



7 October 2022

Justine Ashley
Selwyn District Council
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Dear Justine

PROPOSED SELWYN DISTRICT PLAN - CONTAMINATED LAND PEER REVIEW OF EXPERT EVIDENCE – DPR-0436

1.0 Introduction

Pattle Delamore Partners Limited (PDP) has been engaged by the Selwyn District Council (i.e., SDC) to undertake a contaminated land peer review of submission expert evidence and supporting documentation (e.g., contamination assessment reports) relating to rezoning requests, to the SDC Proposed District Plan, received under **Submission DPR-0436**. For context and in keeping with SDC's requirements, DPR-0436 relates to the rezoning of land located at 1359 Tramway Road, Dunsandel, Selwyn District (i.e., **the site**). It is understood the site is proposed to be redeveloped from General Rural Zone (GRUZ) to Large Lot Residential (LLRZ) in the Proposed Selwyn District Plan.

The purpose of this letter is to provide SDC with feedback from PDP's peer review of the following:

- Statement of Evidence of Dr. Sean Matthew Finnigan for Mr. Brent Nahkies – 29 July 2022, and the Fraser Thomas Preliminary Site Investigation – Contamination report issued 29 October 2021.

Each statement of evidence is discussed separately under Section 2.0, while our conclusions and/or recommendations are provided under Section 3.0.

Note – where we provide feedback or comment on a specific statement made by an expert witness, we have included the specific reference to the section of the evidence to which we refer (e.g., "Paragraph 19"). Only statements of evidence and supporting documents (e.g., investigation reports) have been peer reviewed.

2.0 Peer Review

2.1 Statement of Evidence – Dr. Sean Matthew Finnigan

Dr. Sean Matthew Finnigan (Dr. Finnigan) has prepared evidence in the matter of submission DPR-0436 on the Proposed Selwyn District Plan for Mr. Brent Nahkies for rezoning of the site. We understand that Dr. Finnigan is an employee of Fraser Thomas Limited (Fraser Thomas).

Dr. Finnigan's evidence focused on contaminated land matters in relation to the proposed rezoning of the site and was informed by a Preliminary Site Investigation (PSI) – Contamination undertaken by Fraser Thomas and documented in the report issued 29 October 2021 (authored by S Gladwin and reviewed by S Finnigan).

Paragraphs 10 to 16 of Dr. Finnigan's evidence relied solely on the Fraser Thomas report. The statements made by Dr. Finnigan in his evidence align with the Fraser Thomas report. Based on our review of that report and Dr. Finnigan's evidence, we provide the following comments:

- ✧ The PSI captured the spatial extents of the site proposed to be rezoned from GRUZ to LLRZ and the report appears to have been prepared in general accordance with MfE (Revised 2021) Contaminated land management guidelines No. 1: Reporting on contaminated sites in New Zealand.
- ✧ While we generally agree with the findings and conclusions of the Fraser Thomas report and the statements provided by Dr. Finnigan in their evidence, we highlight the relocated dwelling as being a potential source of lead-based paint contamination to soil. Specifically, due to the dwelling's age and it seemingly having been repainted at the site. If lead-based paint was present at the time the dwelling was repainted, soil around the dwelling could currently be contaminated with lead and we recommend that this is ruled out by further investigation.
- ✧ In addition to the comments above, we suggest that the area shown in photograph P13 (buried soils generated from installation of inground swimming pool) of the Fraser Thomas report be subject to soil sampling and material characterisation as a precautionary measure to ensure that potentially contaminated materials have not been buried there in addition to the swimming pool excavated soils.

3.0 Conclusion/Recommendations

PDP carried out a peer review of an evidential report related to contaminated land matters under submission DPR-0436 provided by Dr. Sean Finnigan (Contaminated Land). It is our conclusion that the Fraser Thomas report, and the PSI it documents, were carried out in accordance with MfE CLMG No. 1. We generally agree with the findings and recommendations provided in the Fraser Thomas report; however, the potential for lead-based paint to have contaminated soils around the dwelling at the site needs to be investigated or ruled out. We also suggest that the stockpile reported to be only comprised of soils generated from the installation of the inground swimming pool also be subject to any future soil testing and characterisation, to confirm that materials contained do not pose an unacceptable risk to human health for future users.

4.0 Limitations

This peer review letter has been prepared by Pattle Delamore Partners Limited (PDP) on the basis of information provided by Selwyn District Council. PDP has not independently verified the provided information and has relied upon it being accurate and sufficient for use by PDP in preparing the letter. PDP accepts no responsibility for errors or omissions in, or the currency or sufficiency of, the provided information.

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Yours faithfully,

PATTLE DELAMORE PARTNERS LIMITED

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