

## **E33. Industrial and trade activities**

### **E33.1. Background**

Industrial and trade activities involve the use, handling and storage of environmentally hazardous substances as part of their production and operation. Unless these activities are appropriately managed, hazardous substances can be discharged from the site, as contaminants, onto land or into rivers and streams, groundwater systems and coastal waters. Appropriate management includes:

- disposal as trade waste to the wastewater network;
- collection for disposal or recycling to an appropriate facility;
- treatment onsite prior to discharge to the receiving environment; and
- adoption of appropriate industry standards, site practices, operating procedures and plans.

It is the overriding purpose of the land use provisions to avoid the discharge of contaminants in the first instance. Where the avoidance of discharges cannot be achieved, good onsite management practices remain the primary method of minimising the discharge of environmentally hazardous substances

### **E33.2. Objective [rcp/rp]**

- (1) Industrial and trade activities are managed to avoid adverse effects on land and water from environmentally hazardous substances and discharge of contaminants, or to minimise adverse effects where it is not reasonably practicable to avoid them.

### **E33.3. Policies [rcp/rp]**

- (1) Manage the use of land for industrial or trade activities to prevent or minimise any adverse effects of storage, use or disposal of environmentally hazardous substances.
- (2) Require industrial or trade activities to have, where reasonably practicable, onsite management systems, processes, containment, treatment, or disposal by lawful means.
- (3) Require measures to be implemented, where contaminants cannot be disposed as trade waste to the wastewater network or contained on site, to minimise adverse effects on land and water including:
  - (a) reducing contaminant volumes and concentrations as far as practicable; and
  - (b) applying measures, including treatment, management procedures, monitoring, controls, or offsite disposal, having regard to the nature of the discharge and the sensitivity of the receiving environment.

**E33.4. Activity table**

Table E33.4.1 specifies the activity status of use of land for industrial or trade activities pursuant to section 9(2) of the Resource Management Act 1991.

The industrial or trade activity land use and discharge rules address stormwater quality aspects of the discharge of contaminants from an industrial or trade activity area. The rules should be read in conjunction with E31 Hazardous substances, E8 Stormwater – Discharge and diversion and relevant zone rules.

For the purposes of this section ‘existing’ means existing at the date of notification of the Proposed Auckland Unitary Plan, being 30 September 2013.

**Table E33.4.1 Activity Table – Use of land for an industrial or trade activity**

<b>Activity</b>		<b>Activity status</b>
<b>Consented industrial or trade activities</b>		
(A1)	Use of land for an industrial or trade activity that is authorised by a resource consent to discharge contaminants	P
(A2)	Use of land for an industrial or trade activity that is listed in Appendix 22 Consented existing high risk industrial or trade activities and for which the specified consent(s) has not expired or may be exercised under section 124(1) and (3) of the Resource Management Act 1991	P
<b>Unlisted industrial or trade activities</b>		
(A3)	Use of land for an existing or new industrial or trade activity not listed in Table E33.4.3	P
<b>Low risk industrial or trade activities</b>		
(A4)	Use of land for an existing or new industrial or trade activity listed as low risk in Table E33.4.3	P
<b>Moderate risk industrial or trade activities</b>		
(A5)	Use of land for an Existing or new industrial or trade activity listed as moderate in Table E33.4.3	P
<b>High risk industrial or trade activities</b>		
<b>Existing sites</b>		
(A6)	Use of land for an existing industrial or trade activity listed as high risk in Table E33.4.3 (before the Table E33.4.3 timeframe expires)	P
(A7)	Use of land for an existing industrial or trade activity listed as high risk in Table E33.4.3 (after the Table E33.4.3 timeframe expires)	C
<b>New sites</b>		
(A8)	Use of land for a new industrial or trade activity listed as high risk in Table E33.4.3	C

<b>Unlisted, low, moderate and high risk industrial or trade activities that do not meet the relevant land use standards</b>		
(A9)	Any activity in this table that does not meet the relevant permitted or controlled land use standards	D

**Table E33.4.2 Activity table – Discharge of contaminants from an industrial or trade activity area**

Table E33.4.2 specifies the activity status of discharges of contaminants from industrial or trade activity areas pursuant to section 15 section of the Resource Management Act 1991.

The industrial or trade activity land use and discharge rules address stormwater quality aspects of the discharge of contaminants from an industrial or trade activity area. The rules should be read in conjunction with E31 Hazardous substances, E8 Stormwater – Discharge and diversion and relevant zone rules.

For the purposes of this section ‘existing’ means existing at the date of notification of the Proposed Auckland Unitary Plan, being 30 September 2013.

<b>Activity</b>		<b>Activity status</b>
<b>Consented industrial or trade activities</b>		
(A10)	The discharge of contaminants from an industrial or trade activity that is authorised by a resource consent to discharge contaminants.	P
<b>Unlisted industrial or trade activity areas</b>		
(A11)	Discharge of contaminants from an existing or new industrial or trade activity area not listed in Table E33.4.3	P
(A12)	Discharge of contaminants from an existing or new industrial or trade activity area not listed in Table E33.4.3 where the permitted discharge standards are not met	C
(A13)	Discharge of contaminants from an existing or new industrial or trade activity area not listed in Table E33.4.3 where the controlled discharge standards are not met	D
<b>Low risk industrial or trade activity areas</b>		
(A14)	Discharge of contaminants from an existing or new industrial or trade activity area listed as low risk in Table E33.4.3	P
(A15)	Discharge of contaminants from an existing or new industrial or trade activity area listed as low risk in Table E33.4.3 where the permitted discharge standards are not met	C
(A16)	Discharge of contaminants from an existing or new industrial or trade activity area listed as low risk in Table E33.4.3 where the controlled discharge standards are not met	D
<b>Moderate risk industrial or trade activity areas</b>		

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(A17)	Discharge of contaminants from an existing or new industrial or trade activity area listed as moderate risk in Table E33.4.3	P
(A18)	Discharge of contaminants from an existing or new industrial or trade activity area listed as moderate risk in Table E33.4.3 where the permitted discharge standards are not met	C
(A19)	Discharge of contaminants from an existing or new industrial or trade activity area listed as moderate risk in Table E33.4.3 where the controlled discharge standards are not met	D
<b>High risk industrial or trade activity areas</b>		
<b>Existing sites</b>		
(A20)	Discharge of contaminants from an existing industrial or trade activity area listed as high risk in Table E33.4.3 (before the Table E33.4.3 timeframe expires)	P
(A21)	Discharge of contaminants from an existing industrial or trade activity area listed as high risk in Table E33.4.3 (before the Table E33.4.3 timeframe expires) where the permitted discharge standards are not met	C
(A22)	Discharge of contaminants from an existing industrial or trade activity area listed as high risk in Table E33.4.3 (before the Table E33.4.3 timeframe expires) where the controlled discharge standards are not met	D
(A23)	Discharge of contaminants from an existing industrial or trade activity area listed as high risk in Table E33.4.3 (after the Table E33.4.3 timeframe expires)	D
<b>New sites</b>		
(A24)	Discharge of contaminants from a new industrial or trade activity area listed as high risk in Table E33.4.3	D

**Table E33.4.3 Activity table – Industrial or trade activity risk criteria**

Table E33.4.3 contains a list of industrial or trade activity risk criteria to assist in application of Table E33.4.1 and Table E33.4.2.

The industrial or trade activity land use and discharge rules address stormwater quality aspects of the discharge of contaminants from an industrial or trade activity area. The rules should be read in conjunction with E31 Hazardous substances, E8 Stormwater – Discharge and diversion and relevant zone rules.

For the purposes of this section ‘existing’ means existing at the date of notification of the Proposed Auckland Unitary Plan, being 30 September 2013.

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
Agricultural support industries	Inorganic fertiliser manufacture, storage or handling	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Animal feedstuffs	Stock food manufacture storage or handling	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Pet food manufacture	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Chemical and associated product manufacturing	Batteries	Activity is never low risk	No activity area	Any activity area	12
	Cosmetics, toiletry, soap and other detergents	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Explosives and pyrotechnics	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Fungicides, herbicides, pesticides, timber preservatives and related products	Activity is never low risk	No activity area	Any activity area	12
	Industrial Gas	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Medicinal, pharmaceutical or veterinary products	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Paint, pigment, inks and dyes	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Polishes, adhesives or sealants	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Solvents	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Synthetic resins	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Acids, alkalis or heavy metals	Activity is never low	No activity area	Any activity area	12
	Other chemical products (e.g. plastic manufacturing)	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Commercial livestock	Slaughter	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
processing industries	Manufacture, store or handle products derived from animal slaughter (e.g. gelatin, fertiliser or meat products)	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Scouring or carbonising greasy wool or fleeces	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Tanneries or Fellmongeries	Activity is never low risk	No activity area	Any activity area	12
	Rendering or fat extraction	Activity is never low risk	No activity area	Any activity area	12
Electronics	Circuit board manufacturing (excluding assembly only)	Activity is never low risk	No activity area	Any activity area	12
Food or beverage manufacturing or handling	Bakery product manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Bakery product handling	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
	Beverages or malt product manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Beverages or malt product handling	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
	Flour mill or cereal foods	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Meat and meat product manufacture (including fish)	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Meat product handling (including fish)	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
	Oil or fat product manufacturing or handling	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Processed dairy foods manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Processed dairy foods handling	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A	

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
	Vineyards or wine manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Other foodstuffs manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Other foodstuffs handling	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
Research or defence	Research establishments	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
	Naval and Air Force defence activities	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	0
Machinery or equipment manufacturing	Industrial machinery or equipment	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Motor vehicles or parts	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Other machinery or equipment	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Metal product manufacturing	Sheet and structural metal products	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
Motor vehicle services facilities	Existing or new service stations that comply with the Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand, Ministry for the Environment, December 1998	Activity is never low risk	Activity is always moderate risk	Activity is never high risk	N/A
	All other service stations	Activity is never low risk	Activity is never moderate risk	Activity is always high risk	12
	Mechanical servicing of motor vehicles	Activity is never low risk	Activity is always moderate risk	Activity is never high risk	N/A

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
Non-metallic mineral product manufacturing	Cement, lime, plaster and concrete products	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Concrete batching plants - ready mixed concrete	Activity is never low risk	No activity area	Any activity area	12
	Glass	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Metal processing, metallurgical works or metal finishing	Metal plating, anodising or polishing	Activity is never low risk	No activity area	Any activity area	0
	Metal blasting or coating, excluding spray painting	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Refinement of ores	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Processing of metals e.g. smelting, casting	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Petroleum or coal product manufacturing	Bitumen/asphalt premix or hot mix	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Coal products	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Petroleum refining	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Petroleum hydrocarbon, oil or grease manufacturing	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
Power	Electricity generation	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Product storage or handling centres	Bulk chemicals	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Bulk hydrocarbons - non-service station	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Recycling, recovery, reuse or	Automotive dismantling	Activity is never low risk	No activity area	Any activity area	12



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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
disposal	Batteries	Activity is never low risk	No activity area	Any activity area	12
	Chemicals	Activity is never low risk	No activity area	Any activity area	12
	Crushing, grinding or separation works other than sand, gravel, rock or mineral e.g. slag, road base, demolition material	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Hazardous materials storage or treatment	Activity is never low risk	No activity area	Any activity area	12
	Landfills	Activity is never low risk	No activity area	Any activity area	12
	Metals - crushing, grinding, sorting or storage	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	0
	Non-metal recycling e.g. composting, glass, paper or paper board	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Oil, petroleum hydrocarbon wastes	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Chemical containers cleaning, reconditioning, or recycling	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Sewage solids treatment or storage facilities	Activity is never low risk	No activity area	Any activity area	12
	Tyres	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Waste transfer stations	Activity is never low risk	No activity area	Any activity area	12
	Rubber industries	Tyre manufacturing or retreading	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
	Synthetic rubber manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Transport and related activities	Boat or ship construction, repair or maintenance	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	0
	Bus depots	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Commercial airports other than Auckland International Airport Limited	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Auckland International Airport Limited activities contained within the secure area as declared from time to time by the Director of Civil Aviation under section 84 of the Civil Aviation Act 1990 provided that the stormwater runoff from that secure Area complies with Stormwater Management Devices: Design Guidelines Manual second edition, May 2003, Technical Publication 10	Activity is never low risk	Activity is always moderate risk	Activity is never high risk	N/A
	Heliports other than Auckland International Airport Limited	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Road freight transport depot (non-chemical) with mechanical servicing	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A
	Road freight transport depot (bulk chemical)	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
	Railway workshops or refuelling depots	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Shipping container reconditioning (not located at port areas)	Less than 1000m <sup>2</sup>	More than 1,000m <sup>2</sup>	Activity is never high risk	N/A

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
	Commercial ports (including the Ports of Auckland Limited), shipping container reconditioning, and shipping loading/unloading	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Existing or new truck refuelling facilities (non-service stations) that comply with the Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand, Ministry for the Environment, December 1998	Activity is never low risk	Less than 1,000m <sup>2</sup>	More than 1,000m <sup>2</sup>	12
Wood or paper product storage, manufacturing or fabrication	Log storage yards outside forested areas	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Plywood or veneer manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Particle board or other wood panel manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Pulp, paper or paper board manufacturing	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
	Timber treatment	Activity is never low risk	Activity is never moderate risk	Any activity area	0
	Treated timber storage	Activity is never low risk	Less than 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12
Sewage treatment and handling	Environmentally hazardous substances storage or use (excluding sewage)	Activity is never low risk	No activity area	Any activity area	12

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Description of Industrial or trade activity		Low risk	Moderate risk	High risk	Time-frame (mths)
(excluding any part of a sewage conveyance network as that network does not form an industrial or trade activity for the purposes of the industrial or trade activity rules	Sewage solids storage.	Less than 1000m <sup>2</sup>	1,000m <sup>2</sup> to 5,000m <sup>2</sup>	More than 5,000m <sup>2</sup>	12

Note 1

The risk is based on the size of the industrial or trade activity area. The level of risk e.g. low, moderate or high, determines the type of authorisation required for the activity. Thereafter compliance or otherwise with the provisions of the industrial or trade activity rules, or changes to the size of the industrial or trade activity area, dictate the site's status and therefore the site's risk status can change over time.

Note 2

Some activities are categorised as moderate risk even if they have no industrial or trade activity area.

Note 3

Timeframes should be interpreted as the number of months after this chapter of the Auckland Unitary Plan becomes operative.

Note 4

If the timeframe is 0, this means the timeframe expires the date the provisions becomes operative.

Note 5

The timeframes apply to high risk activities only.

Note 6

The owners or operators of high-risk industrial or trade activity whose permitted activity status expiry dates are approaching should commence the preparation of an Environmental Management Plan for the activity.

Note 7

Electrical substations that contain 1,000 litres or less of oil, are not considered an industrial or trade activity for the purposes of the plan.

**E33.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table E33.4.1, Table E33.4.2 and Table E33.4.3 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table E33.4.1, Table E33.4.2 and Table E33.4.3 and which is not listed in E33.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

**E33.6. Standards**

**E33.6.1. Permitted activities**

Activities listed as a permitted activity in Table E33.4.1, Table E33.4.2 and Table E33.4.3 must comply with the following permitted activity standards except activities (A1) and (A2) from Table E33.4.1 and Activity (A10) from Table E33.4.2 do not have to comply with the permitted activity standards.

**E33.6.1.1. Use of land for an industrial or trade activity**

Activities listed as a permitted activity in Table E33.4.1 must comply with Standards E33.6.1.1(1) to E33.6.1.1(12). In addition, activities (A17) and (A20) in Table E33.4.2 must also comply with Standards E33.6.1.1(13) and E33.6.1.1(14).

- (1) Wastewater and washwater produced by industrial or trade activities must be disposed of on-site via the sanitary sewer, subject to approval from Watercare, or it must be collected, either for recycling or disposal, to a system or facility with all the appropriate authorisations to accept wastewater of that type. For the purposes of this rule, wastewater or washwater also includes:
  - (a) boiler blow down and condensate;
  - (b) all waste liquids generated or collected as part of an industrial or trade activity;
  - (c) cooling tower water excluding vapour; and
  - (d) condensate from air compressors.

- (2) A spill response plan is prepared where any environmentally hazardous substance is handled, used or stored on land at a quantity greater than used for domestic purposes. These plans must meet the requirements of Table E33.9.1 as relevant and be supplied to the Council on request.
- (3) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with those regulations will be considered to comply with Standard E33.6.1.1(2) provided the emergency spill response plan also explicitly addresses matters (vi) to (x) in Table E33.9.1.
- (4) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with Council's factsheet 'Being Prepared for a Spill' will be considered to comply with Standard E33.6.1.1(2).
- (5) When the quantity of environmentally hazardous substances stored above the ground exceeds that used for domestic purposes, it must be stored:
  - (a) in a container and in a manner that prevents the entry of rainwater into the container; and
  - (b) within a secondary containment device or within a containment system that is constructed of impervious materials that are resistant to chemical attack from the substances contained therein.
- (6) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with those regulations will be considered to comply with Standard E33.6.1.1(5).
- (7) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with council's factsheet 'Above Ground Storage' noting the following bund sizing criteria for secondary stage storage, will be considered to comply with Standard E33.6.1.1(5) where:
  - (a) for tanks the bund has a storage capacity of at least 110 per cent of the capacity of the largest tank taking into account the volume displaced by any equipment and/or materials stored within the bund; and
  - (b) for drums the bund has an effective storage height of at least 100mm, allowing for any sloping ground, and the bund is set back from the drums by a distance equal to half the height of the stacked or stored drums.

- (8) All secondary containment devices must be designed, constructed and managed so that uncontaminated rainwater and stormwater runoff is prevented from flowing into the contained area.
- (9) Weekly inspections must be undertaken and recorded to check that environmentally hazardous substances are stored and/or contained appropriately except as follows:
  - (a) National Grid - monthly inspections;
  - (b) electricity substations – annual inspections; and
  - (c) unmanned depots or facilities - monthly inspections.
- (10) A regular reconciliation process must be undertaken for any environmentally hazardous substance stored in an underground storage tank that will identify any leakage or unaccounted losses of material from the tank.
- (11) Any waste compactors and bins must be located and operated in such a manner that prevents leachate or waste leaking from them.
- (12) All on-site vehicle re-fuelling areas must be segregated and housed under cover, and/or surrounded by a drain that drains to an appropriately designed and sized stormwater treatment and spill containment device fitted with a shut-off valve.
- (13) Operations must be undertaken in accordance with an environmental management plan specific to the industrial or trade activity. This plan must be prepared in accordance with Table E33.9.2, and supplied to Council upon request.
- (14) Where the industrial or trade activity is located within a sewage treatment facility then the wastewater generated on site by that industrial or trade activity may be disposed of within that facility.

#### **E33.6.1.2. Discharge from an industrial or trade activity area**

Activities listed as a permitted activity in Table E33.4.2 must comply with the following standard.

- (1) The discharges of contaminants from an industrial or trade activity area must result in less than minor adverse environmental effects on the receiving environment without the need for stormwater treatment (with the exception of on-site vehicle refuelling areas requiring stormwater treatment and spill contaminant devices under the permitted activity Standard E33.6.1.1(12)).

#### **E33.6.2. Controlled Activities**

##### **E33.6.2.1. Use of land for an industrial or trade activity**

Activities listed as a controlled activity in Table E33.4.1 must comply with the following standard.

- (1) The activity must comply with 'Use of land for an industrial or trade activity' permitted activity standards E33.6.1.1(1) to E33.6.1.1(12).

**E33.6.2.2. Discharge from an industrial or trade activity area**

Activities listed as a controlled activity in Table E33.4.2 must comply with the following standards.

- (1) The activity must comply with the relevant 'Use of land for an industrial or trade activity' in Standard E33.6.1.1.
- (2) Treatment devices to treat the discharge of contaminants from the industrial or trade activity area are installed and operated to avoid, remedy or mitigate adverse environmental effects.

**E33.7. Assessment – controlled activities**

**E33.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) management practices, treatment systems or devices, to the extent that they are required to avoid remedy or mitigate adverse environmental effects, having regard to:
  - (a) the degree to which the land use controls avoid or minimise the risk of discharge contaminants from the industrial or trade activity area; and
  - (b) the nature and sensitivity of the receiving environment and its susceptibility to the adverse effects of the contaminants of concern.
- (2) the operation and maintenance requirements of any structural controls or treatment devices.

**E33.7.1.1. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled discretionary activities:

- (1) policies in E33.3 Policies.

**E33.8. Assessment - Restricted discretionary activities**

There are no restricted discretionary activities in this section.

**E33.9. Special information requirements**

**Table E33.9.1 Spill response plan requirements**

No.	Requirement
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E33 Industrial trade and activities

i.	A protocol/method for identifying and stopping the discharge of environmentally hazardous substances to land or water and avoiding future events of this nature
ii.	Emergency containment and clean-up procedures
iii.	A list of appropriate spill kit contents to enable the containment and/or absorption of spilt material and a plan showing the location of the spill kits
iv.	A requirement for appropriate signage to identify the location of spill kits and the actions to be taken in the event of a spill
v.	Actions to remedy or mitigate any adverse effects on the environment or public health and safety arising from the discharges or spills of environmentally hazardous substances to land or water
vi.	Methods for disposal of spilt environmentally hazardous substances and any other contaminated materials used in the spill clean-up
vii.	A schedule of adequate training for personnel in the use of the emergency spill response plan and in anticipating and preventing the likelihood of spills
viii.	Up-to-date and accurate copies of all drainage plans for the land on which the industrial or trade activity is undertaken showing the location of the final discharge point to the public stormwater system or to land or water
ix.	A procedure for notifying as soon as practicable Council's 24-hour emergency response service and the relevant stormwater or wastewater network operator in the event of any discharge of environmentally hazardous substances that results in, or is likely to result in, contamination of any stormwater system, or land or water
x.	Methods for disposing of any spills in a secondary containment device. The plan must set out how it will be disposed of in an appropriate and authorised manner

**Table E33.9.2 Environmental management plan requirements**

No.	Requirement
i.	Specify how the permitted activity controls will be complied with
ii.	Identify the environmentally hazardous substances associated with the industrial or trade activity
iii.	Set out the methods to be used to avoid discharges of environmentally hazardous substances onto or into land or water
iv.	For discharge of contaminants arising from land on which the industrial or trade activity is undertaken, set out the primary treatment or source control methods that may be necessary to avoid, remedy or mitigate more than minor adverse effects on the receiving environment
v.	Specify the methods for the operation and maintenance of any treatment devices on site
vi.	Identifies assessment requirements to report on the performance of the environmental management plan

Note 1

The environmental management plan must be appropriate to the scale and significance of the risk at each site. Where appropriate, the environmental management plan may include cross references to relevant documentation that is readily accessible at the site, rather than including the full documents themselves.