geosciences LTD

08 September 2022

Box Property Investment Ltd
PO Box 85044
Harris Road
Auckland 1545

Ref: Ltr-J1063d/Sep22

Attention: Darren Ellis

Dear Darren,

RE: PROPOSED REFERRAL TO THE COVID 19 RECOVERY (FAST-TRACK CONSENTING ACT) 2020 FOR HIGH DENSITY RESIDENTIAL DEVELOPMENT OF 30 SANDSPIT ROAD.

Box Property Investments Ltd ('BPIL') propose to develop the properties located at 30 & 40 Sandspit Road and 2 & 4 Reydon Place ('the site') into 70 residential units including subdivision of the title and change in landuse from the current commercial / industrial configuration of a portion of the site. The current proposed residential development is proposed to comprise 3 residential apartment buildings and 12 terraced houses.

Box Property Investments Ltd are seeking that the application be referred for fast track assessment under the Covid 19 Recovery (Fast-track Consenting) Act 2020. The purpose of this letter is to provide a summary of the investigations completed by Geosciences Ltd (GSL) regarding actual and potential contamination and the processes and procedures required for the proposed residential landuse.

1 FORMER INVESTIGATIONS

In support of the proposed development, GSL has completed the following reports:

- *Preliminary Site Investigation (PSI) 30 & 40 Sandspit Road, and 2 – 4 Reydon Place, Shelly Park, Auckland. Reference: Rep-1063/PSI/Jul17.* Prepared for Box Property Investments Ltd, Date Issued 26 July 2017;
- *Detailed Site Investigation (DSI) 30 Sandspit Road, Shelly Park Auckland. Reference: Rep-1063a/DSI/Nov17/Rev1.* Prepared for Box Property Investments Ltd, Original Issued 30 November 2017, Revision Issued 05 February 2020; and
- *Remediation Action Plan (RAP) 30 Sandspit Road, Shelly Park, Auckland. Reference: Rep-1063b/RAP/Aug18/Rev5.* Prepared for Box Property Investments Ltd, Original Issued 23 August 2018, Revision Issued 08 September 2022;

In addition to the above, GSL Director Carl O'Brien prepared a statement of evidence for the August 2021 Environment Court Hearing and GSL has formally responded to Auckland Council requests for further information.

1.1 PRELIMINARY SITE INVESTIGATION

GSL was engaged by BPIL in July 2017 to undertake a preliminary site investigation ('PSI') of the piece of land at 30 & 40 Sandspit Road and 2 & 4 Reydon Place, Cockle Bay, to inform BPIL's proposal to change the use of the land from a mixture of commercial / industrial (30 Sandspit Road) and standard residential land use (40 Sandspit Road and 2 & 4 Reydon Place) to high density residential land use. The purpose of the PSI was to identify the location and extent of any actual or potential contaminating activities included on the MfE "Hazardous Activities and Industries List" (HAIL) that had occurred, are currently occurring or are more likely than not to have occurred on the piece of land. The PSI formed a Tier 1 risk assessment in accordance with the Ministry for the Environment Contaminated Land Management Guidelines.

GSL's PSI identified the following potential sources of contamination consistent with the former service station and vehicle workshop activities and concluded that the Regulations of the NES-CS and Rules of Chapter E30 of the AUP(OP) would be applicable to the property of 30 Sandspit Road:

- Motor vehicle workshop (HAIL Item F.4);
- Below-ground bulk fuel storage (HAIL Item A.13); and
- Non-engineered, unidentified fill material (HAIL Item I).

Within the former reports uncovered on the property, GSL identified a 'Tank Pull' report undertaken by Environmental Resource Management (ERM Group Incorporated) during decommissioning of the service station underground fuel storage tanks in 2011. Soil sampling undertaken by ERM Group included two soil samples containing concentrations of petroleum hydrocarbons exceeding the applicable standard under the NES-CS for high-density residential land use, collected on the 30 Sandspit Road.

As no evidence of potentially contaminating activities was identified on 40 Sandspit Road and 2 & 4 Reyden Place, the PSI concluded that the regulations of the NES-CS and the Rules of Chapter E30 of the AUP(OP) would not be applicable to those sections of the site.

As a result of the identification of HAIL activities having occurred on the site, GSL recommended that a detailed site investigation ('DSI') be undertaken to assess the location and extent of impacted soils.

The PSI was provided to the Auckland Council (AC) in September 2017 following a pre-lodgement between the Applicant and Auckland Council.

1.2 DETAILED SITE INVESTIGATION

In accordance with the recommendations of the PSI, GSL was further instructed to undertake a DSI of the site for the purposes of seeking all requisite resource consents relating to actual and potential contamination. To assess whether any of the above potentially contaminating historical activities had adversely impacted the soil on the site to a degree that would require remediation or management in light of the proposed high density residential development, GSL collected and submitted 16 discrete soil samples across a justified soil sampling strategy targeting the identified HAIL activities.

The findings of the DSI were:

- One soil sample collected from an area of buried suspected asbestos containing material (ACM) returned concentrations of ACM and asbestos fines / fibrous asbestos (AF/FA) in excess of the applicable standard under the NES-CS for all residential land uses;
- All seven soil samples collected from the unverified fill material returned elevated concentrations of hydrocarbons in soil above the expected naturally occurring background concentration ranges for non-volcanic soils in the Auckland region, but not to a degree considered to present any risk to human health or the environment;
- Three soil samples collected from the unverified fill material returned elevated concentrations of heavy metals above the expected naturally occurring background concentration ranges for non-volcanic soils in the Auckland region, but not to a degree considered to present any risk to human health or the environment; and
- Soil samples collected form the former vehicle workshop returned concentrations of heavy metals within the expected naturally occurring background concentration ranges for non-volcanic soils in the Auckland region, with no hydrocarbons detected in any of the five samples.

Based on the findings of the DSI, it was concluded that two discrete areas of the site presented a potential risk to human health and would require remediation; those being the area beneath the service station forecourt canopy and the area containing buried ACM.

1.3 REMEDIATION ACTION PLAN

In accordance with the recommendation of the DSI, a Remediation Action Plan (RAP) was produced detailing the remediation of the site through controlled excavation and offsite disposal of contaminated soil in accordance with the NES-CS and AUP(OP), including the removal of asbestos contaminated soil classified as Class A works under the Health and Safety at Work (Asbestos) Regulations.

Given the constraints of the proposed development, it is expected that soils assessed as unsuitable for residential landuse are excavated and disposed of offsite to suitably licensed landfill facilities proximate to the site. Remediation through offsite disposal is considered an appropriate remedial approach that meets all requirements for ensuring the land is fit for purpose on completion of remedial earthworks.

Following Auckland Council review, RAP Revision 4, issued 22 July 2020, was determined as appropriate to meet Auckland Council review requirements.

As part of this application for Fast-Track referral GSL has prepared Revision 5, Issued 08 September 2022, to reflect the changes to bulk and density of the application. Aside from the updated development plans, the only other material change to the RAP is an updated contingency section (Section 10) to address Auckland Council standard requirements under the Auckland Unitary Plan (Operative in Part)(AUP(OP)) for earthworks and potential discoveries of unexpected contamination.

2 AUCKLAND COUNCIL ASSESSMENT

As part of previous resource consent application processes, GSL's PSI, DSI and RAP have been submitted to Auckland Council and reviewed for completeness. Auckland Council requested further information to clarify the findings and recommendations of the DSI. Revisions were completed to

include contingency controls should shallow groundwater is encountered during remedial works and setting out further disposal characterisation of emplaced fill on site. Current Revision 4 of the RAP has addressed all clarifications raised, and GSL understands that it has been accepted by Auckland Council as appropriate.

No further clarifications were requested during the Environment Court hearing held to assess the former iteration of the proposed development in August 2021. The s87F Planners Report setting out the advice of the Reporting Planner included a memorandum prepared by Ms Sharon Tang of Auckland Council identifying that implementation of the approved RAP alongside appropriate conditions of consent will ensure:

- The identified contamination is appropriately remediated;
- Any potential adverse effects regarding actual and potential contamination during earthworks can be appropriately avoided, mitigated or managed to an acceptably low level; and
- Effects associated with the necessary disturbance of contaminants can be mitigated to a level at which the effects are less than minor and acceptable.

3 APPROPRIATENESS FOR DEVELOPMENT

The piece of land identified for the proposed high density residential development has been assessed for actual and potential contamination in accordance with the MfE Contaminated Land Management Guidelines CMLG): No. 1 "*Reporting on Contaminated Sites in New Zealand*" and No. 5 – "*Site Investigation and Analysis of Soils*", the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES), 2012 and the AUP(OP). The findings of those investigation set out in Section 1 above have determined that while discrete areas of contamination exist within the piece of land, these can be readily remediated using conventional and accepted methodologies. Consequently, the site is considered appropriate for the proposed development as it pertains to actual and potential contamination.

It is noted that the RAP provides contingency mechanisms should unexpected further contamination be encountered during bulk earthworks of the site. This approach is standard for bulk earthworks on actually and potentially contaminated sites where unexpected ground conditions cannot be ruled out.

A revision to the RAP (current Revision 5, dated 08 September 2022) has been completed to reference the revisions to the proposed development (bulk & density) alongside an update of contingency requirements that will be submitted as part of this application for Fast-Track referral. No other material changes have been made and RAP revision 5 is considered to still reflect the approval given by Auckland Council.

Following implementation of the RAP, a site validation report (SVR) will be required to be prepared in accordance with the requirements and controls set out therein and submitted to Auckland Council for approval. The SVR will be required to certify the remedial goals have been met and the site is highly unlikely to present any risk to human health or the environment.

4 CONCLUDING COMMENT

Appropriate site investigations to cover preliminary, detailed, and remedial reporting have been completed to inform on the requirements of the proposed high density residential landuse. Those investigations have not identified any significant contamination constraints that would prevent the proposed development from proceeding. Rather, development of the land subject to appropriate consent conditions would ensure that identified contamination is soil is remediated to a standard commensurate with the residential nature of the surrounding area.

Should you have any queries, please do not hesitate to contact the undersigned on s 9(2)(a) or s 9(2)(a)

Yours sincerely

Carl O'Brien
Director
Geosciences Ltd