



7 March 2023

Justine Ashley
Selwyn District Council
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Dear Justine

SUBMISSION ON PROPOSED SELWYN DISTRICT PLAN - VARIATION 1: PEER REVIEW OF SUBMISSION V1-0025 (YOURSECTION LIMITED)

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 land rezoning submissions to the Proposed Selwyn District Plan – Variation 1. This peer review relates specifically to **Submission V1-0025**, lodged by Yoursection Limited (Yoursection; 'the Submitter') C/- Novo Group Limited (Novo Group).

For context and in keeping with SDC's requirements, our peer review will focus on contaminated land matters for Submission V1-0025 as it relates to the proposed rezoning of 24.18 hectares (ha) of land located at 148-178 Lincoln Rolleston Road, Selwyn District (i.e., **the site**):

- ✧ 148 Lincoln Rolleston Road - Lots 1 DP 427521 – 4.00 ha
- ✧ 156 Lincoln Rolleston Road - Lots 2 DP 427521 – 4.07 ha
- ✧ 178 Lincoln Rolleston Road - Lots 3 DP 427521 – 4.07 ha
- ✧ 8/487 Weedons Road - Lot 9 DP 47839; Lot 1 DP 514579 – 6.46 ha
- ✧ 487 Weedons Road - Lot 10 and Lot 14-15 DP 47839 – 5.58 ha

The site is proposed to be rezoned from General Rural Zone to Medium Density Residential Zone. Our understanding of the location and site extent is defined by Figure 1 under the Submission V1-0025 document.

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

- ✧ Submission V1-0025 – Momentum Environmental Limited - Soil Contamination Risk Preliminary Site Investigation Report (Revision 1) -148,156 & 178 Lincoln Rolleston Road & 8/487 Weedons Road, Rolleston (June 2022).
- ✧ Submission V1-0025 – Novo Group Limited – Submission on Proposed Selwyn District Plan – Variation 1 (September 2022).

Note – PDP undertook a detailed site investigation (DSI) for 6/487 Weedons Road, Rolleston (report issued June 2019). That DSI, included a site history review and limited soil sampling, and was carried out to address NESCS¹ requirements; specifically, ahead of soil disturbance works for a *proposed swimming pool and associated pool buildings/structures*. The PDP report has been considered as part of this review as it pertains to a small part of Lot 10 and Lot 14-15 DP 47839.

Our review and comments on the available information listed above is discussed separately under Section 2.0, while our conclusions and/or recommendations are provided under Section 3.0.

Note – formal expert evidence relating to contaminated land was not included in the package of information provided to us for V1-0025 so only the submission document, the preliminary site investigation (PSI) report, and the limited DSI (PDP, 2019) have been reviewed.

2.0 Peer Review

2.1 Preliminary Site Investigation Report – Momentum Environmental Limited (June 2022)

We have undertaken a review of the PSI report prepared by Momentum Environmental Limited (i.e., Momentum), which included a review of site history information to determine the likelihood that historical and/or current land uses have resulted in site contamination. **Note** – our review of the Momentum PSI report does not include an in-depth assessment of every aspect of the work it documents. Our review focuses more on the suitability of the report in terms of identifying potential issues it highlights with regard to the proposed rezoning of the site from General Rural Zone to Medium Density Residential Zone.

We provide the following comments:

- ✧ The site extent indicated in the PSI report matches the extent shown under Submission V1-0025, except for Lot 10 and Lot 14-15 DP 47839, which were excluded. Since the submission postdates the PSI, this could be the cause of the discrepancy. The PSI adequately described the physical setting of the area it covers (as per PSI Figure 1).
- ✧ The objective of the PSI was to evaluate information gathered from multiple sources to identify past and current land uses that have the potential to have caused land contamination and determine if a detailed site investigation is required to quantify the risk soil contamination could pose to human health.
- ✧ The PSI, which was desk-based and included a site inspection, was robust in terms examining multiple sources of information about the history of the land it covered. The following HAIL2 activities were identified:
 - HAIL A10 – *Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds* - in relation to the potential historical use of persistent pesticides on orchard land over Lot 9 DP 47839 and Lot 1 DP 514579 (487 Weedons Road).
 - HAIL A17 – *Storage tanks or drums for fuel, chemicals or liquid waste* - in relation to above ground diesel fuel storage at the residential property at 487 Weedons Road (fuel supply for central heating system).

¹ Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

² The Hazardous Activities and Industries List (HAIL) is a compilation of activities and industries that are considered likely to cause land contamination resulting from hazardous substance use, storage or disposal. The HAIL is intended to identify most situations in New Zealand where hazardous substances could cause, and in many cases have caused, land contamination.

We note that the PSI considers the diesel tank to pose a low risk because it is modern; however, this does not mean that land contamination cannot arise from this activity during refilling or from future system failure. Based on our review of Ministry for the Environment (MfE) HAIL definitions, the potential for a hazardous substance (even if held in secure storage) to cause contamination qualifies that particular activity as a HAIL.

- HAIL G5 – *Waste disposal to land (excluding where biosolids have been used as soil conditioners)* - in relation to a few burn pads around the investigation area and a potential waste disposal to land area at Lot 1 DP 427521 (PSI report Section 9.0 and Figure 4).
- We note that the Momentum (2022) PSI acknowledged the PDP (2019) DSI; however, it is understandable that the area covered by the PDP DSI was only mentioned as an adjacent site since that piece of land as well as the remainder of Lots 10 & Lot 14-15 DP 47839 do not appear to have been part of Momentum's remit.
- ∴ Based on our review, the Momentum report generally adheres to MfE CLMG³ No.1 and except for the PSI's dismissal of HAIL A17, we agree with the findings and conclusions.

2.2 Detailed Site Investigation – 6/487 Weedons Road, Rolleston – Pattle Delamore Partners Limited (June 2019)

The PDP detailed site investigation was carried out on behalf of the property owners in relation to earthworks required for the construction of a swimming pool, pool house (including paved areas) and associated decking and landscaping adjacent to an existing dwelling. The primary objectives of the DSI, which also included a site history review, were to identify potential sources of contamination at the site, quantify the concentrations of contaminants in soil and to determine the applicability of the NESCS (in relation to significant soil disturbance). NESCS considerations as part of the DSI included consideration for site workers and informing requirements for off-site soil disposal.

The PDP investigation identified that HAIL A10 had occurred over the area of land that would be subject to significant earthworks, specifically, orchards (starting between the late 1980s and 1990s). Four soil samples collected from surface soils at the site were analysed for a suite of seven heavy metals and organochlorine pesticides. All results were measured below regional background concentrations or below the limit of laboratory detection.

2.3 Submission On Proposed Selwyn District Plan – Variation 1 – Yoursection Limited C/- Novo Group Limited (September 2022)

Under Sections 41-43 (inclusive) of submission V1-0025, the submitter indicates that they accept the findings of the Momentum (2022) PSI report in terms of its findings and conclusions. The submission does not address the PDP (2019) investigation of the small area next to the residential property within the parcels of land excluded by the Momentum (2022) PSI.

³ MfE Contaminated Land Management Guideline No. 1: Reporting on contaminated sites in New Zealand

3.0 Conclusion

PDP carried out a peer review of the PSI report issued by Momentum (2022) and reviewed the submission document for Submission V1-0025. Over the course of carrying out the peer review, PDP also identified and reviewed a limited DSI undertaken by PDP (report issued 2019) for an area of land included in the submission but excluded from the Momentum PSI report for the submission site. Because the PDP (2019) investigation was focused on such a small part of Lot 10 and Lot 14-15 DP 47839, it is suggested that this part of the submission area also requires a PSI for completeness.

With the exception of the potential information gaps associated with the absence of a PSI at Lot 10 and Lot 14-15 DP 47839, it is our opinion that the Momentum PSI (on which submission V1-0025 relies), and supplemental information obtained from the PDP (2019) DSI, were satisfactory in terms of aiding the understanding of the contamination risk and/or status of the land proposed to be rezoned.

It is PDP's assessment that the information reviewed adequately demonstrates that there are currently no known contaminated land issues that would preclude rezoning of the site as proposed by the Submitter. The requirement for a supplemental PSI and/or any future DSI work can be fulfilled as part of regulatory planning processes such as the NESCS (i.e., in the event of a change of land use, subdivision or significant earthworks).

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 in relation to Submission V1-0025. 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.

This letter has been prepared by PDP on the specific instructions of Selwyn District Council for the limited purposes stated in the letter. PDP accepts no liability if the letter is used for a different purpose or if it is used or relied on by any other person. Any such use or reliance will be solely at their own risk.

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Yours faithfully

PATTLE DELAMORE PARTNERS LIMITED

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