

Rotorua District Council Guide to Hazardous Substances Rules : Transport and Freight Businesses

INTRODUCTION

This information forms part of a series of guides on hazardous substances for small businesses. Please read this guide in conjunction with the introductory guide. Please note that establishing a transport and freight business in some zones will require you to apply to Council for a Resource Consent to comply with other planning provisions.

This information applies to you if you:

- *propose to set up a new transport and freight business; or*
- *already operate an existing transport and freight business, but propose to significantly increase the quantities of hazardous substances you store.*

The guide includes:

- *an average range of hazardous substances for transport and freight businesses*
- *permissible quantities of hazardous substances which can be stored by transport and freight businesses*
- *distance-to-boundary rules applying to sensitive environments such as lakes, streams and springs or residential areas, rural villages or lakeside settlements*
- *minimum performance standards that transport and freight businesses must comply with.*

RANGE OF HAZARDOUS SUBSTANCES COMMONLY FOUND ON TRANSPORT AND FREIGHT PREMISES

Data generated by surveys of transport and freight businesses have helped to compile an average range of hazardous substances that are stored on transport and freight premises, as shown below.

Hazardous Substance Type	Unit	Average Quantity
Oxygen	m ³	7
Acetylene	m ³	7
Oil (hydraulic/lubricating)	litres	190
Flamm. liquids (degreasers, thinners etc)	litres	50
Argon/Migset	m ³	0
Antifreeze	litres	0

WHEN IS A RESOURCE CONSENT REQUIRED FOR A TRANSPORT AND FREIGHT BUSINESS?

The table below lists maximum quantities of hazardous substances which are permitted to be stored on transport and freight premises in the different land use zones of the district. Therefore, if the quantities of hazardous substances you propose or intend to store on your transport and freight premises are below the quantities listed, you do not require a resource consent.

However, if the quantities of hazardous substances you propose or intend to store are above the quantities listed, you need to apply for a resource consent. The Council will then assess your application and determine whether a consent can be granted.

Note: If you have more than one hazardous substance storage facility on your site/premises and these are separated by more than 30 metres, they can be assessed as separate storage facilities. If this is the case, you will need to inform the Council.

DISTANCE TO BOUNDARY RULES

If you propose to store or use any hazardous substances close to sensitive environments (e.g. lakes, streams or residential areas), the maximum quantities of hazardous substances for the different land use zones need to be reduced in order to be a permitted activity. Otherwise, you will need to apply to Council for a resource consent.

Therefore, if you propose or intend to store any hazardous substances within 100 m of a lake, stream or spring or over a recognised groundwater resource, maximum permissible quantities of hazardous substances need to be reduced by 70%

Also, if you propose or intend to store any hazardous substances within 20 metres of a residential zone, a rural village or a lakeside settlement, a resource consent is required. The Council will then assess your application and determine whether a consent can be granted.

Overall, the Council strongly advises that all hazardous substances are stored well away from any sensitive environmental areas and residential zones.

MAXIMUM QUANTITIES OF HAZARDOUS SUBSTANCES WHICH ARE PERMITTED TO BE STORED BY TRANSPORT AND FREIGHT BUSINESSES

Hazardous Substance Type	Unit	Land Use Zone / Maximum Permissible Quantity				
		Industrial C	Industrial B Rural A,B	Industrial A Comm. G	Trans. Develop. Comm. B,C,F,H Airport Protection	Comm. D Rural D
Oxygen	m3	345	260	175	70	10
Acetylene	m3	345	260	165	70	10
Oil (hydraulic/lubricating)	litres	4250	3190	2125	425	85
Flamm. liquids (degreasers, thinners, paints etc)	litres	1125	845	565	115	25
Argon/Migset	m3	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Antifreeze	litres	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited

MINIMUM PERFORMANCE STANDARDS RELATING TO HAZARDOUS SUBSTANCES

The following minimum conditions apply to your business irrespective of whether it is a permitted activity or not:

The storage of any hazardous substances or hazardous wastes shall be carried out in a manner that prevents:

- *exposure to ignition sources*
- *reaction with other hazardous substances*
- *corrosion or alteration of the containers used*
- *any unintentional leakages or spills.*

All locations on a site where hazardous substances are manufactured, mixed, stored, handled, loaded or unloaded must be designed and managed to:

- *contain any accidental spills of hazardous substances*
- *prevent any illegal discharges to the environment.*

Spill containment systems must:

- *be constructed from impervious materials*
- *be able to contain 125% of the volume of all containers (e.g. tanks and drums) or if the containment area is covered 100% volume of the drums or other containers used*
- *contain any spill of hazardous substances, or discharges of contaminated storm water or fire water.*

Any storm water originating on a site must be drained and managed to prevent accidental contamination with hazardous substances.

Any locations on a site where contaminated vehicles, equipment or containers are washed must be designed and managed so that the contaminated wash water cannot be discharged to the environment, unless permitted to do so.

Underground tanks must be designed, constructed and managed to prevent leakages and spills.

Hazardous facilities must be adequately sign posted.

Hazardous substances must be clearly labelled and backed up by Material Safety Data Sheets.

The disposal of waste hazardous substances must be undertaken only via suitable contractors and to approved facilities which hold relevant permits.

Hazardous wastes must not be discharged to the environment or the public sewerage system unless permitted to do so.

OTHER MINIMUM PERFORMANCE STANDARDS RELATING TO HAZARDOUS SUBSTANCES

In addition to the minimum performance standards specified by the District Plan, there are other requirements and legislation that need to be complied with. These include:

1. Regional Council requirements.
2. The **Hazardous Substances and New Organisms Act 1996 (HSNO)** and associated minimum performance requirements for packaging and containers, labelling, testing, disposal etc.
3. The **Land Transport Act 1998** and associated Rule: *Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land* which specify controls for the transport of dangerous goods.
4. The **Local Government Act 1974** and associated requirements for the discharge of trade waste to the public sewerage system through Bylaws, as well as disposal of solid waste in accordance with Council's Solid Waste Management Plan.
5. Other relevant pieces of legislation include The Radiation Protection Act 1965, Fire Services Act 1975, the Building Act 1991, the Health and Safety in Employment Act 1992 and the Agricultural Compounds and Veterinary Medicines Act 1997.

HELP IS AVAILABLE!

Please note: This guide is designed for general guidance and should not be relied on in specific circumstances. If you have any questions, please contact the Dangerous Goods Inspector (Hazardous Substance Officer) of the Rotorua District Council at the following contact numbers:

Phone: 07 348 4199

Fax: 07 346 3143