

# Drury Metropolitan Centre Fast-track

Auckland Council Specialist Memo

**Annexure 12:**

**Contaminated Land**

**Fiona Rudsits**

**11 August 2025**

# Contaminated Land Memo

**Prepared by:** Fiona Rudsits, Senior Specialist, Contamination, Air & Noise, Auckland Council

**Date:** 11 August 2025

1. This memo addresses contaminated land matters related to the proposed Drury Metropolitan Centre development.

## Qualifications and Relevant Experience

2. I hold a Bachelor of Science degree in Environmental Science from the Royal Melbourne Institute of Technology (RMIT), and a Graduate Certificate in Sustainable Management through the Open Polytechnic of New Zealand. I am a Senior Specialist within the Contamination, Air & Noise Team at Auckland Council (Council). I have been employed in this role since June 2018. I have extensive experience within contaminated land management, resource consenting, and consent compliance monitoring, relevant to contaminated land. Prior to joining the council, I was employed as an Environmental Scientist and Project Manager with GHD Limited in Australia and New Zealand.
3. I have over 20 years' experience in contaminated land assessments and remediation. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirements for designation and fast-track applications and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

## Code of Conduct

4. I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (**Code**) and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

## Specialist Assessment

5. I have reviewed the AEE dated 25 March 2025 and relevant supporting appendices (specifically Appendices 13A, 13B, 13C, and 25) and the s67 further information received on 24 July 2025. This review has been undertaken with reference to the contaminated land provisions under the NES:CS and Chapter E30 of the AUP(OP).
6. This assessment has been made in the context of the Fast-track Approvals Act 2024, in relation to the proposal to amend Stage 1 and to obtain all necessary resource consents in respect of Stage 2 of the Drury Metropolitan Centre Project.

7. The application documents confirm that planned earthworks are not anticipated in areas where contaminants of concern have previously been identified above remedial criteria. While some of these areas have undergone remediation and validation, further soil management may still be required. As a final site validation report has not yet been prepared, the contamination status of these areas remains uncertain for the purposes of this application.
8. Most contamination concerns relate to the former rural residential dwellings and associated outbuildings, including offal and/or burn pits, and the historical storage and use of superphosphate fertiliser. The DSI also confirmed the presence of a landfill at 108 Flanagan Road, which was identified as a more significant contamination source than typical farming practices. Although this landfill area has now been excluded from the Stage 2 development area, its extent, depth, and volume remain undetermined, with preliminary estimates suggesting it may cover approximately 1 hectare. The DSI recommended further investigation to assess the potential impacts of the landfill on the proposed development.
9. The s67 response confirms that no development buffer zone is proposed around the former landfill. Instead, further assessment will be undertaken in this area prior to bulk earthworks to determine the extent of any contamination. However, based on existing information, contamination concentrations in this area are expected to be below the adopted human health criteria. As no disturbance or active future use of this area is currently proposed, the potential risk to human health is considered acceptable.
10. Regardless of the outcome of further testing the s67 response considered this will not alter the consent requirements under the NES:CS or the AUP(OP), which have already been addressed in the application and AEE. I agree that, based on the available information, HAIL activity H is unlikely to apply to the neighboring landfill, based on the applicants contaminated land SQEP assessment.
11. Given the additional information provided, I support the current proposal as it stands. I agree that a restricted discretionary activity land use consent under the NES:CS, along with a controlled activity contaminant discharge consent under Chapter E30 of the AUP(OP), are appropriate to manage the localised areas of contamination (as shown in Figure 1 from the DSI depicted below).



Figure 1: Plan from DSI showing localised areas of contamination.

### Comment on Proposed Conditions

12. I have reviewed the set of consent conditions proposed in Attachment 5 of the S67 response, specifically conditions 1–13 under the heading Contaminated Land Discharge Permit (s15). While I consider these conditions satisfactory for managing soils on-site and appropriate to support the contamination related consents, I recommend the following:

- Conditions 1 and 3–11 should apply to both the NES:CS land use consent (Council reference LUC60447511) and the contaminant discharge consent (Council reference DIS60447515).
- Conditions 2 and 13 applies only to the discharge consent (Council reference DIS60447515).