

SUBMISSION

SUBMISSION ON

Proposed Plan Change 91 Hazardous Substances Whangarei District Plan

21 September 2022

To: Whangarei District Council

Name of Submitter: Horticulture New Zealand

Contact for Service:

Sarah Cameron

Senior Policy Advisor

Horticulture New Zealand

PO Box 10-232 WELLINGTON

Ph: 021 446 281

Email: sarah.cameron@hortnz.co.nz

OVERVIEW

Submission structure

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HortNZ's Role

Background to HortNZ

HortNZ represents the interests of approximately 5,500 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruit, and vegetables. The horticultural sector provides over 40,000 jobs.

There is approximately, 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain; and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

Submission

Horticulture New Zealand (HortNZ) thanks Whangarei District Council for the opportunity to submit on the Proposed Plan Change 91 and welcomes any opportunity to continue to work with Council and to discuss our submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking from Council are set out in our submission below.

In particular HortNZ supports the approach that council is taking with PC91 Hazardous substances recognising that there should not be duplication in requirements.

Submission on Plan Change 91

Without limiting the generality of the above, HortNZ seeks the following decisions on Plan Change 91 as set out below, or alternative amendments to address the substance of the concerns raised in this submission and any consequential amendments required to address the concerns raised in this submission.

Additions are indicated by bolded underline, and deletions by strikethrough text.

Provision	Support/oppose	Reason	Decision sought
HSUB-O1 - Residual risks	Support	HortNZ supports the focus on residual risk associated with the location of facilities that use, store and dispose of hazardous substances. However residual risk is not defined. For clarity a definition would assist. The Proposed Far North District Plan includes a definition of residual risk which is sought to be included in PC91.	Retain HSUB-O1 Include a definition for residual risk as follows: <u>Means in relation to hazardous substances, any risk of an adverse effect that remains after other industry controls and legislation and regional planning instruments have been complied with</u>
HSUB-O2 - Reverse sensitivity	Support	HortNZ supports recognition that sensitive activities can generate reverse sensitivity effects.	Retain HSUB-O2
HSUB-P1 - Residual Risks	Support	HortNZ supports a policy that seeks to avoid duplication of regulation.	Retain HSUB-P1
HSUB-P2 - People and communities	Support in part	HortNZ considers that the policy should be written to provide for use, storage and disposal of hazardous substances	Amend HSUB-P2 as follows: To ensure activities which use, store or dispose of hazardous substances are

		unless there is an adverse effect from residual risk that needs to be managed.	not located in areas where they may adversely affect the health, safety and wellbeing of people and communities, unless it can be demonstrated that the manage residual risk to people and communities by avoiding such risk will be avoided, or where avoidance is not practicable, remedied or mitigated to an acceptable level.
HSUB-P3 - Sensitive Environments and Areas	Support in part	<p>HortNZ considers that the policy should be written to provide for use, storage and disposal of hazardous substances in sensitive environments and areas unless there is an adverse effect from residual risk that needs to be managed.</p> <p>There are growers undertaking primary production activities in Outstanding Natural Features where primary production activities are permitted and there are no specific rules for hazardous substances in these areas. Therefore it should be clear that these activities are able to continue to be undertaken in these areas as long as residual risks are managed.</p>	<p>Amend HSUB-P3 as follows:</p> <p>To ensure activities which use, store or dispose of hazardous substances which are located are not located within sensitive environments and areas manage unless it can be demonstrated that the residual risk to people, property and the environment by avoiding such risk will be avoided, or where avoidance is not practicable, remedied or mitigated to an acceptable level.</p>
Consequential amendments	Support	<p>HortNZ supports the deletion of:</p> <ul style="list-style-type: none"> -Hazardous substances chapter and Appendices 81-8d - Definitions of hazardous facility and hazardous sub-facility 	Retain deletion of consequential amendments.

- Deletion of reference documents listed in the Plan Change 91