

Appendix 1: Recommended amendments to the Proposed District Plan

HS — Hazardous Substances

The purpose of the Hazardous Substances chapter is to protect people, communities and the environment from the residual risk of facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances, including significant hazardous facilities. This chapter seeks to manage:

1. Reverse sensitivity ~~effects~~ between existing lawfully established significant hazardous facilities and new ~~or intensified~~ activities sensitive to hazardous substance risks,
2. The residual risk ~~from significant hazardous facilities~~ to public safety, for example, risks to the public beyond the site boundary, and
3. Management of cumulative effects of multiple significant hazardous facilities near each other.

Commented [CN1]: HS1 Minor Correction
Policy Planning team of Hutt City Council (440.3)

Commented [CN2]: Fuel Companies (471.159)

Hazardous substances are controlled by a wide range of legislation and subordinate instruments, the primary piece of legislation being the Hazardous Substances and New Organisms Act 1996. Additional controls are included in the Land Transport Act 1998, Building Act 2004, and Health and Safety at Work (Hazardous Substances) Regulations 2017. In addition, there are also industry standards that provide guidelines to industry participants.

The District Plan manages only the residual risk and cumulative risk to the health and wellbeing of people and communities, and adverse effects on sensitive environments after non-District Plan statutory rules and controls, including any subordinate instruments, in place with respect to hazardous substances have been complied with.

~~For some significant hazardous facilities, where risks have been quantified through quantitative risk assessment work, residual risk is mapped in the District Plan as a Hazardous Substances Risk Management Overlay. In these locations, activities sensitive to hazardous substance risks are managed to avoid unacceptable risk.~~

Commented [CN3]: Fuel Companies (471.159)

While this chapter includes the objectives, policies, and rules that are specific to hazardous substances, the zone chapters and other district-wide chapters of the District Plan, including those that apply overlays across specified areas, set additional objectives, policies and rules that may apply for all or part of the zone. As such, this chapter should be read alongside the zone chapters and other district-wide chapters of the District Plan.

Objectives

HS-O1	Protection from residual risk
People, communities, and the environment are protected from the unacceptable residual risk of facilities and activities involving the manufacture, use, storage, transportation, or disposal of hazardous substances.	
HS-O2	Protection of existing significant hazardous facilities
Activities sensitive to hazardous substance risks are located where they: <ol style="list-style-type: none">1. Avoid areas exposed to unacceptable residual risk from existing significant hazardous facilities, and2. Do not compromise the operation of existing significant hazardous facilities due to reverse sensitivity effects.	

Commented [CN4]: HS1 Minor Correction
Policy Planning team of Hutt City Council (440.3)

Policies

Hazardous Substances

HS-P1	Location of <u>significant</u> hazardous facilities
<p>Ensure <u>significant hazardous</u> facilities <u>and activities</u> involving the manufacture, use, storage, transportation, or disposal of hazardous substances, <u>including significant hazardous facilities</u>, are appropriately located and managed by:</p> <ol style="list-style-type: none"> 1. Avoiding unacceptable residual risk to human health, people, and communities <u>as determined</u> through the use of a Quantitative Risk Assessment <u>or other acceptable risk assessment process for the proposed activity, having regard to including its-site characteristics</u> and any cumulative risk from other nearby hazardous facilities, 2. Recognising the purpose of the zone in which the proposed activity is located, and the sensitivity of the activities that are enabled in that zone, 3. Locating <u>new</u> significant hazardous facilities outside of sensitive environments, and 4. Locating significant hazardous facilities outside of High Natural Hazard Overlays unless there is an operational need or functional need for the significant hazardous facility to be located in the area and the significant hazardous facility mitigates the risk from natural hazards to people, buildings and infrastructure. 	
HS-P2	Identify areas of unacceptable residual risk
<p>Identify areas <u>where activities are</u> exposed to <u>an</u> unacceptable <u>level of</u> residual risk from existing significant hazardous facilities based on a risk threshold of 1×10^{-6}, and map these areas using the Hazardous Substances Risk Management Overlay.</p>	
HS-P3	Location of activities sensitive to hazardous substance risks
<p>Require activities sensitive to hazardous substance risks to be adequately separated from significant hazardous facilities <u>to by</u>:</p> <ol style="list-style-type: none"> 1. Avoiding <u>new</u> activities sensitive to hazardous substance risks, <u>and the intensification or expansion of existing activities sensitive to hazardous substance risks</u>, locating in areas exposed to unacceptable residual risks from existing significant hazardous facilities, and 2. Minimise reverse sensitivity <u>effects</u> on existing significant hazardous facilities. 	

Commented [CN5]: The Natural Hazards Commission (327.75), Fuel Companies (471.162), Enviro NZ (323.34) and Seaview Marina Ltd (F14.18)

Commented [CN6]: The Fuel Companies (471.163) and Seaview Marina Ltd (F14.19)

Commented [CN7]: The Enviro NZ (323.35), Ministry of Education (399.31) and Fuel Companies (471.164) and Seaview Marina Ltd (F14.20)

Commented [CN8]: HS1 Minor Correction Policy Planning team of Hutt City Council (440.3)

Rules

Note:	
<p>Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule. The steps to determine the relevant rules and activity status for an activity are set out in the General Approach chapter.</p>	
HS-R1	Additions <u>or</u> alterations <u>or</u> new buildings or structures <u>at</u> to existing significant hazardous facilities
All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The activity does not <u>increase change</u> the risk profile of the significant hazardous facility, as measured from 6 February 2025, and b. There is no more than a 10% increase in the volume of hazardous substances manufactured, used, stored, transported, or disposed of, as measured from 6 February 2025.
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with HS-R1.1 <p>Matters of discretion are restricted to:</p>

Commented [CN9]: The Fuel Companies (471.165)

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	<ol style="list-style-type: none"> 1. The matters in HS-P1: Location of hazardous facilities. 2. The likelihood and consequences of an accident leading to the release or loss of control of hazardous substances, including the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g. storm water drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances. 3. Changes to operations and site layout arising from the proposed expansion or upgrading to the facility, including any new or increase in residual risk and/or cumulative risk. 4. Proximity to Separation distances between activities sensitive to hazardous substance risks, sensitive environments, and adjacent hazardous facilities and/or activities, including the number of people potentially at risk from the proposed expansion or upgrading to the facility. 5. The extent to which adverse effects can be avoided, or where avoidance is not possible, remedied or mitigated.
HS-R2	New significant hazardous facilities
Heavy Industrial Zone	<ol style="list-style-type: none"> 1. Activity status: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. The matters in HS-P1: Location of hazardous facilities. 2. The likelihood and consequences of an accident leading to the release or loss of control of hazardous substances, including the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g. storm water drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances. 3. Proximity to Adequate separation distances between activities sensitive to hazardous substance risks, sensitive environments, and adjacent hazardous facilities and/or activities. 4. The design and site layout of the activity and its ability to internalise effects within the activity's site. 5. Whether the activity has the potential to compromise the relationship of tangata whenua with their ancestral lands, water, sites, wāhi tapu, and other taonga and if so, the outcomes of any consultation with Mana Whenua. 6. Measures to avoid or manage risks associated with natural hazards, including the potential for sea level rise to impact on the operation of the activity. 7. The extent to which adverse effects can be avoided, or where avoidance is not possible, remedied or mitigated.
General Industrial Zone	<ol style="list-style-type: none"> 2. Activity status: Discretionary
Light Industrial Zone	<ol style="list-style-type: none"> 3. Activity status: Non-complying
Residential Zones	

Commented [CN10]: The Fuel Companies (471.165)

Commented [CN11]: Enviro NZ (323.36), Natural Hazards Commission (327.76) and Fuel Companies (471.166)

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<p>Rural Zones</p> <p>Commercial and Mixed Use Zones</p> <p>Open Space and Recreation Zones</p> <p>Special Purpose Zones</p>	
<p>HS-R3</p>	<p>New Activities sensitive to hazardous substance risks within the Hazardous Substances Risk Management Overlay</p>
<p>All zones</p>	<p>1. Activity status: Non-complying</p> <p><u>Where:</u></p> <p><u>a. A new activity sensitive to hazardous substance risks is proposed within the Hazardous Substances Risk Management Overlay; or</u></p> <p><u>b. Additions or alterations to an existing activity sensitive to hazardous substance risks are proposed within the Hazardous Substances Risk Management Overlay, including changes to the scale, intensity, or manner of use, where those additions or alterations would result in:</u></p> <p><u>i. an increase in habitable floor area; or</u></p> <p><u>ii., an increase in the frequency or duration of habitable use of the site, or</u></p> <p><u>iii. an increase in the number of people occupying the site.</u></p>

Commented [CN12]: Enviro NZ (323.37), The Fuel Companies (471.168),and Seaview Marina Ltd (F14.21)

CL — Contaminated Land

The purpose of the Contaminated Land chapter is to protect human health from the potential impacts of use and development of contaminated land.

~~Contaminated land is defined in the Resource Management Act as land that has a hazardous substance in or on it that:~~

- ~~a. Has significant adverse effects on the environment, or~~
- ~~b. Is reasonably likely to have significant adverse effects on the environment.~~

~~Hazardous substances are defined in the Hazardous Substances and New Organisms Act 1996 as substances:~~

- ~~a. With 1 or more of the following intrinsic properties:
 - ~~i. Explosiveness,~~
 - ~~ii. Flammability,~~
 - ~~iii. A capacity to oxidise,~~
 - ~~iv. Corrosiveness,~~
 - ~~v. Toxicity (including chronic toxicity),~~
 - ~~vi. Ecotoxicity, with or without bioaccumulation, or~~~~
- ~~b. Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of these properties.~~

The identification, management and remediation of contaminated land can enable future use and development of the land and can reduce potential impacts to the health of people, communities and the natural environment.

Roles of Hutt City Council, Wellington Regional Council and Ministry for the Environment

Hutt City Council, Wellington Regional Council and the Ministry for the Environment all play a role in the management of contaminated land.

The Ministry for the Environment maintains the Hazardous Activities and Industries List (the HAIL). This is a list of activities and industries that are likely to contaminate land through the use, storage or disposal of hazardous substances.

The Wellington Regional Council is responsible for the investigation of land for the purposes of identifying and monitoring contaminated land. As part of this role, Wellington Regional Council administers the Selected Land Use Register (SLUR). This is a regional database of sites that have or may have been used for activities and industries listed in the HAIL. Wellington Regional Council is also responsible for controlling discharges of contaminants into or onto land, air, or water and discharges of water into water.

Hutt City Council is responsible for controlling any actual or potential effects of the use, development, or protection of land for the purpose of preventing and mitigating any adverse effects of the development, subdivision or use of contaminated land. In performing this function, Hutt City Council uses the HAIL and SLUR to identify and record information on contaminated land.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) is a framework of rules

Commented [CN1]: Fuel Companies (471.152), Wellington Regional Council (F38.80)

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that address activities on sites with contaminated or potentially contaminated land. The standard applies to the following activities on land:

- removing or replacing a fuel storage system;
- sampling soil;
- disturbing soil;
- subdividing land; and
- changing the use of land.

The NES-CS determines whether these activities are permitted, require a controlled or restricted discretionary resource consent, or are prohibited, based on the level of risk to human health.

If a person wants to carry out activities on land where an activity on the HAIL has occurred, the proposed activity must comply with the NESCS.

There are no district plan rules that duplicate or override the NES-CS. Instead, this chapter contains an objective and policies that give guidance for to guide the assessment of resource consent applications required under the NESCS and to ensure that land-use decisions appropriately consider contaminated land, its effects, and its suitability for current or proposed uses.

Objective

CL-O1	Safety of contaminated land
Contaminated and potentially contaminated land <u>is are safe for human health and their its</u> intended use.	

Commented [CN2]: Fuel Companies (471.152), Wellington Regional Council (F38.80)

Commented [CN3]: Fuel Companies (471.153) and WRC (F38.81)

Policies

CL-P1	Identification of contaminated and potentially contaminated land
Identify contaminated land and potentially contaminated land prior to subdivision, change of use, or development by: <ol style="list-style-type: none">1. Working with Wellington Regional Council to maintain the Selected Land Use Register, and2. Requiring the investigation of contaminant risks for sites <u>with where there is evidence, a history, or reasonable potential</u> of land use or activity that could have resulted in contamination of soil, <u>including activities listed on the Hazardous Activities and Industries List (HAIL).</u>	
CL-P2	Management of contaminated land
<u>Manage contaminated and potentially contaminated land so that it is safe for</u> Minimise the risk to human health and suitable for its intended use from the subdivision, change of use, removal or replacement of fuel storage systems, or sampling or disturbing soil of contaminated land by: <ol style="list-style-type: none">1. Encouraging a <u>Applying</u> best practice approach to site management <u>measures where necessary for sites with elevated contaminant levels, which may include</u> remediation, containment, and/or the disposal of contaminated soil, <u>and/or pathway or receptor controls,</u> and2. Ensuring <u>the land is safe for its intended use subdivision, change of use, or development does not proceed unless contaminant risks have been appropriately managed.</u>	
CL-P3	Benefit of remediating contaminated land
Recognise the benefits of remediation and site management of contaminated and potentially	

Commented [CN4]: WRC (452.71), The Fuel Companies (471.154), and WRC (F38.82),

Commented [CN5]: The Fuel Companies (471.155) and Wellington Regional Council (F38.83)

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contaminated land in enabling development opportunities that can contribute to social, economic, and health benefits for people and communities.

Rules

Note:

While there are no rules in this chapter, resource consent may be required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Appendix 2: Recommended decisions on Submissions on Hazardous Substances and Contaminated Land Chapters and Associated Definitions

Appendix 2 – S42A Officer Recommended Decisions on Submissions

Submitter	Sub #	SP #	Support/oppose	Requested Relief	Recommendation
Winstone Wallboards Ltd	31	29	Multiple	Seeks to clarify how risk profile is determined and what change in risk profile would trigger consent Or alternate relief Delete conditions from rule (so always permitted)	Accept in part
Enviro NZ	323	003	Support	Retain definition as notified [inferred]	Accept
Enviro NZ	323	018	Support	Retain definition as notified [inferred]	Accept
Enviro NZ	323	033	Support	Retain as notified	Accept
Enviro NZ	323	034	Support in part	Amend HS-P1.3 as "Locating significant hazardous facilities outside of <u>zones permitting activities sensitive to hazardous substance risks sensitive environments</u> , and"	Accept in part
Enviro NZ	323	035	Support	Retain as notified	Accept in part
Enviro NZ	323	036	Support	Retain definition as notified [inferred]	Accept in part
Enviro NZ	323	037	Support	Retain definition as notified [inferred]	Accept in part
The Natural Hazards Commission	327	75	Support	Retain as notified	Accept in part
The Natural Hazards Commission	327	76	Support	Retain as notified	Accept in part
Ministry of Education	399	3	Support	Retain definition as notified	Accept
Ministry of Education	399	30	Support	Retain objective as notified	Accept
Ministry of Education	399	31	Support	Retain policy as notified	Accept in part

Fire and Emergency New Zealand	374	5	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	10	Support in part	<p>Amend definition as follows:</p> <p>"Means any facility which involves one or more of the following activities:</p> <p>1. <u>Use and Manufacturing of hazardous substances (including industries using or manufacturing agrochemicals, fertilisers, acids/alkalis, solvents or paints),</u></p> <p>...</p> <p>16. <u>Asphalt/bitumen manufacture or storage.</u></p> <p><u>17. Laboratories.</u></p> <p><u>18. Mainfreight.</u></p> <p><u>19. Ports.</u></p> <p><u>20. Universities.</u></p> <p><u>21. Fine chemical users or producers.</u></p> <p><u>17. The storage and/or use of radioactive materials or radiation sources.</u></p> <p><u>18. The storage and/or treatment of hazardous substances at waste disposal, reuse or recycling facilities (including electronic waste and items containing disposal batteries) or the stockpiling of hazardous substances awaiting reuse, recycling, or treatment at such facilities).</u></p> <p><u>The following activities are not considered to be significant hazardous facilities:</u></p> <ul style="list-style-type: none"> • <u>the incidental use and storage (including for disposal) of hazardous substances for emergency service activities."</u> 	Reject
Waste Management NZ Ltd	F39	7	Oppose	Oppose submission point 374.10	Accept

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FENZ	374	36	Support in part	Amend rule as follows: " 1. Activity status: Permitted Where: ... c. <u>Where the volume of hazardous substances on-site is to be increased under b., the facility has a proportionate increase in spill containment volume and fire prevention materials.</u> "	Reject
WRC	452	71		Amend CL-P1 as follows: Identify contaminated land and potentially contaminated land prior to subdivision, change of use, or development by: 1. Working with Wellington Regional Council to maintain the Selected Land Use Register, and 2. Requiring the investigation of contaminant risks for sites with a history of land use or activity that could have resulted in contamination of soil. 3. <u>If a site has not been identified on the Select Land Use Register, a Preliminary Site Investigation must be undertaken, to determine if a HAIL activity has occurred onsite.</u>	Accept in part
Z Energy Limited	468	2e	Support	Retain overlay as notified	Accept
Z Energy Limited	468	3e	Support	Retain overlay as notified	Accept
Z Energy Limited	468	4e	Support	Retain overlay as notified	Accept
Z Energy Limited	468	10b	Support	Retain definition as notified	Accept

BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	2	Support	Retain as notified	Accept
Seaview Marina Ltd	F14	11	Oppose	Oppose submission point 471.2	Reject in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	20	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	25	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	26	Support	Retain as notified	Accept

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BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	27	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	67	Support in part	Replace the term “Hazardous Substance Risk Management Overlay” with “Hazardous Facility Risk Management Overlay” throughout the Plan and amend the definition as follows: "means the area shown in the planning maps as the Hazardous Substances Facility Risk Management Overlay "	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	73	Oppose in part	Amend the definition of “Quantitative risk assessment” as follows: "in relation to risks from hazardous substances, means a risk assessment used to systematically calculate the risks from hazardous events for a significant hazardous facility. Involves predicting the size of consequences associated with a hazard, and the frequency at which a release of the hazard may be expected to occur. The risk assessment should account for both the consequences (effects) and likelihood (probability) of a hazardous event occurring. These aspects are then combined in order to obtain a modelled risk profile for the facility, which can be expressed in terms of risk criteria relevant to the facility and receiving environment, numerical values for risk, such as risk of fatality."	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd	471	76	Support	Amend the definition of “residual risk” as follows: "means, in relation to the Hazardous Substances chapter, the level of any remaining risk of an adverse effect after other industry controls,	Accept

and Z Energy Ltd (the Fuel Companies)				legislation and regulations, including the Hazardous Substances and New Organisms Act 1996, the Land Transport Act 1998, the Health and Safety at Work (Hazardous Substances) Regulations 2017 and any other subordinate instruments, and regional plans have been complied with."	
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	80	Support in part	<p>Amend the definition of "significant hazardous facility" to add a note as follows:</p> <p>means any facility which involves one or more of the following activities:</p> <ol style="list-style-type: none"> 1. Manufacturing of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids/alkalis or paints), ... 16. Asphalt/bitumen manufacture or storage. <p><u>This definition does not apply to:</u></p> <ol style="list-style-type: none"> 1. <u>The underground storage of petrol and diesel at service stations and truck stops that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.</u> 2. <u>The distribution or transmission by pipelines of petroleum products.</u> 	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	152	Support in part	<p>Replace the introduction of the Contaminated Land chapter with the following:</p> <p><u>The purpose of the Contaminated Land chapter is to ensure that contaminated land is identified and managed so that it is safe for human health and its intended use.</u></p> <p><u>Hutt City Council, Wellington Regional Council and the Ministry for the Environment all play a role in managing contaminated land:</u></p> <ul style="list-style-type: none"> • <u>The Ministry for the Environment maintains the Hazardous Activities and Industries List (HAIL). This is a list of activities and industries that are likely to contaminate land through the use, storage or disposal of</u> 	Accept in part

				<p>hazardous substances.</p> <ul style="list-style-type: none"> Wellington Regional Council is responsible for the investigation of land for the purposes of identifying and monitoring contaminated land. As part of this role, Wellington Regional Council administers the Selected Land Use Register (SLUR). This is a regional database of sites that have or may have been used for activities and industries listed in the HAIL. Wellington Regional Council is also responsible for controlling discharges of contaminants into or onto land, air, or water and discharges of water into water. Hutt City Council is responsible for controlling any actual or potential effects of the use, development, or protection of land for the purpose of preventing and mitigating any adverse effects of the development, subdivision or use of contaminated land. In performing this function, Hutt City Council uses the HAIL and SLUR to identify and record information on contaminated land. <p>The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) is a framework of rules which regulate the following activities on contaminated or potentially contaminated land:</p> <ul style="list-style-type: none"> removing or replacing a fuel storage system; sampling soil; disturbing soil; changing use; and subdividing. <p>The NESCS directs the requirement for resource consent or otherwise in relation to these activities. There are no independent or additional contaminated land rules in the District Plan. This chapter provides a policy framework for assessing applications which require resource consent under the NESCS.</p>	
WRC	F38	80	Oppose	Oppose submission point 471.152	Accept

BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	153	Support in part	Amend CL-O1 as follows: "Contaminated and potentially contaminated land is are safe for human health and its their intended use."	Accept
WRC	F38	81	Support	Support submission point 471.153	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	154		Amend CL-P1 as follows: Identify contaminated land and potentially contaminated land prior to subdivision, change of use, or development by: 1. Working with Wellington Regional Council to maintain the Selected Land Use Register, and 2. Requiring the investigation of contaminant risks, <u>where necessary</u> , for sites with a history of land use or activity that could have resulted in contamination of soil.	Accept in part
WRC	F38	82	Oppose	Oppose submission point 471.154	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	155	Accept in part	Amend CL-P2 as follows: Minimise the risk to human health from the subdivision, change of use, removal or replacement of fuel storage systems, or sampling or disturbing soil of contaminated land by: 1. Encouraging a best practice approach to site management for sites with elevated contaminant levels, which may include remediation, containment, and/or the disposal of contaminated soil, and 2. Ensuring the land is safe for its intended use. Ensure that the subdivision, change of use or development of contaminated and potentially contaminated land is managed (such as remediation, pathway controls or receptor controls where necessary) so that it is safe for human health and its intended use.	Accept in part
WRC	F38	83	Oppose	Oppose submission point 471.155	Accept in part

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BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	156	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	157	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	158	Support in part	Amend to replace references to “sensitive environments” in the Hazardous Substance chapter with the defined term “specified overlay”, as noted in the relief sought in the submitter’s other submission points on the chapter.	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	159	Support in part	Amend the introduction of the Hazardous Substances chapter as follows: "The purpose of the Hazardous Substances chapter is to protect people, communities and the environment from the residual risk of facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances, including significant hazardous facilities. This chapter seeks to manage: 1. Reverse sensitivity effects between existing lawfully established significant hazardous facilities and new <u>or intensified</u> activities sensitive	Accept in part

				<p>to hazardous substance risks,</p> <p>2. The residual risk <u>from significant hazardous facilities</u> to public safety, for example, risks to the public beyond the site boundary, and</p> <p>3. Management of cumulative effects of multiple significant hazardous facilities near each other.</p> <p>...</p> <p>The District Plan manages only the residual risk and cumulative risk to the health and wellbeing of people and communities, and adverse effects on <u>sensitive environments</u> a specified overlay after non-District Plan statutory rules and controls, including any subordinate instruments, in place with respect to hazardous substances have been complied with.</p> <p>..."</p>	
Seaview Marina	F14	6	Oppose	Oppose submission point 471.159	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	160	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	161	Support	Retain as notified	Accept
Seaview Marina	F14	17	Oppose	Oppose submission point 471.161	Reject

BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	162	Oppose	Amend Policy HS-P1 as follows: "Ensure significant hazardous facilities and activities involving the manufacture, use, storage, transportation, or disposal of hazardous substances, including significant hazardous facilities , are appropriately located and managed by: 1. Avoiding unacceptable residual risk to human health, people, and communities as determined through the use of a Quantitative Risk Assessment or other acceptable risk assessment process for the proposed activity , having regard to including its site characteristics and any cumulative risk from other nearby hazardous facilities. 2. Recognising the purpose of the zone in which the proposed activity is located, and the sensitivity of the activities that are enabled in that zone, 3. Locating new significant hazardous facilities outside of sensitive environments a specified overlay, and ..."	Accept in part
Seaview Marina	F14	18	Oppose	Oppose submission point 471.162	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	163	Support in part	Amend Policy HS-P2 to clarify the type of activities that are considered to be subject to an unacceptable level of risk within the 1 x 10 ⁻⁶ contour around a SHF. This could be by making changes along the following lines: "Identify areas where activities are exposed to an unacceptable level of residual risk from existing significant hazardous facilities based on a risk threshold of 1 x 10⁻⁶ , and map these areas using the Hazardous Substances Risk Management Overlay or a pipeline corridor overlay. "	Accept in part
Seaview Marina	F14	19	Oppose	Oppose submission point 471.163	Accept in part

BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	164	Support in part	Amend HS-P3 as follows: Require activities sensitive to hazardous substance risks to be adequately separated from significant hazardous facilities to by: 1. <u>Avoiding new activities sensitive to hazardous substance risks, and the intensification or expansion of existing activities sensitive to hazardous substance risks</u> , locating in areas exposed to unacceptable residual risks from existing significant hazardous facilities, and 2. Avoiding <u>Minimise</u> reverse sensitivity effects on existing significant hazardous facilities.	Accept in part
Seaview Marina	F14	20	Oppose	Oppose submission point 471.164	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	165	Support in part	<i>Amend HS-R1 as follows:</i> <i>"HS-R1 Additions, or alterations or new buildings or structures at to existing significant hazardous facilities</i> <i>All Zones</i> <i>1. Activity status: Permitted</i> <i>Where:</i> <i>a. The activity does not increase change the risk profile of the significant hazardous facility, as measured from 6 February 2025, and</i> <i>b. There is no more than a 10% increase in the volume of hazardous substances manufactured, used, stored, transported, or disposed of, as measured from 6 February 2025.</i> <i>All zones</i>	Accept t

				<p>1. Activity status: Restricted discretionary Where:</p> <p>a. Compliance is not achieved with HS-R1.1 Matters of discretion are restricted to:</p> <p>...</p> <p>4. Proximity to Separation distances between activities sensitive to hazardous substance risks, sensitive environments <u>a specified overlay</u>, and adjacent hazardous facilities and/or activities, including the number of people potentially at risk from the proposed expansion or upgrading to the facility.</p> <p>..."</p>	
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	166	Support in part	<p>Amend HS-R2 as follows:</p> <p>HS-R2 New significant hazardous facilities <i>Heavy Industrial Zone</i></p> <p>1. Activity status: Restricted discretionary Where:</p> <p>a. Compliance is not achieved with HS-R1.1 Matters of discretion are restricted to:</p> <p>[...]</p> <p>3. Proximity to Adequate separation distances between activities sensitive to hazardous substance risks, sensitive environments <u>a specified overlay</u>, and adjacent hazardous facilities and/or activities.</p> <p>[...]</p>	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy	471	167	Oppose in part	<p>Amend HS-R2 as follows:</p> <p>HS-R2 New significant hazardous facilities <i>Light Industrial Zone</i> <i>Residential Zones</i></p>	Reject

Ltd (the Fuel Companies)				<p><i>Rural Zones</i> <i>Commercial and Mixed Use Zones</i> <i>Open Space and Recreation Zones</i> <i>Special Purpose Zones</i> Activity status: Non-complying Discretionary</p>	
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	168	Support	<p>Amend HS-R3 as follows:</p> <p><u>HS-R3 New activities sensitive to hazardous substance risks or their expansion or intensification, within the Hazardous Substances Risk Management Overlay and the Hutt City fuel transmission pipeline corridor</u></p> <p><i>All zones</i> 1. Activity status: Non-complying</p>	Accept in part
Seaview Marina Ltd	F14	21	Oppose	Oppose submission point 471.168	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	321	Oppose in part	Amend the Hazardous Substance Risk Management Overlay to be based on the sensitive land use criteria risk contours (1×10^{-6}) rather than the residential land use criteria risk contours (1×10^{-6}) (shown in Attachment A of the submission).	Reject
Seaview Marina Ltd	F14	46	Oppose	Oppose submission point 471.321	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	322	Oppose (requesting new provision)	Add a "Hutt City Fuel Transmission Pipeline Corridor" to the District Plan maps, located based on the sensitive land use criteria risk contours (0.5×10^{-6}) of the Hutt City fuel transmission pipeline, being 40m either side of the pipeline (shown in Attachment B of the submission).	Reject

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Seaview Marina Ltd	F14	47	Oppose	Oppose submission point 471.322	Accept
Clarus	474	9	Support	Retain definition as notified	Accept
Clarus	474	58	Support	Retain chapter as notified	Accept in part
Clarus	474	59	Support	Retain chapter as notified	Accept