

# Contaminated Land Report

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<b>Planner:</b>	<b>Consultant – Michelle Carmine</b>
<b>Date:</b>	<b>27 March 2024</b>
<b>Application No:</b>	<b>LUC0188/24; LUC0189/24</b>
<b>Applicant:</b>	<b>Sanderson Group Limited</b>
<b>Property Address:</b>	<b>56, 70, 82, 92 Tamahere Drive TAMAHERE</b>

This proposal is to extend the existing Tamahere Country Club retirement village to the south and east of the currently consented village. The proposal was originally applied for under one consent application but has now been separated into two separate consents for the eastern expansion at 56 and 70 Tamahere Drive and southern expansion at 82 and 92 Tamahere Drive. Parts of the site have been identified as subject to potentially contaminating activities relating to historic orchards and market gardening.

A Detailed Site Investigation (DSI) Report prepared by HD Geo Ltd was submitted with the application. The report noted the historic horticultural activity on the site and carried out sampling to determine the contamination status of the site and likelihood that HAIL Activity A10 (Persistent pesticide bulk storage or use) occurred. The report also noted the presence of above ground fuel storage tanks located at 70 Tamahere Drive associated with the bin business operating from the site and at 82 Tamahere Drive associated with the construction activities for the retirement village. The report concluded that HAIL activity A10 had been undertaken at 92 Tamahere Drive but that no HAIL activity had been undertaken at any of the other three properties. Contaminant levels at 92 Tamahere Drive were identified as being above expected background concentrations but below the adopted Tier 2 soil contaminant standards that had previously been derived by HAIL Environmental Ltd for the original consent for the retirement village land use. As such consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) would be required for the soil disturbance and change of use activities on 92 Tamahere Drive with conditions recommended requiring preparation of a site management for the soil disturbance activities in that area to ensure they are appropriately handled and disposed if off-site disposal was to occur. The soils are suitable for reuse on site.

Several concerns were raised with the consultant concerning the conclusions in the report, namely:

- while the report identified the fuel storage tanks it did not discuss the type of tanks and whether or not they would fall within HAIL category A17
- the sampling on 70 Tamahere Drive did not cover the area of historic orchard activity along the northern side. While not discussed in the report it is assumed that the area was not sampled due to it being in hardstand for the bin business. This area of orchard was part of the orchard that was present on the land behind the property that had previously been assessed as subject of HAIL A10 by HAIL Environmental Ltd when that land was subject of an application for extension of the village. Mild elevations of arsenic above background were identified in the orchard area and it is considered likely that the same conditions would apply to the orchard area extending into the site subject of this application.

As a result of these concerns the consultant was to provide a revised DSI confirming that HAIL A17 is not considered to apply to the above ground fuel storage in accordance with Ministry for the Environment HAIL Guidance. The revised DSI would also confirm that HAIL A10 is now considered more likely than not to be associated with the land at 70 Tamahere Drive and should also be subject to a site management plan. Additional sampling was not considered necessary as all sampling of the orchard area and land of the current application was well below the adopted contaminant standard. The revised DSI will be forwarded on receipt.

## **Conclusion**

Pieces of land are identified at 70 Tamahere Drive and 92 Tamahere Drive. Contaminant levels are above background levels but below the applicable standard determined under regulation 7 of the NESCS. The change of land use and soil disturbance activities proposed in these locations are therefore controlled activities under regulation 9 of the NESCS. No conditions are considered necessary for the change of use activity under regulation 9(3) as contaminant levels are below the adopted standard and the soils are suitable for reuse on the site. A site management plan is recommended under regulation 9(2) to appropriately manage the soil disturbance activity and any off-site disposal of soil.

The following conditions are recommended:

### **LUC0188/24 (Eastern extension at 56 and 70 Tamahere Drive)**

1. Prior to any soil disturbance works commencing at 70 Tamahere Drive (Lot 1 DPS 80372) the consent holder shall submit a site management plan (SMP) prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for Environment Contaminated Land Management Guidelines No.1 – *Reporting on Contaminated Sites in New Zealand*. The plan shall detail the procedures, controls and contingency measures that must be implemented for the duration of the works in order to protect human health from identified soil contaminants by ensuring exposure pathways are minimized for the duration of the soil disturbance works and shall include, but not be limited to:
  - (a) Erosion and sediment controls
  - (b) Unexpected contamination discovery protocols
  - (c) Transport and disposal of any material transported off-site.
2. Soil disturbance works shall be undertaken in accordance with the approved SMP. The procedures, controls and contingency measures outlined in the Plan must be implemented for the duration of the soil disturbance works to ensure minimal adverse effects on human health and the environment.
3. All material removed from the site in the course of the soil disturbance works shall be disposed to a suitably licensed facility authorised for receipt of material of that kind.
4. Within two months of soil disturbance works being completed the consent holder shall provide a works completion report to confirm that the methods outlined in the Site

Management Plan were enforced for the period required, and that the measures were successful in ensuring the potential risks were adequately managed. The works completion report shall include, but not be limited to:

- (a) Confirmation that the methods described in the SMP were followed;
- (b) A summary of the works undertaken including:
  - (i) summary of the earthworks methodology followed;
  - (ii) volume of soil removed (if any) from the site;
- (c) Details of any unexpected contamination encountered during the works and actions taken in respect of this;
- (d) Copies of disposal receipts for any material removed from the site.

#### **LUC0189/24 (Southern extension at 82 and 92 Tamahere Drive)**

1. Prior to any soil disturbance works commencing at 92 Tamahere Drive (Pt Lot 11 DP 9747) the consent holder shall submit a site management plan (SMP) prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for Environment Contaminated Land Management Guidelines No.1 – *Reporting on Contaminated Sites in New Zealand*. The plan shall detail the procedures, controls and contingency measures that must be implemented for the duration of the works in order to protect human health from identified soil contaminants by ensuring exposure pathways are minimized for the duration of the soil disturbance works and shall include, but not be limited to:
  - (a) Erosion and sediment controls
  - (b) Unexpected contamination discovery protocols
  - (c) Transport and disposal of any material transported off-site.
2. Soil disturbance works shall be undertaken in accordance with the approved SMP. The procedures, controls and contingency measures outlined in the Plan must be implemented for the duration of the soil disturbance works to ensure minimal adverse effects on human health and the environment.
3. All material removed from the site in the course of the soil disturbance works shall be disposed to a suitably licensed facility authorised for receipt of material of that kind.
4. Within two months of soil disturbance works being completed the consent holder shall provide a works completion report to confirm that the methods outlined in the Site Management Plan were enforced for the period required, and that the measures were successful in ensuring the potential risks were adequately managed. The works completion report shall include, but not be limited to:
  - (a) Confirmation that the methods described in the SMP were followed;
  - (b) A summary of the works undertaken including:
    - (i) summary of the earthworks methodology followed;
    - (ii) volume of soil removed (if any) from the site;
  - (c) Details of any unexpected contamination encountered during the works and actions taken in respect of this;
  - (d) Copies of disposal receipts for any material removed from the site.