

Proposed Waimakariri District Plan – Hearing Stream 3: Hazardous Substances and Contaminated Land

Speaking notes of Miles Rowe for submitter – 276 Fuel Companies

Tena Koutou katoa
Ko Miles Rowe taku ingoa

Thank you for the opportunity to speak today.

I prepared a statement of evidence for the Fuel Companies. The Fuel Companies comprise of bp Oil New Zealand, Mobil Oil New Zealand, and Z Energy. Their assets and interests in the District are retail fuel services.

The Fuel Companies made submissions and further submissions relating to hazardous substance and contaminated land provisions in the District Plan. For the most part, the Fuel Companies accept the recommendations in the s42A report relating to their submissions. My evidence only relates to Rule HS-R1 for hazardous substance storage and use in the flood assessment overlays.

Rule HS-R1

The Fuel Companies are concerned about the application of the rule to underground fuel storage tanks and their submission sought that it be amended to only apply to the aboveground storage of hazardous substances. The reason for this is that underground storage tanks are resilient to effects of inundation, such that the integrity and function of the underground structures is maintained during a flood event. The modern design of these structures does not allow for the escape of hazardous substances, noting that they are often installed below the watertable so they may already be fully or partially submerged.

The s42A report agrees that underground storage tanks are resilient to inundation but considers there remains a residual risk that is not covered by other legislation. I do not agree with this assessment by the reporting officer. My evidence noted that there has not been any assessment through the s32 report or the s42A report addressing the residual risk from the underground storage of hazardous substances, or whether any such risk is unacceptable or intolerable.

The consequence of the rule being applied to underground fuel storage tanks is that the activity is unable to meet the finished floor level requirements and a resource consent would be required in every instance. In my opinion, this is inefficient as it is very unlikely to result in a different outcome in relation to managing adverse effects on people or the environment. Any foreseeable resource consent conditions would unlikely require changes to the design or location of underground storage tanks and will instead likely duplicate other legislative requirements. I do not consider that a resource consent for all underground fuel storage tanks will assist in achieving the objectives and policies of the District Plan.

I remain of the view that Rule HS-R1 should only apply to the aboveground storage of hazardous substances.

Ngā mihi nui

Miles Rowe