

# ***Proposed District Plan Variation 10***

**Amendments to Proposed District  
Plan Change 57 (Provision for non-airport  
activities in the Airport and Golf Course  
Recreation Precinct) – Contaminated Land**

1 November 2008



# Plan Change Document

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## Wellington City District Plan

### Proposed District Plan Variation 10

Additions and deletions to Proposed District Plan Change 57 (Provision for non-airport activities in the Airport and Golf Course Recreation Precinct) – Contaminated Land

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#### **ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN – PROPOSED DISTRICT PLAN CHANGE 57**

Detailed below are the alterations to the Wellington City District Plan to incorporate changes to Proposed District Plan Change 57 (Provision for non-airport activities in the Airport and Golf Course Recreation Precinct).

Key to annotated text:

- new text to be added is shown as underlined – abcdefghijkl
- existing text to be deleted is shown as struck through - ~~abcdefghijkl~~

# 10. AIRPORT AND GOLF COURSE RECREATION PRECINCT

[.....]

## **10.2 Airport and Golf Course Recreation Precinct Objectives and Policies**

[.....]

### **OBJECTIVE**

**10.2.7 To prevent or mitigate any adverse effects of the storage, use, disposal, or transportation of hazardous substances, including waste disposal, and from the use of contaminated sites land.**

### **POLICIES**

To achieve this objective, Council will:

**10.2.7.1 Require that the storage, use, handling and disposal of hazardous substances are subject to analysis using the Hazardous Facilities Screening Procedure and, where appropriate, the resource consent procedure in order that any potential or actual adverse effects are managed in such a way as to safeguard the environment.**

[.....]

**10.2.7.6 Control activities on any contaminated site land.**

### **METHODS**

- Rules
- Other mechanisms (including Ministry for the Environment Guidelines for Contaminated Land Management)

*Activities on contaminated sites land are managed for two reasons. Firstly, to prevent the contamination adversely affecting occupiers of the site land or processes which could take place on the site land there and secondly, to ensure that such ~~sites are~~ land is cleaned up.*

*Site specific investigations have been undertaken to identify locations where contamination from the past may have occurred. These locations are shown on a plan of the airport attached as Appendix 5 to the rules.*

*In the Airport area the extent of any contamination is often difficult to confirm prior to construction works because of the extent and thickness of concrete hardstand. Contamination discovered to date has generally not migrated laterally and has been prevented from vertical migration by the thickness of hardstand. In recognition of the Airport's generally unique characteristics in regards to contamination, and that this area is within one ownership, a less restrictive rule regime has been applied than in other areas. Any development involving the disturbance or alteration of land within the Airport Area in the locations shown on Appendix 5 to the rules will therefore be assessed as a controlled activity. A memorandum of understanding between Wellington International Airport and the Wellington City Council will also ensure that the informal cooperation that has happened to date will continue.*

*Council is eager to see any contaminated areas cleaned up and will facilitate this process to the best of its ability. Key issues to be considered as part of any application to use a contaminated ~~site~~ land will be the nature and extent of the contamination, the risk of exposure to public health, safety and the environment, and finally the approach to decontamination of the ~~site~~ land. The Ministry for the Environment has published several guidelines for the management of contaminated ~~sites~~ land and it is expected that applicants will adhere to these guidelines (particularly guidelines 1-5 as appropriate) in completing the site analysis and preparing the approach to decontamination.*

*The environmental result will be the sharing of information about contaminated ~~sites~~ land between district and regional councils and the appropriate control over the development of any contaminated ~~sites~~ land.*

# Chapter 11A. Airport Precinct Rules

## Guide to Rules

**NOTE:** The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements.

P refers to Permitted Activities, C to Controlled Activities, DR to Discretionary Activities (Restricted) and DU to Discretionary Activities (Unrestricted).

| <b>Uses/Activities</b>  | <b>Rule</b> | <b>P</b> | <b>C</b> | <b>DR</b> | <b>DU</b> |
|---|-------------|----------|----------|-----------|-----------|
| Any activities related to the primary function of the Airport area subject to conditions  | 11.1.1      | ●        |          |           |           |
| Any activities related to the primary function of the Airport not complying with conditions for Permitted Activities or not being a Controlled Activity | 11.3.1      |          |          | ●         |           |
| Upgrade and maintenance of existing formed roads and accessways   | 11.1.4      | ●        |          |           |           |
| Use, storage or handling of aviation fuel up to a specified maximum   | 11.2.1      |          | ●        |           |           |
| Any activity listed in Section 3.5.2.2 (Hazardous Substances)   | 11.2.2      |          | ●        |           |           |
| Activities or building works which disturb or alter the ground of a contaminated site   | 11.2.4      |          | ●        |           |           |
| Permitted signs subject to conditions   | 11.1.5      | ●        |          |           |           |
| Signs not complying with conditions for Permitted Activities  | 11.3.4      |          |          | ●         |           |
| Earthworks on Rongotai Ridge subject to conditions  | 11.1.6      | ●        |          |           |           |
| Earthworks on Rongotai Ridge exceeding permitted activity conditions  | 11.3.5      |          |          | ●         |           |
| <b>Airport Buildings</b>  | <b>Rule</b> | <b>P</b> | <b>C</b> | <b>DR</b> | <b>DU</b> |
| The construction, alteration of or addition to buildings and structures related to the primary function of the Airport subject to conditions            | 11.1.2      | ●        |          |           |           |
| Airport buildings and structures not being a Permitted Activity   | 11.3.2      |          |          | ●         |           |
| <b>Non-airport activities and buildings</b>   |             |          |          |           |           |
| In the Terminal Area, any non-airport activity, building or structure subject to standards  | 11.2.3      |          | ●        |           |           |
| Outside the Terminal Area, any non-airport activity, building or structure subject to Discretionary Activity (Restricted) standards                     | 11.3.3      |          |          | ●         |           |
| Any activity that is not Permitted, Controlled or a Discretionary Activity (Restricted)   | 11.4        |          |          |           | ●         |
| <b>Subdivision</b>  | <b>Rule</b> | <b>P</b> | <b>C</b> | <b>DR</b> | <b>DU</b> |
| Subdivision subject to conditions   | 11.1.3      | ●        |          |           |           |
| Subdivision not being a Permitted Activity  | 11.4.1      |          |          |           | ●         |
| <b>Heritage</b>   | <b>Rule</b> | <b>P</b> | <b>C</b> | <b>DR</b> | <b>DU</b> |
| Activities affecting listed heritage items  | 21.0        | ●        | ●        |           | ●         |
| <b>Utilities</b>  | <b>Rule</b> | <b>P</b> | <b>C</b> | <b>DR</b> | <b>DU</b> |
| Utilities   | 23.0        | ●        | ●        | ●         | ●         |

## Schedule of Appendices

| Number | Appendix  |
|--------|---|
| 1      | Noise   |
| 2      | Vehicle Parking Standards   |
| 3      | Site Access for Vehicles  |
| 4      | Sub-areas within the Airport area   |
| 5      | Location of potentially contaminated <del>sites</del> <u>land</u> within the Airport Area |

# 11A. AIRPORT AREA RULES

[.....]

## 11.2 Controlled Activities

Section 11.2 describes which activities are Controlled Activities in the Airport and Golf Course Recreation Precinct. A resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

[.....]

- 11.2.4 Any earthworks that disturb or alter the ground of a contaminated site land within the Airport Area in the locations identified in Appendix 5 is a Controlled Activity in respect of:**
- 11.2.4.1 the objectives and protocols for any investigations to determine the nature and extent of contamination**
  - 11.2.4.2 the nature and extent of the contamination**
  - 11.2.4.3 risk of contaminant exposure on public health, safety and the environment.**
  - 11.2.4.4 the approach to decontamination, remediation or management of the contaminated site land and the mitigation measures, including monitoring, adopted to avoid adverse effects on public health, safety and the environment.**

*Rule 11.2.4 deals with issues of site land contamination. Any activity considered under this rule will also be subject under Rules 11.2.3, 11.3.1 to 11.3.5, and 11.4.2 as appropriate.*

### *Non-notification/ service*

In respect of rule 11.2.4 applications do not need to be publicly notified and do not need to be served on affected persons.

### Assessment Criteria

**In determining what conditions, if any, to impose, Council will have regard to, but will not be limited to, the following criteria:**

11.2.4.5 The proposed methodology for the remediation of the land, including the provision of a Remediation Plan that addresses:

- How any adverse effects on the surrounding environment resulting from earth moving or removal and any potential

discharges from the site will be managed (eg sediment control, site covering and dust control),

- Where soil is to be removed from the site, the disposal of any contaminated soils.
- How the health and safety of the workers and the wider community will be provided for during site works, including, if necessary, the presence of public exclusion zones, site security and location of worker amenity facilities.
- The standard of remediation on completion.
- The potential for recontamination to occur, where the land may become contaminated due to the presence of contamination on adjacent land or sites.
- Any alternatives to remediation, where there are more appropriate mitigation techniques to remediation that will avoid risk to public health and safety and prevent exposure to the contaminated soil.
- Any potential long-term or cumulative effects of discharges from the site.

11.2.4.6 The extent to which any proposal for the remediation of contaminated land meets the Ministry for the Environment's Contaminated Land Management Guidelines 1 to 5, any relevant Ministry for the Environment industry-specific contaminated land guidelines, the Department of Health's Guidelines for Public Health Services for Managing Lead Exposed Persons, and the Department of Labour's Health and Safety Guidelines on the Cleanup of Contaminated Sites.

11.2.4.7 The extent to which any potential adverse effects of remediation are acceptable.

11.2.4.8 The suitability of the land for its proposed end use, including whether adequate measures are proposed to ensure the on-going safe use of the land.

*To avoid risks to the public and the environment, any disturbance of ~~a~~ contaminated ~~site~~ land will require appropriate remediation. The memorandum of understanding between the Wellington City Council and Wellington International Airport will ensure that constructive dialogue takes place and significant issues are resolved before applications for resource consent are submitted.*



Appendix 5 - Potentially Contaminated Land within the Airport Area

