

APPENDIX 2:

WAIMAKARIRI DISTRICT COUNCIL’S COMMENTS ON DRAFT CONTAMINATED LAND- CONDITIONS

Note to readers:

The Panel’s draft conditions are based on NZTA’s “Updated Proposed Amendments” column in Attachment 8 of NZTA’s section 55 response to section 53 comments. The Panel’s amendments made to that wording is shown in *red font*.

The conditions are grouped into two parts:

Part A – Regional resource consents that would otherwise be applied for under sections 9, 13, 14 and 15 of the Resource Management Act 1991,

Part B – Resource consent that would otherwise be applied for under Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Part B: Waimakariri District Council Resource Consent

Ref	Consent type and scope
NES-CS	Land use consent Disturbance and excavation of contaminated soil and material to which the NES-CS applies, for the purposes of constructing the State Highway 1 North Canterbury—Woodend Bypass Project (Belfast to Pegasus).

Note: The proposed conditions in Part B pertain only to the management of environmental effects falling under the jurisdiction of WDC under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

Definitions and terms used in this resource consent

Abbreviation/term	Meaning
Active remediation	The requirement to address unacceptable concentrations of contaminants due to risks to human health that would not otherwise be addressed through construction works
CSMP	Contaminated Sites Management Plan
Consent Holder	NZ Transport Agency Waka Kotahi
NES-CS	Resource Management (National Environmental Standard for Managing Contaminants in Soil to Protect Human Health) Regulations 2011
Project	State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus) (the construction, operation, and maintenance thereof)
RAP	Remediation Action Plan
Site	The land contained within the area delineated as “Project Site” in Volume 4C of the Application.
SQP	Suitably Qualified Person: A person (or persons) who competent and experienced in the field of expertise that is relevant to a particular task or action directed by a condition.
WDC	Waimakariri District Council
WCR	Works Completion Report
Working Day	A day of the week other than— (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

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Conditions

Scope and General	
NES-CS.1	This resource consent shall lapse 10 years from the date of commencement of the consents in accordance with section 97 of the FTAA.
NES-CS.2	WDC shall be notified at least 5 Working Days prior to-commencement of earthworks on a contaminated site
NES-CS.3	WDC may serve notice on the Consent Holder under section 128(1) of the Act of its intention to review the conditions of this resource consent at any time within six months of the first, second, third, fourth, and fifth anniversaries of the date of Commencement of Construction Works, and thereafter five yearly. The purpose of such a review is to deal with any adverse effect on the environment which may result from the consented activities and which it is appropriate to deal with at a later stage. Any review under this condition must give effect to the purpose of the Fast-track Approvals Act 2024.
Further investigation	
NES-CS.4	(a) The further investigation requirements outlined in the Ground Contamination Investigation Report for HAIL sites which have not yet been investigated (Volume 3F of the Substantive Application Prepared by Tonkin Taylor dated November 2025 saved in WDC records TRIM 260107001866, 260107001868 and 260107001868) shall be completed prior to earthworks commencing in the respective area. (b) Investigation works shall be completed by a SQP and the DSI shall be provided to WDC for information certification at least 20 working days prior to earthworks -commencing.
Remediation and validation	
NES-CS.5	(a) Where contamination is identified at concentrations requiring active remediation, works shall be undertaken in accordance with a site-specific Remedial Action Plan (RAP). Active remediation is defined as the requirement to address unacceptable concentrations of contaminants due to risks to human health that would not otherwise be addressed through construction works. (b) The RAP must be provided to Waimakariri District Council WDC, Attention: Compliance Manager for information- Certification at least 20 working days prior to works commencing. (c) The RAP must include: (i) Remedial objectives and targets (ii) Remedial methodology (iii) Any additional controls required to manage contamination discharges during remediation works (iv) Any validation sampling or methodologies that will be undertaken to demonstrate successful completion of the remedial works
NES-CS.6	(a) Within 2 months of the completion of any remediation works required under NES-CS.5 a Site Validation Report (SVR) must be prepared by a SQP in accordance with the Ministry for Environment’s Contaminated Land Management Guidelines No 1 - Reporting on Contaminated Sites in New Zealand to validate whether the objectives of the RAP have been achieved. (b) The SVR must be provided to Waimakariri District Council WDC, Attention: Compliance Manager. (c) The SVR must include the following information: (i) Summary of remediation works undertaken. (ii) Confirmation the remediation objectives and targets have been successfully achieved, including validation sampling (if required) or documentation of validation methodologies. (iii) Details of any ongoing site management where contamination remains in place. (iv) Evidence of the fate of material removed from the site
Contaminated Sites Management Plan	
NES-CS.7	All Project earthworks, including the reuse of soil within the Site, shall be undertaken in accordance with the Contaminated Site Management Plan (CSMP).
Works Completion Report	
NES-CS.8	(a) Within 2 months of the completion of the soil disturbance authorised under this resource consent (or if relevant, within 2 months of completion of the soil disturbance of a Project stage), the Consent Holder shall provide a Works Completion Report (WCR). (b) The purpose of the WCR is to demonstrate that the works were carried out in accordance with the requirements of the CSMP. The report shall be prepared by a SQP. The Works Completion Report shall include: (i) A summary of the works undertaken, including dates of commencement and completion; (ii) Details of any unexpected contamination encountered during the works and the response to such findings; (iii) A summary of all soil sampling and analysis results, including comparison with relevant soil contaminant standards; (iv) Records of soil disposal, including volumes, destinations, and waste acceptance documentation for any soil removed from the site; (v) Confirmation that the site is suitable for the intended use (or otherwise specify any ongoing management requirements); (vi) Any recommendations for further monitoring, remediation, or site management if applicable; (vii) Photographic evidence of the works undertaken; (viii) Details of the reuse of contaminated soil within the site (c) If remedial actions are required, the WCR Works Completion Report shall summarise the remediation works undertaken and validated.

Commented [NS1]: Added timeframes to provide information

Commented [NS2]: Same as above

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NES-CS.9	(a) Where any contamination above applicable soil contaminant standards will be retained or managed on site, a Long Term Site Management Plan shall be submitted to WDC, Attention: Compliance Manager within two months of completing the construction works. (b) The Long Term Site Management Plan shall include: Accurate details of the location and extent of such retained contamination; and a. Confirmation that the construction works have been completed and were carried out in accordance with the SMP b. Details of any soil sampling and validation carried out a-c. Accurate details of the location and the extent of any retained contaminated soils, including an estimate of the volume of material discharged; and b-d. Details of the future management of any retained contaminated soil, including how the integrity of the management controls will be maintained and monitored over time
	Contamination Discovery
NES-CS.10	(a) In the event of an unexpected contamination discovery (e.g., visible staining, odours, and/or other conditions that indicate soil contamination), then work must cease within 10 m of the discovery <u>cease</u> until a SQP has assessed the matter and recommended advised of the appropriate management, remediation and/or disposal options for these soils. (b) <u>The consent holder must implement the SQP’s recommendations.</u> (b)<u>(c) Information on any measures to manage the risk from potential soil contamination shall be provided to WDC. Attention: Compliance Manager</u>