

30 September 2024

SLR Ref No.: 810.V15584.00001 0.1 - Gore HS6 Hearing Statement - the Fuel Companies (16) 20240930

Attention: Lindsey Crazy Wolf, Regulatory Administrator – District Plan

Gore District Council

Via email: proposeddistrictplan@goredc.govt.nz

SLR Project No.: 810.V15584.00001

RE: Gore Proposed District Plan – Hearing Stream 6 Hearing Statement of the Fuel Companies (Submitter 16)

Introduction

- 1 This hearing statement is prepared on behalf of bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the **Fuel Companies**) on Hearing Stream 6 (HS6) for the Contaminated Land and Hazardous Substances provisions of the Gore Proposed District Plan (PDP).
- 2 This hearing statement represents the views of the Fuel Companies and is not expert evidence. The Fuel Companies will not be attending the hearing but request that this hearing statement be tabled before the Hearing Panel.
- 3 The Fuel Companies have an interest in HS6 of the PDP to the extent that it relates to, or impacts on, their sites and activities in the Gore District.
- 4 The recommendations of the section 42A Report on the Contaminated Land and Hazardous Substances Chapters, prepared by Victoria Woodbridge on behalf of the Gore District Council dated 16 September 2024 (the **s42A Report**), have been reviewed as they relate to the Fuel Companies submission. Overall, the Fuel Companies support the recommendations and are particularly supportive of the recommendation to reject Environment Southland's submission S85.098.

CL-O1

- 5 The Fuel Companies made the following submission on the CL-O1:
 - a) Amend CL-O1 as follows: *Land that is affected by soil contamination is identified, assessed, and managed ~~and monitored~~ to minimise the risk to human health and protect the environment.*
- 6 The Section 42A report recommends that this submission is rejected, as the objectives and policies have been written to align with the provisions under the NESCS which include matters of control and discretion relating to monitoring of contaminants.
- 7 The Fuel Companies acknowledge this reasoning and accept the rejection of this submission point.

Definition of Significant Hazardous Facility

- 8 The Fuel Companies requested that the definition of *Significant Hazardous Facility* is retained as notified.

- 9 The s42A Report acknowledges the Fuel Companies submissions on the definition and generally recommends the policies are retained as notified, with some changes recommended in response to other submitters.
- 10 The Fuel Companies consider the recommended amendments to the definition is inconsequential for the Fuel Companies and accept the recommendations.

HAZS-O2, HAZS-P2, HAZS-P4, and HAZS-R3

- 11 The Fuel Companies supported HAZS-O2, HAZS-P2 HAZS-P4, and HAZS-R3 as notified.
- 12 The s42A Report recommends that the Fuel Companies submission points on provisions HAZS-O2, HAZS-P4, and HAZS-R3 are accepted and recommends no changes to the provisions. The s42A Report acknowledges and accepts in part the Fuel Companies submission on HAZS-P2 but recommends amendments to the policy in response to other submissions.
- 13 The Fuel Companies support the s42A recommendations on these provisions and consider that the amendments recommended to HAZS-P2 are reasonable and will be inconsequential for the Fuel Companies.

Further Submission on Environment Southland's Submission (S85.098) on the HAZS – Overview

- 14 Environment Southland (S85.098) requested that an appendix be added to the Hazardous Substances chapter containing Hazardous Substances Quantity Limits.
- 15 The Fuel Companies (FS12.001) opposed this submission point on the grounds that they considered it *inefficient and ineffective for the District Plan to have controls that duplicate the Hazardous Substances and New Organisms and the Health and Safety at Work Acts*. The Fuel Companies sought that this submission point be rejected.
- 16 In addition, the Environment Southland submission did not specify the content of the appendix so a party has no way of knowing whether the appendix will be relevant to or impact on their activities in the District.
- 17 The Fuel Companies are pleased to see that the s42A Report Author recommends that the Environment Southland submission point be rejected. The Fuel Companies strongly support the recommendation to reject this submission point and the associated reasoning at paragraphs 129 to 132 of the s42A Report. Further to these reasons, there are no policies or methods in the Southland Regional Policy Statement that directly support or require hazardous substances quantity limits in the PDP.

Concluding Statement

- 18 In summary, the Fuel Companies support the recommendations in the s42A Report.
- 19 Thank you for your time and acknowledgement of the issues raised in the submissions of the Fuel Companies. Please do not hesitate to contact the writer should you wish to clarify any matters addressed in this hearing statement.



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Ngā mihi,

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A handwritten signature in blue ink, appearing to read 'G Alston'.

Georgia Alston

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