

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE  
WAIMAKARIRI DISTRICT COUNCIL**

**IN THE MATTER OF**

The Resource Management Act 1991 (**RMA** or  
**the Act**)

**AND**

**IN THE MATTER OF**

Hearing of Submissions and Further  
Submissions on the Proposed Waimakariri  
District Plan (**PWDP** or **the Proposed Plan**)

**AND**

**IN THE MATTER OF**

Hearing of Submissions and Further  
Submissions on Variation 1 to the Proposed  
Waimakariri District Plan

**AND**

**IN THE MATTER OF**

Submissions and Further Submissions on the  
Proposed Waimakariri District Plan by  
**Doncaster Developments Limited**

---

**EVIDENCE OF GILES LEARMAN  
ON BEHALF OF DONCASTER DEVELOPMENTS LIMITED  
STREAM 12E**

DATED: 5 MARCH 2024

---

Presented for filing by:  
Margo Perpick  
PO Box 18, Christchurch  
T 027 227 2026  
margo.perpick@saunders.co.nz

## INTRODUCTION

- 1 My name is Giles James Learman.
- 2 I am a Geotechnical and Environmental Engineer / Director employed by Engineering Design Consultants Limited (EDC).
- 3 As a Suitably Qualified and Experienced Person, I have undertaken many Preliminary Site Investigations to support Resource Consent applications and produced subsequent Detailed Site Investigations (DSI), Remedial Action Plans (RAP's), Contaminated Soil Management Plans and Site Validation Reports in line with the MoE Contaminated Land Management Guidelines.
- 4 My role has also involved teaching and mentoring junior staff in the discipline of land assessment.
- 5 I hold the qualifications of Bachelor of Science (Hons) in Geology from the University of Derby.
- 6 I am a Chartered Member of Engineering New Zealand (Professional Engineering Geologist) with assessed practice fields listed as Geotechnical and Environmental.
- 7 I am a Chartered Fellow of the Geological Society of London.
- 8 Before joining EDC, I was a director at Rodgers Leask Environmental, an English engineering firm. I was responsible for running a team of geotechnical and geo-environmental (contaminated land) engineers and providing technical advice on a wide range of residential, commercial, transport, government projects, and strategic land developments.
- 9 Throughout my career I have been involved in the design and undertaking of projects, often on land with long-term history of heavy industrial use, to assess the soil and groundwater quality with respect to contamination risk. This has involved qualitative assessment and modelling the fate and transport of a range of compounds (solid, liquid and gas state) and subsequently quantitative assessment of the potential risk to the humans and the environment.

- 10 I have been responsible for the design and implementation of remedial works and management systems for sites, including clean capping systems, in-situ remediation, ex-situ remediation and gas protection measures.
- 11 In the UK I was a qualified (CL:AIRE) soil waste assessor and was involved with training contractors on the correct installation of landfill gas protection measures.
- 12 I am a Suitably Qualified and Experienced Person (SQEP) as required by Regulation 3 (a) of the NESCS (2011) and as defined in Section 2.1.1 of the Users' Guide, NESCS, April 2012. I am recognised by multiple regional and district councils as a SQEP. I have over 23 years of contaminated land and water investigation, risk assessment and site remediation experience, which includes years of hands-on field experience overseen by experts in these disciplines.
- 13 I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out above. The matters addressed in my evidence are within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

#### **SCOPE OF EVIDENCE**

- 14 In my evidence I address the following issues:
- (a) whether it is more likely than not that an activity or industry described in the Hazardous Activities and Industries List (HAIL) is being, or has been, undertaken on the site.
  - (b) Provide comment on the suitability of the site for the proposed residential use.

**CONTEXT**

- 15 The purpose of this evidence is to present the findings of the EDC Preliminary Site Investigation (ref: Arlington Park Fernside - Preliminary Site Investigation Rev.1 dated 26 November 2021), which assessed the probability of a Hazardous Activities and Industries (HAIL) activity having taken place at the site and its suitability for residential use.
- 16 The methodology for the PSI is outlined in the Ministry for the Environment (MfE) Contaminated Land Management Guideline (CLMG) No 1 "Reporting on Contaminated Sites in New Zealand" (Ministry for the Environment, 2001 (Revised 2011)).
- 17 The land comprises the following legal titles: 282 Lehmans Rd – Lot 1 DP340848, 278 Lehmans Rd – Lot 1002 DP 526449, 32 Sandown Boulevard – Lot 1001 DP 526449, 266 Lehmans Rd – Lot 192 DP 437764, 260 Lehmans Rd – Lot 1003 DP 526449 and 23 Sandown Boulevard – Lot 508 DP.
- 18 The land is situated at the northern end of Lehmans Road on the north-west edge of the Arlington Subdivision, Rangiora. The land is on the east side of Lehmans Road, south of the Rangiora racecourse and north-west of a line of electricity transmission lines. The total area of land the submitters are seeking to rezone is 11 hectares, however the area of land that can be built on is about 7-8 hectares, due to the setback from the pylons along Lehmans Road.
- 19 The current District Plan land use is pastoral.
- 20 The Proposed Waimakairiri District Plan (PWDP), as notified, zoned this land as Large Lot Residential Zone which entails an average density of one residential unit per 5000m<sup>2</sup>.
- 21 Doncaster Developments Limited (DDL) lodged a submission on PWDP seeking rezoning to General Residential Zone, which entails a maximum site density of one residential unit per 500m<sup>2</sup> of net site area.
- 22 A subsequent submission on Variation 1 (V1) seeks rezoning to Medium Density Residential which entails a maximum of one residential unit for 200m<sup>2</sup> of net site area.

- 23 I affirm the contents of the following attached report:
- a Arlington Park Fernside - Preliminary Site Investigation Rev.1 dated 26 November 2021

### **KEY ISSUES AND SUMMARY OF CONCLUSIONS**

- 24 Based on the site visit, and a review of the available information, I consider that it is more likely than not, that generally no HAIL activity has occurred on site. The exception to this is a small burn area and nearby small stockpiles, which are considered HAIL Activity I. Therefore, the National Environmental Standard does apply.
- 25 There might be a localised risk to human health from compounds within the HAIL I area.
- 26 In view of the above a Detailed Site Investigation (DSI) is not generally considered warranted across the site. However, a DSI should be undertaken by a SQEP in the area bound by a yellow line on Figure 3 of the PSI. This DSI should assess the content of the stockpiles and undertake testing as considered necessary to determine remediation requirement and provide guidance on future consenting pathways.
- 27 At this stage it is considered that any remedial works will likely entail a surface scrape of the burn area and removal of any other unacceptable materials encountered in/impacted by the Area A stockpiles.
- 28 The above issues are considered not unusual for a site assessed for change to a residential use and therefore is not considered to present a significant constraint to the proposed plan change.

### **MATTERS RAISED BY SUBMITTERS**

- 29 None have been raised.

**CONCLUSION**

30 In my opinion the findings and recommendations of the PSI are not prohibitively restrictive for the proposed plan change to residential use.

31 Thank you for the opportunity to present my evidence.

Giles Learman

5 March 2024