

15 February 2021

Oyster Capital

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Ellerslie

Auckland 1542

Attention: Andrew McCarthy

Re: Contaminated Land Memo - Oyster Capital Fast Track Referral Application

1.0 INTRODUCTION

Oyster Capital ("Oyster") propose to lodge an application for a referred project under the Covid-19 Recovery (Fast-track Consenting) Act 2020 (the "Act") to utilise the fast-track consenting process via an expert consenting panel. This application relates to the development of a contiguous landholding at 76, 76A, 116, 136 and 140 Waihoehoe Road ("the site"). This landholding forms part of a larger land area within Drury East that is currently subject to a private plan change process - Waihoehoe Precinct Private Plan Change ("PC50") - to rezone the land from Future Urban to the Terraced Housing and Apartment zone under the Auckland Unitary Plan ("AUP") which will enable quality urban development and well-functioning urban environments. Oyster has a sale and purchase agreement for the site, and has full control of the site for the purpose of rezoning and future residential development. This proposal for a referred project will give effect to the purpose of the Act to promote employment and New Zealand's recovery to the economic and social impacts of Covid-19 through enabling the construction and delivery of a comprehensive development that offers employment opportunities and an accelerated supply of quality housing choice and diversity.

To support the application for a referred project, this memo provides a high-level review of the contaminated land aspects of the proposal, including:

- Summary of the proposal and site description;
- Summary of work completed to date;
- High level contaminated land assessment of proposal; and
- Overview of works required to achieve the proposal.

2.0 SITE DESCRIPTION AND PROPOSAL

2.1 SITE DESCRIPTION

The site comprises 34.65ha of land at 76, 76A, 116, 136 and 140 Waihoehoe Road which is currently zoned Future Urban ("FUZ") under the AUP.

The plan change area consists of a number of properties with land uses ranging from rural, rural residential and commercial purposes. Due to the existing and historic land uses, the sites with the proposed plan change area have been subject to current and historic potentially contaminating activities.

These potentially contaminating activities are outlined on the attached Figures (Fig 2-4 & 2-4A, 2-5, 2-7 & 2-8(A - D)).

2.1.1 Proposal

Oyster are proposing the staged development of this land into a mix of terrace and detached housing, 9 residential superlots and supporting roading and servicing infrastructure. A total of 376 dwellings are proposed.

Figure 1 shows the proposed development.



Figure 1: Plan of proposed development

3.0 BACKGROUND ANALYSIS

A Preliminary Site Investigation has been prepared by Focus Environmental to support the Plan Change application for the Waihoehoe Precinct, within which the project is located. This report is titled 'Preliminary Site Investigation, Waihoehoe Road Plan Change Area, Drury, Auckland (R1)' dated August 2019 and prepared by Focus Environmental Services Limited (henceforth referred to as the "PSI").

The PSI identified that the plan change area, including the project site, either has or currently accommodates potentially contaminating activities. With respect to the project area, these include:

- Underground fuel storage tanks;
- Storage of waste oil and fuel/oil leaks;
- Engineering Workshop and Foundry activities;
- Evidence of waste/refuse burial;
- Evidence of burning;
- Evidence of potential spray race operations;
- Potential ground contamination associated with the historic use of lead-based paint; and
- Potential ground contamination associated with demolition of historic building potential containing asbestos.

Due to the historical/current potentially contaminating activities identified, it was recommended that a Detailed Site Investigation ("DSI") be undertaken prior to any subdivision, change of land use or soil disturbance in the plan change area.

4.0 THE MASTERPLAN

The project involves the redevelopment of the site into a mix of terrace and detached housing with a total of 376 dwellings proposed. As part of the development, the site will undergo subdivision, a change of land use and disturbance of soils, therefore the rules of the Soil Contaminant Standards for health ("SCSS_(health)") for residential land use (10% produce consumption) as outlined in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("NES") and the discharge criteria of the AUP need to be considered.

It is considered that the potentially contaminating activities mentioned above pose a potential risk to the underlying soils, however, with the exception to the refuse pits and underground fuel storage tanks, it is considered that any contamination identified will likely be restricted to the surface and sub-surface soils in localised areas of the project site.

The proposed master plan is shown as Figure 2.

5.0 ASSESSMENT

As the PSI identified the presence of potentially contaminating activities, a DSI will be required prior to any development occurring within the project area.

The DSI will be prepared in general accordance with the requirements of the Contaminated Land Management Guidelines No. 1 Reporting on Contaminated Sites in New Zealand and No.5 Site Investigation and Analysis of Soil (Ministry for the Environment, 2011) and the New Zealand Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2017).

The DSI will confirm if the identified land uses and/or activities have affected the site soils and will confirm the consenting requirements for these areas of the site.

In the event that contaminants are identified in the site soils at concentration elevated above the land use criteria, then an appropriate Remediation Action Plan and Assessment of Environmental Effects ("RAP & AEE") will be required in order to meet the requirements of Regulation 10 of the NES and the discharge criteria of the AUP, prior to works commencing on site.

The RAP & AEE will provide the soil specific management controls to be implemented at the site, and will include, but not be limited to a work programme of the remedial works, environmental mitigation controls, health and safety measures & contingency measures for accidental discovery.

The measures in the RAP & AEE will enable the safe remediation of potentially contaminated soils at the site to ensure that any adverse effects on human health and the environment, as a result of the development works, will be effectively mitigated.

The RAP & AEE will also provide Oyster and their selected contractors with details of the site management procedures required for the safe handling and if required, appropriate off-site disposal options.

It is therefore considered that if the controls outlined in the RAP & AEE are implemented during the development works, the effects on human health and the environment will to be effectively mitigated.

6.0 CONCLUSION

Based on background analysis and PSI that has been completed to date, a DSI will be required prior to any subdivision, change of land use or soil disturbance occurring within the project area. The DSI will confirm the extent of contaminants within site soils, the consenting requirements and remediation required to meet the requirements of the NES and AUP.

In the event that the DSI identifies contaminants in site soils at concentrations above the land use criteria, then a RAP & AEE will be prepared and measures implemented to ensure the safe remediation of the site for the intended development.

It is therefore considered that, provided the controls outlined in the RAP & AEE are implemented during the development works associated with proposed plan, that the effects of potentially contaminated soils on human health and the environment will to be effectively mitigated.

A DSI and a RAP & AEE (if required) will be included in the resource consent application, should the application be accepted as a referred project under the Act.

It is therefore concluded that there are no fundamental issues from a contaminated land perspective that will arise from the proposed development of the project site and any contaminated soil identified can be safely and feasibly remediated providing the works are completed in accordance with an approved RAP & AEE.

Yours sincerely,

Shane Dolan
Environmental Scientist
Focus Environmental Services Limited



Attachments

- Figure 1 – Plan of Proposed Development
- Figure 2-4 & 2-4A – 76A Waihoehoe Road
- Figure 2-5 – 76 Waihoehoe Road
- Figure 2-7 – 136 & 140 Waihoehoe Road
- Figure 2-8 (A-D) – 116 Waihoehoe Road

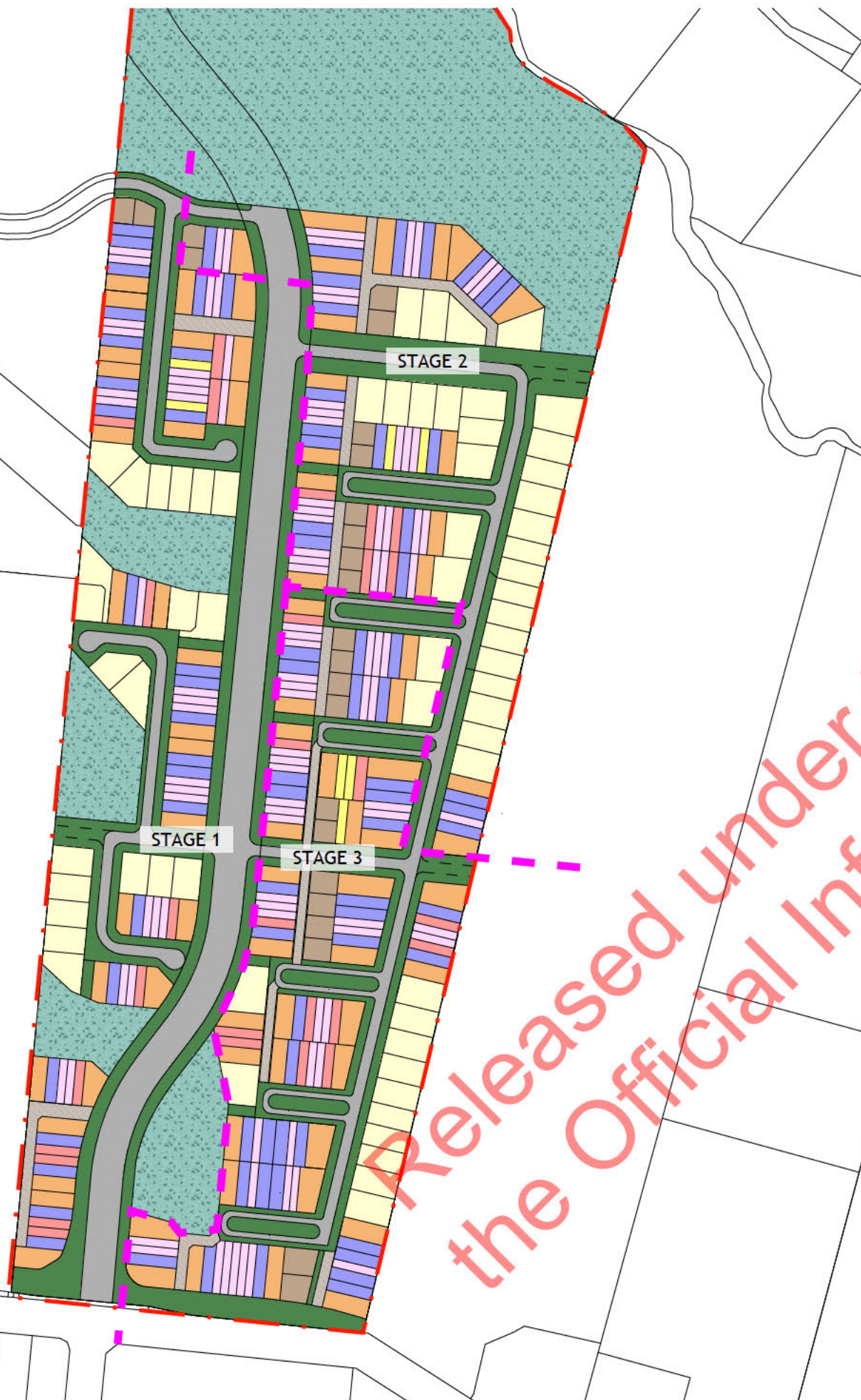
This Focus Environmental Services Limited report is produced under a management system certified as complying with AS/NZS 4801:2001 by SGS New Zealand.



LEGEND

- - - 76 & 76A WAIHOEHOE RD SITE BOUNDARY
- - - 116, 136 & 140 WAIHOEHOE RD SITE BOUNDARY

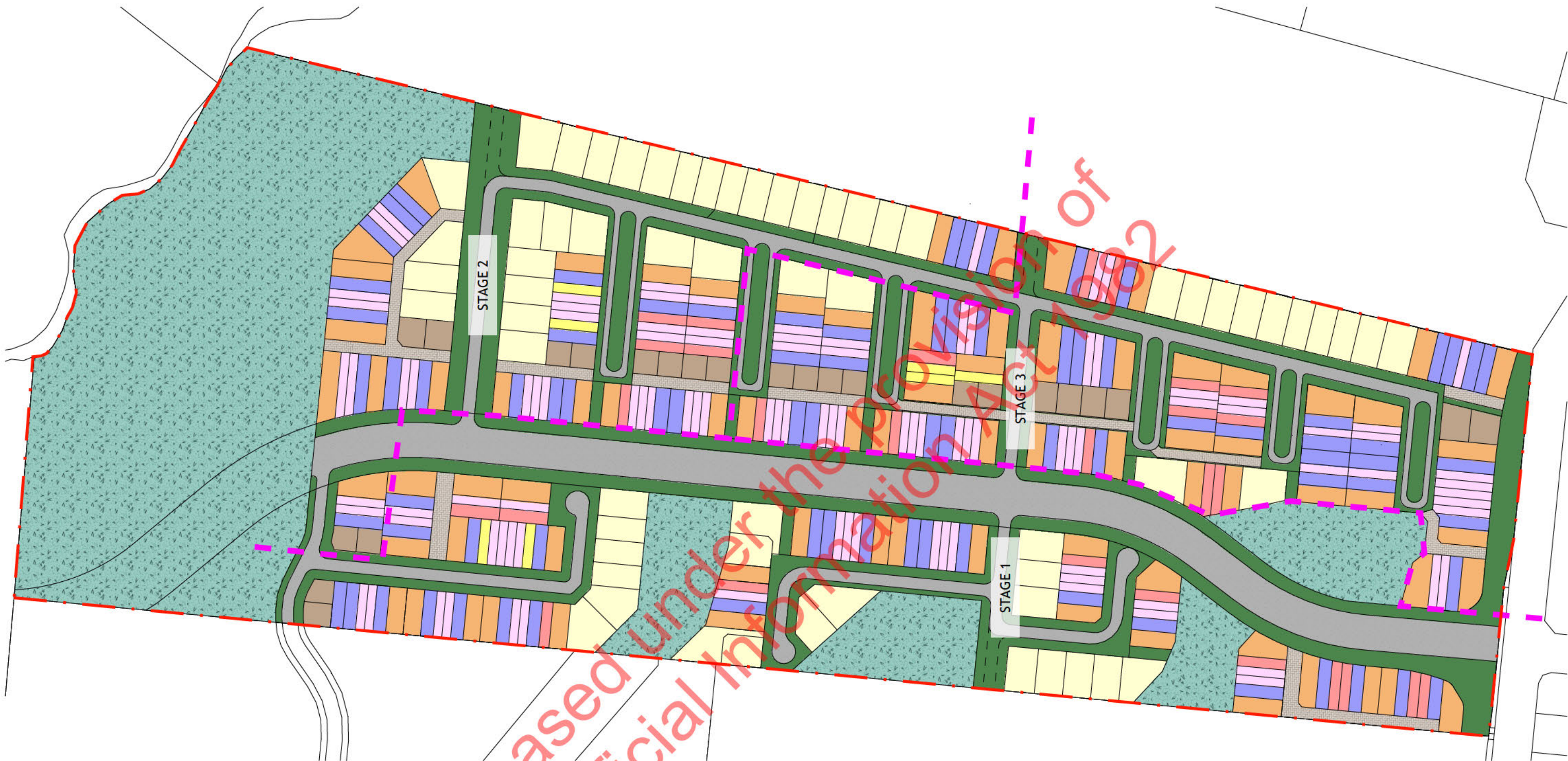
This document and design remains the property of Holistic Urban Environments Ltd. No liability shall be accepted for any unauthorised use. This design may be subject to further detailed investigation, including but not limited to Planning, Engineering, Survey, Architecture and Urban Design.	PROJECT	SCALE	1:3500 @ A3	DATE	11/02/2021	DRAWING TITLE	MASTERPLAN
	WAIHOEHOE ROAD MFE PROCESS	PAGE	1	AUTHOR	AM	DRAWING #	WAHH-MFE-100-1
		STATUS	DRAFT				



Stage 1	HUE - MfE	
	#	%
Detached	20	18%
7.5m Terrace	25	22%
Bookend Terrace	2	2%
6.5m Terrace	25	22%
5.3 Terrace	11	10%
5.1 Terrace	2	2%
4.5m Terrace	28	25%
Total Units	113	100%
Stage 2	HUE - MfE	
	#	%
Detached	28	25%
7.5m Terrace	17	15%
Bookend Terrace	10	9%
6.5m Terrace	21	19%
5.3 Terrace	5	4%
5.1 Terrace	2	2%
4.5m Terrace	30	27%
Total Units	113	100%
Stage 3	HUE - MfE	
	#	%
Detached	14	9%
7.5m Terrace	32	21%
Bookend Terrace	12	8%
6.5m Terrace	34	23%
5.3 Terrace	12	8%
5.1 Terrace	3	2%
4.5m Terrace	43	29%
Total Units	150	100%
GRAND TOTAL	376	

LEGEND

- STAGE BOUNDARIES
- 116, 136 & 140 WAIHOEHOE RD SITE BOUNDARY

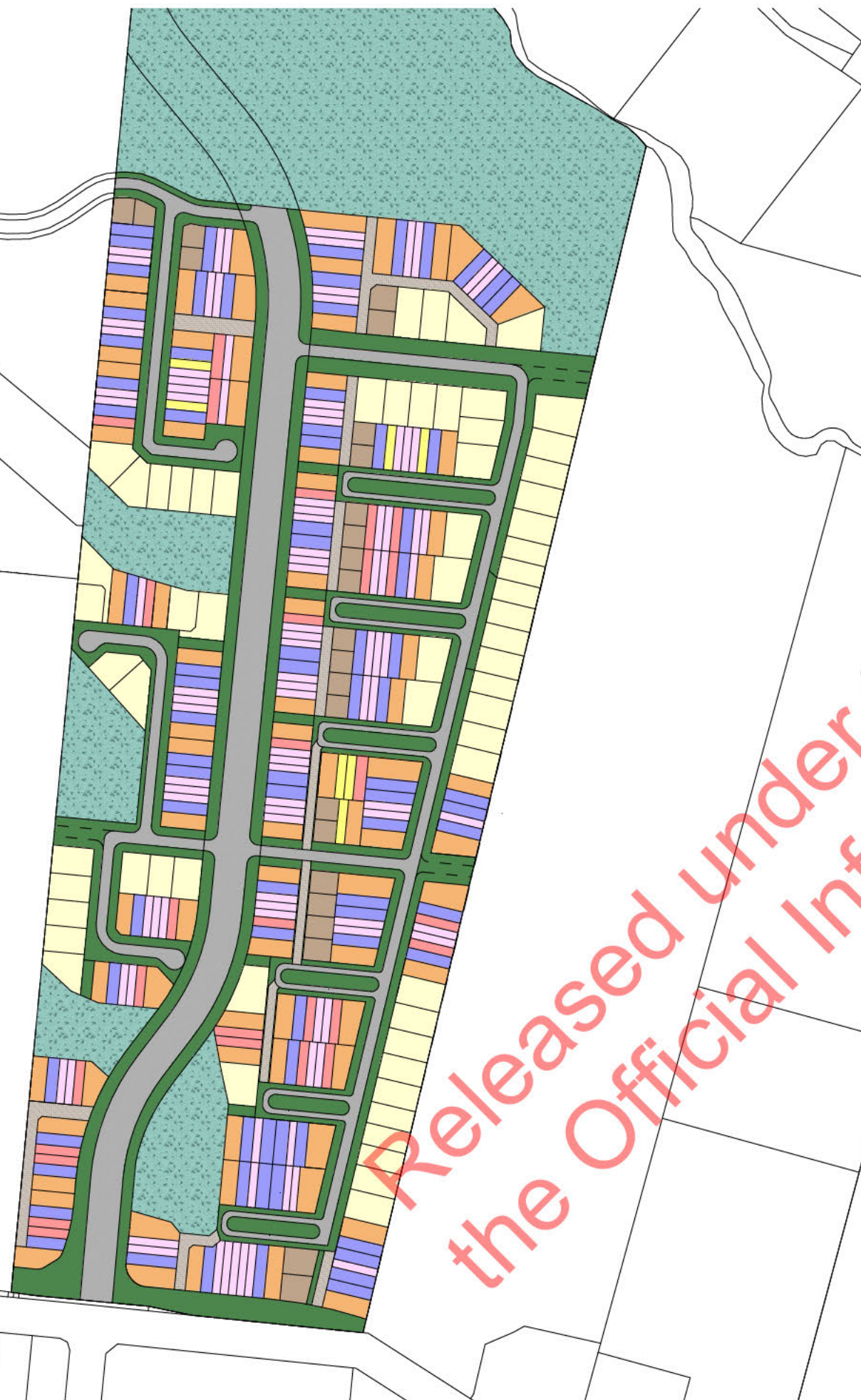


Stage 1	HUE - MfE		Stage 2	HUE - MfE		Stage 3	HUE - MfE		
	#	%		#	%		#	%	
Detached	20	18%	Detached	28	25%	Detached	14	9%	GRAND TOTAL
7.5m Terrace	25	22%	7.5m Terrace	17	15%	7.5m Terrace	32	21%	
Bookend Terrace	2	2%	Bookend Terrace	10	9%	Bookend Terrace	12	8%	
6.5m Terrace	25	22%	6.5m Terrace	21	19%	6.5m Terrace	34	23%	
5.3 Terrace	11	10%	5.3 Terrace	5	4%	5.3 Terrace	12	8%	
5.1 Terrace	2	2%	5.1 Terrace	2	2%	5.1 Terrace	3	2%	
4.5m Terrace	28	25%	4.5m Terrace	30	27%	4.5m Terrace	43	29%	
Total Units	113	100%	Total Units	113	100%	Total Units	150	100%	
376									

LEGEND

 STAGE BOUNDARIES

 116, 136 & 140
WAIHOEHOE RD SITE
BOUNDARY



Stage 1	HUE - MfE	
	#	%
Detached	20	18%
7.5m Terrace	25	22%
Bookend Terrace	2	2%
6.5m Terrace	25	22%
5.3 Terrace	11	10%
5.1 Terrace	2	2%
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5.3 Terrace	5	4%
5.1 Terrace	2	2%
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Total Units	150	100%
GRAND TOTAL	376	




Stage 1	HUE - MfE		Stage 2	HUE - MfE		Stage 3	HUE - MfE		
	#	%		#	%		#	%	
Detached	20	18%	Detached	28	25%	Detached	14	9%	GRAND TOTAL
7.5m Terrace	25	22%	7.5m Terrace	17	15%	7.5m Terrace	32	21%	
Bookend Terrace	2	2%	Bookend Terrace	10	9%	Bookend Terrace	12	8%	
6.5m Terrace	25	22%	6.5m Terrace	21	19%	6.5m Terrace	34	23%	
5.3 Terrace	11	10%	5.3 Terrace	5	4%	5.3 Terrace	12	8%	
5.1 Terrace	2	2%	5.1 Terrace	2	2%	5.1 Terrace	3	2%	
4.5m Terrace	28	25%	4.5m Terrace	30	27%	4.5m Terrace	43	29%	
Total Units	113	100%	Total Units	113	100%	Total Units	150	100%	



Released under the provision of
the Official Information Act 1982

LEGEND

 76 & 76A WAIHOEHOE RD SITE BOUNDARY

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	WAIHOEHOE ROAD MFE PROCESS	PAGE	6	AUTHOR	AM	DRAWING #	WAHH-MFE-105-1
		STATUS	DRAFT				



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Oyster Capital Limited
Waihoehoe Road Plan Change Area
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Figure 2-4: Site Feature Plan 76A Waihoehoe Road

Preliminary Site Investigation



1198.001

Drawing Number: 1198.001.06

Drawn By: SD

Checked By: DO'R

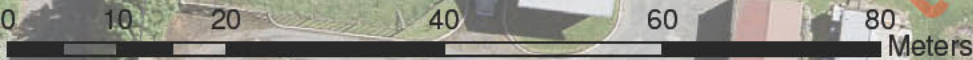
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Legend

-  Site Feature
-  Site Boundary

Site Feature	Description
1	Pond
2	Shed
3	Dwelling
4	Potential Stock Holding Pen
5	Potential Implement Shed
6	Potential Area of Burning



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Figure 2-4: Site Feature Plan
76A Waihoehoe Road

Preliminary Site Investigation



1198.001

Drawing Number: 1198.001.06 - A
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Checked By: DO'R
Date: 15/02/2019




Legend

- Historical Buildings
- Site Feature
- Site Boundary

Site Feature Description	
1	Potential Shed



 <p>Focus Environmental Services Limited PO Box 11455 Ellerslie Auckland 1542</p> <p>Ph: +64 9 579 4155 www.focusenvironmental.co.nz</p>	<p>Oyster Capital Limited Waihoehoe Road Plan Change Area Drury Auckland</p>	<p>Figure 2-5: Site Feature Plan 76 Waihoehoe Road</p> <p>Preliminary Site Investigation</p>		Drawing Number: 1198.001.07
				Drawn By: SD
				Checked By: DO'R
				Date: 15/02/2019





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Figure 2-8: Site Feature Plan 116 Waihoehoe Road

Preliminary Site Investigation



1198.001

Drawing Number: 1198.001.10

Drawn By: SD

Checked By: DO'R

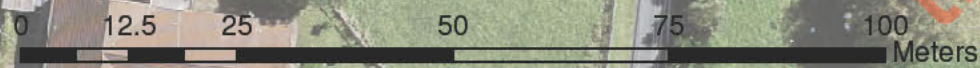
Date: 15/02/2019



Legend

- Site Features
- ▭ Site Boundary

Site Feature	Description
1	Site Office
2	Office (2)
3	Engineering Workshop
4	Open Faced Shed
5	Topsoil Stockpile
6	Half Round Barn (1)
7	Waste Oil Drums
8	Solar Panels
9	Underground Diesel Tank (1)
10	Underground Diesel Tank (2)
11	Area of Potential Diesel Spill (~200L)
12	Foundary
13	Offal Pit (1)
14	General Metal Storage
15	Refuse Pit (1)
16	Gas Meter
17	Asbestos Storage
18	Effluent Disposal Field
19	Pressure Testing Shed
20	Septic Tank
21	Refuse Pit (2)
22	Half Round Barn (2)
23	Dwelling (1)
24	Garage (1)
25	Farm Shed
26	Underground Petrol Tank
27	Area of Burning (1)
28	Tree Stumps





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Figure 2-8: Site Feature Plan 116 Waihoehoe Road (Lot 2 DP 173904)

Preliminary Site Investigation



1198.001

Drawing Number: 1198.001.10 - B

Drawn By: SD

Checked By: DO'R

Date: 15/02/2019



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Figure 2-8: Site Feature Plan 116 Waihoehoe Road (Lot 1 DP146189)

Preliminary Site Investigation



1198.001

Drawing Number: 1198.001.10 - C

Drawn By: SD

Checked By: DO'R

Date: 15/02/2019

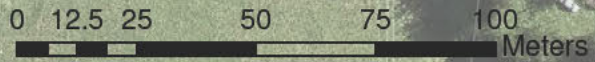




Legend

● Site Feature

▭ Site Boundary

Site Feature	Description
1	Dwelling (3)
2	Garage (3)
3	Temporary Living Accomadation
4	Area of Burning (3)
5	Gully
6	Refuse Pit (3)



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				Drawn By: SD
				Checked By: DO'R
				Date: 15/02/2019