

20 March 2025

Kiwi Property Group Limited  
Attn: David Schwartzfeger  
48 Shortland Street  
Auckland CBD  
Auckland

Dear David,

## **Stage 1 Contamination Summary – Drury Metropolitan Centre, Drury, Auckland**

**(Our Reference: 13451.000.001\_10)**

### **1 Statement of Experience**

I, Claire Davies, am a qualified Environmental Scientist, with over 16 years' experience working in the field of contaminated land investigation, remediation, validation, and management.

I hold a Bachelor's Degree in Science from Auckland University (2008) and specialise in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC). I am a Certified Environmental Practitioner (No. 1092) and member of the Australasian Land and Groundwater Association (ALGA) and WasteMINZ.

Although this is not a hearing before the Environment Court, I confirm that, in my capacity as author of this letter, I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023.

I, Erika McDonald, am a qualified Environmental Engineer, with over 20 years' experience working in the field of contaminated land investigation, remediation, validation, and management.

I hold a Master of Science in Civil and Environmental Engineering from Stanford University (2003) and a Bachelor's Degree in Environmental Engineering from the State University of New York at Buffalo (2002). I specialise in the assessment, remediation, and management of contaminated land and groundwater. I am a Professional Member of Engineering New Zealand (CMEngNZ) and Professional Engineer in California (Civil).

Although this is not a hearing before the Environment Court, I confirm that, in my capacity as reviewer of this letter, I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023.

## 2 Introduction

ENGEO Ltd was requested by Kiwi Property Group Limited to summarise contaminated land works completed to date in Stage 1 of the Drury Metropolitan Centre development located in Drury, Auckland. The purpose of this letter is to support your fast-track consent application for further subdivision of the super lots created in Stage 1.

## 3 Background

### 3.1 Previous Investigations

A Detailed Site Investigation (DSI)<sup>1</sup> and subsequent delineation sampling<sup>2</sup> undertaken at the site by Aurecon identified:

- Two areas requiring remediation due to concentrations of heavy metals (specifically arsenic, lead and copper) which exceeded high-density residential human health criteria (Remedial Area A and B).
- The concentration of arsenic exceeded high-density residential human health criteria in topsoil in the vicinity of sheds at 120 Flanagan Road; however, it was noted that the final land use was not confirmed, and two management options were recommended. Either the area was to be used for the “temporary laydown for bulk cut soils”, and then validated following removal or, the area was to be “isolated with a marker layer (i.e. geotextile or similar prior to placement of bulk fills)”.
- Low concentrations (below human health criteria) of heavy metals and asbestos in topsoil within a 5 m buffer of sheds and buildings.

Aurecon prepared a Contaminated Site Management Plan (CSMP) and Remediation Action Plan (RAP)<sup>3</sup> in 2022 for Stage 1. The remedial strategy proposed comprised excavation of topsoil until native ground is exposed (approximately 0.35 m bgl), and either off-site disposal or re-use in a less sensitive area of site. Excavation and off-site disposal was selected as a preferred remedial approach for Remedial Area A and B.

ENGEO understands that Stage 1 bulk earthworks were undertaken over two seasons; Aurecon managed the first, and Woods the second. Documentation provided indicates that all contamination-related earthworks were supervised by Aurecon during the first season.

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<sup>1</sup> Aurecon New Zealand Limited. 2021. Drury Centre Precinct Detailed Site Investigation. Reference: 510611-0100-REP-KF-0003, Revision: 5.

<sup>2</sup> Aurecon New Zealand Limited. 2022. Drury Precinct Delineation Sampling – 133 Fitzgerald Road, Auckland. Reference 510611\_0100\_LTR\_KF\_0005[0].docx, Revision 0.

<sup>3</sup> Aurecon New Zealand Limited. 2022. Contaminated Site Management Plan and Remediation Action Plan (RAP). Reference 510611-0100-REP-KF-0004, Revision 8.

### 3.2 Validation

ENGEO are currently preparing a Site Validation Report (SVR) to demonstrate that the remediation objectives outlined in the RAP<sup>4</sup> have been achieved; the SVR is also intended to satisfy existing conditions of consent (Resource Consent LUN60390224 LUC60390225 and DIS60390226).

ENGEO was not engaged as a Suitably Qualified or Experienced Practitioner (SQEP) to attend site for the purposes of collecting soil validation samples or providing oversight during remedial works. The information presented in the SVR will be based on client-supplied data.

The information we have received so far indicates that the remedial areas were remediated and validated. There is still outstanding supporting information relating to how some soil management areas were handled; more specifically, whether they were segregated prior to bulk earthworks and their final destination (re-use on-site or disposed of off-site).

## 4 Regulatory Context

Under Regulation 8(4) of the NESCS<sup>5</sup>, subdivision of a site is a permitted activity as long as the following requirements are met (reproduced below):

- a) *a preliminary site investigation (PSI) of the land or piece of land must exist.* A PSI<sup>6</sup> and DSI<sup>1</sup> for the piece of land exists and this was prepared by Aurecon as part of the Stage 1 bulk earthworks consent (BUN60390224) Stage 1 fast-track consent (BUN60414877) for Drury Centre.
- b) *the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land.* Previous investigation reports<sup>1, 6</sup> concluded that contamination (specifically metals / metalloids and asbestos) in two areas of the site could present a risk to human health and remediation was required to minimise the risk to human health. Depending on the future use of other areas of the site, remediation was also considered to be potentially required.
- c) *the report must be accompanied by a relevant site plan to which the report is referenced.* The PSI and DSI are accompanied by a relevant site plan to which the report is referenced and areas investigated with respect to contamination.
- d) *the consent authority must have the report and the plan.* The consent authority (in this case being Auckland Council and Environmental Protection Agency) have the report and plan by way of lodgement and issue of the Stage 1 bulk earthworks consent and Stage 1 fast track consent.

The information received indicates that the remedial areas were addressed and validated by a SQEP (Aurecon) as planned in the CSMP and RAP prepared for the site. Although the site may still be considered subject to an activity on the Hazardous Activities or Industries List (HAIL), we do not deem an additional PSI is necessary. Rather, the contaminated land works performed to date support that it is highly unlikely that there will be a risk to human health if the subdivision occurs; therefore, we consider that proposed subdivision should be considered a permitted activity.

<sup>4</sup> Aurecon New Zealand Limited. 2022. Drury Centre Precinct Contaminated Site Management Plan (CSMP) and Remediation Action Plan (RAP). Reference: 510611-0100-REP-KF-0004, Revision: 6.

<sup>5</sup> Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

<sup>6</sup> Aurecon New Zealand Limited. 2020. Drury Centre Project Preliminary Site Investigation. Reference: 510611-0100-REP-KF-0001, Revision: 0.

## 5 Limitations

- i. We have prepared this report in accordance with the brief as provided. This report has been prepared for the use of our client, Kiwi Property Group Limited, their professional advisers and the relevant Territorial Authorities in relation to the specified project brief described in this report. No liability is accepted for the use of any part of the report for any other purpose or by any other person or entity.
- ii. The recommendations in this report are based on the ground conditions indicated from published sources, site assessments and subsurface investigations described in this report based on accepted normal methods of site investigations. Only a limited amount of information has been collected to meet the specific financial and technical requirements of the Client's brief and this report does not purport to completely describe all the site characteristics and properties. The nature and continuity of the ground between test locations has been inferred using experience and judgement and it should be appreciated that actual conditions could vary from the assumed model.
- iii. Subsurface conditions relevant to construction works should be assessed by contractors who can make their own interpretation of the factual data provided. They should perform any additional tests as necessary for their own purposes.
- iv. This Limitation should be read in conjunction with the Engineering NZ / ACENZ Standard Terms of Engagement.
- v. This report is not to be reproduced either wholly or in part without our prior written permission.

We trust that this information meets your current requirements. Please do not hesitate to contact the undersigned on (09) 972 2205 if you require any further information.

Report prepared by



**Claire Davies, CEnvP**

Associate Environmental Consultant

Report reviewed by



**Erika McDonald, CMEngNZ**

Principal Environmental Engineer