

Memo

1 September 2025

To: Bryce Powell from Harrison Grierson on behalf of Auckland Council

From: Sharon Tang, Senior Specialist, Specialist Unit, Planning and Resource Consents

Subject: 395 Fitzgerald Road, Drury– establish a vehicle dismantling and storage activity
Hazardous Substances - BUN60449555 / LUC60449557

I have reviewed the following documents in the context of *Chapter E31 and E36 of the Auckland Unitary Plan (Operative in Part) (AUP OP)*.

- *Application for land use consent for vehicle dismantling facility, associated earthworks and stormwater management - 395 Fitzgerald Road, Drury (Saddleback, 6 May 2025) (AEE)*
- *Environmental Management Plan- Taha Auto Limited- 395 Fitzgerald Road, Drury (Babingtons, April 2025) (EMP)*
- *Site Plan*

Following s92 requests, the below information has been reviewed:

- *BUN6044955 395 Fitzgerald Rd – S92 Response (Babingtons, 9 June 2025) (s92 response)*
- *Environmental Management Plan- Taha Auto Limited- 395 Fitzgerald Road, Drury (Babingtons, August 2025) (updated EMP)*
- *Application for land use consent for vehicle dismantling facility, associated earthworks and stormwater management - 395 Fitzgerald Road, Drury (Saddleback, 18 August 2025) (updated AEE)*

Proposal

The AEE shows that the proposal relates to construction of two warehouses, which will be used for vehicle dismantling activity and storage purposes, on the site largely located within a Future Urban Zone in the AUP OP. The AEE shows that the dismantling process involves the draining of fluids, and removal of engines and popular items, fuel removed into small containers and immediately transferred into staff vehicles. Oil and coolant are stored within one of two 1m³ containers in a dedicated storage area (within the warehouse). Appendix 7 of the EMP shows that the quantities of hazardous substances involved in the operation include storage of less than 1000L diesel and petrol respectively in IBC in workshop.

Following a s92 request, the Hazardous Substances Inventory provided in the updated EMP confirms the following storage details:

Hazardous Substance	Volume	Location	Classification	AUP:OP Permitted Activity Threshold
Diesel	<50L	IBC in workshop	3.1D, 6.1E, 6.3B, 6.7B, 9.1B	<0.1t = 117 (SG 0.85)
Petrol	<50L	Small containers in cabinet	3.1A, 6.1E, 6.3B, 6.7B, 9.1B	<0.1t =133L (SG 0.75)
Used oils (engine, transmission, brake fluid)	<100L	IBC in workshop	3.1D, 6.3B, 6.7B, 9.1C	<0.3t =333L (SG 0.9)
Coolant	<100L	IBC in workshop	6.1D (oral), 6.4A, 6.9A, 9.3C	<0.3t = 272L (SG 1.1)

Note: All chemicals to be stored in the workshop in watertight containers.

Site description and surrounding environment relevant to this memo:

The site (2.7679ha) is largely located within a Future Urban Zone with a small portion in the north-eastern corner situated within a Business-Light Industry Zone in the Auckland Unitary Plan (the AUP OP). The surrounding land to its north is residentially zoned with the land in all other directions being zoned either Business – Light Industrial or Future Urban (intended to be light industrial land in the future).

The AEE and the Geomap show that the site is subject to flooding and overland flows, primarily located at the rear and front of the site. The Hingaia Stream runs along the south-western boundary. The s92 response confirms that the maximum ponding level adjacent to the workshop during a 100- year storm event floodplain level is at RL 19m. Any hazardous materials storage will be within the workshop building at an RL of 19.5m, above the floodplain, therefore Rule E36.4.1(A29) is not applicable and is not discussed further in this memo.

The AEE shows that runoff from the western half of the site discharges to a tributary of the Hingaia Stream. Flows from the eastern half discharge to a roadside swale and then into an overland flowpath in the property in the south (411 Fitzgerald) before reaching the Hingaia Stream tributary.

E31 of Auckland Unitary Plan –Operational in Part (AUP OP)

The AEE has not included assessment of the proposal against E31 rules. Following an initial review, the following further information was requested:

- details of storage of hazardous substances covered under Chapter E31 (including quantities, storage details, correspondent hazardous classifications relevant to E31 rules)
- details of the outdoor chemical storage area mentioned in the EMP
- assessment against relevant storage thresholds specified in Table E31.4.3 and consent requirements against relevant E31 rules

Following the s92 request, the s92 response, updated AEE and updated EMP have been reviewed. The update AEE shows that the aggregate quantity of storage of hazardous substances classified 6.3 – 6.9 on the site exceeds the permitted threshold specified in E31.4.3 (A101), therefore, triggering a discretionary activity under rule E31.4.1(A7). I concur with this consent assessment.

There are no specific assessment criteria for a discretionary activity under rule E31. The applicant is required to demonstrate that the proposal meets the objectives, policies and the Standards of rule E31 in terms of site design, drainage systems, spill containment systems, waste management through a risk assessment and management process. The factors for consideration should include but not limited to:

- sensitivity of surrounding natural, human and physical environment
- identification of hazards including natural hazards
- potential cumulative risks presented both onsite and offsite
- feasible structural and operational controls measures
- emergency management

Risk assessment and management

The HSNO classifications indicate that the potential risk includes fire, effects to the human and the environment if accidentally releasing into the environment.

The updated AEE has assessed the storage of hazardous substances against the objectives, policies and the Standards of rule E31 in terms of site design, drainage systems, spill containment systems, waste management, supported with an updated Environmental Management Plan (EMP).

The updated EMP includes the details of storage of hazardous substances and confirms that all hazardous substances will be stored within the dismantling workshop. It confirms that no hazardous substance storage will be located within a flood plain or an overland flow path. It also confirms that hazardous substances in drums will be located within a 1000L bund (cutoff IBC) inside the workshop.

The updated EMP has identified the potential contaminants from a normal automotive dismantling business and proposed structural and operational controls for mitigation of the risks of leaks and offsite discharge. However, it is noted that the plan only focuses on the activities outside the workshops. The EMP has included a summary of the site operation, roles and responsibilities, Emergency Spill Response Plan, Staff Training Programme, Maintenance & inspection Procedures, Stormwater Device Operation and Maintenance Plan and Stormwater Monitoring Programme.

The key structural and operational controls include:

- hazardous substances to be stored in watertight containers indoor away from boundaries and watercourse
- containment provided within workshop for larger volumes of storage (such as oil and coolant)
- hazardous substances inventory and materials safety data sheets in place
- treatment swales and site bunds
- high risk works undertaken within workshop (e.g. damaged vehicles being drained of fluids, fuel transferring to staff vehicles, engine removal, etc)
- spill response kits in appropriate locations
- emergency spill response plan in place
- routine inspections for leaks (yard)
- staff training
- clear maintenance and inspection procedures (workshop not included in Appendix 5)
- stormwater monitoring

Specialist review comments

- The surrounding sites are a mixture of established rural sites with rural-residential and rural-commercial. The surrounding environment is considered sensitive due to the Hingaia Stream present along the southwestern boundary. However, it is noted that the proposed workshop for the dismantling activities is located away from the stream.
- The quantities of hazardous substance storage are in general low with the aggregate quantity of sub-class 6.3 – 6.9 substances (approximately 0.48t) being slightly over the permitted threshold of 0.3t (E31.4.3 -A101).
- I consider that the application has appropriately assessed the s92 matters in terms of the details of the hazardous substance storage and containment. Based on the relatively small quantities of hazardous substances to be stored indoor and the proposed structural and operational controls, I in general concur with the EMP that any spills within the workshop are likely to be contained.
- However, I consider that the updated EMP should include the dismantling workshop into its risk identification and management in Table 2.1 as well as the Inspection and Maintenance Schedules in its Appendix 5. This aims to reduce the risk of any residuals of contaminants being brought out into the yard area. A condition to update the EMP is therefore recommended accordingly.
- Based on the information reviewed, I consider that the applicant has in general provided sufficient information and assessment against Chapter E31 of the AUP OP for the levels of risk identified from

the storage of hazardous substances during the dismantling process at this location. It has largely identified the potential risks and demonstrated that the proposed structural and operational control measures will mitigate and manage the risks to an acceptable level. I consider that the proposal is in general consistent with the relevant objectives and policies of Chapter E31 of the AUP OP. By implementation of the site design, controls, operation procedures in an updated Environmental Management Plan (EMP) as per condition, and other recommended consent conditions, I consider that any potential environmental and health risks will be mitigated to an acceptable level.

Recommended conditions

1. Prior to the site becoming operational, an updated copy of the *Environmental Management Plan-Taha Auto Limited- 395 Fitzgerald Road, Drury (Babingtons, August 2025)* (EMP) must be provided to the Council for review and certification. The updated EMP must include the dismantling workshop into its risk identification and management in Table 2.1 as well as the Inspection and Maintenance Schedules in its Appendix 5 to reduce the risk of any residuals of contaminants being brought out into the yard area.
2. All hazardous substances must be stored within the dismantling workshop within sufficient bunds.
3. The site operation must be in line with the certified EMP as per **condition xxx (1)** and subsequent revision of the EMP as a result of a site audit;
4. Suitable and sufficient spill kits must always be made available onsite;
5. The EMP and Emergency Spill Response Plan must be available onsite at all times;
6. Any spills resulting in releasing into the environment must be notified to the Council within 24 hours of an incident occurring

Regards



Sharon Tang