

## **Land Disturbance Conditions – RM220846**

1. The Consent Holder shall ensure that all works are carried out in general accordance with the information submitted in support of application RM220846, including
  - (a) the Detailed Site Investigation Report (DSI) produced by Sustainable Environmental Engineering Limited dated 29 August 2021; and
  - (b) the Planning Report prepared by Land Dimensions dated 4 October 2022; and (c) the attached Plan A RM220846.

In the event that there is any conflict between these documents and any condition(s) of this consent, the conditions shall prevail.

2. Prior to undertaking work authorised by this consent, the Consent Holder shall ensure that all personnel working on site are made aware of and have access to the contents of this resource consent.
3. Any soil disturbance activity shall additionally meet the conditions of consent RM240065, if the conditions between RM220846 and RM240065 conflict then the conditions of RM220846 shall apply.

### ***Advice Note:***

*RM240065 is a general earthworks consent that applies to the full area where the areas related to the contamination are a subset of the site.*

4. Any contaminated soil stockpiled shall be appropriately capped with clean material or covered and stabilised, and appropriate surface water diversion controls shall be put in place. The stockpile shall be constructed and managed in accordance with the site Remediation Action Plan (RAP). The capping of the stockpile shall be certified by a SQEP. Any stockpile shall be temporary and removed in accordance with the conditions of consent before the expiry of the consent.

## **Remediation Action Plan**

5. An RAP shall be submitted to Council (hail@tasman.govt.nz) for review and approval prior to application for Section 223 certificate. The RAP shall be prepared by a Suitable Qualified and Experienced Person (SQEP) in accordance with Ministry for the Environment Contaminated Land Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand.
6. Remediation of contaminated soils shall be undertaken in accordance with the RAP and completed prior to application for Section 224(c) certification. Site Validation
7. Soil validation sampling shall be undertaken to verify remediation works have successfully reduced contaminant concentrations to less than Soil Contaminant Standards for Rural-Residential Land Use. The soil validation sampling shall be

undertaken by a SQEP in accordance with current edition of Ministry for the Environment Contaminated Land Management Guidelines #5: Site Investigation and Analysis of Soils, Revised 2021.

8. On completion of soil remediation works a Site Validation Report (SVR) shall be prepared by a SQEP in accordance with the current edition of Ministry for the Environment Contaminated Land Guidelines No. 1 - Reporting on Contaminated Sites in New Zealand 2021. The SVR shall be submitted to Council (hail@tasman.govt.nz) for review and approval prior to any application for Section 224 approval.

#### **Disposal of Contaminated Material Off-Site**

9. Works machinery and tools shall be washed and all soil and substrate removed before leaving the site.
10. Prior to any excavated material being transported off-site the Consent Holder, or appointed representative, shall notify Council's Team Leader - Compliance & Investigation of the intended disposal site.
11. All soil and substrate removed from site shall be taken to a facility authorised to accept contaminated material. Soil and substrate shall be transported using appropriately licensed contractor(s) and trucks shall be covered during transportation.
12. The Consent Holder shall keep a record of the volume of excavated material transported off-site, any testing carried out on this material, and where this material is disposed of. Receipts for the disposal of soil at appropriate facilities shall also be kept by the Consent Holder. These records and receipts shall be made available to Council on request.

#### **Contaminated Material Cell**

13. The Consent Holder may construct a contaminated material cell using material from within Lot 8 DP 312213. The contaminated material cell shall be located within Lot 16 of subdivision consent RM220843.
14. The construction of any contaminated material cell shall be supervised by a SQEP. Following completion of the cell the SQEP shall provide written confirmation to Council that the cell has been constructed in accordance with the relevant conditions of this consent and any relevant contaminated soils guidelines or best practice.
15. Any contaminated material cell shall be located at least 20 metres from any adjoining property boundary and water body.
16. Where a contaminated soil cell is constructed (i.e. contaminant concentrations remain above the Soil Contaminant Standards for Rural-Residential Land Use within the property) the Consent Holder shall prepare and submit an Ongoing Site Management Plan (OSMP) to Council's Team Leader - Compliance & Investigation for approval no later than 3 months following the date the earthworks commence.

17. Where a contaminated soil cell is constructed, a consent notice shall be registered on the Record of Title for Lot 16 of subdivision consent RM220843 pursuant to Section 221 of the Resource Management Act 1991. The consent notice shall state that:
- (a) Ongoing contamination management requirements identified in the Ongoing Site Management Plan required by Condition 16 shall apply to the site indefinitely unless a consent variation is authorised.
  - (b) The conditions of this consent shall apply to the site indefinitely unless a consent variation is authorised. The consent notice shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notice shall be paid by the Consent Holder.

### **Unexpected Contamination Discovery**

18. In the event that evidence of chemical contamination (discoloured soil, asbestos, odours, containers, etc.) is discovered, then all earthworks should immediately stop and the area must be cordoned off. As soon as practicable, the Consent Holder shall contact a SQEP to conduct an assessment of risk. A copy of the assessment made by the SQEP shall be provided to Council's Team Leader - Compliance & Investigation within 5 working days of the Consent Holder receiving the assessment.

Works may recommence after a copy of the assessment has been sent to the Council's Team Leader - Compliance & Investigation and shall comply with any recommendations made by the SQEP. Administration

19. Pursuant to section 128 of the Resource Management Act the Council may review any or all of the conditions of the consents for all or any of the following purposes:
- (a) dealing with any adverse effect on the environment which may arise from the exercise of the consent that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; or
  - (b) requiring the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment resulting from the activity; or
  - (c) to comply with national environmental standards made under section 43 of the Resource Management Act 1991.
20. Pursuant to section 125 of the Act this consent shall lapse 5 years after the date of issue of this consent unless either the consent is given effect to, or the Council has granted an extension pursuant to section 125(1)(b) of the Act.
21. The soil disturbance activity authorised by this consent shall expire 24 months after the commencement of the work approved under this consent.

## **GENERAL ADVICE NOTES**

1. The Consent Holder shall meet the requirements of Council with respect to all Building Bylaws, Regulations and Acts.
2. All necessary signage and safety measures should be implemented during the works.
3. Access by the Council's officers or its agents to the property is reserved pursuant to section 332 of the Resource Management Act 1991.
4. Council draws the attention of the Consent Holder to the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 that require you in the event of discovering an archaeological find (e.g., shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and Heritage New Zealand should be notified within 24 hours. Works may recommence with the written approval of the Council's Team Leader - Monitoring & Enforcement, and Heritage New Zealand.
5. This resource consent only authorise the activities described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
  - (a) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
  - (b) be allowed by the Resource Management Act; or
  - (c) be authorised by a separate resource consent.

**LEGEND**

- 2265m² PROPOSED EFFLUENT DISPERSAL AREA
- 600m² PROPOSED BUILDING LOCATION AREA
- TRMP BUILDING SET BACK
- EXISTING VEGETATION
- EXISTING BODY OF WATER  
REDUCED WATER LEVEL EXTENT
- EXISTING WATERCOURSE  
(INTERMITTENT / PERMANENT)
- PROPOSED DRAINAGE CHANNEL
- EXISTING OVERHEAD POWERLINE / POLE
- TRMP PLANNING ZONE BOUNDARY
- PROPOSED BOUNDARY
- PROPOSED EASEMENT EXTENT
- PROPOSED KERB ALIGNMENT  
/ VEHICLE CROSSING
- PEDESTRIAN WALKWAY/CYCLEWAY  
2.5m WIDE
- INDICATIVE EXTENT  
OF EARTHWORKS
- POTENTIAL  
CONTAMINATED  
SOIL ENCAPSULATION  
LOCATIONS

No.	Amendment	Date

1 Full Court  
PO Box 2144, Stoke  
NELSON  
enquiries@landdimensions.co.nz

Phone: (03) 928 0211

**tasman** district council | **te tai o Aorere**

	Design: SCT
	Drawn: SCT
	Checked: PD
	Approved: SJE
Date: 15-11-2023	

Job Title  
**RUBY BAY VIEWS**  
**POMONA ROAD**