BEFORE HEARING COMMISSIONERS APPOINTED BY CANTERBURY REGIONAL COUNCIL AND WAIMAKARIRI DISTRICT COUNCIL

IN THE MATTER OF	the Resource Management Act 1991
AND	
IN THE MATTER OF	Applications CRC204106, CRC204107, CRC204143 and RC205104 – to establish, operate and rehabilitate an aggregate quarry at 309 West Belt, Rangiora

JOINT WITNESS STATEMENT

ATTENDANTS: Mr Tracy Singson

Ms Samantha Iles

1. This Joint Witness Statement reports on the outcomes of expert conferencing between Samantha Iles (Senior Scientist, Contaminated Land and Waste, Canterbury Regional Council) and Tracy Singson (Contaminated Land Service Leader, Pattle Delamore Partners) in relation to contaminated land management.
2. Ms Iles and Mr Singson acknowledge that they have read the Environment Court's Code of Conduct for Expert Witnesses as contained in Section 7 and Appendix 3 of the Environment Court Practice Note 2014 and have complied with it in the preparation of this statement.
3. Areas of Agreement – see attached conferencing notes
4. Areas of Disagreement – see attached conferencing notes

Signatures:

Date: 30/4/21 TRACY SINGSON

Date: 30/4/21 Samantha Iles

Proposed Rangiora Racecourse Quarry – Taggart Earthmoving Ltd

Experts' Conferencing Notes on Contaminated Land Matters

Dates : 14 April 2021; 9-10am and 16 April 2021; 12-2 pm

Location: PDP Offices – 134 Oxford Terrace, Christchurch

Attendees:

Tracy Singson – Contaminated Land Service Leader – PDP

Samantha Iles – Senior Scientist, Contaminated Land and Waste – CRC

Note Taker:

Hamish Peacock – Technical Director – Planning – PDP

Context:

The Quarry and Backfill Management Plan (QBMP) governs the backfill acceptance criteria and screening process. This is currently in draft version to support application. Where items discussed/agreed where not covered currently by the draft QBMP, a condition is proposed to update the aspects of the document following the outcome of this conferencing (for items agreed) and the hearing process (for items not agreed). This is agreed by both parties.

Contaminated Land Aspects:

1. Broad Classification of Sources of Backfill Material in the context of contamination assessment – onsite sources vs offsite sources. This concept was agreed by both parties.
2. Greater Assurance on Quality and Acceptability of Backfill Material – both parties agreed that this aspect is critical in ensuring effects to groundwater from contaminant leaching is minimized when placed back within the pit.
3. Other matters – Existing stockpile and Potential Waste Pit area – needs to be addressed dependent on the specific use and/or activity. Agreed by both parties.

Discussion Details:

1. Broad Classification of Sources of Backfill Material in the context of contamination assessment.

   Onsite Source:

   - It is acknowledged (including in the s42A report) that the PSI (report reference: PDP, 2018) and subsequent soil sampling (report reference: PDP, 2020) to characterise the former racetrack area were sufficient to inform the quality of the onsite/in-situ soils, apart from the uncertainties raised in the existing stockpile and potential waste pit area (discussed further in items 3 and 4 below) as well as any accidental discovery of contaminated material during extraction activities. This indicates that the approach and findings of the PSI and soil sampling reports in the contact of contamination assessment were acceptable and agreeable to both parties (as it should given that it was certified by a SQEP and prepared in accordance with the Contaminated Land Management Guidelines), noting that the s42A report did not

identify this as a matter of concern (refer to Paragraphs 348 to 355 of s42A report). Agreed by both parties.

- On the basis of the PSI and soil sampling report findings, noting s42A report did not identify this as a matter of concern, the onsite/in-situ soils qualify as VENM provided the volume of vegetative matter is less than 2% in accordance with the WasteMINZ guidelines. Again, the exceptions to this are the existing stockpile and potential waste pit area where no prior investigation has been carried out, although it should be noted these are located outside of the extraction and backfilling area. Agreed by both parties.
- Accidental discovery protocol for encountering unexpected contamination will be added in the final QMBP before consent can be exercised, if granted. Agreed by both parties.

Off-site (External) Source:

- Where a source site is classed as non-HAIL or potentially HAIL – this requires suitable assessment procedures to ensure acceptability and further discussion to address this is provided in Item 2 below. It was discussed and acknowledged that the LLUR, as a basis of what is HAIL or not, is not complete. However, this is not considered limiting as the pre-selection procedure will capture both classes of site (i.e. HAIL or non-HAIL). Potentially agreed by both parties subject to the pre-selection procedure being acceptable.
- Where a source site is identified as HAIL – this will be subjected to the procedure discussed in Item 2 below. Agreed by both parties.

2. Quality and Acceptability of Backfill (VENM) Material

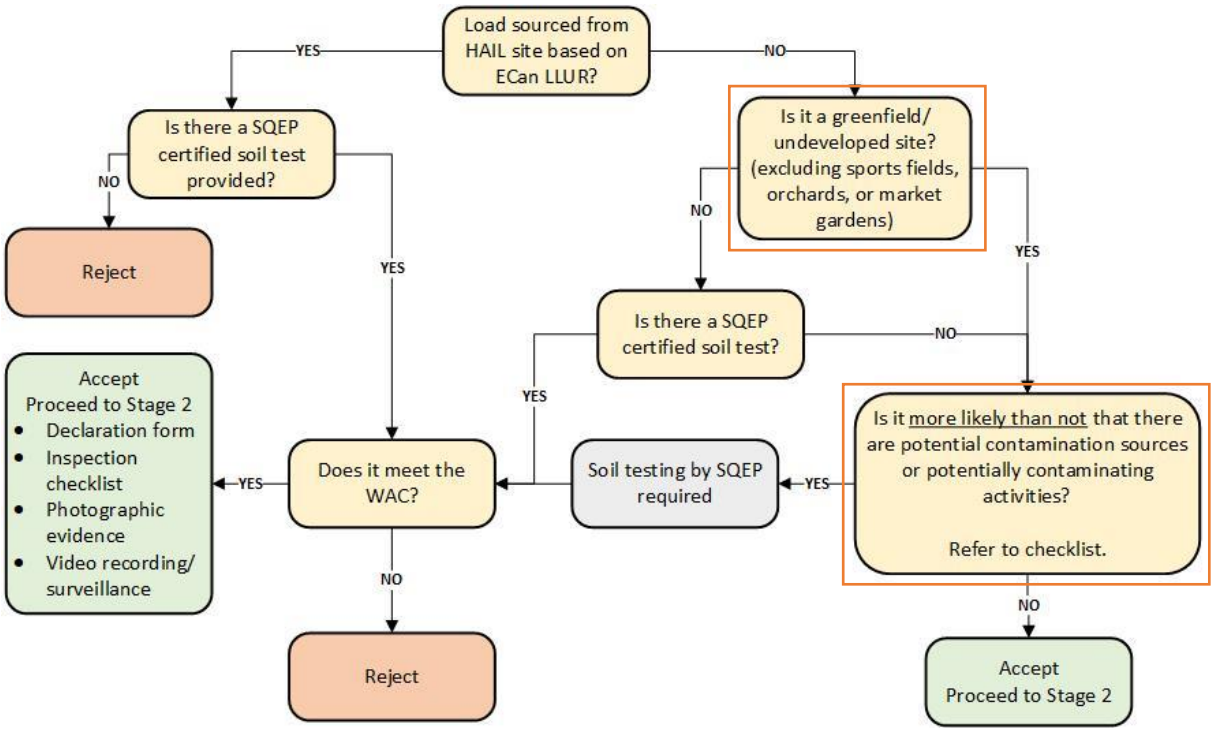
Proposed Procedure: The proposed backfill acceptance process would be as follows:

- Stage 1: Pre-Selection (particularly from offsite sources – refer to Item 1 above)
- Stage 2: Inspection and Additional Screening
- Stage 3: Audits and Verification

Note that the proposed Waste Acceptance Criteria (WAC; contaminant trigger limits) were agreed and considered suitable as per Paragraph 321 of s42A report.

Stage 1 - Pre-Selection: Identified and agreed as the key aspect. Mainly applies to external sources. A flowchart (see below) was developed by Mr Singson to show the process to be followed for screening.

- The procedure shown in the flow chart is generally agreed by the parties.
- The exception are the steps with red outlines where there is a disagreement if this is to be done by a SQEP or can be covered as part of staff training.



Stage 2 - Inspection and Additional Screening: Both parties agreed that subject to the outcome of acceptable process in Stage 1, some aspects of Stage 2 should be updated, such as the Declaration Form, Visual Inspection Checklist and record keeping process.

Stage 3 – Verification Sampling and Audits: This was considered insufficient in the s42A report and recommended that the WasteMINZ (2018) was adopted as a minimum (i.e. random audit – 1 per 50 load; random verification sampling 1 per 500 m3 of material). The following is discussed:

- Agreed to adopt WasteMINZ requirements. Load is defined as truck and trailer load.
- Both parties agreed that a procedure is required if verification sampling identifies unacceptable material and how this will be managed, as identified in paragraph 328a of s42A report.
- With regard to temporary stockpiling of material subjected to verification sampling, both parties agreed that this needs to be separate and away with clear signposts from the 'emergency backfill' stockpiles so as not to cause confusion (as identified in paragraph 328b of s42A report). This will be considered as part of the final QMBP.

3. Existing Stockpile

Agreed that the quality of this material is unknown. However, requirement for contamination testing should be driven by activity and/or use of material – shifting material about the site is not necessarily subject to contaminated land requirements, unless this is going to be used as backfill material, which need to be tested to prove acceptability. Both parties agreed that this is best managed as a consent condition, subject to specific use of the material.

4. Potential Waste Pit

Agreed that this could be issue, only if disturbed as part of the proposed quarry activity. It is expected that the acoustic bund is to be constructed on top of this area which will not likely require disturbance. There is a possibility surface material will be disturbed as part of the access road, but the final design of the access road is unknown. As such, both parties agreed that this is best managed as a consent condition, subject to specific activity prior to works commencing.