

**Environmental Scoping Study**

**Drager C L & Sons  
Ltd Transport**



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## **Drager C L & Sons Ltd Transport**

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Appendix 1 - Certificate of Title

## **1 Summary**

The purpose of this scoping report is to describe the current situation with regard to the environmental effects of the Drager C L Sons Ltd Transport (Drager Transport) activity. This includes the identification of any consenting requirements under the Resource Management Act 1991 and the relevant local plans operating under the Act, and any effects on the North Clyde environment that may be occurring as a result of activities on-site and if these are being adequately addressed. This scoping report will then inform the wider North Clyde Strategy that is being prepared concurrently.

From the information available at the time of preparing this report it has been identified that the activities at Drager Transport Ltd are currently complying in most part with the Resource Management Act 1991 and the relevant district and regional plans.

Key recommendations for Drager Transport are:

- 1) To develop an Environmental Management Plan to include; management of various aspects of the operation including dust suppression, noise reduction and hazardous substances management.
- 2) To consider additional landscaping improvements along the boundaries (additional fencing/buffer planting) to better screen the yard from adjoining residential dwellings.
- 3) To participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

## **2 Scoping Report Methodology**

This scoping report has been developed using information obtained from a site visit held on the 29<sup>th</sup> January 2013 accompanied by the Business Manager – Trevor Drager, data sourced from both Wairoa District Council and Hawke's Bay Regional Council, a broad desktop assessment, and input from Wairoa District Council's Environmental Health Officer.

It is important to note that although this report has sought to provide an accurate representation of the operation's activities, it is not a comprehensive environmental impact assessment.

## **3 Site Description**

### **3.1 Business Details**

Drager Transport is a family owned and operated transport and logistics business that has been operating in Wairoa since the 1950's from this site. The operation is currently managed by Trevor Drager (Business Manager).

The site is a pick-up/ drop off point for a range of line haul trucks between Napier and Gisborne. The trucks predominantly drop goods off to the Drager Transport site and the trade is then re-distributed locally by Drager Transport. Drager Transport is essentially a distribution centre for Wairoa.



The Drager Transport yard is located in Carroll Street in North Clyde, in an area that has a long history of mixed use dominated by medium-scale industries and commercial operations, interspersed with small pockets of residential housing. This area is within close proximity to all Wairoa town-based businesses. For these reasons Trevor Drager considers the yard to be situated in an appropriate and logical location.

The goods that are transported to and from the Drager Transport site vary in terms of type of product and when they are delivered. The trucks can be as large as 20 metres in length. New Zealand Post for example use the services of Drager Transport five days a weeks and, on occasion, are required to be operating vehicles in the middle of the night. The site also acts as a holding point for a number of stock trucks each day (3 – 6 stock trucks per day).

'Farmers Transport' is also a tenant on the Drager Transport site and has been in operation at this site for approximately 5 years. Farmers Transport supply fertiliser and other rural products to farmers in the region.

Overall, the yard sees approximately 20 trucks entering and exiting the site per day.

3 - 4 staff are employed by Drager Transport and a similar number of staff are employed by Farmers Transport.

Trevor Drager advises that the business is in fact a considerably smaller operation now than it used to be, with fewer truck movements through the yard than during its heyday in the 1990's.

### 3.2 Site Details

Physical address: 145 Carroll St, Wairoa

Site area: 0.6132 ha

Legal description: Lot 3 DP 18324

### 3.3 Applicable District and Regional Plans

The following section outlines the applicable district and regional plans and the specific sections of each plan that apply to the Drager Transport site. A detailed assessment of the Drager Transport site against the relevant sections of each plan are discussed further in section 7 below.

#### 3.3.1 Wairoa District Plan

The Drager Transport yard is located in the Industrial Zone in the Wairoa District Plan, and is surrounded entirely by industrial-zoned properties – see planning map Figure 1 below.

The objectives and policies of the Industrial Zone aim to provide for the establishment of industry in this area, whilst avoiding, remedying or mitigating adverse effects on the environment and on the amenity values of surrounding areas (particularly where sites adjoin the Residential Zone).

The District Plan provides for any activity to locate in the Industrial Zone provided it can meet the Industrial Zone performance standards for permitted activities.

Permitted activity performance standards in the Industrial Zone include noise limits, odour & glare standards, building setbacks, parking and loading requirements, signage limits, hazardous substance thresholds, building freeboard requirements in flood prone areas, and earthworks limits.



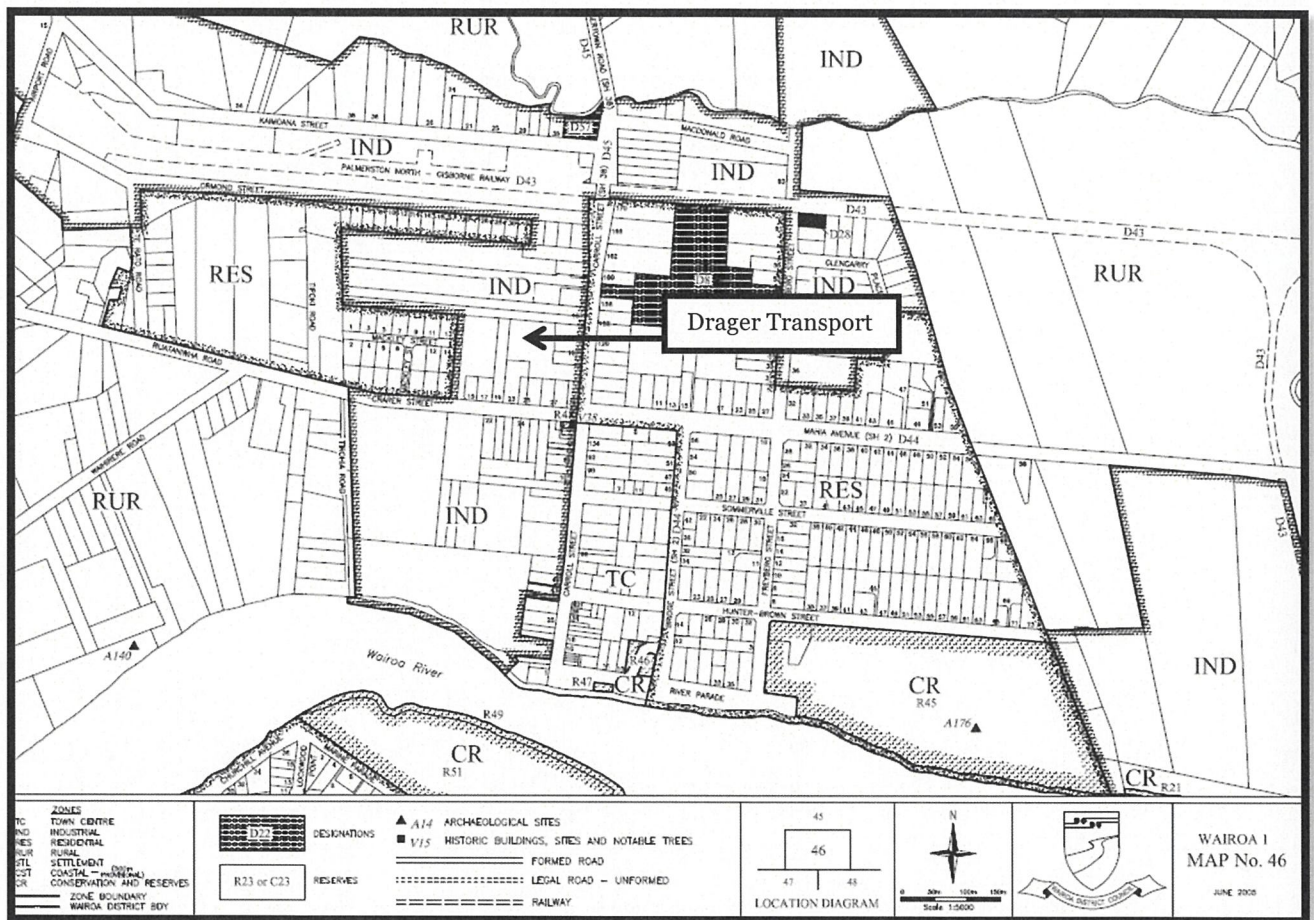


Figure 1 – location of Drager Transport on Wairoa District Council Planning Map

### 3.3.2 Hawke's Bay Regional Resource Management Plan (RRMP)

The Hawke's Bay Regional Resource Management Plan applies to the Drager Transport site. This Plan addresses matters such as odour, dust, and discharges to land and water and the way in which Drager Transport need to manage their site in relation to these matters.

Rule 29 of the RRMP is considered to be most applicable and permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to meeting certain standards. Consideration of this section of the RRMP is discussed further in section 7.1.2 below.



## 4 Current Activities/Operations On-Site

### 4.1 Site Plan



Figure 2: Drager Transport Site

As can be seen from the Figures 2 & 3, there are a number of large buildings located on the site. These range from an office block to the east of the site (road frontage), to a work area and storage facility towards the middle and rear areas of the yard.

The site provides a wash down area for stock trucks. This is located to the rear of the site adjacent to the Farmers Transport building. Washdown runoff material goes into containment on-site then eventually into the town sewer connection.

The majority of the yard comprises an unsealed permeable gravel surface. It has one access (entry/exit) point to Carroll Street. Goods vehicles then manoeuvre around the rear of the property to load/unload goods, where there is a larger open area for this purpose.

As is noted on the Certificate of Title shown as appendix 1, the site also has a number of 'interests' being:

- A right to convey water (as per easement certificate 442319.3 – 5.12.1984)
- A right to drain sewage over part of the property (as per easement certificate 442319.3 – 5.12.1984)
- A right (in gross) to drain sewage over part in favour of the Wairoa Borough Council (created by Transfer 442319.4 – 5).



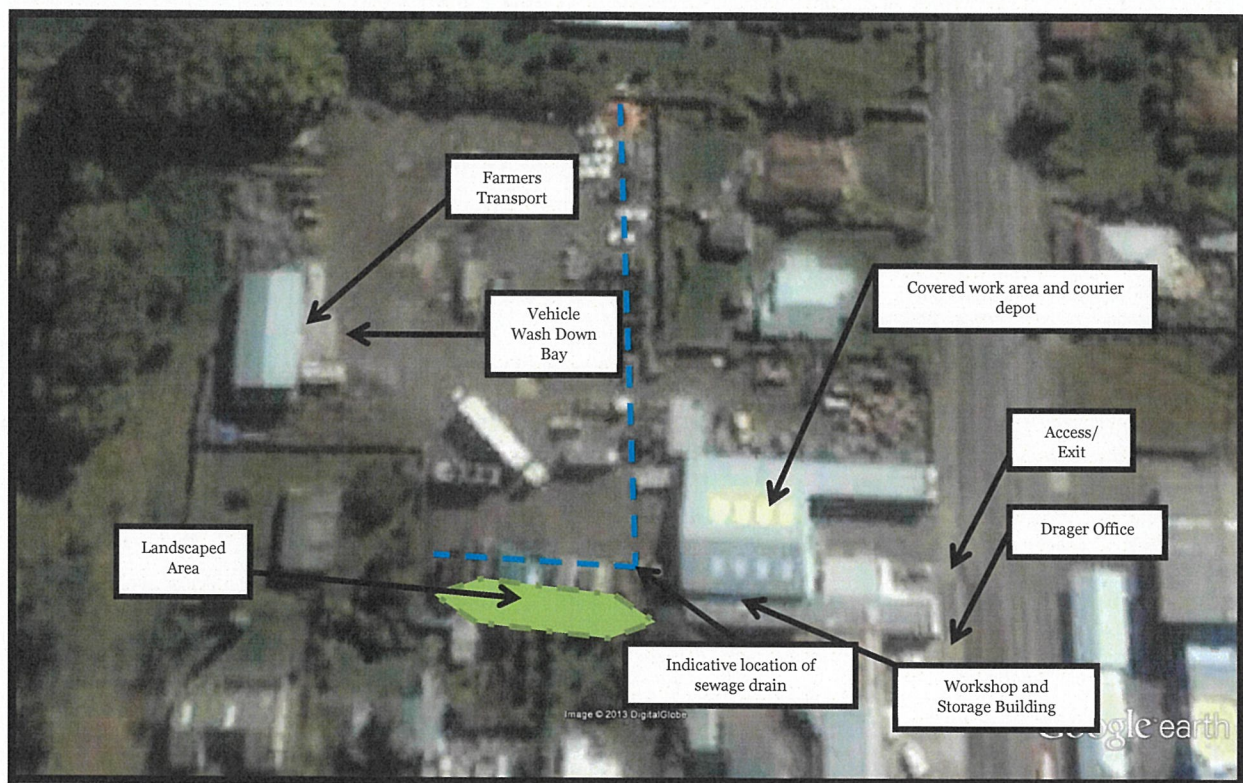


Figure 3: Site Plan

## 4.2 Movement of Goods and Services

There are a wide range of materials being transported to and from the yard on a regular basis. From discussion with the Business Manager, the goods do not remain on site for any length of time. On most occasions they are distributed almost as soon as they are delivered to the yard.

Occasionally stock trucks may be sitting in the yard in between haul movements, although this occurs infrequently (according to Trevor Drager).

This would indicate that any odour or other discharge from goods is unlikely to occur on this site, except the occasional effluent odour from stock trucks when they are waiting in the yard.

## 4.3 Site Servicing

The site is connected to the town supply for water and sewerage.

# 5 Environmental Effects Occurring/Observed

## 5.1 Environmental Effects

On the 29<sup>th</sup> January 2013 a site visit was undertaken to understand the nature of the Drager Transport operation. A discussion was held with the Business Manager, Trevor Drager at that time. From the site visit and discussions with Trevor, the following environmental effects were observed/recorded.



### 5.1.1 Noise/ Vibration

Noise/ vibration is inevitable in a yard such as this one, particularly given the large trucks entering and exiting the site on a regular basis. The trucks braking to enter the site, their manoeuvres whilst entering, turning and exiting the yard all generate noise/ vibration.

Trevor also commented that in some instances the aluminium floors of stock trucks create noise/ vibration and that the stock crates sometimes rattle when there are significant winds through the yard.

Although generally the hours of operation at the yard are 9:00am – 5:00pm six days per week, the nature of the business means that the yard needs to be accessible 24 hours a day. In turn this means that noise/ vibration can be generated at all hours. For example, NZ Post access the yard between 3am and 4am on occasion when they distribute the mail for Wairoa. Stock trucks transport stock throughout the day, some arriving at the Drager Transport yard later in the evening and sometimes on Sundays.

### 5.1.2 Dust

Despite being a predominantly gravelled yard, dust during the dry summer months (October is the worst) is an issue for Drager Transport, particularly when there are significant winds through the yard.

Drager Transport does have a sprinkler system however this cannot operate when there is freight in the yard. Drager Transport acknowledge that concreting the yard would alleviate the issue but the cost of this is prohibitive.

### 5.1.3 Traffic

The nature of this business means that there will be truck movements into, around and out of the yard on a frequent basis. The trucks vary in size however can be up to 20 metres in length.

### 5.1.4 Visual Impact

From a site observation it appears that the visual impact of the activity from the Carroll Street entranceway, is relatively low. The trucks access the yard from a narrow accessway and buildings on either side restrict visibility from the street.

From general observations the buildings appear to be well maintained. The following photographs give a general impression of the site's visual amenity.



Photograph 1: View from entrance to Drager Transport



Photograph 1: View from driveway across yard to Farmers Transport Building



There are residential dwellings along the southern and eastern boundaries of the yard. There are 1.8m high corrugated iron fences positioned along much of the boundaries of the site to screen it from adjacent properties. There is no fencing along the far western boundary.

There is no landscaping evident within the Drager site, although adjoining residential properties to the south appear to have planted along the boundary within their own properties in places – perhaps in an attempt to further screen the Drager operations.

On occasion large stacks are stored on site such as ammonia cylinders which are 2.5 metres in length, or Glycophosphate being held for large farm operations. Very rarely are these large items held on site for more than a few days before being delivered.

### 5.1.5 Wastewater/ Stormwater Discharge

The site provides for a wash down area for stock trucks. This is located adjacent to the Farmers Transport building (in the north western part of the site) as shown on Figure 3. This material goes into a containment facility then eventually into the town sewer connection.

The majority of the yard comprises of permeable surface, therefore any stormwater permeates through the surface and eventually makes its way through the natural runoff patterns.

### 5.1.6 Hazardous Substances

A considerable range of hazardous materials are transported to and from the site on a regular basis. This is expected given the nature of the business being a distribution facility. Hazardous materials that could be present on site at any one time range from fly spray to cattle drench, ammonia, glycophosphate and paint, to ammunition. Respective Dangerous Goods Declarations are signed upon receipt and delivery of the goods where required.

NOTE: the transportation of dangerous goods is controlled by the NZ Transport Agency:

<http://www.nzta.govt.nz/resources/factsheets/64/transporting-dangerous-goods-introduction.html>

Currently there are two procedures in place at Drager Transport in the event of an accidental spill:

- 1) For major incidents, call Emergency Services – 111
- 2) For minor spills, the producer will be called immediately to ensure there is a clear understanding of the product being dealt with. Remediation of spills will be undertaken in accordance with the producer's specifications for this product.

## 5.2 Complaints History/Experience

From a discussion with the Business Manager, there have been no direct complaints received about activities on the Drager Transport yard site that he is aware of.

In November 2011 however, Wairoa District Council received a report of complaints regarding industrial operations in North Clyde from a resident's group. This report included issues relating to the Drager Transport site, being:

- Hours of operation (all hours of the day and night);
- Visual amenity from trucks and storage of items right on the boundary; and
- Impact on residential amenity from traffic/ dust/ noise/ vibration.

From a review of Hawke's Bay Regional Council's complaints register, there have been no complaints received in the last 5 years regarding this site.



## 6 Environmental Initiatives

### 6.1.1 Noise Suppression

In response to the issue of noise at this site Drager Transport do take some proactive steps to contain noise where possible through:

1. Duty of care to control excessive noise levels around the yard such as careful lowering/ lifting of goods from trucks.
2. Fencing of the site to date has been a joint effort by both Drager Transport and the neighbouring properties.

NOTE: Neighbouring properties have undertaken buffer planting along some lengths of the Drager property boundary, particularly along the southern boundary length. This planting has been initiated and undertaken by the neighbouring property.

### 6.1.2 Dust Suppression

In order to alleviate the issue of dust, Drager Transport have a sprinkler system that can be used on the yard during periods of dry weather to suppress dust. The success of this dust suppression initiative is limited however, as the sprinkler cannot be used while goods are being stored on site for distribution.

### 6.1.3 Wash Down Bay Treatment Facility

Although no plans of the Wash Down Facility were available at the time of preparing this Environmental Scoping Report, Trevor Drager described the facility as follows. The wash down facility is designed for trucks to be able to pull up to the concrete pad immediately above the drainage grill. The truck is then washed down using a mains pressure hose (gravity fed system) with waste water draining into a double chamber drainage system.

According to Trevor Drager this Wash Down Facility is industry approved to the extent that it is able to be utilised in the event of a 'foot and mouth' outbreak should this occur. The facility is often used by the Ministry for Primary Industries for quarantine training.

## 7 Current Planning Status

### 7.1 District & Regional Plan Compliance

The two relevant planning documents that apply to the Drager Transport site and operations are:

- the Wairoa District Plan (June 2005), administered by Wairoa District Council;
- the Hawke's Bay Regional Resource Management Plan (August 2006), administered by Hawke's Bay Regional Council.

#### 7.1.1 Compliance with the Wairoa District Plan (June 2005)

The following table provides an assessment of the Drager Transport land use activity in terms of compliance with the provisions of the current operative Wairoa District Plan.



The following is an assessment of the activity against the standards and conditions for permitted activities that would be relevant to the establishment of Drager Transport if it were being newly established in its current location under the current District Plan rules<sup>1</sup>:

## Wairoa District Plan

### Chapter 20 – Industrial Zone

#### “Rule 20.7.1 – Permitted Activities

*Any activity that complies with all the standards and conditions for permitted activities.”*

<b>Section 20.8.1 – Noise</b>	<p>20.8.1 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:</p> <table><tr><td>A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone:7am to 10pm</td><td>50 dBA L10</td></tr><tr><td>10pm to 7am</td><td>40 dBA L10</td></tr><tr><td>On any day between 10pm – 7am</td><td>65 dBA Lmax</td></tr></table> <p>and/or</p> <table><tr><td>B. At or within the boundary of any property other than the property from which the noise is being emitted:7am to 10pm</td><td>65 dBA L10</td></tr><tr><td>10pm to 7am</td><td>55 dBA L10</td></tr><tr><td>At all times</td><td>75 dBA Lmax</td></tr></table>	A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone:7am to 10pm	50 dBA L10	10pm to 7am	40 dBA L10	On any day between 10pm – 7am	65 dBA Lmax	B. At or within the boundary of any property other than the property from which the noise is being emitted:7am to 10pm	65 dBA L10	10pm to 7am	55 dBA L10	At all times	75 dBA Lmax	<p>The locational circumstances of the Drager Transport yard (surrounding properties also zoned ‘Industrial’) would invoke the noise limits contained in Table B.</p> <p>These limits are significantly higher than for residential environments, reflecting lower amenity expectations within an Industrial Zone.</p> <p>In the qualified opinion of Wairoa District Council’s Environmental Health Officer, noise emanating from the Drager Transport yard would largely comply with these noise limits, except for short periods of time.</p> <p>Drager Transport would therefore likely comply with these standards if it were being established in this location under the current District Plan.</p>
A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone:7am to 10pm	50 dBA L10													
10pm to 7am	40 dBA L10													
On any day between 10pm – 7am	65 dBA Lmax													
B. At or within the boundary of any property other than the property from which the noise is being emitted:7am to 10pm	65 dBA L10													
10pm to 7am	55 dBA L10													
At all times	75 dBA Lmax													
<b>Odour</b>	<p>20.8.2 Note: The discharge of odour to air is controlled by rules in the Hawke’s Bay Regional Air Plan and Proposed Regional Resource Management Plan. Land use zoning and separation distances are the methods employed within the District Plan to deal with odour issues.</p> <p>20.8.3 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.</p>	<p>It is likely that Drager Transport would comply with these standards.</p>												

<sup>1</sup> Note, section 10 of the Resource Management Act 1991 provides for certain existing use rights for land use. Under this section, essentially a land use may continue in a manner that contravenes a rule in a district plan or proposed district plan if:

- the use was lawfully established before the rule became operative or the proposed plan was notified,
- the effects of the use are the same or similar in character, intensity and scale, and
- activities have not been discontinued on the site for a continuous period of more than 12 months.



	<p>20.8.4 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:</p> <p>Feature Separation Distance (m):</p> <ul style="list-style-type: none"><li>From a Town Centre or Residential Zone Boundary = 500m</li><li>From a Settlement Zone Boundary or any Individual Residence in any other zone = 200m</li></ul>									
<b>Glare</b>	<p>20.8.5 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.</p> <p>20.8.6 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.</p>	It is likely that Drager Transport would comply with these standards.								
<b>Privacy, Shading and Visual Amenity</b>	<p>20.8.7 All buildings shall meet the following bulk and location requirements:</p> <table><tr><td>Minimum Front yard</td><td>5.0m</td></tr><tr><td>Minimum Side yards</td><td>Nil, except for (1) below</td></tr><tr><td>Minimum Rear yard</td><td>Nil</td></tr><tr><td>Maximum Building height</td><td>15.0m (2)</td></tr></table> <p>(1) Where activities in an Industrial Zone adjoin a Residential Zone, the side yard shall be 1.5 metres.</p> <p>(2) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.</p> <p>20.8.8 Where a non-residential activity is to locate within or adjacent to land zoned 'Residential', or land used principally for residential purposes, screening shall be provided along the boundary to a height of 1.8 metres.</p>	Minimum Front yard	5.0m	Minimum Side yards	Nil, except for (1) below	Minimum Rear yard	Nil	Maximum Building height	15.0m (2)	It is likely that Drager Transport would comply with these standards.
Minimum Front yard	5.0m									
Minimum Side yards	Nil, except for (1) below									
Minimum Rear yard	Nil									
Maximum Building height	15.0m (2)									
<b>Hazardous Substances</b>	<p>20.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Medium Threshold Hazard Factor (refer definitions and Appendix III for examples).</p> <p>20.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used is designed, constructed and managed to prevent any leakages or spills.</p> <p>20.8.16 Any activity involving the use or storage of hazardous substances exceeding the Low Threshold Hazard Factor (excluding all below ground tanks, and the above ground storage of petrol or diesel for the purposes of farming activities where the tank is at least 20 metres away from any natural watercourse or site</p>	<p>Drager Transport, being a distribution facility, is required to hold various goods on site for a short period of time, including those that are deemed to be hazardous substances. It is noted that storage is very short term, as goods are generally distributed that same day.</p> <p>'The storage and retail sale of agricultural chemicals and fuels direct to primary production users (including stock and station agents premises' and 'Bulk storage of fertiliser in the Industrial Zone'</p>								



	<p><i>boundary), shall provide a secondary containment system sealed with impervious materials equalling the maximum volume of the hazardous substance on site.</i></p>	<p>are identified as 'Medium Threshold Hazard Factor' facilities in Appendix III of the District Plan. As these do not <u>exceed</u> the 'medium' threshold, the establishment of Drager Transport would likely comply with Rule 20.8.14 if it were being established in this location under the current District Plan.</p> <p>If established under the current District Plan, Drager Transport would likely not comply with the requirements of Rules 20.8.15 &amp; 20.8.16 – particularly in terms of provision of a sealed impervious secondary containment system.</p>
<p><b>Chapter 24</b> <b>Access and Parking</b></p>	<p><i>Access</i></p> <p><i>24.2.1 Where access is to a sealed road, the accessway shall be sealed or paved from the edge of the existing seal of the road pavement to the property boundary, or 5 metres in from the edge of the existing seal, whichever is the closest. This requirement applies to:</i></p> <p><i>i) Arterial and Secondary Arterial Roads; or</i></p> <p><i>ii) Any roads where access is likely to exceed 4 vehicle movements per week (averaged over the period of one calendar year).</i></p> <p><i>24.2.2 Vehicle crossing design shall be provided in accordance with the relevant diagram in Appendix I, except that access shall be designed to accommodate the swept path of the largest vehicle expected (i.e. for left turns, the access must be designed so that the vehicle does not cross the road centre line).</i></p> <p><i>24.2.3 Where access is to an Arterial or Secondary Arterial Road, sufficient manoeuvring space shall be provided on-site, adequate to enable vehicles to enter and exit the site in a forward direction.</i></p> <p><i>Parking</i></p> <p><i>24.2.5 The number of parking spaces to be provided on-site in association with an activity shall be in accordance with Table 2 below.</i></p> <p><i>Contractor's/tradesperson's depots and workshops - 1 space per 25m<sup>2</sup> gross floor area.</i></p>	<p>It is likely that Drager Transport would comply with these standards.</p>

If Drager Transport was to newly establish in the same location under the rules of the operative District Plan, the land use would require a resource consent as a Discretionary Activity for failing to meet one or more of the performance standards and terms for activities in the Industrial Zone (notably, the hazardous substances spills and secondary containment requirements).



However, as Drager Transport was lawfully established prior to the operative District Plan, and has not been discontinued on the site for a continuous period of more than 12 months, and the effects have remained the same or similar in character, intensity and scale, the operation can essentially rely on existing use rights pursuant to section 10 of the Resource Management Act 1991.

It is noted however, that noise is also regulated by section 16 of the Resource Management Act 1991. Under section 16, AFFCO Wairoa has a general duty to avoid unreasonable noise – ‘*Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land...does not exceed a reasonable level*’. Enforcement of this specifically excludes noise from trains or vehicles on roads, and only relates to noise heard from a place other than where the noise is made.

It is also noted that the transport and storage of hazardous substances is also regulated by other legislation, including licence endorsement requirements for vehicles and HASNO Act regulations.

### 7.1.2 Compliance with the Hawke’s Bay Regional Resource Management Plan (August 2006)

The following provides an assessment of Drager Transport activities in terms of compliance with the provisions of the current operative Hawke’s Bay Regional Resource Management Plan.

The following table is an assessment of the activity against the applicable rules, and any relevant standards and conditions for permitted activities, in the current Regional Plan<sup>2</sup>:

Hawke’s Bay Regional Resource Management Plan		
Discharges to Air		
<b>Rule 29</b>  <b>Minor discharges from industrial &amp; trade premises</b>	<p><i>The discharge of contaminants into air from any industrial or trade premises that is not specifically regulated by any other rule within this Plan, including:</i></p> <ul style="list-style-type: none"> <li><i>discharges of heat to air</i></li> <li><i>discharges of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates).</i></li> </ul> <p>is a <b>Permitted Activity</b> subject to various specific conditions, standards and terms.</p> <p>Conditions of particular relevance include:</p> <ol style="list-style-type: none"> <li><i>The opacity of any discharge of smoke when measured at the point of discharge shall not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more than two minutes continuously or for an aggregate of four minutes in any 60 minute period.</i></li> <li><i>At any point beyond the boundary of the subject property, or on public land;</i> <ol style="list-style-type: none"> <li><i>The discharge shall not result in any noxious or dangerous levels of airborne contaminants;</i></li> </ol> </li> </ol>	<p>Rule 29 of the RRMP is considered to be most applicable to Drager Transport’s on-site operations. This rule permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to the specified standards.</p> <p>It is likely that Drager Transport complies with these requirements most of the time. On dry, windy summer days, it is possible that the discharge of dust criteria would not be met.</p> <p>Drager Transport’s on-site sprinkler system to suppress dust should be assisting in this regard, although may be limited in its success by the inability to operate sprinklers when there is potential to damage product stored in the yard.</p>

<sup>2</sup> Note: Existing use rights do not apply to rules in a regional plan.



	<p><i>ii. There shall be no visible discharge of any contaminant, other than smoke from fuel burning equipment or water vapour;</i></p> <p><i>iii. Any discharge of water vapour shall not result in any plume which adversely affects traffic safety, or reduces visibility within a height of 5 metres above ground level, or reduces visibility within recognised flight paths in the vicinity of airports;</i></p> <p><i>iv. The discharge shall not result in any offensive or objectionable odour;</i></p> <p><i>v. The dust deposition rate resulting from the discharge shall not raise the ambient dust deposition rate by more than 4g/m<sup>2</sup> per 30 days;</i></p> <p><i>vi. The discharge shall not result in any objectionable deposition of particulate matter on any land or structure.</i></p>	
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Dust generation is the only aspect of Drager Transport's activities that is captured by the Hawke's Bay Regional Resource Management Plan.

Rule 29 (Minor discharges from industrial and trade premises) is the only rule in the RRMP that applies directly to Drager Transport activities. It is likely that Drager Transport complies with these conditions the majority of the time. However, on dry, windy summer days, it is possible that the discharge of dust criteria would not be met (notably, an increase of more than 4g/m<sup>2</sup> per 30 days above the ambient dust deposition rate (Condition (d)(v)), & objectionable deposition of particulate matter on any land or structure (Condition (d)(vi)).

Site specific monitoring would be the only way of deducing whether Drager Transport meets the requirements in Rule 29 or not, and this would be very difficult.

## 7.2 Operational Resource Consents

Drager Transport does not hold any operational resource consents, and were unlikely to have required any when the business was initially established.

## 7.3 Summary of Compliance

Drager Transport is not required to hold any land use consents from Wairoa District Council by virtue of existing use rights. These existing use rights apply to the land use itself so long as the operation is not discontinued for a continuous period of 12 months or more, and so long as the effects of the use remain the same or similar in character, intensity and scale.

However, Drager Transport does carry out activities that can generate dust, which is captured by Rule 29 in the Hawke's Bay Regional Resource Management Plan. Existing use rights do not apply to regional rules.

All in all, Drager Transport achieve general compliance with relevant District and Regional planning requirements – albeit that there are likely climatic conditions that may generate dust, breaching discharge to air standards in the Regional Plan. There appear to be adequate measures in place to respond to and address such breaches, as and when they occur, including the ability to activate their on-site sprinkler system for dust suppression.



## 8 Conclusions & Recommendations

From a review of the Drager Transport activities against the relevant District and Regional Rules, and observation of activities on the site, the following identifies potential opportunities for improvements in overall environmental performance:

- 1) **Noise** - Although noise measurements have not been taken at or around this site as part of this scoping exercise, the qualified opinion of the Wairoa District Council's Environmental Health Officer is that there are likely to be occasional incidences when the Drager Transport site is not able to comply with noise limits in the District Plan. Although the noise limits in the District Plan cannot be applied given Drager Transport's existing use rights, there is an overall responsibility to avoid unreasonable noise, and it is important to ensure that due consideration is given to nearby residential activity. The Noise limits imposed by the District Plan provide a basis from which to monitor and assign 'reasonable' noise levels. This is an area that Drager Transport should continue to look for ways to improve its performance.
- 2) **Hazardous Substances** – Although the hazardous substances rules in the District Plan cannot be applied given Drager Transport's existing use rights, there is an overall responsibility to ensure that storage of hazardous substances on-site is safe and carried out in such a way as to prevent leakages and spills, and to have appropriate measures in place to respond to accidental spills. In most cases, it is anticipated that the regulations applying to the transport of hazardous substances are being followed by Drager Transport, and that the company has appropriate protocols in relation to responding to spills and leakages. The operation could benefit from a formal written protocol for attending to spills and leakages of hazardous substances and to ensuring appropriate containment can be achieved.
- 3) **Discharge of Dust** – the Hawke's Bay Regional Resource Management Plan permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to certain standards being met (dust deposition rates etc). It is not clear whether the discharge of dust criteria can be met on all occasions, although Drager Transport does operate some on-site dust suppression methods in place. This is an area that Drager Transport should continue to look for ways to improve.
- 4) **Privacy, Shading and Visual Amenity** – there are a number of performance standards relating to privacy, shading and visual amenity. Although in most part it appears that Drager Transport is complying with these standards, on-going consideration of potential improvements to address any impacts on neighbouring residents is appropriate.

Overall it is recommended that Drager Transport be encouraged and supported to:

- 1) Develop an Environmental Management Plan to include management of various aspects of the operation including dust suppression, noise reduction and hazardous substances management.
- 2) Consider additional landscaping improvements along the boundaries (additional fencing/buffer planting) to better screen the yard from adjoining residential dwellings.
- 3) Participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.