

**From:** [Tracey Morse](#)  
**To:** [Andrew Brown](#)  
**Subject:** FW: Darfield DSI.  
**Date:** TWednesday, 15 January 2025 16:30:00  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hi Andrew,

See below from Hiram.

Cheers,

Tracey Morse BSc BSocSc(Hons) MNZPI  
Senior Planner  
NZ Clean Energy

[www.nzcleanenergy.nz](http://www.nzcleanenergy.nz)

[tracey@nzcleanenergy.nz](mailto:tracey@nzcleanenergy.nz)

 | Office +64 9 220 8333



Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

---

**From:** Hiram Garcia <[Hiram.Garcia@babbage.co.nz](mailto:Hiram.Garcia@babbage.co.nz)>  
**Sent:** Wednesday, 15 January 2025 4:18 pm  
**To:** Tracey Morse <[tracey@nzcleanenergy.nz](mailto:tracey@nzcleanenergy.nz)>  
**Cc:** Scott Burling <[scott@nzcleanenergy.nz](mailto:scott@nzcleanenergy.nz)>  
**Subject:** RE: Darfield DSI.

Hello Tracey,

Happy New Year to you as well.

We have all the sample results back and are on track to complete the DSI by next week.

For the second bit

Soil sample results as part of the detailed site investigation (report to be issued next week) reported contaminant concentrations below the most conservative NES Soil human health criteria (rural residential 25% produce consumption). Based on the soil sample results, it is highly unlikely that there will be a risk to human health if the activity is done to the piece of

land.

Cheers

**Hiram Garcia** BS Env Science, CEnvP Site Contamination Specialist  
Contamination Investigation and Management Leader



**Babbage Consultants Limited**

Level 4, 68 Beach Road, Auckland 1010

PO Box 2027, Shortland Street, Auckland 1140, New Zealand

T +64 9 379 9980 [REDACTED] [REDACTED] E [hiram.garcia@babbage.co.nz](mailto:hiram.garcia@babbage.co.nz) W [www.babbage.co.nz](http://www.babbage.co.nz)

**Our Values: Sustainability, Team Work, Innovation,  
Professionalism, Respect.**

CAUTION: This email message and accompanying data may contain information that is confidential and subject to legal privilege.

If received in error, please notify us immediately, do not distribute the information to any party and erase all copies of the message and attachments. Thank you. **Please consider the environment before printing this E-mail.**

---

**From:** Tracey Morse <[tracey@nzcleanenergy.nz](mailto:tracey@nzcleanenergy.nz)>

**Sent:** Wednesday, 15 January 2025 3:37 PM

**To:** Hiram Garcia <[Hiram.Garcia@babbage.co.nz](mailto:Hiram.Garcia@babbage.co.nz)>

**Cc:** Scott Burling <[scott@nzcleanenergy.nz](mailto:scott@nzcleanenergy.nz)>

**Subject:** RE: Darfield DSI.

Happy New Year, Hiram!

Hopefully you had a relaxing summer break, and the start back to work hasn't been too rough!

I just thought I'd see how you were getting on with the DSI (I think the ETA you provided last year was next week), and ask a teeny tiny wee favour for this week – can you / your team prepare either an email or a basic short memo with a response to this request from the Selwyn District Council:

*Please confirm that the proposal will result in a change of land use and whether the proposal is a permitted activity under regulation 8(4)b and provide comment as to whether it is "highly unlikely that there will be a risk to human health if the activity is done to the piece of land"*

We have prepared the below in response to the first part, but would appreciate your team having something to close off the second part, just for completeness.

Regulation 5 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the “NES Soil”) sets out when the regulations apply in any particular set of circumstances and deals specifically with applicability where a ‘piece of land’ is production land, as is the case here. It specifies that the regulations apply if a person wants to:

*(a) remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land:*

*(b) sample or disturb—*

*(i) soil under existing residential buildings on the piece of land:*

*(ii) soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings:*

*(iii) soil that would be under proposed residential buildings on the piece of land:*

*(iv) soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings:*

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

*(d) change the use of the piece of land in a way that causes the piece of land to stop being production land.*

As none of these circumstances apply in the current instance (in particular, with continued grazing the land does not cease being production land), the NES-Soil regulations do not apply).

DSES also note that this is consistent with the approach taken for the recent decision in relation to KeaX solar farm at Buckleys Road, Brookside (RC235464), where the circumstances are broadly similar (refer Decision notice, paragraph 9 and s42A Report paragraphs 40-42).

Feel free to give me a quick call to discuss, if you’d prefer.

Cheers,

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

NZ Clean Energy

[www.nzcleanenergy.nz](http://www.nzcleanenergy.nz)

[tracey@nzcleanenergy.nz](mailto:tracey@nzcleanenergy.nz)

██████████ | Office +64 9 220 8333



Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.