

**From:** [Ministerials](#)  
**To:** [environment portfolio \[EXTERNAL\] \(parliament\)](#)  
**Subject:** FW: Attn: Hon Simmonds - Greymouth District - Support letter - RE: Taylorville Resource Park Ltd dump site.  
**Date:** Monday, 7 October 2024 11:08:17 am  
**Attachments:** 9(2)(a)

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Hey Nicola,

This is addressed to Min Simmonds, would the office like to pick up to respond

Kind regards,  
Lucy

**Lucy Auberson (she/her)**  
*Ministerial Coordinator*  
*Ministerial Services*

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**From:** Info at MfE <[infoatmfe@mfe.govt.nz](mailto:infoatmfe@mfe.govt.nz)>  
**Sent:** Monday, 7 October 2024 11:06 am  
**To:** Ministerials <[ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz)>  
**Subject:** Fw: Attn: Hon Simmonds - Greymouth District - Support letter - RE: Taylorville Resource Park Ltd dump site.

Kia ora team,

Are you able to help with the below enquiry?

Ngā mihi,

[Info@mfe Team](#)

Ministry for the Environment | Manatū Mō Te Taiao

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**From:** 9(2)(a)  
**Sent:** Sunday, 6 October 2024 7:34 pm  
**To:** Info at MfE <[infoatmfe@mfe.govt.nz](mailto:infoatmfe@mfe.govt.nz)>  
**Subject:** Attn: Hon Simmonds - Greymouth District - Support letter - RE: Taylorville Resource Park Ltd dump site.

**MFE CYBER SECURITY WARNING**

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05/10/2024

9(2)(a)

**Dear Hon. Simmonds,**  
Minister for the Environment

We have been informed that Greymouth District Mayor Tania Gibson and Francois Tumahai (Ngāti Waewae) recently met with you regarding the Taylorville Resource Park Ltd dump site, which is situated directly above

the District Water Treatment Plant.

We are writing to you in support of Mayor Gibson, as we too have faced frustrations in dealing with the West Coast Regional Council (WCRC). Additionally, we want to ensure you are aware of issues related to the previous dump site connected to the current Taylorville Resource Park site.

Our concern stems from a long-standing issue with the original dump site where demolition materials, from sites such as Revingtons Hotel, a fire-damaged house, and the majority of the Grey Base Hospital demolition project were disposed of. The resource consent for this site (RC-2016-0067-01) was not renewed, and while operations ceased, the site was simply capped and left without proper remediation. This lack of remediation, combined with the opening of a new dump site just down the road, reflects a troubling pattern of behavior in the management of resource consents by the same landowner and contractor, now operating under a different company name.

We have been in communication with the West Coast Regional Council & Greymouth District Council since the dumping began, and we have also reached out to previous ministers for the Ministry for the Environment, the Ministry of Health, Department of Conservation, including Maureen Pugh, Damian O'Connor, Francois Tumahai the Environmental Protection Agency, and various other government departments under the previous government.

Our main concern is that this initial dump site, being unlined, is located in a waterway catchment area upstream of the district's water supply intake. After seeking legal representation (Juliette Derry, Resource Management & Environmental Lawyer) and engaging an Environmental Consultant (ENGEO), the consent was not renewed, and the site was simply covered with soil. This was when an application for the current consent, which Mayor Gibson and Mr. Tumahai discussed with you, was submitted.

Both consents were granted to the same landowner and carried out by the same contractor, though under a different company name. This connection is critical as it highlights a consistent pattern of mismanagement and raises serious concerns about the oversight and competence of the West Coast Regional Council, the consent holder, the landowner, and the demolition/dumping contractor. The ability to shift operations under different names while continuing questionable practices underscores the need for a thorough investigation into how these consents have been administered and enforced.

At a bare minimum, the original dumping site should have continuous water sampling and monitoring systems in place to track any leachate leaving the site. This is crucial for ensuring that the runoff from the site meets environmental and safety standards. Without these measures, there is no reliable way to assess or mitigate the long-term environmental risks posed by contaminants leaching into the district's water supply and adjacent properties.

The following image is of water quality testing conducted at the Original Dumping site, it shows most levels of heavy metals are already outside of Australia and New Zealand guidelines for fresh & marine water quality ecological -> freshwater 95%.  
Testing conducted on 26/6/21. (ENGEO)

Analyte	Units	Downstream	Drain 1	Assessment Criteria
Lab Sample ID		2631737_1	2631737_2	Australian & New Zealand GUIDELINES FOR FRESH & MARINE WATER QUALITY Ecological -> Freshwater 95%
Depth		surface	surface	
Sample Date		08-06-2021	08-06-2021	
Total Arsenic	mg/l	0.0015	0.53	
Total Cadmium	mg/l	< 5.3E-5	0.00022	0.0002 (A)
Total Chromium	mg/l	0.00101	0.035	-
Total Copper	mg/l	0.00058	0.0124	0.0014 (A)
Total Lead	mg/l	0.122	0.0058	0.0034 (A)
Total Nickel	mg/l	0.00084	0.0053	0.011 (A)
Total Zinc	mg/l	0.0062	1.58	0.008 (A)
Carbonaceous Biochemical Oxygen Demand (cBOD5)	g o2/m3	< 2	35	-
pH	ph units	6.4	7.7	-
Total Alkalinity	g/m3 as caco3	7.2	137	-
Total Nitrogen	mg/l	0.41	11.5	-
Nitrate-N	mg/l	0.049	1.85	-
Total Ammoniacal-N	mg/l	< 0.01	1.64	-
Nitrite-N	mg/l	0.004	0.86	-
Nitrate-N - Nitrite-N	mg/l	0.053	2.7	-
Total Kjeldahl Nitrogen (TKN)	mg/l	0.36	8.8	-

We would like to draw your attention to the following images, which capture what we consider to be the most severe and hazardous material present on site, in clear breach of regulations. These include the remains of an X-ray machine, biohazard bins, and demolition waste being pushed directly into a body of water. These photographs, taken on 20/05/2021, highlight the serious environmental and health risks associated with improper waste management at this site.











Attached below is a copy of the letter we received on 13/07/21 in response to our original letter. This was sent by the previous minister of environment, Hon. David Parker, in response to the initial letter sent.

We have attached a copy of the original letter that we submitted for clarity (17/03/2021) below Hon David Parker letter.

**Hon David Parker** BCom, LLB

Attorney-General  
Minister for the Environment  
Minister for Oceans and Fisheries  
Minister of Revenue  
Associate Minister of Finance



13 July 2021

21-M-00737/COR0835

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 17 March 2021 about your concerns with Resource Consent (RC-2016-0067-01) regarding the clean fill site at Sewell Peak Farms. You expressed concerns over how this consent is being exercised and how the West Coast Regional Council (the Council) have handled the issues you have raised.

My officials have been in contact with the Council to understand their involvement to date. The Council has advised that it is currently engaging with the consent holder to ensure the clean fill site is being operated in accordance with the resource consent conditions.

Although I am responsible for the Resource Management Act 1991 (RMA), councils are responsible for its implementation. This includes processing and deciding on resource consent applications, a process that I do not control. I encourage you to continue to engage with the Council on any ongoing issues you have relating to the operation of the clean fill site.

If you are unable to resolve your concerns with the Council on this matter, there may be further options you can explore. Some of the potential options open to you include:

- seeking independent legal advice, where the full details of your concerns can be considered. Local providers of RMA advice include the Citizen's Advice Bureau, environment and legal centres and resource management consultants.
- contacting the Office of the Ombudsman. The Ombudsman is an independent body which investigates complaints about processes run by the central and local government. The Office will usually only investigate a complaint if you have tried to resolve the issue with the organisation first. More information is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

You can find more information on how to get involved with the RMA on: [www.mfe.govt.nz/publications/rma/understanding-rma-and-how-get-involved](http://www.mfe.govt.nz/publications/rma/understanding-rma-and-how-get-involved).

Yours sincerely

Hon David Parker  
**Minister for the Environment**

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17/03/2021

9(2)(a)

To whom it may concern,

We are writing with regards to the to the Resource Consent (RC-2016-0067-01) Discharge Permit in relation to the clean fill site at Sewell Peak Farms where a change or cancellation of consent conditions was applied for due to demolition material from the "Old Grey Base Hospital" now being discharged into this clean fill site. We are informing you of breaches to this resource consent.

**\*All Documents cited in this email are attached as links at the bottom\***

As concerned adjacent landowners, we are reaching out to try to make other authorities aware of this issue. We understand that this is something that our Regional council should be able to easily deal with this however after 3 and a half weeks of attempting to work with them to try and rectify the clear breaches of this clean fill we still feel this isn't being taken seriously.

With the information and evidence we have gathered for them there has been every chance to issue an abatement and get the breach material out of this "clean fill" however the only action that has been made is where Paul Smith Earthmovers has been asked to cut off the rebar from the material. No instruction to dig up the covered over breach materials.

We have spoken to a solicitor and their advice was to try to work with our regional council in an attempt to get this sorted. As stated, we have done this, and we feel like they are failing our community and us. Not just in not monitoring consent sites but the limited information available on their resource consents for the average person to follow and work within. E.g., the approved materials should be clearly stated on the consent along with the statement that they are to inspect and reject any loads that contain materials not on the list.

The officer that had granted this resource consent was not the officer who was appointed to investigate these breaches and is also not the assistant to the officer who granted the consent.

The officer who has been appointed usually investigates breaches to mining consents, which unfortunately is not very similar to clean fills. We are concerned that without the proper knowledge in this area, that some decisions that are made have not been made with consideration to the MfE Guidelines. We feel that this guide is very clear and easy to follow especially as this was not an area that we knew much about until we were put in a position where we had to do our own research.

Should the directive given to Paul Smith Earthmovers, by the Regional Council Enforcement Officer to remove the exposed rebar that is visible change to actually removing all breach material (Including covered and uncovered).

We still feel that this is an inappropriate site for any hospital demolition material due to the regional council having no plans to monitor the site themselves or appoint an independent contractor to monitor of their behalf. We feel this "clean fill" is in an inappropriate location with the catchment area for a waterway above the intake for the Greymouth District water treatment plant, this video is available at the following link <https://drive.google.com/file/d/1we8iK6JaWuEpbWJH6udQWZQSapH6w1kA/view?usp=sharing> We think feel that a better location for such material could be better situated in an area on Sewell Peak Farm, in the vicinity of the current McLean's Landfill and Recycling Center.

There needs to be people other than us, (You the reader); People in higher places to keep the regional council and contractors honest and accountable to everyone including themselves.

**These following numbered sections are the breaches that we feel are the most relevant breaches to this Resource consent.**

1. As the conditions of this resource consent were originally applied for as clean fill referencing the document; A Guide to the Management of Clean fills, issued by the Ministry of Environment (from now on will be known as, The Guide).

Section 4.2 Table 4.1 has listed that the acceptable materials for a Clean Fill are as the follows: "Asphalt (Cured), Bricks, Ceramics, Concrete – Un-reinforced, Concrete – Reinforced, Fiber Cement Building Products, Glass, Road Sub-base, Soils, Rock, Sand, Clay Etc, Tiles (Clay Concrete or Ceramic)."

When the Form C was applied for under:

Describe any Change to Conditions that you wish to make on page 4

The following additions were made

- **Concrete, including concrete with internal reinforcing**  
(ie. Protruding reinforcing removed)
- Bricks
- **Untreated Wood**
- Fragments of pink bats
- Fragments of pipe lagging (ie. insulation not containing asbestos)
- Broken glass and tiles
- Residual metalwork not able to be removed through the stripping operation
- Painted internal wooden wall linings

As you can clearly see from our photographic evidence that two of these bullet points (Concrete, including concrete with internal reinforcing (ie. Protruding reinforcing removed) and Residual metalwork not able to be removed through the stripping operation), are not being complied with.

One bullet point is contentious (Untreated Wood), as they clearly haven't separated out these other obvious breaches. It could be possible that treated and untreated timber could have been mixed together/not sorted correctly.



Section 4.2.2 of The Guide, Also states that:  
"controls may need to be placed on the quantity of certain materials placed in the cleanfill, or their position within the cleanfill, to ensure that the properties of the material in place comply with the definition."

The Form C: however has no controls or quantities for change of consent condition additions.  
Due to the large quantities of the breaches, we feel that without any controls or quantities there is no clear way to ascertain how far in excess of the Resource Consent they have breached.

2. As stated in "The Guide", Section 4.3.1 Unacceptable waste, Table 4.2:  
Outside the amendments that were stated in Form C and the initial resource consent these materials are all found clearly mixed in with the "clean fill" and we interpret this to be a breach of this resource consent.  
As stated in the Form C and Resource Consent they are not listed as accepted changes or additions to the accepted clean fill described in The Guide.

Carpet



Electrical equipment and insulation



## Metals



Aluminium Security Roller Blind



Painted Red Metal Pipe



Painted, Industrial Flanged Pipe



Exposed Metal Framing



Red Metal Pipe with Fittings



Stainless Steel Sink

## Particleboard (chipboard)



Plywood



Timber (processed)



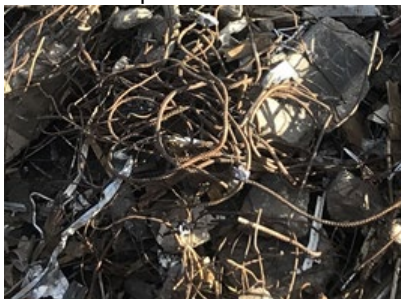
3. In Form C, the applicant has stated in the area:

Describe any Change to Conditions that you wish to make, page 4

"As part of the demolition process as much of the material, as can be, will be separated out and only the remnants will be included in the demolition waste deposited at the consent site.

For example insulation, pipe lagging, metal and pipe works are being removed however there will be residual amounts that not able to be removed and would become part of the demolition material."

From our photographic examples, you will see that there is plenty of materials that we believe could very easily be separated out from the acceptable demolition material so that only residual amounts remain as stated in the amended requirements in the resource consent and these would be permitted.



4. Again relating back to Form C, the applicant has stated in:

Describe any Change to Conditions that you wish to make, page 4

“As discussed the Paul Smith Earthmoving proposes to remove the protruding reinforcing but the concrete will contain reinforcing within it”

This is also one of the accepted clean fill items stated in The Guide, however you will see that concrete with protruding metal has not been removed as stated above. Photographic evidence provided



5. As pertaining to 4.7 Existing clean fills in the “The Guide”:

You will find that due to these breaches, where it states...

“The finding of any material on-site that does not meet the waste acceptance criteria may change the status of the facility from a clean fill to a landfill.”

As stated in Form C it was clear that there would only be remnant amounts of metals or non-compliant materials that were permitted as an acceptable quantity to deposit in a clean fill site.

By our interpretation of “The Guide” As shown, there are large quantities of these non-compliant clean fill materials and it could be said that the site should now be reclassified as a landfill and may need further resource consent to continue should these non-compliant materials not be removed.

6 Form C; Regional Land and Water Plan, Page 7:

“The original application advises that,

“The primary policies that are relevant to this activity are those that fall under 18.1 and 18.5 of the Regional Land and Water Plan regarding the regulations that apply to the activities on land.

The applicant is aware of these policies and is taking the necessary steps to ensure the activity will be compliant” “

We feel that the photos provided show a breach of this section of the Resource Consent in relation to the Regional Land and Water Act 18.1, Rule 86. (h):

“The cleanfill has no acid producing material”

Some of these prohibited materials that we interpret as a clear breach of this resource consent may, over time, cause oxidisation/acid to be produced as they begin to break down over time.

It is also worthy to note the Regional Land and Water Act 18.1, Rule 86. (j):

“ Records of the source and composition of all cleanfill material discharged at the site must be maintained and made available to the Council upon request; “

We would be interested to learn if these records have been honest in what has been disclosing as they accept these loads into this clean fill.

7 3.3.6 Under Penalties, in The Guide; Show as an example:

“Machinery Movers Ltd v Auckland Regional Council (1994) 1 NZLR 2 NZRMA. A fine of \$25,000 (excluding costs) was imposed for the discharge of chemical contaminants to land in circumstances where they were likely to enter water, causing damage to wildlife. The discharge was intentional, but the employees were unaware of the toxicity of the contaminants.”

As you can clearly see in the provided photographic evidence this company has not only delivered and accepted tons of unacceptable material to the site without sorting or rejecting many of these loads, they have

then at the end of 5 days; we believe that have covered this over in an attempt to hide the materials before this can be viewed by appropriate authorities.

The resource Management Act, 338 Section 3, A

“wilfully obstructs, hinders, resists, or deceives any person in the execution of any powers conferred on that person by or under this Act:”

We interpret the act of covering the breach materials with clean fill to obscure what has been placed into the “clean fill” site to be in breach of this act.



Before: Facing West, Near Trees



Before: Facing North, Looking at Tip Off Area



After Saturday covering, Facing West



Covered Middle area Facing Tip Site

8 In reference to “The Guide”; 3.5 Enforcement:

“Part XII of the RMA deals with offences and enforcement. The most common forms of enforcement are through abatement notices, enforcement orders and infringement notices.”

It is our hope that by raising these breaches to multiple areas of concern that there are several options for assistance to right these wrongs

Section 12, Page 2 on the Resource consent issued, states:

“Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of this consent by serving notice within a one month period of each anniversary of the date of commencement of the consent for any of the following purposes: (a) To deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage. (b) To require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.”

#### **In Summary -**

We do understand this to mean that there may be a review one month after they commence work to inspect and possibly deal with any adverse effects. However, once we saw that the fill site and breach material that was still in this site was being covered after only one week (in our view may have been done to hide this before a review was ever able to be done),

we wanted to ensure that all appropriate authorities have access to this knowledge.

We are also concerned that due to high concentrations of metals (Oxidization/Rusting) there may be potential for adverse effects to the ecological system of local streams and wildlife and the effects of long term leeching into the Grey River via this site or in ground water.

This could be possible if these materials leach through this site.

It is of note to read the site assessment conducted by David Ogilvie as there are several recommendations that have been made on their behalf in regards to the application of Form C.

The areas we feel are most important are as follows:

3.0 - Risk Evaluation

3.2 Page 5 & 6, states:

**"Migration via Groundwater**

Migration of contaminants via groundwater is considered to be very low risk. Contaminants of concern related to the materials to be deposited are considered to primarily comprise heavy metals such as those present in CCA treated timber and related to lead paint. These contaminants are likely to be bound to soils / to the timber substrate and will have minimal mobility with regards migration to and via groundwater. Investigations undertaken indicate that shallow groundwater under the site is present at least 1.0 m into SILT, a low permeability geological unit. In addition, there are no known groundwater uses down gradient of the site, and the Grey River is 850 m south of the site at its closest point.

**Migration via Surface Water**

Given the nature of the materials to be deposited, and method of deposition (into excavated trenches), the potential for generation of contaminated storm water and/or sediment is considered to be low. Additionally, potential contaminants of concern associated with the materials to be deposited are likely to be bound to soils / the timber substrate, and as such, are typically able to be effectively controlled via control of sediment runoff from the site."

These recommendations were unable to take into account, the sheer quantity of metals now present in this "clean fill".

There are so many other environment and health related incidents that have occurred in recent times that could have been prevented if guidelines and regulations were followed.

We hope that this consent will now be looked into with more consideration to the documents linked below and the attached files in relation to this matter (including our photographic evidence of everything including the kitchen sink!) We hope that you will see our concerns for what they are.

Thank you for your time.

Kind Regards

9(2)(a)

***If you wish to pass this email on to someone else, please forward the email so that it will keep pictures.***

We would appreciate acknowledgement of this information supplied.

Regards

9(2)(a)