

Response ID ANON-URZ4-5FT9-W

Submitted to Fast-track approval applications
Submitted on 2024-05-03 15:14:54

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Gisborne District Council

2 Contact person

Contact person name:
Joanna Noble

3 What is your job title

Job title:
Director SustainableFutures

4 What is your contact email address?

Email:
joanna.noble@gdc.govt.nz

5 What is your phone number?

Phone number:
068672049

6 What is your postal address?

Postal address:

Gisborne District Council
PO Box 747
Gisborne 4040

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

31 Paikea Street,
Tokomaru Bay

Legacy landfill adjacent to the Mangahauini River and Tokomaru Bay Refuse Transfer Station.

The legacy landfill at Tokomaru Bay is situated at the Refuse Transfer Station site at the end of Paikea St and abutting the true left bank of a meander in the Mangahauini River.

The site is in an area of Historic and Cultural Heritage significance (Heritage Alert Overlay)

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Who are the registered legal land owner(s)?

Please write your answer here:

Gisborne District Council

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

Gisborne District Council is the landowner

Section 2: Project details

What is the project name?

Please write your answer here:
Tokomaru Bay Legacy Landfill Contaminated Land Remediation Project

What is the project summary?

Please write your answer here:

Since 2016, Gisborne District Council has been addressing the liability and risk associated with small, closed landfills within the district. Assessment work informed by the Ministry for the Environment's Risk Assessments for Small Closed Landfills (RASCL) highlighted medium risk at the Tokomaru Bay landfill. In response to erosion by the river, exacerbated by rain events, a series of compliance notices were issued in October 2020 under the Resource Management Act (RMA). Emergency revetment works were undertaken to prevent further scouring of the legacy landfill, but recent severe weather events have compromised these measures.

Severe erosion along the left bank of the Mangahauini River is releasing contaminants from the Tokomaru Bay legacy landfill into the river, subsequently affecting Tokomaru beach and the Pacific Ocean. The landfill's proximity to the river mouth and its susceptibility to flooding, as demonstrated during Cyclones Hale and Gabrielle, underscore the vulnerability of the site to severe weather events.

The erosion, approximately 60 cubic meters along a 150-meter stretch of the riverbank, poses heightened flood risks and potential hazards to the community and mana whenua. Contaminants displaced from the landfill during river overflow contaminate coastal areas, necessitating cleanup efforts post-weather events.

To mitigate these risks, the historic contaminated landfill will be removed, and the site will be remediated and returned to its original state of a floodplain. This project aims to address environmental concerns, safeguard public health, and restore the natural integrity of the Tokomaru Bay area.

What are the project details?

Please write your answer here:

The project's primary objective is to remediate/remove the historic legacy landfill at Tokomaru Bay and improve the environmental integrity of the site due to the ongoing risk of erosion by Mangahauini River following heavy rainfall events. Remediation of the site will reduce the risk to human health and the environment caused by high river levels that have led to erosion and the exposure of waste material along the margins of the landfill.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

1. Project establishment: Jul 2024 – Sept 2024
2. Options assessment & remediation and action plan development: Oct 2024 – March 2025
3. Consent application: Oct 2024 – March 2025
4. Physical works: April 2025 – March 2026

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991 - Resource consent for land disturbance on a verified HAIL site

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Gisborne District Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

Successful application to the Contaminated Site Remediation Fund has been made.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

Gisborne District Council has received funding from MfE via the CSRF, and are the landowner.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Recruitment of Programme Manager, Contracts Advisor and Suitably Qualified Expert Practitioner (SQEP) (July 2024 – September 2024)

a) Appoint programme manager (PM) to oversee procurement, programme management and financial tracking.

b) Appoint Contracts Advisor/Programme Admin to support the programme manager.

c) Engage SQEP with appropriate experience

Completion of Remediation Options Assessment (ROA) and Remediation Options Report (ROR). (October 2024 – March 2025)

a) SQEP to complete site-specific assessment of remedial options (ROA) to establish the most suitable solutions for addressing the complexities of remediating the contaminated soil at the Tokomaru Bay legacy landfill site.

b) Completion of Remediation Options Report (ROR).

Completion of Remediation Action Plan (RAP) and Site Management Plan (SMP). (October 2024 – March 2025)

a) Completion of a Remedial Action Plan (RAP) outlining the most appropriate and cost-effective actions that will be undertaken when the plan is implemented.

b) Develop a SMP outlining management of the site during remedial works.

Consent Application (October 2024 – March 2025)

a) Engage consultant to prepare Consent Application

Physical remedial works (April 2025 – March 2026)

a) Site preparatory works. Enabling works. Earthworks, pavement, and drainage

b) Removal of contaminated waste to appropriate disposal location

c) Riverbank revetment, to protect the road

Completion of remediation and Site Validation Report (SVR) (January 2026 – March 2026)

a) Site validation report confirms that the site meets the required standards and is fit for its intended purpose.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- Gisborne District Council
- Te Whānau a Ruataupare
- Te Whānau a Te Aotāwarirangi
- Te Runanganui o Ngāti Porou (TRoNP)

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Focussed engagement has been undertaken with the community, hapu and Te Runanganui o Ngāti Porou, the statutory body responsible for administering RMA related issues for hapū within the settlement area of interest. Both hapū (Te Whānau a Ruataupare and Te Whānau a Te Aotāwarirangi) have been formally represented through local kaumatua Jack Chambers as part of the project to date. The legacy landfill along with the current location of the transfer station has long provided a point of tension between GDC and local mana whenua and community members.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

N/A

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Ngāti Porou (Ngāti Porou Claims Settlement Act 2012)

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

Yes

If yes, please explain:

Upload your assessment if necessary:

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Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

There are no adverse effects – the purpose of the project is to remediate a known environmental issue. Any delays to the project will potentially extend the impact of release of legacy contaminants from the Tokomaru Bay Legacy Landfill into the Mangahauini River, which is subsequently being carried out into the Pacific Ocean and being deposited onto the Tokomaru beach.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

N/A

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Yes – this will allow physical works to commence much sooner, and reduce current estimated consultant costs to prepare the consent application.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

No impact

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

Will the project:

Please explain your answer here:

Will the project deliver significant economic benefits?

No

Please explain your answer here:

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

No

Please explain your answer here:

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Severe erosion release of legacy contaminants from the Tokomaru Bay Legacy Landfill into the Mangahauini River, which is subsequently being carried out into the pacific ocean and being deposited onto the Tokomaru beach. Remediation of the legacy landfill site removes the environmental risks posed by waste contaminating the river and coastal areas due to weather events and rising river levels in the future. Significant contamination occurred as a result of the North Island Weather Events, and will continue with any future events.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Severe erosion release of legacy contaminants from the Tokomaru Bay Legacy Landfill into the Mangahauini River, which is subsequently being carried out into the pacific ocean and being deposited onto the Tokomaru beach. The project will deliver observable reduction in harm to the environment and community recreational opportunities, by removing contamination that is leaching into the Mangahauini river and precluding the risk of rubbish being washed into the Pacific Ocean and being deposited on local beaches.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

Anything else?

Please write your answer here:

Does the project include an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

Ongoing weather events that occur before the completion of physical works may impact with further erosion and release of landfill contaminants. This may make remediation works more complex and extend completion times.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

Please refer to Joanna Noble if required

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Nigel Shatford

