Beachlands South Fast-track

Auckland Council Specialist Memo

Annexure F:

Contamination

Duffy Visser

12 August 2026

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Beachlands South
Fast-Track application number:	EPA reference: FTAA-2606-1256 Council reference: BUN60467962

2.0 Technical Specialist Memo – Soil Contamination assessment

To:	Brooke Dales – Lead Planner Adonica Giborees – Principal Project Lead
From:	Duffy Visser Specialist: Contamination, Air & Noise. Specialist Input, Planning & Resource Consents
Qualifications & Relevant Experience:	I hold the qualification of: Diploma in Public Health and have 5 years of experience in contaminated soil assessment. I have prepared expert evidence and technical assessments for resource consent applications, notices of requirement for designation and fast-track applications and 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 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.
Signature:	
Date:	12 August 2026

3.0 Executive Summary / Principal Issues

I have assessed the application in terms of soil contamination with reference to the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS) and Chapter E30 of the Auckland Unitary Plan (AUP).

By implementing the measures contained within the Contaminated Site Management Plan during the earthworks phase, any adverse effects on human health and the environment will be appropriately avoided, remedied or mitigated such that there will not be significant adverse effects.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Assessment of Environmental Effects and Statutory Analysis, prepared by Unio Environmental, dated 26 June 2026. (AEE)
- Proposed conditions, prepared by Unio Environmental, dated 26 June 2026. (PC)
- Contamination Consent Considerations Report prepared by Tonkin +Taylor, dated 24 June 2026. (CCCR)
- Contamination Site Management Plan prepared by Tonkin +Taylor, dated June 2026 (CSMP)
- Beach lands South -Rules Assessment, prepared by Unio Environmental, dated 26 June 2026. (RA)

Existing contamination reports

- Detailed Site Investigation, prepared by Tonkin +Taylor, dated November 2022. (DSI (1)) for 110 Jack Lachlan Drive and 620 Whitford-Maraetai Road.

5.0 Specialist Assessment

The site is comprised of 110 Jack Lachlan Drive and 620, 712, 758 and 770 Whitford-Maraetai Road, Beachlands.

110 Jack Lachlan
The intrusive investigation showed that HAIl activity has not “more likely than not” to have occurred on this site. Except the operational wastewater treatment plant (WWTP) that is a current HAIL activity.

620 Whitford-Maraetai Road has been subject to and impacted by HAIL activities. The Fraser Thomas investigation results confirm HAIL activities I and A8 have been undertaken on 620 Whitford-Maraetai Road, and that the rules of the NESCS and Chapter E30 of the AUP would apply to future redevelopment in identified HAIL areas.

712, 758 and 770 Whitford-Maraetai Road
Has been subject to HAIL activity due to Buildings built or demolished during time when asbestos containing material and lead based paints in use (Activity I).

Potential filling of gully and filling during residential dwelling development with fill of unknown origin (Activity I) on 712 Whitford-Maraetai Road

Future earthworks will intersect with the existing WWTP on 110 Jack Lachlan Drive.
Part of the WWTP will be filled and re-developed for residential use; however, as part of site preparation a top-soil strip is expected where earthworks are planned

T+T consider it is possible that soil disturbance within the identified HAIL area on 110 Jack Lachlan Drive and the potential HAIL areas 758 and 770 Whitford-Maraetai Road could exceed the NESCS and AUP permitted activity limits.

Consents required

In terms of the NES:CS:

Subdivision and change of use

WWTP to residential: if contamination is present, future occupants will not come into contact with soil following the proposed topsoil strip and filling. Thus, it is highly unlikely that the proposed subdivision and change of land use will harm human health. On this basis, subdividing or change of use is a permitted activity under Regulation 8(4) of the NESCS and consent is not required.

It is also highly unlikely that the change in use for 758 and 770 Whitford-Maraetai Road from rural residential use to recreational use (golf course) will harm human health. If contamination is present, future users will not come into contact with soil following earthworks. The change in use for 758 and 770 Whitford-Maraetai Road is also a permitted activity under Regulation 8(4) of the NESCS

Soil disturbance

NESCS would apply to proposed soil disturbance on 758 and 770 Whitford-Maraetai Road.

As a DSI has not been undertaken for 758 and 770 Whitford-Maraetai Road, soil disturbance for the Site will be a discretionary activity under the NESCS (per Regulation 11).

In terms of the AUP Chapter E30:

As a DSI has not been undertaken for 758 and 770 Whitford-Maraetai Road. Discharges from the soil disturbance will require consent as a Discretionary Activity under Chapter E30 of the AUP (Table E30.4.1 A7).

The CSMP

I accept the advice from T+T and agree that by implementing the measures contained within the CSMP during the earthworks phase, it is our overall conclusion that any adverse effects on human health and the environment will be appropriately avoided, remedied or mitigated such that there will not be significant adverse effects and they will not be out of proportion to the significant regional benefits of the Project.

The CSMP sets out pre-works investigations for the existing WWTP and potential HAIL areas on 758 and 770 Whitford-Maraetai Road to be undertaken prior to earthworks to establish health and safety controls for construction and confirm soil disposal requirements.

The handling of contaminated soils and the remediation of land within the project area will be guided and managed in accordance with the recommendations and procedures contained within CSMP. The CSMP details the additional sampling to confirm controls for earthworks, health and safety and contingency procedures should unexpected contamination be encountered.

I agree with the overall conclusion of T+T: that by implementing the measures contained within the CSMP during the earthworks phase, any adverse effects on human health and the environment will be appropriately avoided, remedied or mitigated such that there will not be significant adverse effects.

I support the application overall.

6.0 Recommendation

I recommend that the application be approved

Land disturbance activity must be undertaken in accordance with the Contamination Site Management Plan (CSMP), titled Contamination Site Management Plan prepared by Tonkin +Taylor, dated June 2026.

7.0 Proposed Conditions

Although I agree with the proposed conditions, additional conditions are needed and the conditions for land use consent and the discharge consent should be separated. For ease of reference, I have summarised the recommended condition in the attached document

Conditions recommended to apply to consents LUC60467963, under the NES:CS, and DIS60468040 under Chapter E30 of the AUP

CS1. The Council must be informed in writing, at least ten working days prior to the start date of the soil disturbance authorised by this consent.

Advice Note:

For the purpose of compliance with the conditions of consent, "the Council" refers to the council's monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

CS2. Land disturbance activity must be undertaken in accordance with the Contamination Site Management Plan (CSMP), titled Contamination Site Management Plan prepared by Tonkin +Taylor, dated June 2026. Any variations to the CSMP must be submitted to the Council for certification prior to their implementation prior to implementation to ensure that it appropriately manages any adverse soil contamination effects and is within the scope of this consent.

Advice Note:

The Council acknowledges that the Contamination Site Management Plan is intended to provide flexibility of the management of the works and contaminant discharges. 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 whether any proposed updates are within scope, please contact the Council.

CS3. Prior to future earthworks in the vicinity of the existing Wastewater treatment plant (WWTP) but after the WWTP ceases operation, pre-works investigation, must be undertaken and the updated CSMP based on the findings and provide to Council.

CS4. At least 10 working days prior to soil disturbance occurring on the site, a Detailed Site Investigation (DSI) must be undertaken on the sites where a DSI has not been done.

The DSI must:

a. Provide details of sampling undertaken to characterise the site's contamination status in accordance with the Contamination Site Management Plan prepared by Tonkin +Taylor, dated June 2026 (CSMP)

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 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, (NES:CS) and the Permitted Activity soil acceptance criteria detailed by Standard E30.6.1.4 of the AUP; and

e. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP).

CS5. The consent holder must engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) to oversee any works involving the disturbance of potentially contaminated material and ensure the procedures and control measures in the certified CSMP are adhered to throughout these works. All sampling must be undertaken in accordance with the *Contaminated Land Management Guidelines No. 5* (Ministry for the Environment, revised 2021).

Advice Note: Soil contamination sampling

In order to comply with the Contaminated Land Management Guidelines No.5 (Ministry for the Environment, revised 2021), all sample analysis should be undertaken in a laboratory with suitable experience and ability to carry out the analysis.

CS6. During earthworks all necessary action must be taken to prevent dust generation, and sufficient water must be available to dampen exposed soil, and/or other dust suppressing measures must be available to avoid dust formation. The consent holder must ensure that dust management during the excavation works generally complies with the *Good Practice Guide for Assessing and Managing Dust* (Ministry for the Environment, 2016).

CS7. In the event of an accidental discovery of contamination during soil disturbance which has not been previously identified, the consent holder must immediately cease the works in the vicinity of the contamination hotspot and notify the Council and engage a suitably qualified and experienced contaminated land practitioner (SQEP) to assess the situation (including possible sampling and testing), and decide in conjunction with the Council 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.

CS8. The disturbance of soil where asbestos has been found to be present must avoid discharges of dust and be undertaken in accordance with the NZ Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2024) or any updates to this document, and the CSMP.

CS9. 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.

CS10. All sampling and testing of contamination on the site must be overseen by a SQEP. All sampling must be undertaken in accordance with the Contaminated Land Management Guidelines, No.5 Site Investigation and Analysis of Soils (Ministry for the Environment, 2021).

CS11. Within three months of the completion of soil disturbance on the site a Work Completion Report (WCR) or if remediation is required, a Site validation Report (SVR) must be submitted to the Council for certification.

CS12. The WCR report referred to in CS 10 must be prepared by a SQEP in accordance with the Contaminated Land Management Guidelines, No. 1: Reporting on Contaminated Sites in New Zealand (Ministry for the Environment, revised 2021) and contain sufficient detail to address the following matters:

a. A summary of the soil disturbance undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated
b. Details and results of any additional soil and groundwater sampling (if undertaken) and interpretation of the results in the context of the NES:CS, the AUP, and the Cleanfill criteria
c. Details and results of the stormwater quality monitoring and interpretation of the results against the Australian and New Zealand Environment Conservation Council (ANZECC) *Guidelines for Fresh and Marine Water Quality* (2000).

d. Details and results of any vapour monitoring (if undertaken) and interpretation of the results against the appropriate guidelines

e. Records/evidence of the appropriate disposal for any material removed from the site

f. Details of any validation sampling undertaken on materials imported to site

g. Details of any stormwater/groundwater encountered during the works, details on any treatment and volume of disposal offsite.

h. Records of any unexpected contamination encountered during the works and response actions, if applicable

i. Conditions of the final site ground surface

j. Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks

k. A statement certifying that all works have been carried out in accordance with the requirements of approved plans and consent conditions, otherwise providing details of relevant breaches, if applicable;

CS13 .The purpose of the SVR referred to in condition 10 is to provide written confirmation from a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) that the soils on the site are highly unlikely to pose a risk to human health or the environment for the intended land use.

The SVR must be provided prior to prior to issuing approval for the subdivision under s224(c) of the RMA),

and must be prepared by a Suitably Qualified and Experienced contaminated land Practitioner, in accordance with the *Contaminated Land Management Guidelines No.1 & No.5:* (Ministry for the Environment, revised 2021 and must contain sufficient detail to address the following matters:

a. A summary of the works undertaken, including the locations and dimensions of excavations and the volume of soil excavated;

b. 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 *(for each proposed lot*);

c. 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 and/or asbestos air monitoring);

d. Records/evidence of the volumes and disposal locations for any material containing elevated levels of contaminants removed from the site;

e. Records of any unexpected contamination encountered during the works and response actions, if applicable;

f. 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;

g. Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the land-disturbance activities; and

h. 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 approved variations or breaches, if applicable.

i. A statement confirming that the soil on site has been remediated and/or managed such that it is highly unlikely to pose a risk to human health or the environment for the intended land use. The above statement must include confirmation that the soil remaining within the site is compliant with either 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, or the site-specific trigger values, based on a site-specific human health and environmental risk assessment.

Advice Note: Site Validation Report

The SVR enables the council to update the property file information relating to soil contamination, including the files of any newly created lots. If newly created lots have differing soil contamination profiles, the SVR should specifically detail this. Until an SVR is submitted and certified by the council, the Land Information Memorandum for the property will not be updated to reflect any soil contamination remediation work undertaken.

Advice Note

If any contamination exceeding the Permitted Activity soil acceptance criteria, set out in Chapter E30 of the AUP is retained within the site upon the completion of the proposed land-disturbance activity, and contaminant discharges are likely to occur unless specific management of the site remains in place, a long-term contaminant discharge consent under Chapter E30 of the AUP may be required for the site.

Advice Note:

The WCR or SVR will enable the Council to update the property file information relating to soil contamination.

Advice Note:

If you are demolishing any building that may have 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 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;*

Further conditions recommended to apply to consent DIS60468040 under Chapter E30 of the AUP

DC 14. Consent DIS60468040 expires (fifteen years) from the date of commencement unless it has been surrendered or been cancelled at an earlier date pursuant to the RMA.

DC15. The disturbance of soils containing elevated levels of contaminants must be managed in accordance with the CSMP 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 land-disturbance areas in accordance with the CSMP 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 supress 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.

DC16. 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.

DC17. The conditions of this consent may be reviewed every 5 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 of 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 hydrogeological 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.