# Soil Contamination Risk Preliminary Site Investigation Report

# 108 Yeomans Road, Darfield

February 2021





# Malloch Environmental Ltd

19 Robertsons Road, Kirwee RD1, Christchurch 7671 021 132 0321

www.mallochenviro.co.nz

# **QUALITY CONTROL AND CERTIFICATION SHEET**

**Client:** Judah Broughton

Date of issue: 5 February 2021

# Report written by:

Fran Hobkirk, Environmental Scientist, BSc (4 years contaminated land experience)

Signed: Mobkin

Report reviewed and certified as a Suitably Qualified and Experienced Practitioner by:

Nicola Peacock, Principal Environmental Engineer, NZCE, CEnvP

MR fearoch

(12 years contaminated land experience within 28 years environmental experience)

Signed:

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## 1 Executive Summary

The subject site involves a single rural lot with street address 108 Yeomans Road, Darfield. It is proposed to subdivide the site for rural residential use. A proposed subdivision plan is included in **Appendix E.** This will change the use of the site and may involve disturbance of soils. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) require an assessment of the likelihood of soil contamination being present. It is noted also that Malloch Environmental Ltd is obligated to consider the requirements of Section 10 of the Health and Safety at Work (Asbestos) Regulations 2016. This report details the work undertaken to assess the risks.

The majority of the subject site has had a general pastoral use for its known history. Farm buildings including a residential unit were constructed on the south-west of the site circa 2014. This investigation has identified several risk areas on the subject site including:

- A stockpile and fill material from an unknown source
- Stored vehicles that may have caused contamination from heavy metals and TPH
- A partially filled farm pit including metal items
- A burn drum containing household waste
- Historical farm pit contents unknown

The locations of the risk areas are shown on the Site Inspection & Risk Area Plan in **Appendix D**. These are confirmed or likely Hazardous Activities and Industries List (HAIL) activities and there may be a risk to human health from potentially contaminated soils in these areas. It is recommended that a Detailed Site Investigation, in terms of the Ministry for the Environments Contaminated Land Management Guidelines, be undertaken on the identified risk areas prior to any change of use or soil disturbance within the risk areas.

In terms of planning status at the time of writing of this report, the NESCS applies to proposed Lot 1 of the subject site as this will no longer be considered production land after subdivision. Therefore, the NESCS does apply to the risk areas identified within proposed Lot 1 and resource consent would be required for any activities controlled by the NESCS undertaken on this area.

#### 2 Objectives of the Investigation

This report has been prepared in accordance with the Ministry for the Environment's "Contaminated Land Management Guidelines No 1: Reporting on Contaminated Sites in New Zealand". This report includes all requirements for a Stage 1 Preliminary Site Investigation report. This is one of the methods described in Section 6(3) of the NESCS to establish whether the regulations apply. The objective is to determine whether there is any risk of potential contamination that would warrant further investigation.

# 3 Scope of Work Undertaken

The scope of the work undertaken has included:

- Review of Selwyn District Council property files
- Obtaining ECan data from the Listed Land Use Register (LLUR)
- Search of LINZ NZ orchard database
- Review of historic aerial photos
- Review of historic titles
- Site Inspection
- Preparation of report in accordance with MfE guidelines

# 4 Site Identification

The subject site has street address 108 Yeomans Road near Darfield as shown on the plan in **Figure 1** below. The site is legally described as RS 35830 and has a total area of approximately 3.9937 Ha.





Figure 1 – Location Plan

# 5 Site Description and Surrounding Environment

The subject site is generally flat rural land. There is a farm building with a residential unit attached and two sheds on the subject site. It is bounded by similar rural land. Darfield township lies approximately 7.6km east of the subject site.

## 6 Geology and Hydrology

The ECan GIS describes the soils as Lismore shallow silty loam. Soil trace elements are 'Regional, Yellow Brown Stony'. Wells in the area indicate that topsoils are underlain by layers of gravels, sandy gravels and claybound gravels.

The site lies over the unconfined/semi-confined gravel aquifer system. Ground water levels recorded on nearby bore logs are between 10.00m and 12.50m deep. The direction of ground water flow is generally in a south-easterly direction. The nearest downgradient well is approximately 1km south-east of the subject site.

A water race runs along part of the southern boundary of the subject site. The Waianiwaniwa River lies approximately 200m north-east of the subject site.

## 7 Site History

#### 7.1 Previous Site Ownership and Use

Historic Certificates of Title were searched and the following relevant ownership information was obtained:

Jun 1958 - Sidney Wilfred Beatty, farmer

Sep 1960 - The New Zealand Insurance Company Ltd

May 1981 - Stanley Wilfred Beatty, sheepfarmer

Sep 1981 - Keith Stanley Beatty, insurance representative

Jun 1992 - Kerry John Stewart, computer programmer

Dec 1998 - Ian Ross Cullen and Adrienne Adele Cullen

Jun 2003 - Warren Douglas Cullen and Michael Roderick Cullen

Jun 2005 - Brendon James Albon and Cherie Kelly Ackroyd

Dec 2013 - Teresa Mary Scannell and Mark Steven Scannell

May 2019 - Timothy John Broughton, Sally Frances Broughton, Judah William Broughton and Ivan Peter Button

Note that some of the older information was of poor quality and difficult to follow, therefore the accuracy of the spelling of names and dates is not guaranteed. Copies of the Historic Titles are included in **Appendix A.** 

#### 7.2 District Council Records

The Selwyn District Council property file contained one building consent for the subject site:

2014 - Erect a farm building

#### 7.3 Regional Council Records

The ECan Listed Land Use Register (LLUR) does not list the subject site or any nearby sites.

See LLUR Statement in Appendix C.

Resource consent information was sourced from the GIS mapping system. There are no active resource consents for the subject site or any adjacent lots

#### 7.4 LINZ Records

The LINZ Orchard layer does not show the subject site, or any adjacent sites as having listed orchards.

#### 7.5 Review of Historic Aerial Photographs

A total of nine aerial photos (see copies in **Appendix B**) have been used to assess the historic use of the site as detailed below:

- The earliest photo is from 1943 and has been sourced from ECan's GIS. The subject site is part of a larger farming block in pasture. There is a potential pit on the subject site, approximately 110m north-east of the western corner. The surrounding area is mainly similar pasture farmland. There appears to be a pit on land adjacent to the western corner of the subject site. This is on RES 3536 which is described as a council gravel reserve on the Selwyn District Council property search page.
- A photo from **1958** is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from **1965** is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from 1975 is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from 1985 is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from 1995 is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from **2004** is sourced from ECan's GIS and shows no significant changes to the subject site or surrounding area.
- A photo from **2012** is sourced from ECan's GIS. The potential pit on the subject site is no longer visible. A hedge has been planted partway across the site. There are no significant changes to the surrounding area.
- The most recent aerial photo reviewed, dated **2016**, sourced from ECan's GIS shows a large farm building has been constructed on the subject site as well as some smaller structures. The smaller structures appear to be two sheds and a round swimming pool. There appears to be a concrete pad beside one of the sheds. There is a large stockpile on the western corner of the subject site. A raised bank appears to lie along the access track and along the western boundary of the subject site. Vehicles and other items appear to be stores on the northern side of the hedge across the subject site. Approximately 60m north of the hedge and adjacent to the eastern boundary is a possible farm pit. The area of buildings on the subject site extends onto the adjacent lot to the south (RES 3536) with a large shed and a small shed. There are items being stored to the south-east of the large shed but it is not possible to determine what these are from the aerial.

# 8 Site Inspection

A site inspection was undertaken on the 27<sup>th</sup> January 2021. A site inspection plan is included in **Appendix D**.

To the south of the entrance to the subject site is a large stockpile. This appears to contain stony soil similar to the soil of the subject site. However, there's nothing on the aerials or apparent during the site inspection that would explain the source of the material. At the end of the stockpile is a concrete pad, it is unclear what the pad is for.



Photo 1 – Large stockpile



Photo 2 – Concrete pad at end of stockpile

The raised bank on the north side of the entranceway appears to have been built intentionally as it is edged on one side by rocks and the other by timber. At the northern end of the bank is a slash pile. This appears to contain the remains of the hedge that was noted on the 2012 and 2016 aerials. No other items of waste were seen within the pile.



Photo 3 - Green waste slash pile

The buildings on the subject site are constructed from sheet metal, fibreglass and timber. No likely asbestos containing building materials were seen on the exterior of the buildings. The large farm building is part barn and part residential unit. It has a concrete floor. A number of old car batteries are stored within the barn. However, as these are on concrete they do not pose a risk of soil contamination. There are pieces of sheet metal and a small stockpile of stony soils at the southern corner of the farm building. A burn drum is present behind the farm building.



Photo 4 – Large farm building, barn on left and residential unit on right



Photo 5 – Batteries stored in barn



Photo 6 – Sheet metal and small stockpile



Photo 7 – Burn drum

A small pump shed/animal shelter is present approximately halfway between the stockpile and the farm building. The other possible shed seen on the 2016 aerial has been removed but the concrete pad adjacent to it is still present. The circular structure seen on the 2016 aerial has also been removed and the area is now overgrown.



Photo 8 - Animal shelter/Pump shed



Photo 9 - Concrete pad

The area around the stockpile and the buildings on the subject site was covered in long grass and weeds. These could have obscured other indicators of potential contamination such as burnt areas of soil. However, an overgrown burn area was noted beyond the subject site to the south, on RES 3536. As there is also no evidence of burn areas on the subject site on the aerial photographs it is considered likely that any waste disposal via burning was undertaken to the south of the subject site or in the burn drum behind the farm building.

A stockpile of stony soil is present next to a farm pit adjacent to the eastern boundary of the subject site. This pit was also noted on the 2016 aerial photograph. The pit appears partially filled but burnt natural wood and partially buried metal pieces were visible.



Photo 10 - Stockpile near eastern boundary



Photo 11 - Farm pit next to stockpile

The rest of the site is currently planted with fodder beet. The hedge and the items stored along it in the 2016 aerial have all been removed. The planted area appears relatively flat with no visual evidence of burn piles or further farm pits. However, it was not possible to closely inspect the soils due to the plant cover.



Photo 12 - Fodder beet

**Potential off-site risk area**: The buildings and non-pastoral area of the site extends south, beyond the boundary of the south of the subject site. Within this area is another shed also constructed from timber, sheet metal and fibreglass panels. The floor is earth. There are scrap items remaining within this shed suggesting it may have been used as a workshop. In front of the shed is an overgrown burn pile. Finally, some sheet metal and timber is being stored on the ground around this area.



Photo 13 – Shed with earth floor, south of subject site



Photo 14 – Burn area not within subject site

# 9 HAIL Uses and Possible Types of Contaminants Associated with Past Use

The Hazardous Activities and Industries List (HAIL) compiled by The Ministry for the Environment include the following categories (*in italics*) that could be associated with the historical uses of the site with a summary of the risk of these activities having been carried out on the site.

#### A - Chemical manufacture, application and bulk storage

10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds

The subject site has been used for pastoral activities until 2014 when buildings were constructed on the southern end of the site. The normal use of fertilisers and pastoral weed controls associated with pastoral use is unlikely to have caused soil contamination that would pose a risk to human health. It is considered unlikely that persistent agrichemicals or fuels were used or stored on the site in any significant volume now or in the past.

#### G - Cemeteries and waste recycling, treatment and disposal

4. Scrap yards including automotive dismantling, wrecking or scrap metal yards

Items including vehicles were seen stored along a hedge in the latest aerial from 2016. These items had been removed by the time of the site inspection. However, multiple old car batteries were seen within the barn during the site inspection which suggests that the vehicles seen may have been dismantled. Contaminants of concern include heavy metals and total petroleum hydrocarbons (TPH).

#### 5. Waste disposal to land

A stockpile of stony soils is present on the western corner of the site and further similar fill material forms a bank next to the site entrance. There was no apparent demolition debris or

waste items within the stockpile or fill material. However, the source of the material is unknown so could potentially be contaminated. Contaminants of concern include heavy metals.

Household waste has been burnt in a metal drum to the east of the farm building. Contaminants of concern include heavy metals and polycyclic aromatic hydrocarbons (PAHs).

There is a farm pit near to the eastern boundary of the subject site. The contents of the pit are unknown. However, a partially buried metal drum and other metal pieces were seen within the open section of the pit. This suggests that materials other than green waste have been buried within the rest of the pit. Contaminants of concern include heavy metals.

Another potential farm pit was noted on aerials from 1943 until 2012 approximately 110m north-east of the western corner.

# H - Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment

The current area of buildings and non-pastoral use extends beyond the boundary of the subject site. The aerial photographs and the site inspection identified a shed with an earth floor that may have been used as a workshop, a burn area was present at the front of this shed and some timber and sheet metal were stored around this area. There is a risk of soil contamination within this area from these activities. However, any contamination is likely to be very localised to the potential source and is not considered likely to migrate onto the subject site.

# I - Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment

There is no evidence of any buildings or structures being present on the subject site prior to 2014. It is considered highly unlikely that soil contamination from lead-based paint products or asbestos containing materials exists on the subject site in sufficient quantities that would pose a risk to human health.

## 10 Basis for Soil Guideline Values (SGV)

#### 10.1 Activity Description

This report has been written for the following potential activities:

- Subdivision and development of proposed Lot 1 for rural residential use,
- Soil disturbance activities associated with the above use and development of the site

#### 10.2 Zoning

The subject site is currently zoned Outer Plains.

#### 10.3 Soil Guideline Values

Human health soil contaminant standards for a group of 12 priority contaminants were derived under a set of five land-use scenarios and are legally binding under The Resource Management

(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Health) Regulations 2011 (NESCS). These standards have been applied where applicable. The regulations describe these as Soil Contaminant Standards. For contaminants other than the 12 priority contaminants, the hierarchy as set out in the Ministry for the Environment Contaminated Land Management Guidelines No 2 has been followed. These are generally described as Soil Guideline Values. For simplicity, this report uses the terminology Soil Guideline Values (SGV) when referring to the appropriate soil contaminant standard or other derived value from the hierarchy. For soil, guideline values are predominantly risk based, in that they are typically derived using designated exposure scenarios that relate to different land uses. For each exposure scenario, selected pathways of exposure are used to derive guideline values. These pathways typically include soil ingestion, inhalation and dermal adsorption. The guideline values for the appropriate land use scenario relate to the most critical pathway.

The land-use scenarios applicable for the proposed use of this site and any associated earth disturbing activities include 'rural residential 25% produce', and 'commercial /industrial/outdoor workers' as a proxy value to protect the health of construction workers.

#### 11 Site Characterisation and Conclusion

The majority of the subject site has had a general pastoral use for its known history. Farm buildings including a residential unit were constructed on the south-west of the site circa 2014. This investigation has identified several risk areas on the subject site including:

- A stockpile and fill material from an unknown source
- Stored vehicles that may have caused contamination from heavy metals and TPH
- A partially filled farm pit including metal items
- Burn drum containing household waste
- Historical farm pit contents unknown

The locations of the risk areas are shown on the Site Inspection & Risk Area Plan in **Appendix D**. These are confirmed or likely HAIL activities and there may be a risk to human health from potentially contaminated soils in these areas. It is recommended that a Detailed Site Investigation, in terms of the Ministry for the Environments Contaminated Land Management Guidelines, be undertaken on the identified risk areas prior to any change of use or soil disturbance within the risk areas.

# 12 Planning Status

In terms of the NESCS section 5 (7) states that the land is considered to be covered if an activity or industry described in the HAIL is being undertaken on it; or has been undertaken on it; or it is more likely than not that an activity is being or has been undertaken on it. Section 6 describes the methods for determining whether the land is as described in section 7. Method 6 (3) is to rely on a Preliminary Site Investigation.

This Preliminary Site Investigation has found that there is evidence of an activity or industry described in the HAIL occurring on parts of the subject site now or in the past. In terms of planning status at the time of writing of this report, the NESCS does apply to the risk areas identified within proposed Lot 1 and resource consent will be required for any activities controlled by the NESCS undertaken on these areas.

However, the current proposed Lot 2 is to be amalgamated with the adjacent lot and will remain as production land. NESCS section 5 (8) states that if the piece of land is production land the regulations apply only for certain uses, which includes the following subclause:

(c) to subdivide land in a way that causes the piece of land to stop being production land.

Following subdivision, proposed Lot 1 will stop being production land and therefore the NESCS must be considered for this proposed lot.

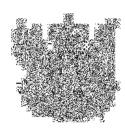
#### 13 Limitations

Malloch Environmental Limited has performed services for this project in accordance with current professional standards for environmental site assessments, and in terms of the client's financial and technical brief for the work. Any reliance on this report by other parties shall be at such party's own risk. It does not purport to completely describe all the site characteristics and properties. Where data is supplied by the client or any third party, it has been assumed that the information is correct, unless otherwise stated. Malloch Environmental Limited accepts no responsibility for errors or omissions in the information provided. Should further information become available regarding the conditions at the site, Malloch Environmental Limited reserves the right to review the report in the context of the additional information.

Opinions and judgments expressed in this report are based on an understanding and interpretation of regulatory standards at the time of writing and should not be construed as legal opinions. As regulatory standards are constantly changing, conclusions and recommendations considered to be acceptable at the time of writing, may in the future become subject to different regulatory standards which cause them to become unacceptable. This may require further assessment and/or remediation of the site to be suitable for the existing or proposed land use activities. There is no investigation that is thorough enough to preclude the presence of materials at the site that presently or in the future may be considered hazardous.

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# RECORD OF TITLE **UNDER LAND TRANSFER ACT 2017 FREEHOLD**



# **Historical Search Copy**

Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

CB756/11 **Identifier** 

Land Registration District Canterbury **Date Issued** 03 June 1958

**Prior References** CBPR96/92

**Estate** Fee Simple

Area 3.9937 hectares more or less

**Legal Description** Rural Section 35830

**Original Registered Owners** 

Ian Ross Cullen and Adrienne Adele Cullen

#### **Interests**

Subject to Section 59 Land Act 1948

A380924.4 Mortgage to Perpetual Trust Limited - 7.12.1998 at 12.25 pm

5620778.2 Discharge of Mortgage A380924.4 - 12.6.2003 at 9:00 am

5620778.4 Transfer to Warren Douglas Cullen (1/2 share) and Michael Roderick Cullen (1/2 share) - 12.6.2003 at 9:00 am

6461108.1 Transfer to Brendon James Albon (1/2 share) and Cherie Kelly Ackroyd (1/2 share) - 16.6.2005 at 9:00 am

6461108.2 Mortgage to ANZ National Bank Limited - 16.6.2005 at 9:00 am

9567880.1 Discharge of Mortgage 6461108.2 - 10.12.2013 at 9:07 am

9567880.2 Transfer to Teresa Mary Scannell and Mark Steven Scannell - 10.12.2013 at 9:07 am

9567880.3 Mortgage to Kiwibank Limited - 10.12.2013 at 9:07 am

11430829.1 Discharge of Mortgage 9567880.3 - 15.5.2019 at 4:29 pm

11430829.2 Transfer to Timothy John Broughton, Sally Frances Broughton, Judah William Broughton and Ivan Peter Button - 15.5.2019 at 4:29 pm

11430829.3 Mortgage to Westpac New Zealand Limited - 15.5.2019 at 4:29 pm

# CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

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Variation

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Mortgage A74261/4 to 4.10.1993 at 10.52

€or A.L.R. A380924.3 Transfer to Ian Ross Cullen and Adrienne Adele Cullen

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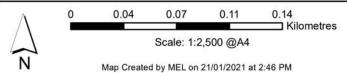
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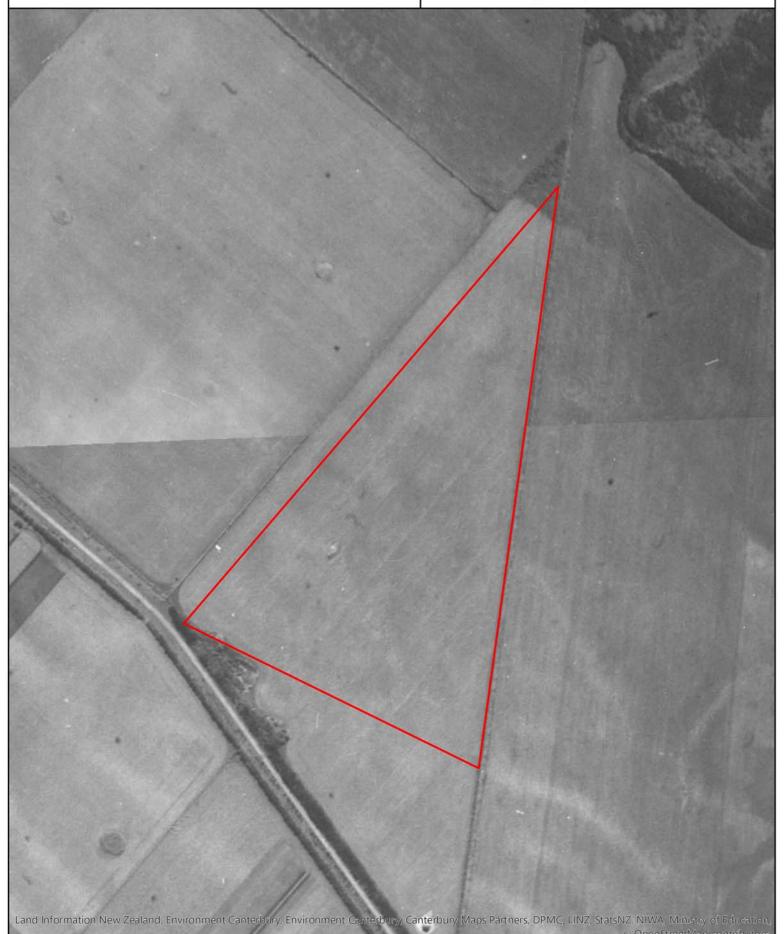
Appendix B – Historic Aerials	



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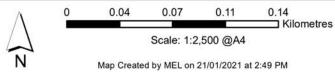






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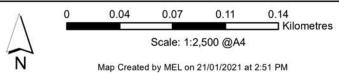
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0 0.04 0.07 0.11 0.14 Kilometres
Scale: 1:2,500 @A4

Map Created by MEL on 21/01/2021 at 2:52 PM





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0 0.04 0.07 0.11 0.14 Kilometres

Scale: 1:2,500 @A4

Map Created by MEL on 21/01/2021 at 2:51 PM





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0 0.04 0.07 0.11 0.14 Kilometres

Scale: 1:2,500 @A4

Map Created by MEL on 21/01/2021 at 2:55 PM





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0.14 Kilometres 0.04 0.07 0.11 Scale: 1:2,500 @A4

Information from this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. Map Created by MEL on 21/01/2021 at 2:56 PM

# Appendix C – LLUR Statement

# Property Statement from the Listed Land Use Register

Visit www.ecan.govt.nz/HAIL for more information about land uses.



Customer Services
P. 03 353 9007 or 0800 324 636

PO Box 345 Christchurch 8140

P. 03 365 3828 F. 03 365 3194

E. ecinfo@ecan.govt.nz

www.ecan.govt.nz

Date:

21 January 2021

Land Parcels: RS 35830 Valuation No(s): 2422007001



The information presented in this map is specific to the area within a 100m radius of property you have selected. Information on properties outside the serach radius may not be shown on this map, even if the property is visible.

#### **Summary of sites:**

There are no sites associated with the area of enquiry.

#### Information held about the sites on the Listed Land Use Register

There are no sites associated with the area of enquiry.

#### Information held about other investigations on the Listed Land Use Register

For further information from Environment Canterbury, contact Customer Services and refer to enquiry number ENQ271957.

#### Disclaimer:

The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987 and Environment Canterbury's Contaminated Land Information Management Strategy (ECan 2009).

The information contained in this report reflects the current records held by Environment Canterbury regarding the activities undertaken on the site, its possible contamination and based on that information, the categorisation of the site. Environment Canterbury has not verified the accuracy or completeness of this information. It is released only as a copy of Environment Canterbury's records and is not intended to provide a full, complete or totally accurate assessment of the site. It is provided on the basis that Environment Canterbury makes no warranty or representation regarding the reliability, accuracy or completeness of the information provided or the level of contamination (if any) at the relevant site or that the site is suitable or otherwise for any particular purpose. Environment Canterbury accepts no responsibility for any loss, cost, damage or expense any person may incur as a result of the use, reference to or reliance on the information contained in this report.

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