yard All Zones Activity status: Non-complying		Accept in part	5.2.4
FS369.343	Top Energy		Support in part	Top Energy seeks to delete rules for hazardous substances in the PDP. However, should the rules remain Top Energy supports the provision for hazardous facilities associated with the National Grid and Electricity Suppliers.	Allow in part	Reject	Reject	5.2.4

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S335.005	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited	HS-R1	Support in part	It is unclear whether the rule is intended to capture other activities such as alterations, upgrades and changes. The section 32 report indicates that the intent of the rule is to "enable maintenance, repair and alteration of Significant Hazardous Facilities to occur as a permitted activity provided there is no increase in residual risks"	Amend Rule title HS-R1 Maintenance, and repair and alteration of a significant hazardous facility		Accept	5.2.4
S421.084	Northland Federated Farmers of New Zealand	HS-R1	Support	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Retain Rule HS-R1 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.4
FS347.004	Bp Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited		Support in part	The Fuel Companies support the retention of Rule HS-R1 except for the amendment to this rule's title as sought in the Fuel Companies' submission S335.005. The Fuel Companies also note that the consideration of "residual risk" under PER-4 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).	Allow in part	allow in part original submission	Accept in part	5.2.4
FS570.1316	Vision Kerikeri 3		Oppose	The Fuel Companies support the retention of Rule HS-R1 except for the amendment to this rule's title as sought in the Fuel Companies' submission S335.005. The Fuel	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.4

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				Companies also note that the consideration of "residual risk" under PER-4 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).				
FS346.318	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	The Fuel Companies support the retention of Rule HS-R1 except for the amendment to this rule's title as sought in the Fuel Companies' submission S335.005. The Fuel Companies also note that the consideration of "residual risk" under PER-4 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).	Disallow	Disallow the original submission	Reject	5.2.4
FS566.1330	Kapiro Conservation Trust 2		Oppose	The Fuel Companies support the retention of Rule HS-R1 except for the amendment to this rule's title as sought in the Fuel Companies' submission S335.005. The Fuel Companies also note that the consideration of "residual risk" under PER-4 must only relate to risks beyond the	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).				
FS569.1352	Vision Kerikeri 2		Oppose	The Fuel Companies support the retention of Rule HS-R1 except for the amendment to this rule's title as sought in the Fuel Companies' submission S335.005. The Fuel Companies also note that the consideration of "residual risk" under PER-4 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.4
S512.024	Fire and Emergency New Zealand	HS-R2	Support in part	Fire and Emergency support the consideration of proximity between sensitive land uses and significant hazardous facilities. Where sites store substantial quantities that release a toxic or flammable gas (e.g. chlorine or ammonia gas) or where the substance could cause an explosion during a fire (e.g. ammonia nitrate), the proposed 250m setback distance may be insufficient as sensitive activities could be	Amend HS-R2 Council to identify whether a two-tiered approach to setbacks for sensitive land uses could be more effective to safeguard communities by differentiating between the potential catchment of flammable gas or explosions compared to other 'significant hazardous facilities' with less reach.		Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
				impacted 500-1000m or more away			
S331.036	Ministry of Education Te Tāhuhu o Te Mātauranga	HS-R2	Support	The submitter supports rule HS-R2 Establishment of a new significant hazardous facility, in the Heavy Industrial zone, as significant hazardous facilities should be set back from sensitive activities including educational facilities and preschools, therefore the submitter supports the inclusion of a specific distance which the hazardous facility must be setback by.	Retain rule HS-R2 Establishment of a new significant hazardous facility, in the Heavy Industrial zone, as proposed.	Accept	5.2.4
S516.051	Ngā Tai Ora - Public Health Northland	HS-R2	Not Stated	Ngā Tai Ora support the concept of separating Significant Hazardous Facilities from sensitive activities and sensitive environments. However, the section 32 evaluation report does not provide any justification or technical evidence to support the proposed minimum setback of 250m.	Amend the Hazardous Substances provisions, undertaking a technical assessment to confirm that the proposed 250m separation is sufficient to manage the risk to public health and safety and the environment. That Council complete a section 32AA evaluation of the rules to determine what is the most efficient and effective separation distance to give effect to the objectives and policies. That Council update the provisions based upon the findings of technical assessment and section 32AA evaluation.	Reject	5.2.4
S304.005	Ngāti Rangī ki Ngāwha Hapu	HS-R2	Oppose	As atua of cultivated food, Rongomātāne plays a fundamental role in our region. The fertility of our soils both from Papatūānuku allows the region to be a produce leader. Ngāti Rangī wishes to maintain the fertility of our soils as part of the gifts from Papatūānuku. Because Rongomātāne only covers cultivated food, the main	Amend to ensure that relevant authorities will provide feedback to Ngāti Rangī on the use of agrichemicals in the rohe in particular NIEP, and consenting authorities will not grant consents for horticultural activities (including vegetable washing) where that consent allows discharges (diffuse or otherwise) of nutrients, agrichemicals, or sediment to local water bodies (including groundwater).	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				<p>issues for this section are connected with intensive horticultural land use activities, such as market gardens, and impacts on soil structure. Issues around water quality and land use have been covered in Tangaroa-i-te-wai-māori and Papatūānuku.</p> <p>The Ngāti Rangi rohe, with its rich volcanic soils, is a market gardening stronghold. However, market gardens can place pressure on local water bodies through abstractions and discharges, and can degrade soil structure and reduce its quality and quantity. The impacts of herbicides, pesticides, and fertilisers are a matter of concern for Ngāti Rangi. Refer to Sections 5.1.2 and 5.1.3 of Ngati Rangi's Hapu Environmental Management Plan).</p>				
FS114.13	Far North Holdings Limited		Support in part	Similar to submission point 304.004, FNHL supports the intent of the rule and the provisions noted but opposes the discharge comments and the relief sought with respect to discharges. It is reiterated that there is an existing regulatory framework including plans and their provisions which address these matters and enable rural activities to be undertaken in effective and efficient manner with less than minor effects on the environment.	Disallow in part		Reject	5.2.4
FS354.090	Horticulture New Zealand		Oppose	Similar to submission point 304.004, FNHL supports the	Disallow	Disallow S304.005	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				intent of the rule and the provisions noted but opposes the discharge comments and the relief sought with respect to discharges. It is reiterated that there is an existing regulatory framework including plans and their provisions which address these matters and enable rural activities to be undertaken in effective and efficient manner with less than minor effects on the environment.				
FS403.130	Te Whatu Ora - Nga Tai Ora		Support in part	Similar to submission point 304.004, FNHL supports the intent of the rule and the provisions noted but opposes the discharge comments and the relief sought with respect to discharges. It is reiterated that there is an existing regulatory framework including plans and their provisions which address these matters and enable rural activities to be undertaken in effective and efficient manner with less than minor effects on the environment.	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
S515.010	Ngati Rangi ki Ngawha	HS-R2	Oppose	As atua of cultivated food, Rongomātāne plays a fundamental role in our region. The fertility of our soils both from Papatūānuku allows the region to be a produce leader. Ngāti Rangi wishes to maintain the fertility of our soils as part of the gifts from Papatūānuku. Because Rongomātāne only covers cultivated food, the main issues for this section are connected with intensive horticultural land use activities,	Amend to ensure that relevant authorities will provide feedback to Ngāti Rangi on the use of agrichemicals in the rohe in particular NIEP, and consenting authorities will not grant consents for horticultural activities (including vegetable washing) where that consent allows discharges (diffuse or otherwise) of nutrients, agrichemicals, or sediment to local water bodies (including groundwater).		Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				such as market gardens, and impacts on soil structure. Issues around water quality and land use have been covered in Tangaroa-i-te-wai-māori and Papatūānuku. The Ngāti Rangi rohe, with its rich volcanic soils, is a market gardening stronghold. However, market gardens can place pressure on local water bodies through abstractions and discharges, and can degrade soil structure and reduce its quality and quantity. The impacts of herbicides, pesticides, and fertilisers are a matter of concern for Ngāti Rangi. Refer to Sections 5.1.2 and 5.1.3 of Ngati Rangi's Hapu Environmental Management Plan).				
FS114.18	Far North Holdings Limited		Oppose	FNHL have no issues with the involvement of Ngati Rangi as per a MOU but does oppose unquantifiable discharge and land use restrictions which imply a level of predetermination. FNHL does support best practice, relevant National Environmental Standards, and the regional and district plan provisions including any consenting requirements under these documents.	Disallow in part		Reject	5.2.4
FS354.091	Horticulture New Zealand		Oppose	FNHL have no issues with the involvement of Ngati Rangi as per a MOU but does oppose unquantifiable discharge and land use restrictions which imply a level of predetermination. FNHL does support best	Disallow	Disallow S515.010	Reject	5.2.4

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				practice, relevant National Environmental Standards, and the regional and district plan provisions including any consenting requirements under these documents.				
FS403.136	Te Whatu Ora - Nga Tai Ora		Support in part	FNHL have no issues with the involvement of Ngati Rangi as per a MOU but does oppose unquantifiable discharge and land use restrictions which imply a level of predetermination. FNHL does support best practice, relevant National Environmental Standards, and the regional and district plan provisions including any consenting requirements under these documents.	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
S342.020	Waipapa Pine Limited and Adrian Broughton Trust	HS-R2	Support in part	The new Heavy Industry Zone has been applied to an area which was previously zoned Rural Production. This new zone should have precedence and the limits of the Rule should only apply to sensitive activities not within the Heavy Industrial Zone.	amend HS-R2 ,PER-2 to include the following exemption - The sensitive activity must be located in a zone other than the Heavy Industrial Zone.		Reject	5.2.4
FS347.005	Bp Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited		Support	The Fuel Companies support the insertion to PER-2 sought by this submission. The Fuel Companies also note that the consideration of "residual risk" under DIS-3 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry	Allow	allow the original submission	Accept	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				controls and other regulations or statutes (such as the HSNOA or HSWA).				
FS374.034	Waipapa Pine Limited		Support	The Fuel Companies support the insertion to PER-2 sought by this submission. The Fuel Companies also note that the consideration of "residual risk" under DIS-3 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).	Allow	allow the original submission	Accept	5.2.4
FS403.133	Te Whatu Ora - Nga Tai Ora		Support in part	The Fuel Companies support the insertion to PER-2 sought by this submission. The Fuel Companies also note that the consideration of "residual risk" under DIS-3 must only relate to risks beyond the boundaries of a site associated with the storage and use of hazardous substances that remains following compliance with regional planning instruments, industry controls and other regulations or statutes (such as the HSNOA or HSWA).	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
S421.085	Northland Federated Farmers of New Zealand	HS-R2	Support	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Retain Rule HS-R2 or ensure that amendments include similar wording that achieves the same intent		Accept	5.2.4
FS570.1317	Vision Kerikeri 3		Oppose	Federated Farmers supports rules HS-R1 and HS-R2 as	Disallow	Disallow to the extent that the submission is	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				currently drafted in the proposed district plan.		inconsistent with our original submission		
FS403.134	Te Whatu Ora - Nga Tai Ora		Support in part	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
FS346.319	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Disallow	Disallow the original submission	Reject	5.2.4
FS566.1331	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.4
FS569.1353	Vision Kerikeri 2		Oppose	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.4
S331.037	Ministry of Education Te Tāhuhu o Te Mātauranga	HS-R2	Support	The submitter supports rule HS-R2 Establishment of a new significant hazardous facility, in the Light Industrial zone, Rural Production zone, Ngawha Innovation and Enterprise Park zone, as significant hazardous facilities should be set back from sensitive activities including educational facilities and preschools.	Retain rule HS-R2 Establishment of a new significant hazardous facility, in the Light Industrial zone, Rural Production zone, Ngawha Innovation and Enterprise Park zone, as proposed.		Accept	5.2.4
FS403.131	Te Whatu Ora - Nga Tai Ora		Support in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
FS403.138	Te Whatu Ora - Nga Tai Ora		Support	Te Whatu Ora seek to amend the provisions to require a setback from	Allow	Te Whatu Ora support the retention of this rule as notified.	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				"Significant Hazardous Facilities".				
S331.038	Ministry of Education Te Tāhuhu o Te Mātauranga	HS-R2	Support	The submitter supports rule HS-R2 Establishment of a new significant hazardous facility, and agrees that significant hazardous facilities should not be established in zones which are likely to contain sensitive activities including educational facilities and preschools.	Retain rule HS-R2 Establishment of a new significant hazardous facility as proposed.		Accept	5.2.4
FS403.132	Te Whatu Ora - Nga Tai Ora		Support in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.4
S399.041	Te Hiku Iwi Development Trust	HS-R3	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R3 as follows: HS-R3: Significant hazardous facility within the coastal environment or within 100m of the coastal environment		Reject	5.2.4
S399.042	Te Hiku Iwi Development Trust	HS-R4	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R4 as follows: HS-R4: Significant hazardous facility within an outstanding natural feature or landscape or within 100m of an outstanding natural feature or landscape		Reject	5.2.4
S399.043	Te Hiku Iwi Development Trust	HS-R5	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment. With respect to HS-R5 we note our earlier submission that the	Amend Rule HS-R5 as follows: HS-R5: Significant hazardous facility within a scheduled site and area of significance to Māori or within 100m of a scheduled site and/or area of significance to Māori		Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
				definition of a scheduled site does not recognise that many sites of significance to Māori are not mapped or otherwise identified. There are many reasons why the location of sites may not be shared.			
S399.044	Te Hiku Iwi Development Trust	HS-R6	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R6 as follows: HS-R6:Significant hazardous facility within a significant natural area or within 100m of a significant natural area	Reject	5.2.4
S421.086	Northland Federated Farmers of New Zealand	HS-R6	Support in part	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying. The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints). For rules HS-R6, HS-R7and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or	Amend the activity classification for Rule HS-R6 to discretionary, with the default status for activities not meeting the rule to be non-complying	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				coastal hazard areas. By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity				
FS570.1318	Vision Kerikeri 3		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying. The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints). For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas. By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				Council with another opportunity to place appropriate controls on the activity				
FS346.320	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity</p>	Disallow	Disallow the original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
FS566.1332	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying. The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints). For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas. By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4
FS569.1354	Vision Kerikeri 2		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				<p>significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity</p>				
S399.045	Te Hiku Iwi Development Trust	HS-R7	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R7 as follows: HS-R7: Significant hazardous facility within a flood hazard area or within 100m of a flood hazard area		Reject	5.2.4
S516.053	Ngā Tai Ora - Public Health Northland	HS-R7	Support	Ngā Tai Ora support the non-complying activity status for proposed rules HS-R7 and R8.	Retain Rule HS-R7		Accept	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
				Locations subject to natural hazards, which can increase the likelihood of a release of a hazardous substance into the environment should a natural hazard event occur.			
S421.087	Northland Federated Farmers of New Zealand	HS-R7	Support in part	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity</p>	Amend the activity classification for Rule HS-R7 to discretionary, with the default status for activities not meeting the rule to be non-complying	Reject	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				to place appropriate controls on the activity				
FS196.26	Joe Carr		Support	submitter suggestion is practical and allows Council appropriate opportunity for managing effects.	Allow		Accept	5.2.1
FS570.1319	Vision Kerikeri 3		Oppose	submitter suggestion is practical and allows Council appropriate opportunity for managing effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS346.321	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	submitter suggestion is practical and allows Council appropriate opportunity for managing effects.	Disallow	Disallow the original submission	Reject	5.2.3
FS566.1333	Kapiro Conservation Trust 2		Oppose	submitter suggestion is practical and allows Council appropriate opportunity for managing effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
FS569.1355	Vision Kerikeri 2		Oppose	submitter suggestion is practical and allows Council appropriate opportunity for managing effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	5.2.3
S399.046	Te Hiku Iwi Development Trust	HS-R8	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R8 as follows: HS-R8: Significant hazardous facility within a coastal hazard area or within 100m of a coastal hazard area		Reject	5.2.4
S516.054	Ngā Tai Ora - Public Health Northland	HS-R8	Support	Ngā Tai Ora support the non-complying activity status for proposed rules HS-R7 and R8. Locations subject to natural hazards, which can increase the likelihood of a release of a hazardous substance into the environment should a natural hazard event occur.	Retain Rule HS-R8		Accept	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
S421.088	Northland Federated Farmers of New Zealand	HS-R8	Support in part	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity</p>	Amend the activity classification for Rule HS-R8 (inferred) to discretionary, with the default status for activities not meeting the rule to be non-complying		Reject	5.4.3
FS570.1320	Vision Kerikeri 3		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				<p>significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity</p>				
FS403.137	Te Whatu Ora - Nga Tai Ora		Support in part	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk</p>	Allow in part	Te Whatu Ora seek to amend the provisions to require a setback from "Significant Hazardous Facilities".	Reject	5.2.3

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				<p>processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity</p>				
FS346.322	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or</p>	Disallow	Disallow the original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				paints). For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas. By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity				
FS566.1334	Kapiro Conservation Trust 2		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying. The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints). For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of s42A report
				Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas. By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity				
FS569.1356	Vision Kerikeri 2		Oppose	Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying. The definition for 'significant hazardous facilities' captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints). For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	5.2.4

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of s42A report
				By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity			
S399.047	Te Hiku Iwi Development Trust	HS-R9	Not Stated	The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.	Amend Rule HS-R9 as follows: HS-R9: Significant hazardous facility within a scheduled heritage resource or within 100m of a scheduled heritage resource	Reject	5.2.4
S331.039	Ministry of Education Te Tāhuhu o Te Mātauranga	HS-R11	Support	The submitter supports rule HS-R11 New sensitive activities, as sensitive activities including educational facilities and preschools should not be located adjacent to significant hazardous facilities. The submitter supports the inclusion of a specific distance which the educational facility must be setback from an existing significant hazardous facility so as to manage adverse effects to school students and staff and to manage reverse sensitivity effects.	Retain rule HS-R11 New sensitive activities, as proposed.	Accept	5.2.4
S516.052	Ngā Tai Ora - Public Health Northland	HS-R11	Support	Ngā Tai Ora support the buffering and separation of Significant Hazardous Facilities from sensitive activities and environments.	Retain Rule HS-R11	Accept	5.2.4