

Attachment - Assessment Criteria for HAIL Sites from 1 January 2025

Construction Phase Discharges:

Acceptable Risk

1. The following site discharges are considered to present an acceptable risk to the receiving environment:
 - i. Sites not listed on the LLUR.
 - ii. Sites on the LLUR where only a portion of the site is identified as a historic or current HAIL activity and proposed construction will not occur on that portion of the site based on a PSI / DSI.
 - iii. Sites where construction is proposed with the following LLUR categories:
 - 'at or below background concentrations'; and
 - with toxicant concentrations below the Default Guideline Values from the Australia and New Zealand Guidelines for Fresh and Marine Water Quality website – toxicant **default** guideline values for sediment quality measured in mg/kg of dry weight; and
 - 'below human health guideline values for' the proposed site use (e.g. to demonstrate compliance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)).

Note: this assessment does not cover direct private property construction phase discharges into land and groundwater.

Risk Assessment Required

2. Notwithstanding clause 1, sites with the following LLUR categories are considered to be medium or high risk sites and will require a further specific risk assessment by the reticulated network operator:
 - i. 'contaminated for'
 - ii. 'significant adverse environmental effects'
 - iii. 'managed for'
3. Sites with all other LLUR categories ('not investigated', 'partially investigated', 'non-verified HAIL', etc.) and sites which are not listed on the LLUR but have been identified as having had HAIL activities will be dealt with under the following guidelines:
 - i. Developments or redevelopments that do not disturb greater than 25 cubic metres (m³) of soil per 500 square metres (m²) of land are considered to be of acceptable risk, unless a DSI is specifically requested by the Council for that site which indicates compliance with clause 1(iii) is not being achieved; or
 - ii. Developments or redevelopments that disturb greater than 25 m³ of soil per 500 m² of land and that do not achieve compliance with clause 1 (iii); and
4. For sites being assessed under (2), 3 (i) and 3 (ii), the level of risk posed by the discharge will be determined by the network operator, taking into account whether the applicant proposes suitable measures to dispose of or contain contaminated material onsite such that the proposed disturbance of land will create no additional risk to the environment; and

- i. if deemed necessary then agreement will be sought with Environment Canterbury that the level of assessed risk can be approved and managed by the network operator; and
- ii. if the network operator deems the risk unacceptable following the process specified in 4, then the site will be individually referred to Environment Canterbury for a final decision regarding risk, and:
 - Sites judged to be of acceptable risk will be referred back to the network operator for inclusion under its consents.
 - Sites judged to be of unacceptable risk will require resource consent for stormwater discharge from Environment Canterbury.

Operational Phase Discharges:

Acceptable Risk

1. The following site discharges are considered to present an acceptable risk to the receiving environment:
 - i. Sites and activities not described in Schedule 1 of the Stormwater Drainage and Watercourse Protection Bylaw;
 - ii. Sites where only a portion of the site is identified as a current HAIL activity in accordance with Schedule 1 of the Bylaw, and where no stormwater discharge is occurring from that portion of the property (e.g. the HAIL activity discharge is fully contained within that part of the site and all runoff with entrained contaminants is removed or treated within an on-site treatment device such as a grease trap or similar).

Risk Assessment Required

2. Notwithstanding clause 1, sites with current HAIL activities defined in Schedule 1 of the Bylaw will be deemed to present an acceptable risk to the environment when the activity and discharge are effectively being managed through an approved pollution prevention plan.
3. Sites that do not comply with their approved pollution prevention plan and that do not subsequently amend their activities in accordance with the network operator requirements notified under condition 6 of the Rangiora Stormwater Network Consent CRC184601, will be deemed to present an unacceptable risk to the receiving environment and will require resource consent for the stormwater discharge from Environment Canterbury.