

16. Hazardous Substances

16.1 Issues, Objectives and Policies

16.1.1.1 Resources, Activities and Values

Many activities in the District involve the use of substances which are important to manufacturing and construction, primary production or in day to day domestic activities. Examples include cleaning solvents, agrichemicals, fuel and explosives. The composition of these substances is such that they can be hazardous to the environment in that they have the potential to impair human, plant or animal health, or to adversely affect the wider environment. These types of substances are commonly called “hazardous substances”.

16.1.2 Issues

Under the Resource Management Act 1991, the responsibility for controlling the use of land relating to hazardous substances is shared jointly by the Regional Council and the District Council. In accordance with the requirements of section 62 of the Resource Management Act 1991, the Otago Regional Council has stated the respective roles and responsibilities in the Regional Policy Statement for Otago. District Councils are responsible for preparing objectives, policies and rules relating to the control of land for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances. The Regional Council will develop objectives, policies, rules and other methods, as appropriate, through a regional plan, relating to the effects of the use of land for hazardous substances on groundwater infiltration areas, surface water resources, or soils.

There are two general issues arising from the use of hazardous substances in the District. The first issue concerns the safe day to day use of hazardous

substances and the second is the possible effects hazardous substances have on the environment.

For the reasons outlined, the District Plan is more specifically concerned with the second issue and in particular the adverse effects of hazardous substances on the environment from storage of large quantities of substances rather than the safety issues associated with their correct packaging, handling, transportation and use. With respect to disposal, at present there are inadequate disposal facilities within the District and solutions to this are being considered at a regional level by the Otago Regional Council.

16.1.3 Objective and Policies

Objective

To avoid, remedy or mitigate the adverse environmental effects arising from the use of land for the use, storage, transportation, manufacture, and disposal of hazardous substances.

Policies:

- 1 *To avoid, remedy or mitigate adverse environmental effects due to accidental spillages of hazardous substances or poor management practices.*
- 2 *To promote the efficient management of the use, storage, transportation, manufacture, and disposal of hazardous substances through a co-ordinated approach between agencies responsible for the management of hazardous substances.*
- 3 *To avoid, remedy or mitigate the potential for adverse effects to the environment from the use of land for the manufacture, storage and use of hazardous substances, recognising that the quantities of hazardous substances, which are acceptable in different areas of the District, will vary depending on the proximity of residential use, on community expectation, and the sensitivity of the surrounding environment.*

- 4 *To ensure adverse effects on the environment from a hazardous substance spillage are, where possible, avoided, remedied or mitigated.*
- 5 *To promote public awareness about the potential adverse environmental effects which may arise through the use, storage, transportation, manufacture, and disposal of hazardous substances.*
- 6 *To promote the disposal of hazardous substances at facilities that are designed for their safe disposal.*
- 7 *To ensure any adverse effects on the environment from disposal into any reticulated sewers is avoided or remedied.*
- 8 *To encourage a co-ordinated approach with other agencies in the District to locate and investigate contaminated sites and rehabilitate them to a standard suitable for their intended use.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods:

(i) District Plan

- (a) Provision of rules and the use of performance standards to control the use of land for the manufacturing, storage and use of different classes of hazardous substances in the different zones.
- (b) Use of enforcement provisions under the Act where hazardous substances are manufactured, stored, used, transported or disposed of in such a way that has or is likely to be either noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have an adverse effect on the environment.

(ii) Other Methods

- (a) Through liaison with the Otago Regional Council, Government Departments, Kai Tahu (refer 4.3) and Crown Research Institutes to ensure any research from these organisations on use, disposal, transportation and storage of hazardous substances and their effects on the environment can be used to make sound planning decisions.
- (b) Make provision, in conjunction with both central government departments and the Otago Regional Council as appropriate for the development of methods and facilities to dispose of hazardous substances found in the District that presently can not be disposed of.
- (c) To work towards establishing and regularly updating, in conjunction with other agencies as appropriate, a hazardous substances inventory for the Queenstown Lakes District, which will be a record of the amounts and patterns of hazardous substance use, storage, transportation and disposal.
- (d) Preparation of an emergency response plan, in conjunction with appropriate agencies, for a major spill of a hazardous substance that directly threatens the public and the environment.
- (e) Control in-coming refuse to landfills to guard against inappropriate disposal of hazardous substances in the District.
- (f) Ensure adequate safeguards are in place to avoid or mitigate the effects of the disposal of hazardous substances into the reticulated sewage system.
- (g) To undertake public education and advocacy regarding the use, storage, collection, transportation, treatment and disposal of hazardous substances.
- (h) Where hazardous substances are used, to encourage the use in accordance with appropriate Codes of Practice, any Regional or National Standards or Guidelines and any relevant regulations.

Explanation and Principal Reasons for Adoption

The Council recognises that the community transports, uses and stores very small quantities of hazardous substances, such as glue for wood work or pesticides for spraying home gardens. Accordingly, the Council has permitted the use of hazardous substances as of right. The Council considers provisions regarding the safe use of hazardous substance are not a matter requiring regulatory control under the District Plan.

With respect to storage, the Council considers small quantities should be permitted, subject to site standards, which ensure the necessary environmental protection. The quantity permitted is dependent on the nature of the particular substance and the risk it poses to the environment; and in addition, on how sensitive a particular environment is. For example, a built up residential area is considered to be more sensitive than an industrial area. Where quantities of specific hazardous substances exceed the limit set by the Council for various zones, a land use consent will be required.

The Council considers any new industrial processes involved in the production of hazardous substances, or any operations that mix different types of hazardous substances, should only be established in appropriate locations and have adequate operational safeguards to ensure protection to the public and the environment.

The Council recognises the safe disposal of many types of hazardous substances (waste) is difficult, or in some cases impossible. Accordingly, the Council will promote safer disposal practices through public education and advice. This will include advice as to whether hazardous substances can be recycled. A common example of hazardous substance containers that can be recycled are those used for the storage of agrichemicals. Where recycling is not possible, the Council can advise whether the hazardous substances could be disposed of at appropriate landfills outside the District. If the hazardous substances can not be disposed of in this way the Council will advise as to how such substances can be stored. Any disposal of hazardous substances is likely to be subject to the requirements of the Regional Council.

In addition, the Council will periodically check in-coming refuse to all landfills in the District to guard against inappropriate disposal of hazardous substances at these places. In this regard the Council requires discretionary activity resource consent for the establishment and use of waste management facilities.

In cases of accidental spill, contingency measures would be required by both major users of hazardous substances, and the Council, to minimise adverse effects to people or the environment. An emergency response plan will be considered as items to be resourced by the Council when necessary through the annual plan process.

The Council does not consider any consent is necessary for the transportation of hazardous substances. The use of hazardous substances in accordance with appropriate Codes of Practice takes advantage of accepted management techniques. The possible adverse effects to the environment associated with the transportation of hazardous substances is only to be considered where storage or manufacture of hazardous substances are proposed. The Council envisages any strategic controls on transportation routes for hazardous substances would need to be co-ordinated regionally as many routes cross the District's boundaries and transportation bases of companies carrying hazardous substances generally occur in the larger centres.

The control of hazardous substances will only be made possible with a good information base, research, and with the co-operation of people of the District. Accordingly, the provision of a hazardous inventory, liaison with other agencies and educative or advisory methods will be considered as items to be resourced when necessary through the annual plan process.

The Council and Otago Regional Council have clearly defined roles relating to the management of hazardous substances as set out in the Act, the Regional Policy Statement and the Regional Plan: Waste for Otago. It is important a partnership approach is adopted in working together on the issue of contaminated sites and also approaching other agencies, which can offer expert advice and assistance.

16.1.4 Environmental Results Anticipated

- (i) An up-to-date inventory of the types, amounts and patterns of hazardous substances used, stored, transported and disposed of.
- (ii) Hazardous substances collected and disposed of safely and with minor adverse effects on the environment.
- (iii) Minimal adverse effects from the storage and use of hazardous substances.
- (iv) The implementation, in conjunction with other affected parties, of emergency response procedures, if there is ever a risk to people or property from hazardous substances.
- (v) The identification and clean-up of contaminated sites.