



FS_ITA01



Industrial and Trade Activities **Site Operators Guide**

RMA - Industrial and Trade Process:

“Includes every part of a process from the receipt of raw materials to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter or product.”

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.

Auckland Unitary Plan (AUP) – E33 ITAs

ITAs are assessed under two rules: the **use of land** by an ITA and the **discharge of contaminants** from an ITA. This distinction is important as it is fundamental to how controls are applied and regulated on different sites depending on their risk classification. The risk classification assigned in **Table 33.4.3** of the AUP is based on the environmental risk associated with the nature and scale of the activity and the types of contaminants that may be discharged from it.

Risk: Low, Moderate or High?

Each ITA has the potential to generate a variety of contaminants of concern. Sites classified as

RMA:

Section 9 – Restrictions on the Use of Land: (2)

No person may use land in a manner that contravenes a regional rule unless the use; **(a)** is expressly allowed by a resource consent; or [...]

Section 15 – Discharge of contaminants into the environment: (1)

No person may discharge any [...] – **(d)** contaminant from an industrial or trade premise onto or into land – unless the discharge is expressly allowed by [...] a rule in a regional plan [...] or a resource consent.

unlisted, low or moderate do not require consent for the use of land provided they comply with the relevant permitted activity standards. These standards are limited to the application of controls to the activities on site, rather than monitoring the quality of discharges. In the event that a discharge from an ITA results in adverse effects, the operator may be required to seek additional consent for the discharge of contaminants

Industrial and Trade Activity Area	
includes	excludes
<ul style="list-style-type: none"> all roof areas onto which environmentally hazardous substances generated by the activity are deposited; all outdoor storage, handling or processing areas of materials and/or products that may contribute to the quality or quantity of environmentally hazardous substance discharges (including occasional or temporary use of areas); the area at risk from failure of the largest unbanded container used for the activity that may contribute to the quality or quantity of environmentally hazardous substance discharges; and all areas (including roofs) that contribute runoff to the Industrial or trade activity area 	<ul style="list-style-type: none"> all areas that discharge lawfully into an authorised trade waste system; areas that are not used for or affected by the industrial or trade activity; all indoor or roofed areas which do not discharge onto or into land or water; and areas used for the storage of inert materials, provided treatment for suspended solids is provided in accordance with the best practicable option or is otherwise lawfully authorised.

Determining your activity status:

1 – Your sites activity area is defined as: “*The area of land or coastal marine area where a particular industrial or trade activity is being undertaken, which may result in the discharge of environmentally hazardous substances associated with that activity onto or into land or water*”.

2 – Using **Table 33.4.3** of the AUP (OP) ITA provisions, identify which ‘*description of ITA*’ best suits your site.

3 – Compare your calculated activity area with the description of your ITA to establish the risk status (Low, Moderate or High) assigned to your activity

4 – Check your sites compliance with the relevant standards. These will vary based on your risk classification:

Unlisted or Low risk: Standards E33.6.1.1(1-12)

Moderate and High Risk: Standards E33.6.1.1(1-13)

Do I need consent?

After you’ve determined your activity area and associated risk status (above) you need to assess your activity against the relevant standards of the AUP(OP). The table below summarise how the need for consent is triggered.

ITA Provisions (E33)	Permitted Activity standards (E33.6.1)			
	Use of Land (E33.6.1.1)		Discharges (E33.6.1.2)	
Risk Criteria (Table 33.4.3)	Complying	Non-complying	Complying	Non-Complying
Unlisted or Low	Permitted	Land Use Consent required	Permitted	Discharge Consent required
Moderate	Permitted			
High				

Environmental Management Plans

Standard E33.6.1.1(13) requires ITA sites to be managed in accordance with a site specific **Environmental Management Plan** (EMP). To aid you in developing one, Auckland Council have developed EMP templates for your use, related to the scale of the activities required to be covered. Your EMP must include the minimum requirements detailed in E33.9.2 of the AUP.

Any site requiring a treatment approach to mitigate the discharge of contaminants from site, requires discharge consent under rule E33.4.2.

Table E33.9.2: Environmental Management Plan minimum requirements	
i.	Specify how the permitted activity controls will be complied with
ii.	Identify the environmentally hazardous substances associated with the ITA
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 ITA 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 EMP

Discharges: Do I have to install a treatment system?

The primary aim of the ITA provisions is to help sites avoid the discharge of contaminants through the implementation of structural and procedural controls. Sometimes, despite a site’s best efforts, the ongoing discharge of contaminants may not be avoided. In these instances, good onsite management practices remain the primary method of minimising the discharge of contaminants, but the need for treatment may also be required to remedy or mitigate effects of the discharges.

Appropriate management for discharges includes:

- disposal as trade waste to the wastewater network; or collection for disposal or recycling to an appropriate facility; or,
- treatment onsite prior to discharge to the receiving environment

Designing a treatment system

How will the device be operated and maintained, ensuring the correct disposal of any contaminated treatment media from maintenance procedures? The treatment system needs to be specific to the contaminants that are discharged from your activity. There are many things to consider, including:

- Can the site be divided up so that lower risk areas are separate from high ones? This enables targeted treatment which can aid in reducing initial and ongoing costs.
- Is there opportunity to connection to the trade waste system? If so, what will the requirements? WaterCare will likely require a Trade Waste Permit.
- Is there opportunity to reuse waste product and/or waste/wash water on site?
- Can your waste be used by another company as a ‘raw product’?
- How will the device be operated and maintained, ensuring the correct disposal of any contaminated treatment media from maintenance procedures.

What next? Help is at hand

Your sites activity status and level of compliance with the relevant standards will determine what is required next. A site visit may be required to confirm your sites activity status and subsequent requirements and obligations with regard to consent requirements.

Auckland Councils Proactive Compliance Unit and Specialist Unit undertake an **Industrial and Trade Activity Proactive Programme (ITAPP)** to provide advice and guidance to sites throughout the region. The programme focuses on working proactively to help sites:

- Identify actual or potential sources of pollution onsite or pollution generated from site activities.
- Providing examples of best practice to help avoid or reduce the risk to the environment; and
- Assess compliance with the Industrial and Trade Activities (ITA) provisions of the Auckland Unitary Plan – Operative in Part (AUP-OP).

Further information regarding this programme can be found online and in factsheet **ITA02 'Industrial and Trade Activities Proactive Programme (ITAPP)'**.

Alternatively, if you know you require consent you may decide to undertake a pre application meeting. **Pre-application information can be found [here](#):** (go to aucklandcouncil.govt.nz and search 'pre-application').



Important: The ITA provisions apply to the use of land by and the discharge of contaminants from, an ITA – ONLY. Other chapters of the plan (i.e. Hazardous Substances, zoning requirements etc.) and other legislation (HSNO, Health and Safety at Work Act 2015 etc.) may also be applicable. It remains the responsibility of the applicant/site operator to obtain their own professional and legal advice in relation to other plan and legislative requirements and their obligations under them.

Contact an ITA Specialist

In our experience it helps to work proactively and collaboratively. Call our contact centre and ask to speak to an Industrial and Trade Activity Specialist in the Proactive Compliance or Specialist Unit of Regulatory Services; or email your enquiry to the address below and we'll be happy to get in touch to provide assistance and advice.

Need help?



Visit: aucklandcouncil.govt.nz

Enquire: aucklandcouncil.govt.nz/contactus



Phone: 09 302 0101



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