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5 December 2014

Smith Rex Allan  
4 Walnut Drive  
Motueka 7120

Dear Sir/Madam

**Intention to Include Property on Site Contamination Register**

Tasman District Council proposes to add the following property to its Site Contamination Register:  
4 Walnut Drive, Motueka, LOT 37 DP 416740.

In January 2012 the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) was introduced by Central Government. An information brochure on this is attached for your information.

Linked to this national standard is the Hazardous Activities and Industries List (HAIL), which is a list of historic and current activities that have the potential to contaminate the land and wider environment. A copy of the current HAIL is attached for your information. The Tasman District Council Site Contamination Register is the list of HAIL sites identified in the Tasman District. The Council is continually reviewing its records and historical information to better identify past land uses and to update its register. I have enclosed a leaflet describing the Council's SCR which will help explain how it operates.

As part of this continual review, Council has obtained and undertaken a review of historic aerial photography flown around 1948 and has identified that part or all of your property has been a former orchard. Please find attached a photograph showing your property around 1948 and the former orchard. Your land has been identified as belonging to HAIL category - A10 *Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glasshouses or spray sheds*.

Where land has been identified as being a HAIL site and the owner wishes to undertake activities which could increase human exposure to any contaminants present, then the land is subject to special consenting processes under the National Environmental Standard. These activities include the likes of building a dwelling, subdivision, bulk earthworks, or a more intensive use of the land.

Under Section 44A of the Local Government Official Information & Meetings Act 1987, Council is required to provide Land Information Memoranda (LIM) upon written request. Similarly, under Section 31 of the Building Act 1991 Council is required to provide Project Information Memoranda (PIM) upon written request. The LIM and PIM reports must include any information on the "likely presence of hazardous contaminants". Any person may request a LIM report about any piece of land without being required to establish a legitimate interest in the land. Most often a LIM is purchased as part of a sale and purchase agreement. The LIM will contain more information than just the "likely presence of hazardous contaminants", such as any flooding risks, planning restrictions, etc obtained from the information held by Council.

**Tasman District Council**  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
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24 hour assistance

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**Motueka**  
7 Hickmott Place  
PO Box 123  
Motueka 7143  
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**Phone** 03 528 2022  
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**Takaka**  
14 Junction Street  
PO Box 74  
Takaka 7142  
New Zealand  
**Phone** 03 525 0020  
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On the basis of our records, for this site, we would include a statement in the LIM and PIM reports that reads as follows:

*"Part or all of this property has been identified as historic orchard land. The horticultural sprays used prior to 1975 included lead, arsenic and DDT, and research shows that these pesticide residues have the potential to remain in the surface soil of historic orchard land at concentrations exceeding national standards. An information brochure on Historic Pesticide Contamination is available from Council. Council does not have a record of soil testing on this property."*

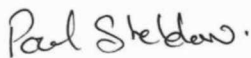
It is important that the information above is correct, and we are contacting you to both inform you of your inclusion on the register and to ensure we have not made an unintentional error.

Would you please advise Council in writing, stating the valuation number and address, marked to the attention of Paul Sheldon, by Friday 16 January 2015 whether you wish to provide written information/evidence that categorically demonstrates that the area identified was not orchard. If a reply to this letter is not received by this date, the information will be regarded as correct at this point in time.

If we have written to you in the past regarding the same piece of land, please accept our sincere apologies. Information has been drawn from different sources over time showing different orchard extents and some double coverage is possible.

Thank you for your assistance in this matter.

Yours faithfully



Paul Sheldon  
**Resource Scientist, Contaminants**

Attachments

- Ministry for the Environment HAIL List
- Ministry for the Environment Leaflet on the NES
- Leaflet on the Site Contamination Register
- Historic photography of the site 1948 A183