

**National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) - Assessment of Proposed Gull Service Station at 68-72 Great South Road, Pokeno**

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**1. Site History:**

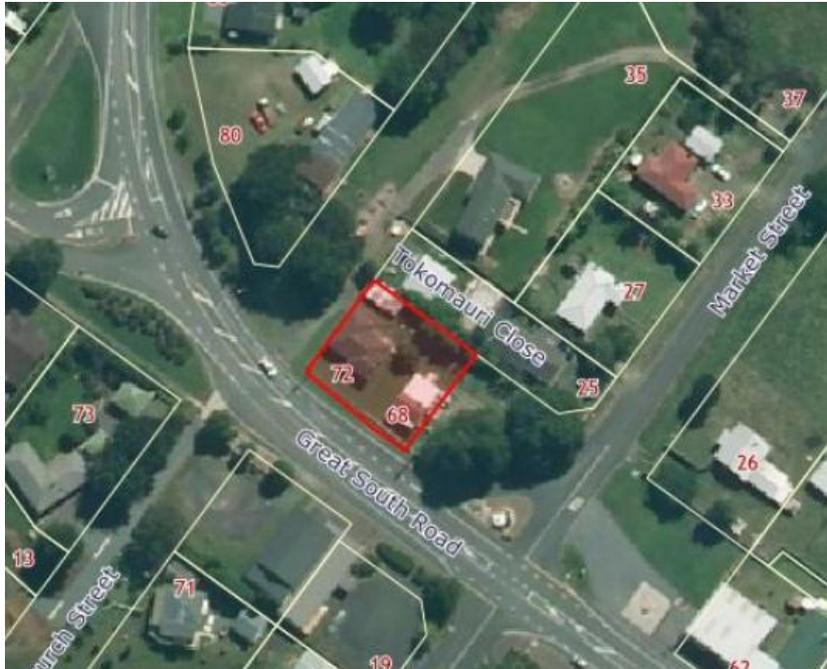


Figure 1. 2012 Aerial photo of the site

<https://maps.waikatodistrict.govt.nz/IntraMaps90/?project=Waikato&configId=b2549ae1-f643-4ac6-9586-211ba985dd8f>



Figure 2. 2017 Aerial photo of the site

<https://maps.waikatodistrict.govt.nz/IntraMaps90/?project=Waikato&configId=b2549ae1-f643-4ac6-9586-211ba985dd8f>

## 2. LUR check / BOPRC HAIL register

No HAIL sites have been identified by the Waikato Regional Council at this site.

## 3. Activities undertaken

Aerial images from Waikato District Council planning maps shows that as of 2012 the site consisted of two, single storey buildings. According to [qv.co.nz](http://qv.co.nz) the buildings are aged 1950's, the site has been used for a mix of residential and commercial activities.

## 4. Assessment of Section 5 of the NESCS

NES section	Assessment	Applies
<p>5 (2) An activity is removing a fuel storage system from the piece of land or replacing a fuel storage system in or on the piece of land, which means—</p> <p>(a) doing any of the following:</p> <ul style="list-style-type: none"> <li>(i) removing or replacing the whole system:</li> <li>(ii) removing or replacing an underground part of the system:</li> <li>(iii) taking away or putting back soil associated with the removal or replacement of the system or the part:</li> </ul> <p>(b) doing any of the following for purposes with removing or replacing the whole system or part of the system:</p> <ul style="list-style-type: none"> <li>(i) sampling the soil of the piece of land:</li> <li>(ii) investigating the piece of land:</li> <li>(iii) remediating the piece of land:</li> <li>(iv) validating the piece of land:</li> <li>(v) managing the piece of land.</li> </ul>	No works being undertaken and the site is not a Piece of Land as per S5 (7)	No
<p>5 (3) An activity is sampling the soil of the piece of land, which means sampling it to determine whether or not it is contaminated and, if it is, the amount and kind of contamination.</p>	The site is not a Piece of Land	No
<p>5 (4) An activity is disturbing the soil of the piece of land, which—</p> <p>(a) means disturbing the soil of the piece of land for a particular purpose:</p> <p>(b) does not include disturbing the soil of the piece of land, whatever the purpose, if the land is land to which <a href="#">regulation 33(9)</a> or <a href="#">36</a> of the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 applies.</p>	The site is not a Piece of Land	No

5 (5)	<p>An activity is subdividing land, which means subdividing land—</p> <p>(a) that has boundaries that are identical with the boundaries of the piece of land; or</p> <p>(b) that has all the piece of land within its boundaries; or</p> <p>(c) that has part of the piece of land within its boundaries.</p>	No subdivision being undertaken	No
5 (6)	<p>An activity is changing the use of the piece of land, which means changing it to a use that, because the land is as described in subclause (7), is reasonably likely to harm human health.</p>	The site is not a Piece of Land as per S5 (7)	No
5 (7)	<p>The piece of land is a piece of land that is described by one of the following:</p> <p>(a) an activity or industry described in the <i>HAIL</i> is being undertaken on it:</p> <p>(b) an activity or industry described in the <i>HAIL</i> has been undertaken on it:</p> <p>(c) it is more likely than not that an activity or industry described in the <i>HAIL</i> is being or has been undertaken on it.</p>	There is no history of the site being used by a HAIL activity and the land is therefore not identified as a Piece of Land	No
5 (8)	<p>If a piece of land described in subclause (7) is production land, these regulations apply if the person wants to—</p> <p>(a) remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land:</p> <p>(b) sample or disturb—</p> <p>(i) soil under existing residential buildings on the piece of land:</p> <p>(ii) soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings:</p> <p>(iii) soil that would be under proposed residential buildings on the piece of land:</p> <p>(iv) soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings:</p> <p>(c) subdivide land in a way that causes the piece of land to stop being production land:</p> <p>(d) change the use of the piece of land in a way that causes the piece of land to stop being production land.</p>	The site is not a Piece of Land as per S5 (7)	No

## **5. Summary**

The site is not defined under the Regulations a piece of land as there is no evidence of a HAIL activity having been undertaken on it, therefore the NESCS does not apply and consent is not required.