

2013

Plan Topics

Managing Hazardous Substances



Managing Hazardous Substances

The Hazardous Substances and New Organisms Act (HSNO) was enacted in 1996, with the hazardous substances related provisions of the Act coming into force on 2 July 2001.

Councils need to consider the role of HSNO when examining how hazards relating to land use and hazardous substances are to be dealt with in their district plans. Sections 30 and 31 of the RMA need to be read together with section 142 of the HSNO Act. Section 142 of HSNO provides that RMA instruments can only include more stringent requirements than HSNO when they are considered 'necessary' for the purposes of the RMA. Where the HSNO requirements are sufficient to meet the purposes of the RMA that test will not be met.

Any RMA controls must also be justified in terms of section 32 of that Act. Under section 32 councils must carry out an evaluation that considers:

- the extent to which an objective is the most appropriate way to achieve the purpose of the RMA
- with regard to policies, rules or other methods if they are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness
- the benefits and costs of policies, rules or other methods
- the risk of acting or not acting if there is uncertain or insufficient information.

Introduction

This guidance note provides information to RMA practitioners on:

- the properties and effects of hazardous substances;
- the role of the HSNO Act in managing hazardous substances; and
- the role of the RMA (particularly through district plan provisions) in managing hazardous substances.

This guidance note does not address:

- the management of hazardous facilities in the coastal marine area; and
- existing water or land contamination

What are hazardous substances?

The HSNO Act 1996 defines hazardous substance as any substance with one or more of the following properties:

- Explosiveness
- Flammability
- capacity to oxidise
- corrosiveness
- toxicity (including chronic toxicity)
- eco-toxicity, with or without bioaccumulation or
- any substance which on contact with air or water generates a substance with any one or more of the properties above.

Compressed gases are also regulated under HSNO for hazards relating to compression.

The HSNO Act does not control:

- radioactive substances (covered by the Radiation Protection Act 1965)
- the phase out of ozone depleting substances and the impact on the ozone layer (covered by the Ozone Layer Protection Act 1996). Note that any other hazardous aspects of ozone depleting substances are controlled by HSNO.
- infectious agents or materials (managed through land transport rules and NZ Standards)
- hazardous waste (unless it is clearly associated with an approval under HSNO)
- Medicines in finished dose form
- Food (but does control food additives in bulk form, before they are added to food).

In the RMA the definition of hazardous substance includes, but is not limited to, any substance defined in the HSNO Act as a hazardous substance. This means that under the RMA hazardous substances can encompass a wider range of substances, and hazardous properties, than under HSNO. For example, a local authority could define environmentally damaging substances which are not classified as toxic or eco-toxic under HSNO as hazardous substances under the RMA, provided they had justification for this.

Note that hazardous substances and contaminants are defined separately in the RMA.



Understanding hazardous properties of substances and their effects

Hazardous substances can have adverse effects on both the physical and natural environment, including people. Many substances have more than one hazardous property. A hydrocarbon, for example, may be flammable, toxic and eco-toxic. A heavy metal may be both toxic and eco-toxic.

Regulated under HSNO

Explosive substances

If initiated or ignited, substances with explosive properties can damage property and natural resources, and/or injure or kill people. Substances with explosive properties include commercial explosives, such as blasting explosives and detonators, ammunition, fireworks, and substances used for pyrotechnic effects.

Flammable substances

Flammable substances can also damage property and natural resources, as well as injuring or killing people. Flammable substances cover a vast range of chemicals. They are generally classified according to their physical state – gaseous, liquid or solid. Many are hydrocarbon based but some, particularly solids, such as various azo-compounds (nitrogen based compounds) are not. The most important parameter for classifying flammable liquids is the flash point. Only substances with flash points below specified values are considered hazardous. However, even combustible substances with flash points which would not necessarily classify them as hazardous under HSNO, such as some cooking oils, can contribute to damage caused by fires.

Oxidising substances

Substances that have the capacity to oxidise are assessed for their ability to promote fire, usually by producing oxygen and releasing chemical energy. Substances with oxidising properties include various chromates, nitrates or hydrogen peroxides, as well as organic peroxides.

Toxic substances

Substances with toxic properties can cause damage to human health, injury or death. The biological effects on humans (human toxicity) arising from the release of and exposure to hazardous substances include:

- short and long term effects
- effects over small and large areas (e.g. toxic gas releases can disperse rapidly over large areas).
- direct and indirect effects (e.g. indirect effects on humans may occur if a hazardous substance affects a local water supply, or reaches the food chain).

Long term or chronic effects include the capacity to cause cancer (carcinogenicity). The classifications of substances with chronic toxic effects are generally not limited to substances with proven effects but include substances suspected to have one or more of these effects.



Corrosive substances

Substances with corrosive properties are hazardous due to their degrading effects on human dermal tissue and eyes and on metals. Examples include ammonia, formaldehyde solution, hydrogen peroxide and nitric acid.

Eco-toxic substances

Eco-toxicity includes effects on aquatic and terrestrial organisms. It is generally measured by its effects on defined indicator organisms, such as trout, daphnia (an aquatic invertebrate), or bees. It includes both acute toxic effects and chronic effects.

Compressed gases (gases under pressure)

Compressed gases are also generally classified as hazardous, regardless of their hazardous properties. Pressure creates an additional hazard. Even inert gases such as helium and argon are included as it is the pressure that represents the hazard, not the gas itself.

Not regulated under HSNO

Non-toxic environmentally damaging substances- Substances which, due to particular properties, can have adverse effects on ecosystems and wildlife but are not considered eco-toxic under HSNO. Such properties include the potential to cause high bio-chemical oxygen demand (BOD) in natural waters when the substance enters such waters, leading to rapid oxygen depletion. Other environmentally damaging properties include the potential for smothering effects, for example those caused by certain oils.

Food- But food additives are regulated under HSNO before they are incorporated into food

Medicines- In finished dose form.

Hazardous biological substances- Infectious material, includes material containing micro organisms.

Radioactive substances

What are hazardous facilities?

The term hazardous facility is not defined in either the HSNO Act or the RMA. However it is commonly used in district plans to refer to the use of land for activities that involve hazardous substances. What is included as a hazardous facility could vary from plan to plan and include (but is not limited to):

- industrial operations such as chemical warehouses, manufacturing plants or bulk storage facilities
- engineering businesses
- transport operations
- food production and processing facilities
- manufacturing plants of household appliances, industrial machinery or other products
- small workshops
- agricultural or horticultural activities



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- activities in or at domestic dwellings that exceed the use and storage of hazardous substances in domestic scale quantities
- activities associated with oil or gas production or storage.

The HSNO Act

The purpose of the HSNO Act is to 'protect the environment, and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms'. The HSNO Act is administered by the Ministry for the Environment and implemented by the [Environmental Protection Authority \(EPA\)](#).

The HSNO Act is the primary legislation designed to manage hazardous substances across their life cycle (i.e. import/manufacture, transport, storage, use and disposal). The controls under HSNO are substance specific and are based on the particular hazardous properties of the substance. The controls apply anywhere, anytime to a given substance classified as hazardous under HSNO.

Classification of hazardous substances

This approach focuses on classifying each hazardous substance according to one or more of its intrinsic properties as follows:

- explosiveness (i.e. Class 1)
- flammability (i.e. Classes 2,3 and 4)
- capacity to oxidise (i.e. Class 5)
- toxicity to people (i.e. Class 6)
- corrosiveness (i.e. Class 8). Includes subclasses 8.1 (metallic corrosive), 8.2 (skin corrosive), and 8.3 (eye corrosive).
- eco-toxicity (i.e. Class 9). Includes subclasses 9.1 (aquatic), 9.2 (soil), 9.3 (terrestrial vertebrate), 9.4 (terrestrial invertebrate).

The thresholds for determining whether a substance has any one of these hazardous properties are set out in the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001. The regulations closely follow the United Nations Globally Harmonised System of Classification and Labelling (GHS). The GHS is an internationally agreed upon system created by the United Nations.

Note that any one substance can trigger more than one hazardous property threshold.

Controls on hazardous substances under HSNO

Every hazardous substance must have an approval under the HSNO Act. Controls are placed on the substance, based on the hazard classifications, to manage the risks of the substance. The controls aim to manage risks by:

- reducing the likelihood of unintended occurrence of a hazardous event or exposure; and
- limiting the adverse effects arising from that event or exposure.

The controls include:

- site requirements where a hazardous substance may be used, including requirements for storage
- requirements for buildings used to store hazardous substances
- the emergency management requirements in relation to the substance in the event of a spill or other emergency including secondary containment such as bunding
- how a substance is packaged
- how a substance is identified (i.e. labelled and other information requirements)
- whether a substance needs to have specific tracking mechanisms in place
- any restrictions on who can have the substance and rules relating to the competency of those handling and using the substance and
- the substance may be disposed of. Disposal must also comply with RMA requirements and any local trade waste by-laws.

A note on section 142 of the HSNO Act

Section 142 of the HSNO Act articulates the relationship between the RMA and HSNO. Any person exercising a power or function under other legislation relating to the storage, use, disposal or transportation of hazardous substances must also comply with any HSNO requirements.

Section 142 does not require the duplication of HSNO requirements in plans. As noted above, the provision does give councils an ability to impose more stringent requirements than HSNO, but only where necessary for RMA purposes. Before imposing more stringent requirements, RMA decision makers should carefully consider whether they are in fact necessary, as opposed to merely expedient.

The potential situations where additional controls under the RMA may be necessary include:

- managing potential effects on sensitive activities
- reverse sensitivity issues
- managing potential effects on sensitive natural environments including substances that are not controlled by HSNO
- the risk to public safety from natural hazards that could affect hazardous facilities
- managing cumulative effects from multiple facilities
- where the relevant HSNO requirements do not anticipate or adequately manage these issues.

Test certificates under HSNO

There are several types of certificates required by HSNO. Some related to the qualifications of people, others relate to the requirements for a site storing/using hazardous substances. Before deciding to include provisions in RMA plans, councils should evaluate the extent to which these HSNO test certificates already provide the regulatory management of potential site specific effects.

The two test certificates that most closely relate to site requirements are summarised below.

Location test certificates under HSNO

Location test certificates are required under HSNO for explosive, flammable or oxidising substances above certain quantities. These threshold quantities are specified in the Hazardous Substances (Classes 1 to 5 Controls) Regulations. If the substances are only toxic, eco-toxic or corrosive a location test certificate is not required.

Location test certificates replaced the former Dangerous Goods Licences. Location test certificates are issued by qualified test certifiers. A test certifier is someone who has been approved by the EPA as someone with relevant knowledge and experience. Typically location test certificates are renewed annually. They can be issued for up to three years. They can also be revoked in certain circumstances.

To issue a location test certificate a test certifier must check that the site is compliant with specific HSNO requirements. These include:

- administrative controls, including that the site has been notified to the local HSNO enforcement agency, that approved handlers are available if required, that an inventory of hazardous substances is on the site and that a site plan is available;
- control of ignition sources, including hazardous atmosphere zone and controlled zone provision;
- segregation and storage of hazardous substances;
- protective equipment and clothing;
- signage; and
- requirements for emergency management, including having fire extinguishers available and the necessary level of secondary containment.

All test certificates are recorded in the EPA's register of test certificates. Local authorities can access this register by contacting the EPA.

Stationary container system test certificates

Stationary tanks or process containers that hold hazardous liquids or gases over a specified quantity require a stationary container system test certificate. These threshold quantities are specified in the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004.

To issue a stationary container test certificate, a test certifier must check that the tank or process container is compliant with specific HSNO requirements, which include:

- the design and construction of the tank or process container; and
- requirements for emergency management, including secondary containment.



The Resource Management Act

In general, hazardous facilities which comply with the HSNO requirements for the management of hazardous substances should not have significant actual adverse effects on the environment. The RMA need only deal with particular risks associated with a particular site that are not already managed by the generic controls under HSNO.

Additional land use controls under the RMA may be appropriate for substances not controlled by HSNO or for issues which are not within scope of HSNO, such as reverse sensitivity. They may also be appropriate where a site has unusual characteristics which are not contemplated or addressed by the relevant HSNO controls. These local site issues might include proximity to water courses or potable water supplies, wetlands, cultural issues, and effects on adjoining sites that have not been considered in a HSNO evaluation. Land use provisions should not duplicate requirements imposed by the HSNO Act or other statutes. Inclusion of hazardous substance controls in plans should be the exception rather than the rule, and included only when a rigorous section 32 analysis shows that these controls are justified.

Aerial 1080 is an example of controls required by the HSNO Act also being unnecessarily duplicated in council plans.

Regulation of aerial 1080 application

The use of 1080 is regulated under HSNO. Councils should think carefully about whether additional controls under the RMA are really necessary to manage its use in particular areas.

The Parliamentary Commissioner for the Environment clearly showed that the HSNO Act adequately controls the use of 1080, but that there are a range of council practices which create unnecessary inconsistency. The report recommended that the regulation of 1080 be simplified and standardised. Many of the various controls and consent conditions imposed under the RMA are not necessary; adding to or duplicating the controls already in place under HSNO.

Before including controls on 1080 in your plans, ask yourself if they are really necessary, and do they meet the test of section 32 of the RMA?

Resources:

[Parliamentary Commissioner for the Environment Report on 1080](#)

[ERMA's 2007 Reassessment of 1080](#)

[ERMA/EPA Annual Reports on 1080](#)

[EPA 5 year review of the aerial use of 1080](#)



Managing hazardous substances under the RMA

Any RMA controls must be justified in terms of section 32 of the Act. Under section 32 councils must carry out an evaluation. The evaluation must consider

- the extent to which an objective is the most appropriate way to achieve the purpose of the RMA
- with regard to policies, rules, or other methods if they are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness
- the benefits and costs of policies, rules or other methods, including opportunities for economic growth and employment to be provided or reduced
- the risk of acting or not acting if there is uncertain or insufficient information.

The QP guidance note on [section 32](#) provides further information.

The importance of section 32 in policy and plan development cannot be overstated. In the context of hazardous substances one of the most important section 32 analysis considerations is whether any RMA controls are required at all. In many areas around New Zealand, HSNO may control hazardous substances sufficiently and no additional rules are warranted.

If a council considers that RMA plan controls are required, then such rules should specifically address those matters where HSNO is not sufficient. In most cases these will be to address location-specific factors.

Section 142 of the HNSO Act provides that RMA instruments can only include more stringent requirements than HSNO when they are considered 'necessary' for the purposes of the RMA. When the HSNO requirements are sufficient to meet the purposes of the RMA that test will not be met.

Generally territorial authorities manage land uses associated with hazardous substances through their district plan.. However, regional councils can also impose land use controls on hazardous substances (section 30(1)(c)(v)). A regional policy statement (RPS) must state which local authority has the responsibility for preventing or mitigating any adverse effects of the storage, use disposal or transportation of hazardous substances (section 62(1)(i)(ii)), It is particularly important that regional councils and territorial authorities do not duplicate hazardous substances controls.

As the planning framework for hazardous facilities under the RMA focuses solely on land use planning aspects, it is complementary to the controls under the HSNO legislation. Its elements do not represent a competing control mechanism. Therefore controls imposed under resource management plans should not be in conflict with HSNO requirements, should not repeat them, but may add a higher degree of environmental protection where necessary in the local context. The rationale for a higher level of protection should be assessed through the section 32 evaluation.

Section 17 of the RMA also states that every person has a duty to avoid, remedy, or mitigate any adverse effects on the environment, whether or not an activity has resource consent or is permitted by a rule in a plan. This provision provides a 'back stop' where there are unanticipated effects arising from the use of land for an activity involving



hazardous substances. Even if permitted by a rule or a resource consent actions can be taken against persons that use hazardous substances that create, or are likely to create, adverse effects.

Advice

Areas where councils may want to consider RMA controls:

In most circumstances, HSNO provides an appropriate level of management of hazardous substances. However, there will be some situations where RMA controls can generally be justified. The following examples outline areas where councils may want to focus their RMA provisions.

Discharges: Discharges are managed by regional councils. Councils need to be conscious of HSNO controls when imposing discharge controls under the RMA, to avoid unnecessary duplication. Use and disposal of hazardous substances must comply with both HSNO and the RMA.

For example, the use of agrichemicals and pest control methods, such as 1080, can trigger the need for a resource consent despite being controlled under HSNO. When reviewing rules on such discharges, councils should review the controls imposed under HSNO and only where these are considered insufficient should controls be imposed in RMA plans.

Sensitive land uses and environments: HSNO is generic and while the controls imposed under this regime include some different clearances according to surrounding land use most controls apply regardless of where that substance is stored and used. This provides an acceptable level of safety in most circumstances.

For particularly sensitive land-uses, additional controls may be required. Examples of this include more stringent requirements for bunding or secondary containment in areas located over an unconfined aquifer or in close proximity to a particularly sensitive wetland, or setback requirements for farm diesel tanks from open rivers and streams.

Managing the relationship between hazardous substances and sensitive land-uses works two ways, by controlling large volumes of hazardous substances being stored and used adjacent to sensitive activities, and preventing sensitive land-uses establishing in areas where large volumes of hazardous substances are used.

Areas prone to natural hazards: In recent years RMA plans have been increasingly used to manage land-uses on land prone to natural hazards. Storing hazardous substances in areas prone to natural hazards is something that councils may want to consider when establishing or reviewing RMA plan provisions in this area.

Any rules regulating to hazardous substances on hazard-prone land need to be carefully considered to ensure they impose relevant controls at appropriate levels. Examples of this may include:

- In flood-prone areas, additional measures to avoid floodwaters becoming contaminated with hazardous substances.



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- In area susceptible to liquefaction or in close proximity to active fault lines, additional design standards for hazardous substances storage facilities.

Conversely, it would not be warranted to impose blanket controls on all hazardous substances on land considered hazard-prone as this would likely result in significant consenting requirements without adding significant benefits.

Large Facilities: For sites or operations that store or use particularly large volumes of hazardous substances, councils may want to consider controls that extend beyond HSNO. Examples of this may include:

- bulk fuel storage facilities (i.e. tank farms),
- large scale chemical or explosive storage and manufacture,
- situations where toxic emissions could occur by accident

For such activities, a wider assessment of the surrounding land-uses and environment will be something of greater importance when applications are considered. Therefore, any assessment matters or restriction of discretion will need to carefully consider what the risk are, and what information council will need to assess these risks.

Reverse sensitivity provisions

Reverse sensitivity can occur where more sensitive receiving activities (such as residential activities) are allowed to locate next to hazardous facilities. The primary issue is whether the residual off-site risks of hazardous facilities are significant enough to raise doubt about the appropriateness of more sensitive land use activities being located in the vicinity.

Where the district contains significant hazardous facilities with residual risks that cannot be completely avoided, the issue of reverse sensitivity should be addressed in the district plan to avoid incompatible land uses occurring. A specific objective in relation to reverse sensitivity effects on existing hazardous facilities may be appropriate. This would be supported by a policy that actively enables existing hazardous facilities to carry out their operations without being unreasonably constrained due to sensitive land uses locating near them.

Areas where RMA controls are generally not necessary

When considering controls on hazardous substances, one of the first things councils need to consider are the matters that are already sufficiently addressed under HSNO for the purpose of managing hazardous substances in their jurisdiction.

In general, this will include the following matters:

Signage

HSNO includes specific requirements for signage, and what specifications this signage should meet. One of the pivotal aspects of signage is that it easily conveys a message and that it is consistent nationwide. For instance, in the event of a fire New Zealand fire-fighters rely on HSNO-approved signage to ascertain whether hazardous substances are



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stored on-site. Anything that causes confusion could potentially risk lives or cause environmental harm.

Tank Standards

HSNO regulations include controls on tanks for every classification of hazardous substance used in New Zealand. These standards are designed to provide an appropriate level of protection in normal circumstances. In most cases, there is little value in RMA plans specifying tank controls.

In some locations with unusual site specific characteristics, there may be added value in specifying additional controls. An example of this could include additional containment measures or leak detection measures where tanks are located on an unconfined aquifer.

Where these additional controls are considered necessary, the plan should clearly identify what is covered by HSNO, and what the plan requires in addition to HSNO, and what locations these additional controls apply to.

Disposal and waste management of hazardous substances:

Disposal of hazardous substances is covered by the disposal regulations under HSNO, which set controls on the disposal of substances based on their HSNO classification. In addition, discharge provisions in regional plans also restrict inappropriate disposal of hazardous substances. Those with roles in the waste disposal process (i.e. waste collectors, landfill operators etc) are ultimately responsible for ensuring disposal methods comply with these discharge controls.

Screening tools

A screening tool may be used to determine activity status (i.e. whether consent is even required). The options are:

1. No screening tool.
2. The hazardous facility screening procedure (HFSP)
3. An activity status table (AST)
4. A substance/activity list
5. A combination of the above.

More information on the HFSP, AST and substance/activity list approaches is below.

There is nothing requiring or preventing councils using any of these screening methods, and each method has its advantages and disadvantages. The characteristics of each city or district will mean what works for one council may be totally inappropriate for another.

The HFSP

The Hazardous Facility Screening Procedure (HFSP) is a screening tool to establish the activity status of a proposed hazardous facility. The HFSP was initially developed for a large urban local authority with numerous industrial and commercial activities involving hazardous substances. It was developed prior to the existence of the HSNO Act fully



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coming into effect (the transitional provisions of HSNO ended in 2006). It has not been updated since 2003 so considerable caution should be exercised if using this tool.

At the time it was developed it was promoted as a suitable method for dealing with hazardous substances under the RMA, as being largely an effects based tool it was in line with the RMA focus on effects. The HFSP, if properly used, provides a mechanism to establish a rough approximation between the land use 'hazardous facility' and its particular environmental effect, 'risk'.

However the HFSP has proved complex and difficult to implement. It is no longer promoted as best practice. It is recommended that councils consider other methods of establishing activity status for hazardous substances. However more detail is provided on it to support those councils that have already chosen to use HFSP. Councils should undertake a rigorous evaluation of the appropriateness of using the HFSP when preparing new plans or plan changes.

The implementation of the HFSP requires information on the hazardous substances involved and the activities proposed. This includes:

- quantities of individual substances
- specific hazards of individual substances
- activities to be carried out with the substances
- the location of the substances

Identifying these matters provides some assistance in defining the effects that need to be addressed as part of a land use consent, or even if the activity is permitted. Councils should also be prepared to provide technical support to those seeking to check the status of their activity under the HFSP, particularly in assisting with the technical data needed to use the spreadsheet.

The Activity Status Table (AST)

An AST (sometimes in the past called 'Consent Status Table' – CST) lists quantity thresholds for classes of hazardous substances, rather than individual substances, and their respective activity status. Unlike the HFSP, it generally covers all HSNO Act sub-classes for hazards. The permitted quantity thresholds in the standardised AST are largely derived from the HFSP.

The AST was developed as an alternative to the HFSP because many councils were facing difficulties in applying the HFSP correctly, and there was increasing acceptance that a simpler alternative would lead to a higher level of compliance. The AST involves permitted quantities being listed directly in the plan, removing the need to consider "effects ratios", "base thresholds" or "adjustment factors". This simplifies the task of determining the status of activities.

Another feature of the AST is that it refers directly and only to the HSNO Act classifications of substances, allowing the specific hazards of substances to be easily identified. Administering the AST is much simpler than the HFSP. In many cases applicants will be able to determine themselves if they need consent, instead of asking the council.



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Further, the AST does not create artificial groupings, effects groups, or combinations of different hazards, but instead links substance quantities directly to the HSNO hazard classification. This provides for the more accurate application of land use controls to the respective hazards, as and when necessary.

The system also allows for plan provisions that are substantially more compact.

Limitations include that it is not strictly effects based and, although relatively simple, some understanding of the necessary elements and details is required.

The key consideration when using an AST is to ensure the quantities of substances are set at appropriate levels.

Individual substance or activity lists

Some district plans include a list of hazardous substances or hazardous activities each with an activity status. This can be in the form of a substance list or activity list.

A key to using this approach is consistency in activity status. For example, consent should not be required for the storage of a particular quantity of a hazardous substance if a consent is not also required for the use of the same quantity in a process. Where generic categories are used (e.g., “flammable substances” or “chemical manufacturing”) they need to be clearly defined and consistent with relevant national and international practice.

Limitations of this approach include that it covers specified substances and activities only and it is not strictly effects based. There is potential for confusion about what is covered and what is not, and potential conflicts in activity status between different activities covered by plan provisions.

For these reasons councils should undertake a rigorous evaluation of the appropriateness of including substance or activity lists in plan provisions.

Occasionally, substance and activity lists are combined in plans. In some instances councils have augmented their HFSP or AST with an activity list. This can lead to confusion about both the activity status of the proposed activity and which controls are applicable.



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