

Technical Specialist Memo - Northwest Rapid Transit Notice of Requirement for a Designation BUN60461580 - Soil Contamination Assessment

To: Warwick Pascoe – Premium Project Lead
Celia Wong – Senior Planner, Resource Consents
Louise Barclay & Jo Hart – Senior Planners, Notices of Requirement

From: Duffy Visser Specialist Contamination, Air & Noise.

Qualifications & Relevant Experience: I hold the qualification(s) of: Diploma in Public Health and have 2 years of experience in Contaminated soil. I have appeared as an expert witness before consent authorities on multiple occasions.

Preparation in Accordance with the Code of Conduct: 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 conferences, 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.

Date: 25 March 2026.

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Northwest Rapid Transit

Fast-Track application number:

FTAA-2511-1146

Council Resource Consent References:

BUN60461580

LUC60461581

DIS60461582 (contamination)

CST60461583 (structures)

CST60461584 (disturbance of seabed (other))

CST60461585 (veg removal)

WAT60461586 (groundwater)

LUS60461587 (structure)

LUS60461588 (works)

Notice(s) of Requirement

NOR number	Description
NoR 1	Busway between Brigham Creek Rarawaru station and north of Westgate Te Waiarohia station (including stations, Park and Ride and all local road connections)
NoR 2	Busway between north of Westgate Te Waiarohia station and north of Royal Road Mānutewhau station (including stations, Park and Ride and all local road connections)
NoR 3	Busway between Royal Road Mānutewhau Station and Te Whau River (including all stations and local road connections)
NoR 4	Brigham Creek Rarawaru station including Park and Ride
NoR 5	Westgate Te Waiarohia station
NoR 6	Royal Road Mānutewhau station
NoR 7	Lincoln Road Wai o Pareira station
NoR 8	Te Atatū Ōrangihina station
NoR 9	Busway between Waterview interchange and west of Ivanhoe Road (including all stations and local road connections)

Site address:	NoR 10	Busway between Ivanhoe Road and Ian McKinnon Drive (including all stations and local road connections)
	NoR 11	Point Chevalier station
	NoR 12	Western Springs station

<p>Generally, alongside State Highway 16 between Brigham Creek and Auckland City Centre</p> <ul style="list-style-type: none"> • NWRT_Part 6_5_Property Schedule Land within designation boundary and • NWRT_Part 6_6_Property Schedule Land adjacent to the designation boundary)
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2.0 Executive Summary / Principal Issues

Based on the Preliminary Site Investigation (PSI) report a number of potentially contaminating activities (HAIL activities) have been identified within and in the vicinity of the proposed project route.

The associated risks to human health and the environment have not been defined at this stage, due to a lack of information on the actual distribution of contaminants in soil and oil/groundwater conditions. Such information is proposed to be obtained through Detailed Site Investigations (DSI) within the proposed designation area, scheduled to be carried out prior to the commencement of the soil disturbance activities.

It is required that prior to any soil disturbance, a Contaminated Land Management Plan (CLMP), be provided to council for each stage of the work based on the findings of the DSI relevant to that stage.

I find the information provided in the PSI report to be adequate and I consider the PSI report to have been prepared by a suitably qualified and experienced contaminated land practitioner, as defined in the 'Users' Guide to the NES:CS', Ministry for the Environment (2012).

I agree with the PSI that any contaminated land effects can be managed or mitigated by implementation of the CLMP.

The Project requires consent under Regulation 11 of the NES:CS as a Discretionary Activity, as no Detail Site Investigations (DSIs) have been carried out.
A discharge consent under Chapter E30 of the AUP(OP) may be required depending on the outcome of the DSI.

3.0 Documents Reviewed

- Contaminated Land Preliminary Site Investigation, prepared by AECOM, dated 15 December 2025. (PSI)
- Te Ara Hauauru Northwest Rapid Transit, prepared by AECOM, dated 15 December 2025. (Assessment of Environmental Effects (AEE))

4.0 Additional Reasons for Consent Not included in AEE (Resource Consent only)

A discharge consent under Chapter E30 of the AUP(OP) may also be required depending on the results of the DSI.

5.0 Specialist Assessment (Notice(s) of Requirement and Resource Consent)

I expect that any contaminated land effects can be managed or mitigated by implementation of the CLMP.

6.0 Recommendation

I recommend that a detailed site investigation be provided as well as a concept site management plan depending on the outcome of the DSI.

7.0 Proposed Conditions (Resource Consent)

Conditions to apply to both consents LUC60461581 under the NES:CS and DIS60461582 under Chapter E30 of the AUP(OP)

The following Contaminated Soil (CS) conditions are recommended to apply to both the land-use consent and discharge consent to mitigate potential effects to human health and the environment:

CS.1. The Team Leader, Central Compliance Monitoring, Licensing & Regulatory Compliance, Auckland Council (the council), must be informed, in writing, at least ten working days prior to the start date of the works authorised by this consent.

CS.2. At least 10 working days prior to the commencement of earthworks, a Detailed Site Investigation (DSI) must be submitted to the council for review and certification. The DSI must:

- a. Detail sampling undertaken to characterise the site's contamination;
- b. Be prepared in accordance with the Contaminated Land Management Guidelines No.1 & No.5: (Ministry for the Environment, revised 2021);
- c. Include a map of sampling locations and tabulated sampling results;
- d. Include an interpretation of the sampling results against the Soil Contaminant Standards (SCS_{health}) for the protection of human health as set out in the *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health* (NES:CS) and the Permitted Activity soil acceptance criteria detailed by Standard E30.6.1.4 of the AUP(OP); and
- e. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP).

CS.3. At least 10 working days prior to the commencement of earthworks, a Contamination Site Management Plan (CSMP) must be submitted to the council for review and certification. The CSMP must:

- a. Detail the procedures and controls required during and following the works to minimise potential effects on human health and the environment as a result of actual and potential soil contamination;
- b. Detail how the site's surface soils are to be remediated to achieve compliance with the relevant Soil Contaminant Standards (SCS_{health}) for the protection of human health as set out in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS) and the Permitted Activity soil acceptance criteria detailed by Standard E30.6.1.4 of the AUP(OP);
- d. Be prepared in accordance with the *Contaminated Land Management Guidelines No.1* (Ministry for the Environment, revised 2011)
- e. Account for the soil contamination profile as detailed in the report Detailed Site Investigation, referred to in CS.2.
- e. Detail validation sampling or other verification to be undertaken following remedial works to demonstrate that the works have achieved the remediation targets for the protection of human health and to minimise contaminant discharges; and
- f. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP).

CS.4 Earthworks must be undertaken in accordance with the Contaminated Site Management Plan referred to in CS.3.

Any variations to the CSMP must be submitted to the council for review and certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent, prior to implementation.

Advice Note: Contamination Site Management Plan

The council acknowledges that the CSMP is intended to provide flexibility of the management of the works and contaminant discharges. Accordingly, the management plan may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the council. The council's certification of the CSMP relates only to those aspects of the plans that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, the Building Act 2004 or the Health and Safety at Work Act 2015.

CS.5. Discharges of dust must not cause offensive or objectionable effects at any location beyond the boundary of the Site, in the opinion of an enforcement officer when assessed in accordance with the *Good Practice Guide for Assessing and Managing Dust* (Ministry for the Environment, 2016). The consent holder must ensure that dust management during the works generally complies with the recommendations of this *Good Practice Guide* and minimises dust generation as far as practicable. This includes having sufficient water to dampen exposed soil and unsealed areas, and/or other dust suppressing measures available as necessary.

CS.6. In the event of the accidental discovery of contamination during earthworks which has not been previously identified, including asbestos material, the consent holder must immediately cease the works in the vicinity of the contamination, notify the council, and engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) to assess the situation (including possible sampling and revision of the CSMP) and decide on the best option for managing the material.

Advice Note: Accidental discovery of contamination

Where unanticipated contamination is discovered during the works, a revision of the CSMP may be required to ensure that the contamination is appropriately managed. Any revision of the CSMP is required to be submitted to Council for certification prior to its implementation.

CS.7. The disturbance of soils where asbestos has been found to be present must avoid discharges of dust beyond the boundary of the site and be undertaken in accordance with the NZ Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2017) or any updates to this document and the CSMP.

Advice Note: Asbestos Containing Materials

If you are demolishing any building that may have asbestos containing materials (ACM) in it:

- *You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.*
- *Work may have to be carried out under the control of a person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.*
- *If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.*

- Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.

If ACM is found on site following the demolition or removal of the existing buildings, you may be required to remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance a further consent application may be required.

CS.8. Any excavated material that is not re-used on site must be disposed of at an appropriate facility or site authorised to accept the levels of contamination identified. Evidence of the locations where excavated material has been disposed of must be retained by the consent holder during the works and made available to the council on request.

CS.9. Within three months of the completion of earthworks on the site, a Works Completion Report must be submitted to the Council for review and certification. The Works Completion Report must contain sufficient detail to address the following matters:

- A summary of the works undertaken, including the locations and dimensions of excavations and the volume of soil excavated;
- Conditions of the final site contamination profile, including details and results of any validation testing undertaken (with a map of sampling locations and tabulated sampling results) and interpretation of the results in the context of the NES:CS and the AUP(OP) for each proposed lot;
- Details and results of any other contamination testing undertaken during the works (including any sampling undertaken on materials re-used on site or imported to site);
- Records/evidence of the appropriate disposal for any material removed from the site;
- Records of any unexpected contamination encountered during the works and response actions, if applicable;
- Any on-going monitoring and/or management measures required to minimise risks to human health or the environment as a result of the final site contamination profile;
- Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and
- A statement certifying that all works have been carried out in accordance with the requirements of the CSMP and consent, otherwise providing details of relevant breaches, if applicable.

Further conditions to apply to consent DIS60461582 under Chapter E30 of the AUP(OP)

DC.10. Consent DIS60461582 expires twenty-five years from the date of commencement unless it has been surrendered or been cancelled at an earlier date pursuant to the RMA.

DC.11. The disturbance of soils containing elevated levels of contaminants must be managed in accordance with the CLMP to minimise the discharge of contaminants (including debris, soil, silt, sediment or sediment-laden water) from the subject site to either land, stormwater drainage systems, watercourses or receiving waters:

- a. Erosion and sediment controls must be installed along the boundaries of the disturbance areas in accordance with the CLMP and Auckland Council guidance document 2016/005: *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*;
- b. The excavation areas must be maintained in a damp state while works are occurring to suppress the generation of dust during the works;
- c. Filter cloths or cover mats must be installed over the stormwater cesspits in the vicinity of the excavation areas;
- d. Vehicles must be inspected prior to leaving the works area and wheels brushed/cleaned as required to avoid the potential for sediment to leave the site on vehicle tyres and enter the stormwater system; and
- e. Any truckloads of excess excavated material leaving the site must be covered during transportation.

Advice Note: Contaminant discharges

Discharges from the site include the disposal of water (including groundwater or collected surface water) from the land-disturbance area.

DC.12. Stockpiling of excavated soils containing elevated levels of contaminants is to be minimised. If required, temporary stockpiles of excavated soils containing elevated levels of contaminants must be located within an area protected by erosion and sediment controls and be covered outside working hours and during periods of heavy rain. Stockpiling of material containing separate phase hydrocarbons or odorous petroleum hydrocarbons must not take place.

Advice Note: Stockpiles

To minimise contaminant discharges, soils containing elevated levels of contaminants should primarily be loaded directly into trucks for any off-site disposal.

DC.13. Any perched groundwater or surface run-off water encountered within excavation areas where soils containing elevated levels of soil contaminants are present that require removal must be considered potentially contaminated, and must either:

- a. Be disposed of by a licensed liquid waste contractor; or
- b. Pumped to sewer, providing the relevant permits are obtained; or
- c. Discharged to the stormwater system or surface waters provided a SQEP verifies compliance with the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (Water Quality Policy Sub-Committee and National Water Reform Committee, 2018) (or any updates to this document) for the protection of 80 percent of species, with the exception of benzene where the 95 percent protection level applies, and that it is free from Separate Petroleum Hydrocarbons and hydrocarbon sheen. The SQEP's verification must include sampling taken at a minimum frequency of one sample per day of dewatering in accordance with the *Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand* (Ministry for the Environment, revised

2011). The samples must be tested by an accredited laboratory for concentrations of polycyclic aromatic hydrocarbons and heavy metals.

CD.14. The conditions of this consent may be reviewed every two years from the date of granting pursuant to section 128 of the RMA, by giving notice pursuant to section 129 of the RMA, for the following purposes:

- a. To deal with any significant adverse effect on the environment arising or potentially arising from the exercise of the consent and which was not apparent at the time of granting the consent.
- b. In the case of contamination, to require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.
- c. In the case of earthworks, to alter monitoring requirements as a result of previous monitoring outcomes, and/or in response to changes to the environment and/or hydro-geological knowledge.
- d. To deal with any adverse effect on the environment arising or potentially arising from the exercise of this consent and in particular effects on: water quality; sediment transport; and functioning of natural ecosystems; through altering or providing specific performance standards.

8.0 Designation Review Matrix – Specialist Review

NOR number	Location Description	Information Adequacy (High / Moderate / Low)	Key Issues Identified	Comments / Recommendations
NoR 1	Busway between Brigham Creek Rarawaru station and north of Westgate Te Waiarohia station (including stations, Park and Ride and all local road connections) (0.3km length)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low	<i>can refer to above e.g., see section 8.2 re: Park & Ride Stormwater management.</i>	
NoR 2	Busway between north of Westgate Te Waiarohia station and north of Royal Road Mānutewhau station (including stations, Park and Ride and all local road connections) (3.3km length)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 3	Busway between Royal Road Mānutewhau Station and Te Whau River (including all stations and local road connections) (5km length)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 4	Brigham Creek Rarawaru station including Park and Ride (within NoR 1)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 5	Westgate Te Waiarohia station (within NoR 2)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 6	Royal Road Mānutewhau station (within NoR 3)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 7	Lincoln Road Wai o Pareira station (within NoR 3)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 8	Te Atatū Ōrangihina station (within NoR 3)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 9	Busway between Waterview interchange and west of Ivanhoe Road (including all stations and local road connections) (2.7km length)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 10	Busway between Ivanhoe Road and Ian McKinnon Drive (including all stations and local road connections) (2.7km length)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 11	Point Chevalier station (within NoR 9)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		
NoR 12	Western Springs station (within NoR 10)	<input type="checkbox"/> High <input type="checkbox"/> Mod <input type="checkbox"/> Low		