

The Proposed Auckland Unitary Plan (notified 30 September 2013)

4.4 Cleanfills, managed fills and landfills

1. Activity table

The following table specifies the activity status of of discharge and land use activities associated with open or closed fills including cleanfills, managed fills and landfills

[rp]

Activity	Activity status
Cleanfills	
Discharges from cleanfills receiving less than 250m ³ /year	P
Discharges from cleanfills receiving more than 250m ³ /year	C
Discharges from cleanfills that does not meet the permitted or controlled activity controls	RD
Managed fills	
Discharges from a managed fills	C
Discharges from managed fills that does not meet the controlled activity controls	RD
Landfills - operative	
Discharges from new landfills	NC
Discharges from existing operative landfills	D
Landfills - closed	
Discharges from closed landfills that ceased waste acceptance after 1 October 1991	P
Activities and associated discharges on closed landfills that do not perforate or penetrate the cap or cover of the landfill	P
Activities and associated discharges on closed landfills that perforate or penetrate the cap or cover and expose the underlying fill of the landfill	C

2. Controls

2.1 Permitted activities

2.1.1 Cleanfills receiving less than 250m³/year

1. All material deposited at the site must comply with definition of cleanfill material.
2. Cleanfills must not be located or operated in, on or adjacent to lake, river, stream, wetland or the CMA.
3. Cleanfills must not be located or operated in, on or adjacent to areas of ONC, ONF, ONL, HNC, SEAs or scheduled sites and places of significance to Mana Whenua.
4. Cleanfills must not be located or operated in, on or adjacent to areas high risk instability or with a slope greater than 15 degrees.

2.1.2 Landfills - closed

1. Contaminants discharged to water when measured at the down-gradient edge of the landfill footprint must not exceed the 95 per cent trigger values of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.
2. The landfill must be capped to facilitate surface water runoff and to reduce surface water infiltration.
3. The cap must be top-soiled, with suitable vegetation that will minimise surface erosion while not

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perforating the cap.

4. Measures must be implemented to minimize off-site runoff entering and infiltrating the landfill.
5. Stormwater systems must be implemented and maintained to avoid landfill leachate infiltration and stormwater ex-filtration.
6. Any activity undertaken on a closed landfill must:
 - a. not perforate or penetrate the cap or cover; and
 - b. done by, or with the approval of, the closed landfill owner and discharge consent holder
 - c. be carried out in accordance with site management plan
 - d. implement best management practices or avoid, remedy or mitigate any discharge, erosion and/or instability.
7. Planting must be limited to shallow rooted species.
8. Health and safety contingencies must be established to address any potential adverse effect on human health, property or the environment.

2.2 Controlled activities

2.2.1 Cleanfills receiving more than 250m³/year; and managed fills

1. All material deposited at cleanfills must comply with definition of cleanfill material.
2. All material deposited at managed fills must comply with definition of managed fill material.
3. Cleanfills or managed fills must not be located or operated in, on or adjacent to lake, river, stream, wetland or CMA.
4. Cleanfills or managed fills must not be located or operated in, on or adjacent to areas of ONC, ONF, ONL, HNC, SEAs or scheduled sites and places of significance to Mana Whenua.
5. Cleanfills or managed fills must not be located or operated in, on or adjacent to areas high risk instability or with a slope greater than 15 degrees.

2.2.2 Landfills - activities that penetrate the cap or cover

1. The activity must be carried out by or with approval of closed landfill owner and discharge consent holder.
2. The activity must be carried out in accordance with the site management plan
3. Where cap or cover is perforated or penetrated, it must be reinstated to the same or better standard as that existing prior to the activity.
4. The activity must implement best management practices to avoid, remedy or mitigate any discharge, erosion and/or instability.
5. Health and safety contingencies must be established to address any potential adverse effect on human health, property or the environment.

3. Assessment - Controlled activities

The council will restrict control to the following matters when assessing controlled activity resource consent applications:

3.1 Matters of control

1. Cleanfills receiving more than 250m³/year; and managed fills
 - a. the adequacy of the site investigation report including:

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- i. location, screening and appropriateness of site
 - ii. site sampling (background levels)
 - iii. discharge/contaminant limit threshold
 - iv. risk assessment.
 - b. the adequacy of site management plan including:
 - i. operation of site
 - ii. placement and compaction of cleanfill or managed fill material
 - iii. waste acceptance criteria
 - iv. daily operating procedures
 - v. environmental controls and monitoring.
 - c. the adequacy of site operating record including:
 - i. load inspection records
 - ii. monitoring, testing or sampling documentation
 - iii. training procedures.
 - d. the timing and nature of resource consent condition review.
2. Activities and associated discharges that perforate or penetrate cap or cover and expose underlying fill of closed landfills
 - a. the adequacy of site investigation report including:
 - i. duration and appropriateness of activity
 - ii. site sampling (contaminated levels)
 - iii. risk assessment
 - b. the adequacy of site management plan including:
 - i. site area to be exposed
 - ii. methodology to contain exposed fill, contaminants and discharges
 - iii. methodology to reinstate cap or cover
 - iv. daily operating procedures
 - v. environmental controls and monitoring
 - vi. emergency procedures
 - vii. reporting requirements
 - c. the timing and nature of resource consent condition review.

3.2 Assessment criteria

1. Discharges from an operative cleanfill or managed fill that does not meet permitted activity controls:
 - a. the extent to which the proposal will avoid, remedy or mitigate any effect from actual potential discharges from the site
 - b. the extent to which the site investigation report and site management plan include measures to avoid, remedy or mitigate known or potential adverse effects including:
 - i. proactive preventative measures prior to establishment, operation or discharge
 - ii. site management, including how the importation of material to the site will be controlled.

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- iii. opportunities for environmental and ecological offset initiatives
- iv. protection or enhancement of adjacent lakes, rivers, streams, wetlands or the CMA
- v. protection or enhancement of an adjacent ONC, ONF, ONL, HNC, SEAs or scheduled sites and places of significance to Mana Whenua
- vi. opportunities for livestock exclusion measures
- vii. opportunities for weed and pest mitigation
- viii. alleviation and rehabilitation initiatives for post-operative and closure of cleanfill or managed fill.

4. Assessment - Restricted discretionary activities

The council will restrict discretion to the following matters when assessing restricted discretionary activity resource consent applications:

4.1 Matters of Discretion

1. Discharges from an operative cleanfill or managed fill that do not meet permitted or controlled activity controls
 - a. the adequacy of site investigation report including:
 - i. location, screening and appropriateness of site
 - ii. site sampling (background and current levels)
 - iii. discharge/contaminant limit threshold
 - iv. risk assessment
 - b. the adequacy of site management plan including:
 - i. resource consent requirements
 - ii. site management
 - iii. daily operating procedures
 - iv. environmental controls and monitoring
 - v. emergency procedures
 - vi. reporting requirements
 - vii. management for disposal of non-complying material
 - c. the adequacy of site operating record including:
 - i. load inspection records
 - ii. monitoring, testing or sampling documentation
 - iii. training procedures
 - iv. record of non-complying material disposal
 - d. the requirement for and condition of financial bond
 - e. the timing and nature of resource consent condition review.

4.2 Assessment criteria

1. Discharges from an operative cleanfill or managed fill that does not meet permitted or controlled activity controls

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- a. the extent to which the proposal will avoid, remedy or mitigate any effect from actual potential discharges from the site.
 - b. the extent to which the site investigation report and site management plan include measures to avoid, remedy or mitigate known or potential adverse effects including:
 - i. proactive preventative measures prior to establishment, operation or discharge
 - ii. site management, including how the importation of material to the site will be controlled
 - iii. opportunities for environmental and ecological offset initiatives
 - iv. protection or enhancement of adjacent lakes, rivers, streams, wetlands or the CMA
 - v. protection or enhancement of an adjacent ONC, ONF, ONL, HNC, SEAs or scheduled sites and places of significance to Mana Whenua
 - vi. opportunities for livestock exclusion measures
 - vii. viii. opportunities for weed and pest mitigation
 - viii. ix. alleviation and rehabilitation initiatives for post-operative and closure of cleanfill or managed fill.
2. The extent to which the proposal has taken account of any consultation with Mana Whenua.

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