

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**

**Annotated version including recommendations
post hearing**



Plan Change Document

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

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).

Uses/Activities	Rule	P	C	DR	DU
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			●	
Airport Buildings	Rule	P	C	DR	DU
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			●	
Non-airport activities and buildings					
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				●
Subdivision	Rule	P	C	DR	DU
Subdivision subject to conditions	11.1.3	●			
Subdivision not being a Permitted Activity	11.4.1				●
Heritage	Rule	P	C	DR	DU
Activities affecting listed heritage items	21.0	●	●		●
Utilities	Rule	P	C	DR	DU
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 sites <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.

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| <p>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:</p> <p>11.2.4.1 the objectives and protocols for any investigations to determine the nature and extent of contamination</p> <p>11.2.4.2 the nature and extent of the contamination</p> <p>11.2.4.3 risk of contaminant exposure on public health, safety and the environment.</p> <p>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.</p> | <p><i>Rule 11.2.4 deals with issues of <u>site land</u> 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.</i></p> |
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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 as appropriate 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~~ land, the appropriate tracking and safe transport to land that is authorised and / or consented for 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~~ land.

11.2.4.6 The extent to which any proposal for the remediation and / or ongoing management 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 ~~Ministry Department~~ of Health's Guidelines for Public Health Services for Managing Lead Exposed Persons and the Management of Asbestos in the Non-Occupational Environment, 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 and / or ongoing management 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.

11.2.4.9 The nature of any relevant Regional Council requirements or consent conditions.

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.

