FORM 9

Resource Consent Application Form

Section 88 of the Resource Management Act 1991 (RMA). This form provides us with your contact information and details about your proposal. Please print clearly and complete all sections.

Note to Applicant:

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

To: Name of Council that is the consent authority for this application: Select a Council

Type of resource consent being applied for:

☒ Land use ☐ Subdivision ☐ Combined land use and subdivision

Activity Status

☐ Controlled ☐ Restricted Discretionary ☒ Discretionary ☐ Non-complying ☐ I don't know

Fast Track Resource Consent

The Resource Management Act 1991 provides for land use activities that have a controlled activity status to be fast tracked through the resource consent process and processed within 10 working days of the application being lodged with Council. Your consent may be fast tracked if you tick 'yes' to the first two questions below.

1. Is this application for a controlled activity (land use consent only)? ☐ Yes ☒ No

2. Have you provided an electronic address for this service? ☒ Yes ☐ No

If you wish to opt out of the fast track process, tick here: ☐

Applicant Name

Please provide the full name of the persons, company, society or trust applying for this resource consent. If the applicant is a trust, please provide the full name/s of all trustees of that trust.

Name: ResourceCo Limited

V1 | 01/04/20

Applicant Contact Details

Postal Address:	3831 Cambridge Road, Cambridge		
Post code:	3495	Email:	henry@demoworx.co.nz
Phone:		Mobile:	027 917 2808

Agent Contact Details

If you have an agent or other person acting on your behalf, please complete the details below.

Agent:	Joe Gray		
Contact:			
Postal Address:	Unit 302, 150 Karangahape Road, Auckland Central, Auckland		
Post code:	1010	Email:	joe@saddleback.nz
Phone:		Mobile:	021 076 7668

Location of Proposal

Please complete with as much detail as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Property address:

3831 Cambridge Road, Leamington, Cambridge

Legal description:

Lot 1 DP 472963

V1 | 01/04/20

Owner/Occupier of Site

Landowner's full name, phone number and address:

OR

☑ Same as applicant details

Occupiers full name, phone number and address:

OR

☑ Same as applicant details

Description of Proposal

Please provide a brief description of the proposal and the reasons why resource consent is required ie which rules in the district plan are infringed. If the space provided is insufficient, please attach additional pages.

Refer AEE

Other Consents

Please let us know of any other consents that you have applied for or know that you need to apply for related to this application. This includes any resource consents that may be required from a regional council under a regional plan.

☐ Other resource consents	Resource consent no. (if known)	
☐ Building consent	Building consent no. (if known)	
■ Regional plan consent	Type of regional consent: *e.g. water discharge permit, water intake permit*	Discharge (general), Discharge (stormwater), diversion and discharge (groundwater), cleanfill disposal to land

National Environmental Standards (NES)*

Please let us know if you require consent under a National Environmental Standard. National Environmental Standards are regulatory documents that contain standards pertaining to certain matters eg management of contaminated land, telecommunications.

Is consent required under a NES? ☐ Yes ■ No ☐ I don't know

Tick the following applicable NES:

- ☐ NES for Air Quality
- ☐ NES for Drinking Water
- ☐ NES for Telecommunication Services
- ☐ NES for Electricity Transmission Services
- ☐ NES for Assessing and Managing Contaminants in Soil to Protect Human Health
- ☐ NES for Plantation Forestry
- ☐ Other

* For further information about National Environmental Standards, their requirements and forms please refer to any other sheets provided with these application forms.

Assessment of Proposal

Please attach an assessment of your proposal's effects on the environment, an assessment against the relevant matters of Part 2 of the RMA and any relevant provisions of NES, regulations, national policy statement, regional policy statement, regional plan and district plan.

Refer AEE

Pre-application Information

We recommend that you have a pre-application discussion about your proposal with a Council planner.

Have you had a pre-application meeting with a Council planner? ☐ Yes ☐ No

Have you had any other conversations with any other Council staff? ■ Yes ☐ No

Date of meeting: 29 April 2025

Please provide the names of Council staff you have spoken with:

Michael Briggs, Harry Baxter

If notes of the meeting or other conversations were provided to you, please attach copies.

Have you attached any minutes/notes from the meeting? ■ Yes ☐ No

Notification

The Resource Management Act 1991 allows applications to be notified for public submissions on request of the applicant.

Are you requesting that your application be publicly notified? ☐ Yes ■ No

If you selected 'yes' to the above question, please attach a short summary outlining the details of your application.

Have you attached a summary? ☐ Yes ☐ No

Site Visit Requirements

☑ As landowner and with the consent of any occupiers or lessee, I am aware that Council staff or authorised consultants may visit the site which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

OR

☐ If the applicant is not the owner, I understand that Council staff or authorised consultants may visit the site, which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

Is there a locked gate or security system restricting access by Council staff?	■ Yes	☐ No
Are there any dogs on the property?	☐ Yes	■ No
Are there any hazards that may place a visitor at risk?	☐ Yes	☐ No

Provide details of any entry restrictions that Council staff should be aware of e.g. health and safety, organic farm etc.

Range of operations being undertaken on the site at present. Contact agent/applicant prior to site visit

Draft Conditions

When a consent is granted, Council can include conditions to manage any adverse effects.

Do you wish to see draft conditions prior to Council making a decision on the application?	■ Yes	☐ No

☑ By ticking this box, I understand that the opportunity to review the draft conditions is an act of good faith by the Council intended to assist with identifying errors before consent is granted. I further understand that Council has the right to continue processing the application if too much time is taken in the review of draft conditions. By requesting draft conditions I agree to an extension of time under section 37 of the RMA.

Signature of the applicant(s)

Please read the information below before signing the application form.

Payment of fees and charges

You must pay the charges payable to Council for this application under the RMA. Please refer to Council's Fees and Charges on its website.

By submitting this application to Council, you agree to pay the charges set out in Council's Fees and Charges relevant to the application.

Privacy information

Council requires the information you have provided on this form to process your application under the RMA. Council will hold and store the information on a pubic register. The details may also be made available to the public on the Council's website. If you would like to request access to, or correction of any details, please contact the Council.

Information checklist

The information checklist provided with this form sets out the full set of information that Council requires for your application to be considered complete. Your application may be returned as incomplete if you do not provide adequate information. Your completed application should be submitted to Council with any supplementary forms and/or guidance as provided by Council.

Correspondence and Invoices

Please let us know where to send any correspondence and invoices. Where possible any correspondence will be sent by email.

All correspondence excluding invoices sent to: ☐ Applicant or ■ Agent

All invoices sent to: ■ Applicant or ☐ Agent

Confirmation by the applicant

☑ I/we confirm that I/we have read and understood the information and will comply with our obligations as set out above. *A signature is not required if you submit this form electronically.*

Applicant name:		Signature:		Date:	
Applicant name:		Signature:		Date:	
Applicant name:		Signature:		Date:	

Confirmation by the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above information and confirm that I have fully informed the applicant of their obligations in connection with this application, including for fees and other charges, and that I have the applicant's authority to sign this application on their behalf. (*A signature is not required if you submit this form electronically.)*

Agent's full name:	Will Clarke	Signature:		Date:	22/10/2025

Information Checklist for Resource Consent Application

All applications must include the following information:

☐ A description of the activity

☐ A description of the site where the activity will occur

☐ The full name and address of each owner or occupier of the site

☐ A description of any other activities that are part of the proposal to which this application relates

☐ A description of any other resource consent required for the proposal to which the application relates

☐ An assessment of the proposed activity's effects on the environment

☐ An assessment of the activity against Part 2 of the Resource Management Act 1991. This will need to address section 5 'Purpose', section 6 'Matters of national importance', section 7 'Other matters' and section 8 "Treaty of Waitangi'

☐ An assessment of the activity against any relevant objectives, policies or rules in the district plan

☐ An assessment of the activity against any relevant requirements, condition or permissions in any rules in a document listed in section 104(1)(b) of the RMA

☐ Record of title(s) for the subject site

This must be less than 3 months old. Please attach the title(s) and any consent notices, covenants, easements attached to the title(s)

☐ Site plan or scheme plan

Please provide at an appropriate scale (for example 1:100) showing the location of the building or activity in relation to all site boundaries. The site plan should include the following where relevant:

- North point
- Title or Reference No.
- Scale
- Date the plans were drawn
- Topographical information
- Natural features, including protected trees, indigenous vegetation, water courses
- Archaeological and/or cultural/heritage sites
- Record of Title boundaries/location of fence positions relative to boundaries
- Accessways and road frontages, including proposed crossing places/right of ways
- Onsite manoeuvring and existing and proposed car parking spaces
- Legal and physical roads
- Existing buildings
- Existing wells and/or effluent disposal systems
- Buildings on adjacent sites
- Layout and location of proposed buildings and activities in relation to legal site boundaries
- Earthworks design and contours/areas of excavation
- Landscaping
- Site coverage calculation
- Details of any signage (sign design, dimensions and location on buildings)
- Areas subject to hazards e.g. unstable slopes, areas of flooding, peat soils or fill
- Areas of potential or confirmed contamination

☐ Elevation plans

Please provide at an appropriate scale (for example 1:50, 1:100 or 1:200) and show all structures to be constructed or altered, showing the relationship and appearance of proposed buildings.

☐ Floor plans of proposed building or buildings to be used for the activity

Please clearly show the use of each area/buildings

☐ Engineering design plans for any water, wastewater and stormwater works

(Only concept engineering plans are required at this stage.)

☐ An assessment of the activity against any relevant provisions of a:

- National Environmental Standard
- National Policy Statement
- Regional Policy Statement
- Regional Plan

☐ A description of any part of the activity that is permitted under the district plan

☐ If a permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates it complies with the relevant requirements and conditions for that permitted activity (so that resource consent not required for that activity).

☐ An assessment of effects (AEE) of the activity

An AEE is an essential part of your application. If an AEE is not provided Council is unlikely to accept your application. The AEE should discuss all the actual and potential effects of your proposed activity on the environment. Schedule 4 of the RMA outlines all of the matters that must be addressed in your AEE. The amount of detail provided must reflect the scale and significance of the effects that the activity may have on the environment. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects must be included in the AEE. It may require the provision of information from specific experts (eg a traffic engineer). If the effects of the proposal are minor, then a less detailed AEE can be submitted. (*The Council has information available to assist you to prepare the AEE – please contact us if you have any questions.)*

All applications for subdivision consent must also include the following information:

☐ The position of all new boundaries

☐ A north arrow and the scale (1:2000)

☐ All proposed and existing easements (including private easements)

☐ Any amalgamations

☐ Stages (if proposed)

☐ Dimensions and sizes of existing and proposed new lots

☐ Legal and physical roads, accessways and rights of way including grades (if applicable)

☐ All existing buildings and structures, their distance to existing and proposed boundaries and the position of any eaves in relation to rights of way/accessways

☐ The areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan

☐ The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips

☐ The locations and areas of any existing esplanade reserves, esplanade strips, and access strips

☐ The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A

☐ The locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A)

☐ The locations and areas of land to be set aside as new roads

Other useful information

The following examples of information are not compulsory, but they will be useful in helping Council make an informed decision about your application. Submitting this information *if it is relevant to your proposal* may save time and costs further down the track.

☐ Locality plan or aerial photo

Please provide at an appropriate scale (for example 1:500). Please indicate the location of the site in relation to roads and other landmarks. Show the street number of the subject site and those of adjoining sites.

☐ Volume of any earthworks

This must include area and volume of soil removed/imported and depth of cut/fill

☐ Details of Hazardous Activities and Industries (HAIL) List activity

If you are unsure whether your site is on the HAIL list please contact Council for assistance

☐ Any written approvals including details of those sought but not obtained

Please include any signed written approval forms and signed plans if acquired.

☐ Specialist reports to support your application

This may include traffic impact studies, landscape and planting plans, acoustic design certificates etc.

☐ Details and outcome of any consultation undertaken with adjacent land owners and occupiers, and relevant bodies. For example, the Regional Council, Heritage New Zealand Pouhere Taonga, Transpower, KiwiRail, NZTA, Department of Conservation etc.

☐ Details of any consultation undertaken with iwi

If you are unsure whether your proposal may affect matters of interest to iwi, or who the relevant iwi groups might be, please discuss this with Council prior to lodging your application

☐ Any other information arising from specific district plan provisions

Other information to include in an application for subdivision consent if it is relevant to your proposal

Proposal details

☐ Site coverage calculations

☐ Existing and proposed crossing places and sight distances and separation distances between crossing places

☐ Building platforms for all allotments including shape factors

☐ Onsite manoeuvring and existing and proposed vehicle parking spaces (where required)

Network utility operations

☐ Existing high voltage electricity lines and gas lines

☐ Location of existing and proposed service connections (including connections to reticulated services) and/or systems ie water, wastewater, stormwater and any easements

☐ Onsite effluent treatment and disposal areas and fields

Natural features

☐ Significant trees, bush stands, protected trees (including their extent of their dripline), covenanted areas or other features

☐ Water bodies

Heritage

☐ Archaeological and/or cultural heritage sites

Hazards

☐ Areas of likely or confirmed contamination

- ☐ Areas subject to land hazards e.g. unstoppable slopes, areas of flooding, peat soils, fill
- ☐ Details of proposed stormwater management appropriate to the scale and nature of the subdivision
- ☐ Pipework and onsite stormwater systems
- ☐ Open drains (including ownership)
- ☐ Effect of subdivision and end use on existing overland flow paths
- ☐ Contours showing existing and finished ground level (levels to the relevant datum) at 0.5m intervals within the subdivision, and at 2 metre intervals on adjoining properties (to enable effects on those properties to be assessed). A separate plan may be needed to show these details.
- ☐ Areas of proposed or existing fill or excavation
- ☐ Any proposed retaining walls or embankments (note if retaining wall over 1m is proposed, a typical cross section is required.)
- ☐ In urban areas, details of the percentage of proposed and existing impermeable and permeable areas
- ☐ Natural hazards, e.g. unstable slopes, areas of flooding, ponding, peat soils
- ☐ Elevations (to scale) of buildings which are affected by the location of new boundaries (e.g. where height in relation to boundary rules apply)

Saddleback

3831 Cambridge Road, Cambridge

Application for resource consent to establish a managed fill

ResourceCo Limited

22 October 2025

Details and Version Control

Job	
Number	202501001
Client	ResourceCo Limited
Contributors	
Author	Will Clarke
Reviewer	Joe Gray
Approver	Joe Gray
Version Control	
Date	Version
21/07/2025	Draft for stakeholder review (pre-lodgement)
22/10/2025	Final for lodgement

Disclaimer

This report was prepared for ResourceCo Limited. No liability is accepted by this company or any employee or sub-consultant of this company with respect to its use by any other person.

This disclaimer shall apply withstanding that this report may be made available to other persons for an application for permission or approval or to fulfil a legal requirement.

Acknowledgement of Submission

Will Clarke
Planner

Joe Gray
Principal Planner

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1 APPLICANT AND SITE DETAILS

Applicant Name:	ResourceCo Limited
Site Address:	3831 Cambridge Road, Cambridge
Legal Description:	Lot 1 DP 472963
Site Area:	21.67 ha
Plans:	Waipa District Plan Waikato Regional Plan
Zoning:	Rural Zone (Waipa District Plan)
Overlays:	Waipa District Plan: • Policy Overlay – Mineral Extraction Area • Utilities – High Voltage Electricity Transmission Line • Utilities – High Voltage Electricity Structure • Soil Type – High Class Soil • Soil Type – Other Soil • Biodiversity Corridor – 750m River Stream Corridor
Controls:	-
Designations:	-

2 INTRODUCTION

The following assessment is provided in accordance with the requirements of Section 88 and Schedule 4 of the Resource Management Act 1991 (RMA).

ResourceCo Limited (the applicant) is proposed to establish a managed fill at 3831 Cambridge Road, Cambridge (the site). The site currently has a number of consented/established activities including a recycling facility, vermicomposting operation, a sand quarry, and a clean fill. These operations are authorised under a variety of resource consents from Waikato Regional Council. A detailed outline of the current resource consents is included in Section 3.2 of this AEE.

Fill material that meets the classification of a Class 3 Managed Fill will be placed down in areas of the site that have been quarried for sand. This activity requires resource consents from the Waikato Regional Council for the discharge of stormwater and the disposal of managed fill to land.

Resource consent is required from Waikato Regional Council with an overall activity status of discretionary and Waipa District Council with an overall activity status of discretionary.

3 BACKGROUND

3.1 Current Resource Consents

The site activities operate in accordance with the following land use consents issued by Waipa District Council:

- **LU/0019/06.02** – To operate a mineral extraction activity (sand quarry), a sand washing and screening plant, a green waste composting facility, a cleanfill landfill, a storage pond for run off from the compost area, and to store landscape and other bulk products; and
- **LU/0144/17.01** – To continue operation of an existing green waste composting operation and irrigate leachate to land.
- **LU/0206/23 –** To establish and operate a construction and demolition waste recycling plant.

The site's construction and demolition waste recycling facility will operate under the following consents issued by Waikato Regional Council:

- **AUTH146000.01.01 –** To divert and discharge stormwater to surface water in association with the operation of a construction and demolition waste recycling facility
- **AUTH146000.02.01 –** The incidental discharge of recycling facility contaminants onto or into land where it may enter freshwater.
- **AUTH146000.03.01 –** To temporarily divert groundwater and take daylighted groundwater/ surface water during construction dewatering works.

Revital recently transferred the following Waikato Regional Council resource consent to ResourceCo:

- **AUTH143568.03.01** – to discharge overburden and clean fill onto and into land.

The Revital activities operate under the following resource consents issued by Waikato Regional Council that apply to both the subject site and Lot 2 DP 472963:

- **AUTH137556** – To operate a green waste composting facility
- **AUTH138141.01.01 –** To discharge leachate to land from green waste composting operation
- **AUTH143568.02.01** – to discharge treated sand processing wash water, stormwater and incidental groundwater onto land and into surface water.
- **AUTH143568.04.01** – to undertake land disturbance activities in a High Risk Erosion Area associated with a sand quarry and cleanfill operation.

- **AUTH143568.06.01** – To divert groundwater to, and take surface water (diverted groundwater, stormwater, and reticulated process water) from treatment and storage ponds for sand processing and washing.
- **AUTH143568.07.01** – To undertake vermicomposting activities, and associated discharges to air, and incidental discharges onto or into land.

Table 1: Summary of activities on the site and Lot 2 DP 472963

Activity	Consent Reference	Consent Holder	Site
Sand Quarry	AUTH143568.04.01 LU/0019/06.02	Revital	Lot 1
Sand Washing	AUTH143568.02.01 AUTH143568.06.01 LU/0019/06.02	Revital	Lot 1
Cleanfill	AUTH143568.03.01 LU/0019/06.02	ResourceCo	Lot 1
Vermicomposting	AUTH143568.07.01	Revital	Lot 1
Green Waste Composting	AUTH137556 AUTH138141.01.01 LU/0019/06.02 LU/0144/17.01	Revital	Lot 2 Irrigation of compost leachate is to Lot 1 and 1235 Kaipaki Road (south)
Construction & Demolition Waste Recycling	AUTH146000.01.01 AUTH146000.02.01 AUTH146000.03.01 LU/0206/23	ResourceCo	Lot 1

Status of existing consents

The following comments are made in relation to the existing consents applying to the site:

- Composting takes place on adjacent lot owned by Revital under AUTH143568.01.01. There will be no conflict between the composting activity and the proposed managed fill. No changes are anticipated to be required to the existing consent.

- The managed fill and the sand quarry will not operate in the same location at the same time for practical reasons. As such, no conflict is expected between the two consented activities, and no changes are anticipated to be required to the existing consent.
- ResourceCo intends to surrender the existing cleanfill consent (AUTH143568.03.01) prior to the commencement of managed fill activities under the consent being applied for.
- The Construction and Demolition Waste Recycling Centre will operate in Stage 4 of the managed fill. The managed fill will operate in parallel with this activity across Stages 1, 2 and 3. At present it is anticipated that the recycling facility will be re-located once the managed fill reaches Stage 4. Given Stage 4 managed fill operations are estimated to occur after 12 years from commencement, final decisions on the waste recycling centre will be made at a later date.

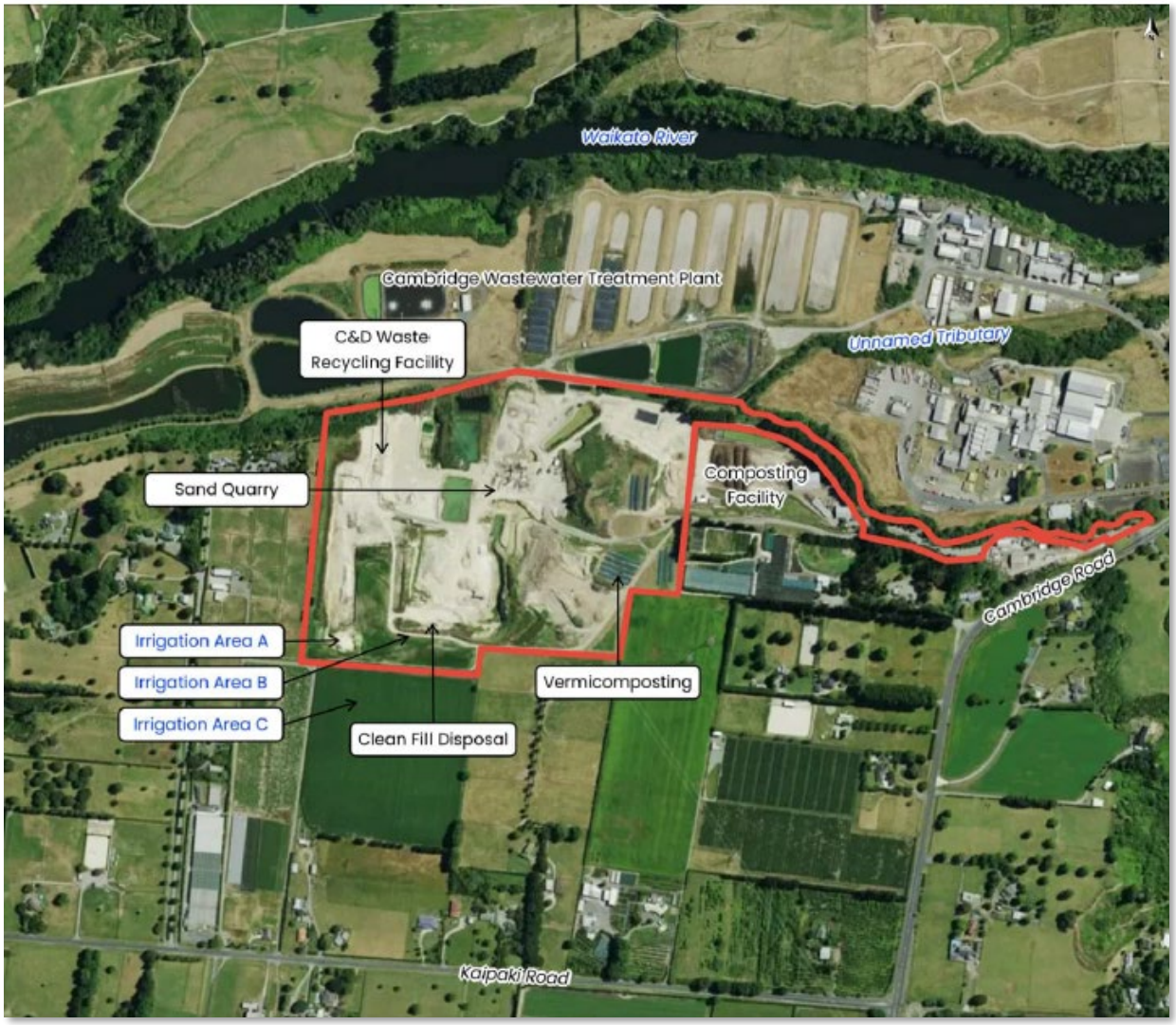

Figure 1: *Location of current activities on the site (Source: HAIL)*

3.2 Complaints

The Waikato Regional Council has provided the applicant with a record of complaints received by the Council in relation to the activities carried out on the site. The complaints associated with ResourceCo were mostly related to dust emissions and the alleged processing/disposal of asbestos. The record of complaints appended to this AEE provides full context on the complaints and the responses taken by WRC and the applicant.

The complaints associated with Revital were related to odour emissions from the composting and/or vermicomposting activities.

4 SITE AND SURROUNDING ENVIRONMENT

4.1 Site Description

The site is located on the south-eastern edge of the Cambridge Township and is currently owned by the applicant. Operating on the site is a sand quarry, cleanfill and small-scale vermicomposting activity. The site has also recently gained consent for a construction and demolition waste recycling facility. While commencement of the operation is understood to be imminent at the time of writing, this facility is not yet operational.

The previous owners of the site were Remediation (NZ) Limited, who trade as Revital. Remediation (NZ) Limited continue to own and operate activities on Lot 2 DP 472963 (directly adjacent to the subject site). They also continue to lease the sand quarry site and remain the consent holder for the Waikato Regional Council consents associated with operation of the sand quarry.

The site is accessed via a single access and driveway to Cambridge Road, approximately 80m west of the intersection of Cambridge Road and Matos Segedin Drive. The topography drops significantly from south to north and the quarrying activities have gradually lowered the site. The site is located within the Rural Zone of the Waipa District Plan.

Figure 2: *Subject site and surrounding environment*

4.2 Natural Environment

The following summary regarding the natural environment features of the site and surrounding environment is derived from the following specialist reports:

a) Baseline Biomonitoring Report

Babbage Consultants collected visual and biological data on the site in April 2025 to establish a baseline for the watercourses on site prior to any potential effects of future discharges. Data was collected from the artificial drain on the northern boundary and the unnamed tributary of the Waikato River. Data was also collected at an upstream site of the tributary to represent a baseline and control conditions upstream of the discharge.

b) Baseline Environmental Report, prepared by Babbage Consultants

The Baseline Environmental Report provides an assessment of the baseline receiving environment, including specific information on geology, ecology, surface water and groundwater. These findings are discussed in depth below.

c) Environmental Site Assessment, prepared by HAIL Environmental

The Environmental Site Assessment has two main purposes:

1. To establish the current environmental conditions at the site, and
2. To develop waste acceptance criteria (WAC) for the proposed managed fill (as described in the Proposal section of the AEE)

The report summarises the key findings of the other pre-application documents, making note of the environmental context including soils, geology, hydrogeology, hydrology, meteorology and other site conditions.

d) Preliminary Geotechnical Investigation, prepared by HD Geo

HD Geo's review of the site included a desktop study and an intrusive site investigation consisting of:

- Site walkover and mapping by an Engineering Geologist
- Drone flyover
- 11 Cone Penetration Tests (CPTs) up to 20m depth, with 3 dissipation tests
- 5 Machine Bore Holes (BHs) up to 18m depth with piezometer installation.

In particular, this investigation provided information on the geology and groundwater of the site. The report concludes that the site is suitable for the proposed use, subject to the geotechnical recommendations contained within the report.

Surface Water

The site is approximately 280m south of the Waikato River and an unnamed tributary of the Waikato River (the Stream) crosses the site's eastern boundary. Along the northern boundary of the site there is a drainage channel (the Drain) which is fed by groundwater springs and runoff from the site. These features are shown in Figure 2 below.

Figure 3: *Location of the Drain (marked in orange) and the Stream (marked in blue).*

The Drain is artificial, having been formed sometime between 2008 and 2010, likely resulting from expansion of quarry activities on the site. The Drain is approximately 450m in length and discharges to the Stream. The ecological survey (refer Baseline Biomonitoring Report) determined that the Drain is a highly modified feature that is not a natural stream. Overall, the Drain is assessed as having low ecological value.

The Stream is approximately 1.5km in length and travels north-west, towards the site, before a bend in the channel takes it north-east towards the Waikato River. The Stream is a natural channel and was assessed as having low – moderate ecological value.

The Waikato River is a nationally significant river and provides drinking water further downstream of the site for the Auckland and Waikato regions. The river is also used for recreational purposes including boating and fishing although the freshwater features in the surrounding environment are not observed to have high levels of recreational use.

The key findings in relation to the three data collection sites are summarised in Table 2 below.

Table 2: Summary of features observed within watercourses

Feature	**Artificial Drain**	**Tributary (downstream)**	**Tributary (upstream)**
Water clarity	Poor – murky brown colour	Good – stream bed visible	Good – stream bed visible
Substrate type	Silt and wood	Fine silt	Gravel, silt and wood
Riparian vegetation	Exotic plants dominated	Exotic plants dominated	Exotic plants dominated
True left bank	Partially stable. Narrow (2m) riparian margin, poor filtration	Unstable. Narrow (2m) riparian margin, low-moderate filtration	Unstable, large slips evident. Wide riparian margin with dense vegetation, very good filtration potential.
True right bank	Stable, dense vegetation in wide riparian margin, good filtration potential	Stable, dense vegetation in wide riparian margin, very good filtration potential	Stable, some erosion. Wide riparian margin with dense vegetation, very good filtration potential.
Macrophyte cover	Low (10%)	Moderate (30%)	None
Periphyton cover	Minimal & patchy	Minimal	Minimal
Ecological value	**Low**	**Low-moderate**	**Low-moderate**

Surface Water Quality

Surface water quality results contained in the Technical Assessment of Environmental Effects are summarised below. Sampling of the Stream was conducted in September 2023 and February 2025 by

Viridis and then in March and August 2025 by HAIL. Additional sampling was also conducted in September 2025 by Babbage.

- pH and dissolved oxygen results are in line with the ANZG range for the Stream, but not for the Drain.
- Electrical conductivity exceeded ANZG guidelines across all sites. The Drain had the highest conductivity readings.
- Boron, arsenic, lead and nickel were detected in some sites, however, the concentrations did not exceed ANZG DGV or DWSNZ MAV criteria for human health.
- Zinc was detected in all sites. ANZG DGV was exceeded in the downstream sampling site in September 2024.
- Nitrite and nitrate were detected in all sampling locations but were below the DWSNZ MAV. Additionally, dissolved reactive phosphorus was detected in all locations.
- The Drain contained three PFAS species, but none of the results exceeded the ANZG guideline criteria.

The overall water quality at the tributary upstream was generally similar to the downstream site. The water quality is considered typical of its context, given inputs from the surrounding agricultural and industrial activities. Stormwater runoff entering surface water from the surrounding environment is anticipated to contain high concentrations of E. coli, suspended solids, nutrients and zinc. All of these contaminants contribute to the degraded quality of the Stream.

Geology

HD Geo undertook a site investigation in January and February 2024, and the full results of their investigation are contained in the Preliminary Geotechnical Report. In summary, the results demonstrate that ground conditions across the site differ from the mapped geology. According to GNS science maps, the northern part of the site is mapped as being underlain by the Taupo Pumice Alluvium, while the southern part of the site is mapped as Hinuera Formation soils. The Walton Subgroup is expected to underly the younger Hinuera Formation soils at this site.

Across all test locations on the site, the results showed Hinuera Formation underlain by Walton Subgroup. There were no observations of Taupo Pumice Alluvium within the site, and this is expected to occur closer to the Waikato River slopes. The results also noted that uncontrolled fill up to 3.6m was identified within 3 boreholes and one of the Cone Penetration Test sites indicates ~6.5m of fill has been placed in the north-west corner of the site.

I also note that within the Environmental Site Assessment, HAIL Environmental outline the following observation based on the site investigations:

> *"There is orange banding suggestive of iron pans within the geological profile at the site. Unpublished work by HAIL Environmental for WRC has associated iron pans in the eastern Hamilton Basin with naturally elevated arsenic that has been transported from geothermal sources in around Lake Taupo, at concentrations sometimes exceeding 100mg/kg"*

Groundwater

Four monitoring wells were installed in the roughly same location as the boreholes, with the exception of borehole 5 (no monitoring well in this location). A ground model based on the observed information has also been prepared by HD Geo. The complete findings of the monitoring wells are contained in the Baseline Environmental Report, and a summary of the findings is produced below.

- The observed groundwater levels indicate that flows are generally towards the north (and the Waikato River), as expected from the overall topography.
- Slug tests conducted in the monitoring wells indicated hydraulic conductivity ranges between 0.1 and 8.3m/day which is in alignment with the expected velocities.
- Perched groundwater tables have been identified across the site, with deeper groundwater level between approx. RL 52.5m and RL 30.21m
- Seepage occurs on the site, currently from the quarry walls. Ponding from seepage occurs in topographic depressions within the quarry. Seepage is expected to continue when the site is operating the managed fill.

Groundwater Quality

- Groundwater quality findings are summarised as follows:
  - pH in the monitoring wells was between 6.19 and 6.36, slightly below WRC's satisfactory range of 6.5 to 9.
  - Arsenic concentrations at MW2 exceeded DWS MAV criteria for human health and the ANZG guidelines for freshwater 95% protection level.
  - The ANZG DVG was exceeded for nickel in all four monitoring bores, cadmium at MW1 and MW3, chromium at MW4, zinc at MW4 and copper at MW3 and MW4.
  - Nitrate was detected in all wells, and concentrations in MW1 and MW4 were higher than the NPS-FM bottom line (3.5 mg/L).

- Four PFAS species were observed in MW2, MW3 and MW4; however, none of the results exceeded the ANZG guideline criteria.
- The contaminants (nutrients, metals, PFAS) present are noted in the HAIL Environmental Report (Environmental Site Assessment) as occurring via an upgradient source such as recovered organic wastes, inferred to be from irrigation of composting leachate (composting activity on Lot 2).

Ecology

The key ecological features on the site are the surface waterbodies – the Drain and the Stream. The Baseline Biomonitoring Report concludes that the Drain is of low ecological value and the Stream is of low-moderate ecological value.

The Drain is classified as having low ecological value for the following reasons:

- It is an artificial and highly modified watercourse
- There is limited habitat diversity – no pools, riffles or chutes
- There are high levels of silt present
- The riparian vegetation is generally low exotic grasses

The Stream is classified as having low-moderate ecological value for the following reasons:

- It is a permanent and natural stream with good flow
- The stream contains several chutes, offering some diversity in channel characteristics
- One longfin eel was caught in the upstream end of the Stream. This species has a threat status of At Risk – Declining and its presence suggests that the Stream offers permanent fish habitat.
- Although exotic riparian vegetation dominates, it provides high levels of instream shading, thus preventing excessive macrophyte growth. It also provides moderate – high levels of filtration.
- The Stream receives significant amounts of harmful chemicals and sediments generated by the surrounding activities, including via the Drain. This is potentially impacting water quality and the health of the stream.

The Baseline Biomonitoring Report does note that macroinvertebrate community data has been collected but is yet to be analysed and the results of the analysis may change the ecological values of the Drain and the Stream.

4.3 Surrounding Environment

Land to the west, south and south-east

The site is bound to the south-west and south-east by the "Deferred Large Lot Residential Zone". This land is generally flat land and in pasture, typical of most rural/rural-residential land in the Cambridge area. Because the adjacent land to the west, south and south-east is elevated and generally screened by vegetation, it is generally not visible to or from the proposed managed fill facility.

The surrounding rural/rural-residential sites bound by Kaipaki Road to the south range in size between 1.5 ha and 9 ha. While not immediately adjacent, the closest existing dwelling at 5/1215 Kaipaki Road is approximately 40m west of the western boundary of the site.

Land to the north, north-east and east

Immediately to the north is the municipal wastewater treatment ponds for the Cambridge Township, and beyond the ponds (approximately 300m from the sites' northern boundary) is the southern bank of the Waikato River.

To the north-east is the industrial estate that obtains access via Matos Segedin Drive. Immediately to the east is elevated, rural zoned land that accesses a crossing via 3807 Cambridge Road. This land comprises shade houses and buildings and appears semi-industrial in nature.

4.4 Records of Title and Interest

Copies of the record of title of the site are attached as Appendix A.

5 PROPOSAL

It is proposed to develop a managed fill by filling the existing quarried areas, raising the levels of the site by up to 21m in some locations. The managed fill will be undertaken in four stages as demonstrated by the figure below:

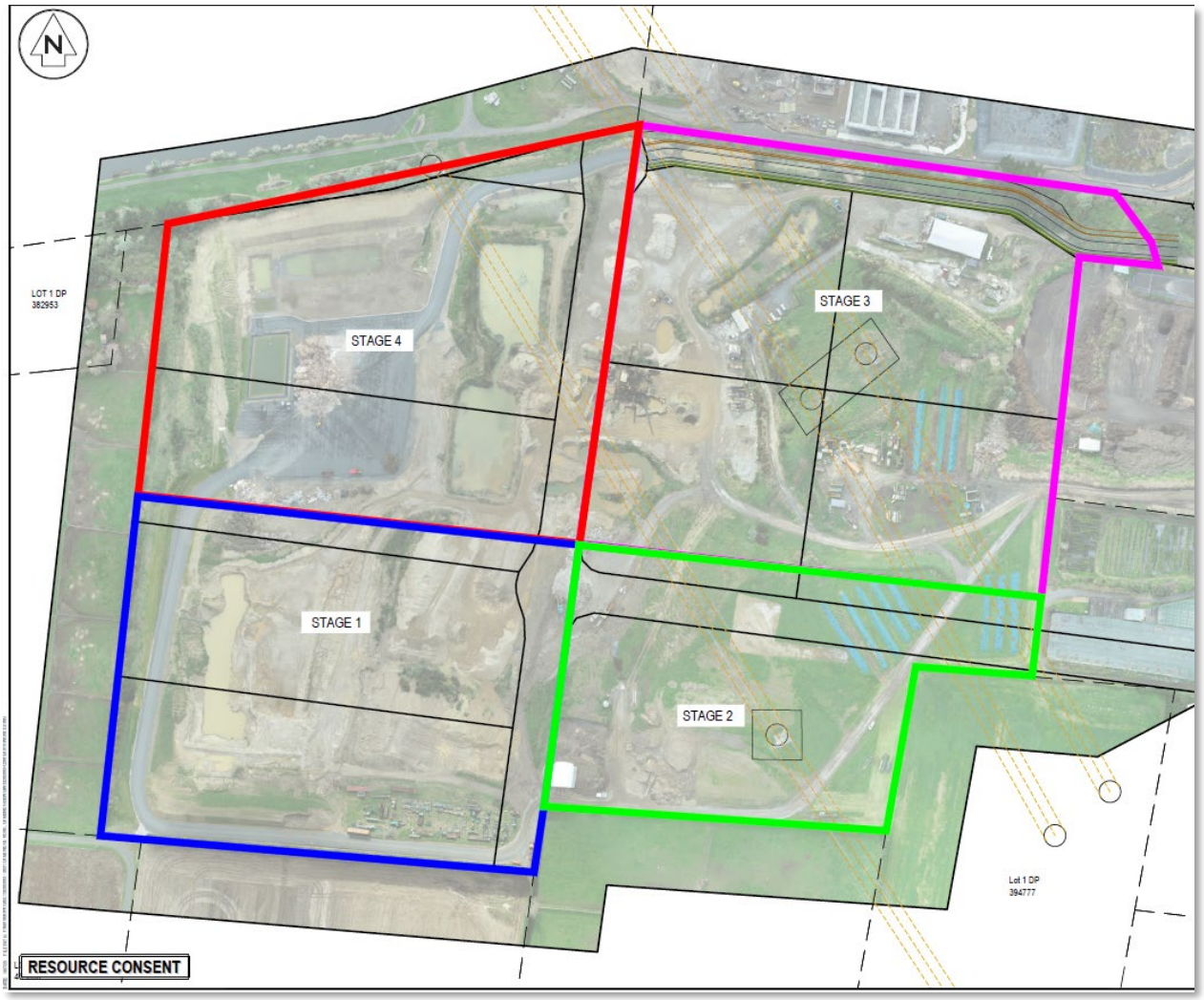

Figure 4: *Managed fill staging plan (Source: Maven)*

The proposal, shown in detail by the Engineering Plans prepared by Maven, consists of the following:

- The facility will meet the definition of a Class 3 Managed Fill under the Waste Management Institute New Zealand classifications. A Class 3 Managed fill accepts clean fill, controlled fill, and soils that contain contaminants at concentrations that require controls to manage the risk to the environment.

- A 2m layer of cleanfill material will be placed at the base of the fill site to provide a buffer between the managed fill material and underlying groundwater. A (minimum) 2m deep column of cleanfill will also be placed along the sides of the managed fill to act as a buffer.
- The cleanfill buffer will be permeable, therefore precipitation may pass through the fill material to the groundwater, eventually migrating to surface water. To ensure adequate water quality outcomes, the managed fill will only accept specific material that meets the waste acceptance criteria (WAC), outlined in depth below.
- Groundwater seepage is expected to continue when the managed fill is operational, these flows will be diverted around fill material to discharge points (see stormwater management discharges).
- At the conclusion of the filling operation, a cap will be constructed to prevent water entering the managed fill and to provide separation between the fill material and future users of the site.

As a Class 3 managed fill, the proposed activity shall only accept the following waste material:

- Rock and aggregate
- Bricks, blocks and pavers
- Ceramics and clay products
- Concrete (exposed reinforcing removed) and cement products (excluding asbestos-containing material)
- Roading materials (sub-base and seal, including both bitumen-based materials and coal tar-based materials meeting the WAC shown below)
- Asphalt
- Maximum incidental or attached biodegradable materials (e.g. vegetation) not exceeding 2% per volume per load
- Soil and subsoil meeting the WAC shown below

5.1 Waste acceptance criteria (WAC)

The Environmental Site Assessment and Proposed Waste Acceptance Criteria have been prepared by HAIL Environmental. Within this report, HAIL Environmental provide the full details on the proposed WAC and a summary is provided below.

The following table outlines the proposed WAC, noting that it also includes criteria for cleanfill material, which will be required for the buffer layer placed underneath the managed fill and for the cap.

Table 3: Summary of proposed waste acceptance criteria

Contaminant	Waikato Region Clean Fill	Managed Fill
Inorganics		
Arsenic	17	140
Boron	15	45 (260, with leaching analysis)
Copper	120	280
Cadmium	0.8	10
Chromium	56	150
Lead	78	460
Nickel	33	320
Mercury	1	3
Zinc	175	1200
Asbestos as ACM (bonded)[3]	NA	<1% w/w
Asbestos as AF and/or FA[3]	Absent	<0.01%
All forms of asbestos[3]	No visible asbestos	NA
Organics		
TPH ($C_7 - C_9$)	120	200
TPH ($C_{10} - C_{14}$)	58	600
Benzene	0.0054	0.11
Toluene	1.0	19
Ethylbenzene	1.1	10
Xylenes	0.61	25
Naphthalene	NE	15
PAH as benzo[a]pyrene TEQ	2	125
Dieldrin	0.2	0.2
Total DDT	0.7	2.0
PCP	NE	55
Dioxins as TCDD TEQ	NE	0.00012
Sum of PFOS+PFHxS[4]	NE	20 (0.07µg/L) *
PFOA[4]	NE	50 (0.56 µg/L) *
Any other contaminant	NE	Protect human health and environment in rural residential use

Notes:

Concentrations for Waikato clean fill and Class 3 WAC are mg/kg dry weight unless specified otherwise. NA – not applicable (contaminant does not generate leachate). NE – not established.

1. Waikato Regional Council standard operating policies for defining clean fill acceptance criteria (Ref: WRC1).
2. Technical guidelines for disposal to land (Ref: WasteMINZ1).
3. Guidance limits for low level asbestos contaminated soil disposal at a landfill (Ref: WasteMINZ2).
4. PFAS National Environmental Management Plan (Ref: NEMP)

* Concentrations must be less than both the relevant total and leachable concentrations.

I note the following key information stated in the HAIL Environment report regarding the waste acceptance criteria:

- The table above generally utilises the generic Class 3 WAC from *Technical guidelines for disposal to land* (Ref: WasteMINZ1). These criteria are derived on the basis that leachate from precipitation will not exceed either drinking-water standards or trigger values protective of 95% of freshwater species after migrating to a nearby point of compliance (Ref: PDP2). As such, they are highly conservative when applied to this site, which is 500m away from the Waikato River.
- For asbestos, the *Guidance limits for low level asbestos contaminated soil disposal at a landfill* are recommended as the WAC (Ref: WasteMINZ2).
- For PFAS, for which there are no WAC, the Heads of Environmental Protection Authorities' total limits for an unlined landfill are recommended (Ref: NEMP).
- For any other contaminant that is proposed to be disposed of, where no generic WAC exists, the WAC shall be the lower of any human health or soil quality criterion for rural residential use determined in accordance with the usual hierarchy (REF: MfE4) – that is, the soil shall meet the standard set for controlled fill in the Class 4 WAC.

5.2 Site Management Plan

The facility will be operated in accordance with a site management plan that will be prepared and implemented prior to the activity commencing. The site management plan will be available for Council to review at any time. The site management plan will include the following:

- Title page with date and version
- Contact details of the site manager
- Managed fill waste acceptance criteria and entry requirements including quarantine processes for any inappropriate material delivered to the site.
- Development management measures including those related to staging, placement of fill and ESCP
- Operational management measures including those related access, security, signage, noise, dust, odour, asbestos and general health and safety.
- Monitoring requirements in relation to the development and operational management measures.
- Monitoring requirements for groundwater and surface water quality
- Emergency and contingency measures including for non-compliant material, spills, slope failure and inappropriate discharges.

- The process for record keeping and reporting. An annual compliance report is proposed to be completed at submitted to Waikato Regional Council.
- Details on the closure of the managed fill

5.3 Operations

I note the following points regarding the operation of the managed fill:

- Site security will comprise a security booth, gate and weighbridge, fencing, signage and CCTV recording system.
- Fill material will be placed and compacted by heavy mechanical means only.
- To protect surface water receptors, erosion and sediment controls are proposed to control potential discharges from the managed fill.
- The fill face will be compacted and shaped at the end of each workday. This will ensure that it sheds precipitation and remains workable.
- A daily cover system will be used where low-level asbestos contaminated soils are present in the fill material.
- Once operational, the managed fill facility will accommodate 5 – 10 full-time staff members. Car parking for staff will be available onsite.

5.4 Facility closure

Following filling, a cap will be constructed to minimise water ingress and provide separation between the fill material and end users upon closure. Solid or sharp objects will not be placed at or near the surface where they could penetrate the cap, which is expected to comprise 600 mm of clay and 150 mm of topsoil and be grassed.

The final capping design, erosion and sediment controls and any long-term monitoring requirements will be outlined within a closure management and monitoring plan (CMMP).

5.5 Access

Access to the site will continue to be gained via the existing crossing on Cambridge Road.

This application proposes 4 HCV loads per hour. When assuming an 8-hour working day and 250 working days per year, this results in 8000 HCV loads annually. All vehicle movements proposed for the managed fill are separate to the existing land use consents for vehicle movements as related to the existing

activities on the site (i.e., construction and demolition waste recycling facility). A supporting Integrated Transport Assessment (ITA) has been prepared by CKL and is attached.

5.6 Groundwater

Groundwater seepage is anticipated to continue during the operation of the managed fill. This groundwater will be diverted via a subsoil drainage network that will discharge to shallow groundwater treatment ponds. A temporary treatment pond will be located within the Stage 4 area that will capture subsoil drainage from Stages 1, 2 and 3. A final treatment pond will be established in the northeast of the site. The WAC will ensure that any groundwater originating in the managed fill area will be of acceptable quality when it enters the subsoil drainage network.

Upstream groundwater will be diverted around the managed fill and directed to a sump that will discharge into the shallow groundwater treatment pond. Groundwater originating from upstream will be sampled from the sump and tested as part of the ongoing monitoring program.

5.7 Stormwater

It is proposed to construct a network of swales that will capture surface water flows and discharges from subsoil trenches. Upon completion of the managed fill, the existing Drain will not be required as part of the site's stormwater management.

The two subsoil trenches will run along the external boundaries of the site. These trenches will be set at the base level of the perched groundwater level and outlet in two locations. Firstly, an eastern trench will outlet to the Stream in the same approximate location as the existing Drain discharges to the Stream. Secondly, the western stream will outlet into a stream adjacent the site.

The swales run internally throughout the site and will be 3m to 6m in width. The 3m wide swales are intended to address the 10-yr flows and 6m wide swales for the 100-yr flows.

All swales direct stormwater to shallow groundwater treatment ponds discussed above. These ponds will provide further stormwater treatment before runoff is discharged into the Stream in the same location as the existing Drain discharge. A vegetated swale upstream of the final (Stage 4) shallow groundwater treatment pond will provide treatment and adaptive management measures such as mussel or oyster shells can be fitted if required.

The proposed system was designed in accordance with WRC's stormwater management guidelines. In addition, a stormwater management plan and monitoring programme (involving sampling of the

discharge and tributary) will serve to demonstrate that no significant change between upstream and downstream water quality within the unnamed tributary occurs.

5.8 Adaptive management

In the event that water quality exceedances are detected at a discharge point on the Site, adaptive management and control measures will be implemented to mitigate further adverse effects. As outlined in the Technical AEE, in the instance that metals, nutrients and sediments exceeding the acceptable limits, filtering barriers will be installed in the vegetated swale using crushed mussel shell socks or other media that can reduce sediments and metals in the discharge.

The Stormwater Monitoring, Management and Contingency Plan (SMMCP) outlines the following adaptive management measures that will also be implemented:

- Improve maintenance and cleaning of stormwater infrastructure, including removal of accumulated sediment from ponds, drains, and swales.
- Review the application of flocculants under controlled conditions to accelerate sediment settling in ponds.
- Review and update of erosion and sediment control measures, particularly during high-risk periods such as heavy rainfall or earthworks.
- Allow the vegetation/ grass to grow in length within swales and the surroundings of the Site to improve nutrient uptake and sediment trapping capacity (e.g., the Storminator Sock) within the swales as check dams.
- Reduce inflow velocity in the ponds during high-flow events to reduce resuspension of sediments.
- Diverge high-flow events to bypass sensitive treatment areas, reducing hydraulic overload and potential resuspension of sediments.
- Temporary cessation or modification of site activities contributing to contamination (e.g., stockpiling) until corrective actions are implemented.
- Increase the area or install additional sediment retention or polishing ponds to increase detention time and improve sediment settling.

5.9 Earthworks

The managed fill will require 111,000m^3 of cut and 1,361,200m^3 of fill over the 197,200m^2 area of earthworks. Approximately 20% of the total volume will comprise cleanfill.

Along the northern boundary of the site, it is proposed to build an MSE earth wall with compact approved backfill. The retaining wall will be 16m high and will support the level of fill being placed as part of the managed fill operation. The earth wall will be planted out with grass, thereby appearing as a large grassy wall in time.

The imported managed fill will be compacted in layers to maximise volume and accommodate future development above the cleanfill. This includes excavation of existing cleanfill material that has not compacted appropriately.

As mentioned previously, a 2m layer of cleanfill material will be placed at the base of the fill site to provide a buffer between the managed fill material and underlying groundwater. A (minimum) 2m deep column of cleanfill will also be placed along the sides of the managed fill to act as a buffer.

5.10 Erosion and sediment control

The following erosion and sediment controls will be carried out for each stage:

- Formation of Sediment Retention Pond (SRP) and associated Clean Water and Dirty Water Diversion Bunds (CWDB and DWDB).
- Installation of internal contour drains (as required throughout each stage)
- Installation of silt fences to protect existing drains/waterways (as required throughout each stage)
- Installation of stabilised entrances (as required)
- Installation of “all weather” haul roads
- Installation of stabilised “tip head”

The locations of the SRPs are shown within the Maven drawing set. Three SRPs will be established to service the different stages as follows:

- SRP 1A will service Stages 1 and 2
- SRP3A will service Stages 3 and 4
- SRP 3B will service Stage 3 only.

Further details of the erosion and sediment control measures, include stage specific measures, are provided within the Maven report. A final erosion and sediment control plan (ESCP) will be prepared prior to commencement of the operation.

5.11 Accidental discovery of landfill material

ResourceCo has commenced excavation of the cleanfill material that has been disposed of at the site under the existing cleanfill consent. The purpose of this is to utilise cleanfill material on the site for the cleanfill buffer. Cleanfill material that does not meet the standard for engineered fill will not be placed in the managed fill area.

In undertaking these works, ResourceCo has uncovered a small volume of asbestos containing material (ACM) within the cleanfill. The ACM has been appropriately disposed of, along with trace asbestos soil.

Any further ACM (if identified) will be disposed of at an authorised offsite disposal location. Trace asbestos soil will be disposed of onsite, in accordance with the measures identified in the SMP.

5.12 Concurrent activities onsite

There are various activities (listed below) that will continue to operate in parallel and utilise the same entry onto Cambridge Road. Internal roading layouts will be updated as necessary as part of detailed design and internal wayfinding signage will be established and maintained as part of a traffic management plan. The traffic management plan will be finalised prior to the managed fill commencing and will be updated prior to each new stage of the Managed Fill commencing.

ResourceCo Construction and Demolition Waste Recycling Facility

Trucks importing managed fill will use the same entry gate and weighbridge as trucks importing construction and demolition waste for recycling facility. Trucks importing managed fill will present compliant paperwork to the gate attendant before proceeding to a separate quarantine area.

Revital Composting Facility

Trucks importing material associated with Revital will use the same site entry, but a separate weighbridge. Way finding signage will be established to direct Revital trucks to the Revital site within Lot 2 DFP 472963.

Sand Quarry

The sand quarry will continue to operate, at least for a period, alongside the managed fill albeit in different locations on the site. Therefore, any interaction between the two activities is expected to be minimal and manageable.

Revital Vermicomposting Activity

The vermicomposting area is currently located within the Stage 2 footprint. If necessary, the activity can be relocated to the finished Stage 1 level and continue to comply with the conditions of consent (AUTH143568.07.01). The specific requirements (as set out in the conditions) in terms of location of the activity are set out below:

- (22) - there shall be no vermicomposting on land which has a fall of more than 1:10 unless that land is more than 100 metres from a waterway in a horizontal direction.
- (23) - The vermicompost windrows shall not be placed within 200m of any dwelling, nor within 50m of any public road, nor within 20m of any surface water.
- (27) - The consent holder shall notify the Waikato Regional Council in writing prior to altering any existing part of the vermicompost area or constructing any new section of vermicompost area. The notification shall include a map of the site with the new or altered section of vermicompost area clearly marked on it.

The existing consent authorising the activity does not explicitly declare an area of the site where the vermicomposting must take place. Conditions 22 and 23 outline general locational requirements, and as per condition 27, the consent holder will notify the Waikato Regional Council in writing prior to any relocation of the vermicompost area. The notification shall include a map of the site with the new section of vermicompost area clearly marked on it.

6 CONSULTATION

6.1 Mana Whenua

On 11 March 2025, the applicant met with Beth Tauroa, who represents Ngaati Korokii Kahukura.

During the meeting, the following matters regarding the managed fill proposed were discussed:

- Site investigations are being undertaken, including collecting groundwater data
- The applicant's concept design for stakeholder review (iwi and Council) will include a baseline environmental assessment and initial waste acceptance criteria.
- It is intended to lodge the resource consent applications after June/July 2025, once winter groundwater levels/data can be obtained

The applicant is committed to continuing to engage in a meaningful way with Mana Whenua throughout the resource consent process.

A draft resource consent application package which included a draft AEE and accompanying technical reports was distributed to Beth Tauroa of Ngāti Koroki Kahukura and Norm Hill of Ngāti Hauā for comment. To date, the applicant has not received formal feedback from mana whenua.

6.2 Transpower

The site contains Transpower infrastructure that supports national electricity provision. As a result, the proposed managed fill design has taken considerable care to ensure the ongoing function of this energy infrastructure.

On the 19th of June 2025, Maven (via Dean Morris) contacted Transpower via email. A copy of the email is attached. Within the email, development plans were attached for Transpower to review.

Transpower advised Maven that the applicant should utilise the Transpower online enquiries portal so Transpower could manage the enquiry. An online enquiry via the portal was made on 23rd June 2025.

At this stage, there has been no further communication with Transpower on the proposal.

6.3 Pre-Application Meetings and Correspondence

Waikato Regional Council

A pre-application meeting was held with Waikato Regional Council (WRC) on 28 May 2025. This included an on-site walkover. Nicola Holmes of WRC circulated pre-application meeting notes on 23 June 2025.

In preparation for the pre-application meeting, the following documents were prepared by the applicant's team of specialists:

- Baseline Biomonitoring Report prepared by Babbage Consultants
- Baseline Environment Report prepared by Babbage Consultants
- Environmental Site Assessment prepared by HAIL Environmental
- Preliminary Geotechnical Report prepared by HD Geo
- Engineering Plans prepared by Maven

On 21 July 2025, WRC received a draft resource consent application package which included a draft AEE and technical report from the applicant's team of specialists. WRC undertook a review of the package and provided written feedback to the applicant on 19 August 2025.

The applicant's team provided an initial response to the feedback on 19 September 2025, and two in-person meetings were held to discuss the project further.

The first meeting was held on 25 September 2025 at the WRC offices in Hamilton and a range of general matters were discussed.

The second meeting was held in Raglan on 1 October 2025 and focused on freshwater quality.

Waipa District Council

A pre-application meeting was also held with Waipa District Council (WDC) on 29 April 2025.

Michael Briggs of WDCsent notes to the applicant's agent for the above pre-application meeting on 19 June 2025.

On 21 July 2025, WDC received a draft resource consent application package which included a draft AEE and technical report from the applicant's team of specialists. On 20 August 2025, Saddleback followed up with Michael Briggs of WDC via email to understand the status of WDC's review of the draft package

and whether any feedback would be provided on district consenting matters. To date, there has been no formal feedback from WDC on the draft application package.

6.4 Neighbouring Properties

The applicant has endeavoured to engage directly with as many owners and occupants of adjacent land as possible – particularly owners and occupants of rural-residential sites in the surrounding environment.

The process for the 'first round' of consultation has involved two key aspects:

1) Visiting sites and speaking to neighbours directly (6 August 2025). As part of this, a concise, hard-copy information pack was provided to the neighbours in-person. This is appended to the AEE.
2) The application package which was provided to Council for pre-lodgement review was emailed to the neighbours. Noting that ResourceCo has not been able to obtain all of the email addresses for the neighbours, so some have not received the full pre-lodgement package.

In September 2025, a 'second round' was undertaken which involved engaging with persons at sites included as potentially sensitive receptors in the Air Quality Assessment (specifically R2- R4). These persons were provided with a hard copy information pack.

The following table provides a summary of the consultation across the first two 'rounds' of consultation. All persons listed in this table have been visited by the applicant. In circumstances where persons were not available to discuss the project, the applicant has left information documents and contact details. The applicant has welcomed feedback from neighbours throughout the consultation process.

Address	Name	Information Received
Ngāti Koroki Kahukura	Beth Tauroa	Full pre-lodgement package
Ngāti Hauā	Norm Hill	Full pre-lodgement package
52 Taawharuwharu Lane ***(formerly 5/1215 Kaipaki Road)***	John and Jean Marsden	Full pre-lodgement package
54 Taawharuwharu Lane ***(formerly 4/1215 Kaipaki Road)***	Abbey and Richard Boobyer	Full pre-lodgement package
1225B Kaipaki Road	Bryce and Susan Stevenson	Hard copy information package

1225A Kaipaki Road	Joga Singh Aujla, Mandip Kaur	Hard copy information package
1235 Kaipaki Road	Bronwynne Hutching	Full pre-lodgement package
1273 Kaipaki Road	Bruce William Rowe, Marjorie Dawn Rowe	Full pre-lodgement package
1285 Kaipaki Road	Whitehall Fruitpackers Holdings Limited	Full pre-lodgement package
3807 Cambridge Road	Fronds Investments Limited	Full pre-lodgement package
3808 Cambridge Road	John David Simpson, Marguerita Sarah Simpson	Hard copy information package (doesn't have email)
3809 Cambridge Road	G W Scott Trustees Limited, Angela Sue Totman, Grant Walter Totman	Full pre-lodgement package
3829 Cambridge Road	Pukerimu Investments Limited	Hard copy information package
56 Taawharuwharu Lane ***(formerly 3/1215 Kaipaki Road)***	Ben Scott Hankinson, Tamaryn Venus Hankinson	Hard copy information package
1/1213 Kaipaki Road	Karin Caroline Watson, Martin John Watson	Hard copy information package
1219 Kaipaki Road	Blair Malcolm Ballard, Louise Winifred Alice Ballard, James Gerard Beban	Hard copy information package

On 22 October 2025, the applicant distributed a letter to neighbours who had raised material concerns about the proposal after the first two rounds of consultation. Refer to Appendix X for a copy of the letter. The neighbours listed below received this letter. The applicant understands that these were the only neighbours who raised material concerns in the previous rounds of consultation.

- 52 Taawharuwharu Lane - John and Tessa Marsden (recently renamed, was 5/1215 Kaipaki Road)
- 54 Taawharuwharu Lane - Abby and Richard Boobyer (recently renamed, was 4/1215 Kaipaki Road)
- 56 Taawharuwharu Lane - Ben and Tamaryn Hankinson (recently renamed, was 3/1215 Kaipaki Road)
- 1/1213 Kaipaki Rd - Karin Caroline Watson, Martin John Watson
- 1219 Kaipaki Rd - Blair Malcolm Ballard, Louise Winifred Alice Ballard, James Gerard Beban

7 PERMITTED ACTIVITY ASSESSMENT

Waikato Regional Plan

- The proposed reclamation of the Drain on the site is a permitted activity. It is an entirely artificial channel of water and not considered a 'river'. Therefore, Rule 4.3.4.4: Discretionary Activity Rule – Bed Disturbance Activities does not apply.
- Any works to create internal roading associated with the cleanfill operation are included within Waikato Regional Plan Rule 5.2.5.6: Discretionary Activity Rule – Cleanfill Disposal in High-Risk Locations.
- As per the guidance within the Waikato Regional Plan, Rule 6.1.9.1 (Permitted Activity Rule for air discharges) provides for activities on industrial or trade premises only. The provisions in this Rule do not apply if the activity is already restricted by some other rule in this Plan. In this case, the cleanfill activity is restricted by other rules outlined below/above.
- The removal of unsuitable material from the cleanfill on the site (including previously undertaken removal and potential future removal) is considered to be the removal of waste, not soil or 'contaminated land'. Therefore, the rules contained within Chapter 5.3 Contaminated Land do not apply to this application.

National Environmental Standards for Freshwater (NES-F)

- The proposed reclamation of the Drain on the site is a permitted activity. It is an entirely artificial channel of water and not considered a 'river'. Therefore, Regulation 57 of the NES-F does not apply.
- I note that the site or surrounding area does not have any natural inland wetlands; therefore, the rules applying to natural inland wetlands are not applicable to this application.
- Overall, the proposed development does not require consent under the NES-F.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The applicability of the NES-CS was discussed throughout the pre-application period with WRC.

As outlined in the Environmental Site Assessment prepared by HAIL, there have been no identified activities on the site that are on the HAIL list, and the proposed development is therefore no considered to trigger consent under the NES-CS.

In addition, the removal of unsuitable material from the cleanfill on the site (including previously undertaken removal and potential future removal) is considered to be the removal of waste, not soil, and is therefore not captured by the NES-CS.

Waipa District Council

Rural Zone

- Earthworks within the National Grid Yard that comply with Rule 4.4.2.76 are a permitted activity under rule 4.4.1.1(t). As outlined on the Earthworks Plans, proposed levels will tie into the level of the existing Transpower pylons on the site.
- The maximum permitted building coverage for a site exceeding 1 hectare is 3% under 4.4.2.10. The subject site is approx. 216,700m^2, therefore 3% of the subject site is ~6,500m^2. The only buildings proposed for the site will be the retaining walls along the northern boundary. The length of retaining along the northern boundary is conservatively measured to be approx. 600m. Even with a very conservative estimate that the retaining wall will have a width of 10m, the total area of the retaining wall (building) will be 6,000m^2 which is a permitted activity.
- The proposal will comply with the requirements of permitted activity rule 4.4.2.15 in relation to noise. This is demonstrated in the Acoustic Assessment.

Transportation

- As per Appendix T1, the proposed activity is most closely aligned with an 'industrial activity' and as such, one loading space will be provided on the site. This is a permitted activity under rule 16.4.1.1(a).
- The Transportation Assessment appended to the AEE contains an assessment of all permitted activity standards within chapter 16 – Transportation. As per this assessment, the following permitted activities will be carried out:
  - 16.4.2.4 Vehicular Access to Sites in All Zones
  - 16.4.2.5 Vehicle Entrance Separation from Intersections and Other Vehicle Entrances
  - Vehicle Access to Sites in the Industrial Zone

Health and General Amenity

- Rule 20.4.2.1 states that "no activity shall produce any objectionable odour, smoke, fumes or dust at or beyond the boundaries of the site from which the nuisance emanates.

- Activities that fail to comply with this rule will require a resource consent for a discretionary activity, except where the activity has been authorised by way of a discharge consent from the Waikato Regional Council"
    - Given that consent is sought from the WRC for various discharges in relation to the proposal, it is considered that the proposal complies with this rule and is therefore a permitted activity under rule 20.4.2.1.
- As per permitted activity rule 20.4.2.6, any areas of bare earth not being worked for three months or more will be covered with appropriate ground cover as soon as possible.

8 REASONS FOR THE APPLICATION

8.1 Waikato Regional Plan

Although the activity is described throughout the application as a 'managed fill', I note that this particular operation is not specifically addressed by any definitions within the Waikato Regional Plan. Notably, it is not specifically referenced in the definitions for 'cleanfill', 'landfill' or 'muncipal solid waste landfill'.

To determine the correct classification of the proposed activity under the Waikato Regional Plan, I note a similar resource consent application was made by Gleeson Managed Fill Limited to Waikato Regional and Waikato District Councils. Resource consent was granted on 29th March 2023 for a managed fill facility. The decision confirmed that the definition of 'cleanfill' is to be utilised when determining the information required within an application for a 'managed fill' under the Waikato Regional Plan.

Rule 3.5.4.5: Discretionary Activity Rule – Discharges General

- The proposal involves the discharge of contaminants onto land which may result in that contaminant entering water via stormwater discharge. This discharge is not provided for by any other rule, therefore it is a **discretionary activity**.

Rule 3.5.11.8: Discretionary Activity Rule – Discharge of Stormwater

- The proposal involves the discharge of stormwater into surface water as a **discretionary activity.**

Rule 3.6.4.13: Discretionary Activity Rule – Stopbanks, Diversions and any Associated Discharges of Water

- The proposal involves the diversion and discharge of groundwater as a **discretionary activity.**

Rule 5.2.5.6: Discretionary Activity Rule – Cleanfill Disposal in High-Risk Locations

- The managed fill activity is classified as 'cleanfill disposal' under the Waikato Regional Plan. The land disturbance activities associated with the sand quarry and cleanfill operation result in the site falling with a High-Risk Erosion Area because the ongoing sand quarry operation creates land with a slope of greater than 15°. Overall, the managed fill is **discretionary activity.**

8.2 Other resource consents required

Land use consent is being sought from Waipa District Council for the following:

Section 4 – Rural Zone

- The managed fill activity will involve earthworks that are a **discretionary** activity under Rule 4.4.1.4(a)(xvii) as it fails to comply with Rule 4.4.2.75. The rule requires earthworks volumes to not exceed 1000m^3, and the proposal will involve 1,412,194m^3 of earthworks in total.
- The retaining wall on the northern boundary is high enough to be classified as a building and will require consent for the following reasons:
  - It does not comply with rule 4.4.2.2 Minimum setbacks from internal site boundaries and is therefore a **restricted discretionary** activity under 4.4.1.3(n).
  - It does not comply with rule 4.4.2.9 Height of buildings which requires buildings to not exceed 12m in height above ground level. The proposed retaining wall will be 16m in places, which is a **restricted discretionary** activity under 4.4.1.3(n).
  - It does not comply with rule 4.4.2.12 Daylight control which requires buildings to comply with a 2.7m + 45^o recession plane. The proposed retaining wall will be located within the recession plane therefore it is a **restricted discretionary** activity under 4.4.1.3(n).

Section 16 - Transportation

- The site is accessed via a major arterial road and the proposed activity will exceed 250 vpd (in car equivalent movements). This is a **restricted discretionary** activity under 16.4.2.22 and an Integrated Transport Assessment is provided to meet the requirements.

Section 26 – Lakes and water bodies

- Earthworks within 23m of a water body are a **restricted discretionary** activity rule 26.4.1.3. Although the bulk filling required for the managed fill operation will be located outside of the 23m setback of the Stream as required by Rule 26.4.2.1, the proposed Sediment Retention Pond 3B will be located within the setback.

8.3 Activity Status

The application therefore seeks resource consent for a **discretionary** activity.

9 ASSESSMENT OF ENVIRONMENTAL EFFECTS

9.1 Introduction

When considering an application for resource consent, the consent authority must, subject to part 2, have regard to any actual and potential effects on the environment of allowing the activity. In the Act, the term effect includes both adverse and positive effects.

9.1.1 Permitted Baseline

The permitted baseline is relevant to both the assessment under sections 95A to 95G and section 104 of the RMA. Under these sections, Council has the discretion to disregard those effects.

9.1.2 Receiving Environment

The receiving environment is a mandatory consideration when assessing the potential adverse effects on the environment. The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented also form part of this foreseeable receiving environment.

The receiving environment in which the adverse effects of the proposed development has been assessed is described in Section 4 of this report.

Existing Effects

The following resource consents apply to the site:

- AUTH146000.01.01 – 03.01: for the development and use of the site for a construction and demolition waste (CDW) recycling facility
- AUTH143568.01.01 – 07.01 (note: there is no 05.01 consent) for the development and use of the site and Lot 2 DP 472963 for a sand quarry, cleanfill, composting and vermicomposting.

The existing effects of these activities are assessed below.

<u>General comments</u>

The composting activity is currently operating on Lot 2 DP 472963, owned and operate by Revital. The applicant has no involvement at this site. The effects of the activity are not assessed as the activity is off-site and not operated by the applicant.

The CDW facility is not yet operational, but as it is a consented activity, its anticipated effects are included in this assessment. As there is no reason to suggest otherwise, the effects of the CDW facility are the same as outlined in the decision for AUTH146000.01.01 – 03.01 (a copy of the decision is attached to the AEE).

In regard to the remaining activities (sand quarry, cleanfill and vermicomposting) these activities and their existing effects are assessed in the following sections. The effects assessment within the WRC decision for these consents is used as a baseline for assessing the effects.

Water take and groundwater effects

As outlined in the decision, water is allocated without increasing cumulative allocation for both relevant catchments. As per the decision document, the proposed activity is being carried out on site as anticipated: “the surface water take is the taking of stormwater, groundwater and recirculated process water from the treatment and storage ponds. The water is used on site within the pond catchment. The take is classified as a net zero take for the catchment of both the storage pond (2) from which the water is taken, and the Waikato River catchment”.

Any other water takes on the site consists of water take from the stream within the parameters of permitted activity rule 3.3.4.13 which has less than minor adverse effects.

The sand quarry and sand washing activities (and associated monitoring) are undertaken by Revital. ResourceCo is not aware of any unanticipated adverse effects arising from the proposed water takes.

Dust effects

Dust emissions on the site are controlled by the following measures contained in the conditions of consent for the vermicomposting, cleanfill and sand quarry:

a) Water cannons are used to suppress dust where required (i.e, areas of disturbed land).
b) Limited area of exposed soil at all times, including the revegetation of completed areas.
c) Access roads are maintained and sprayed/wetted where required.
d) In the specific case of vermicomposting, not harvesting in dry and/or windy conditions

Odour effects

Potential odour emissions are related to the composting and vermicomposting activity on the site – both operated by Revital. As they have no involvement in these activities, ResourceCo is not in a position to conduct a full assessment on the operation of the composting and vermicomposting. However, to our understanding, these activities are undertaken in accordance with the relevant resource consent that authorise their operation, including the mitigation measures outlined.

Cleanfill contaminant effects and effect of contaminant discharges to land and water from quarrying, cleanfilling, ESCP

ResourecCo now holds the consent to operate the cleanfill on the site (was previously Revital until March 2025). In general, the waste acceptance criteria have been adhered to which is one of the main measures that controls the level of adverse effects.

Since acquiring the site, ResourceCo has uncovered a small volume of asbestos containing material (ACM) within the cleanfill. The ACM has been appropriately disposed of at Flemings landfill in Rotorua, along with trace asbestos soil. Any further ACM (if identified) will be disposed of at an authorised offsite disposal location. Trace asbestos soil will be disposed of onsite, in accordance with the measures identified in the SMP.

Another non-compliance was identified involving the (likely) deposition of dairy factory wastewater (note: in the absence of sufficient disposal documentation, this is the conclusion made by HAIL Environmental after conducting testing on the site).

Despite the two non-compliances, all sampling of the cleanfill to date has confirmed that material brought to the site does meet the definition of cleanfill. This includes two separate sampling investigations taken in 2025 (January and September) as well as sampling and reporting prepared by PDP in 2021.

The other main measure are the erosion and sediment controls for the cleanfill. These are observed to be operating as intended and suspended sediments are reduced before being discharged.

Effects of contaminant discharges to land and water from composting and truck wash

The vermicomposting activity is operated by Revital, as the consent holder. As per the WRC decision for this consent, adverse effects associated with discharges from this activity are less than minor as

stormwater is generally unable to enter the worm beds as they are covered by an impermeable membrane. Furthermore, the vermicomposting windrows continue to be located on a flat area of the site where overland flow paths do not flow.

Cultural effects

The current/existing cultural effects of the activities operating on the site is for mana whenua to comment on, not the applicant.

Traffic effects

The Transportation Assessment included in the application has concluded that traffic volumes for Cambridge Road have increased by approximately 2% per year since the existing sand quarry activity was consented. Given that the assessment is supportive of additional vehicle movements to and from the site (along Cambridge Road) the existing traffic effects are less than minor. The assessment also notes that "the section of Cambridge Road past the site does not present any significant road safety risks".

9.2 Assessment of Effects

9.2.1 Geotechnical

A Preliminary Geotechnical Report encompassing all stages of the managed fill has been prepared by HD Geo and is summarised below:

- The assessment shows that the site, in its current and future state, is anticipated to experience insignificant liquefaction effects. Furthermore, following the placement of fill, the liquefaction risk across the site will be reduced.
- A settlement screening assessment was undertaken by HD Geo and predicted total settlement is max. 220mm. While immediate settlement may occur as fill layers are placed, settlement pins and regular monitoring during construction will mitigate risk. Long term settlement has low risk given the nature of the sand soils and ongoing monitoring will be undertaken.
- Under current site conditions, large global stability failures are not expected although shallow failures could occur where there are steep batters or where groundwater is located near the surface.
- The proposed development of the site would create very large and deep global failures without the proposed MSE wall on the northern boundary. As a result of the MSE wall, the preliminary

stability outputs produced by HD Geo show that the FoS requirements can be meet except in the ULS seismic scenario where FoS is 1.0 and does not meet the minimum requirement of 1.2.

- Despite the shortfall, HD Geo state that "it remains within a range that we believe can be managed through resilient structural design and robust foundations". The MSE wall is not at a detailed design stage yet and additional investigations will be undertaken to increase the understanding of the deeper soil profile on site. It is likely that raft foundations will be utilised to distribute loads more evenly and improve stability during a seismic event.
- Where other retaining walls (no higher than 4m) will be required to ensure stability on site, these will be subject to specific assessment and design at the detailed design stage.
- Stormwater and groundwater within the managed fill area will be re-directed away from the active filling areas via the stormwater management system and sub-soil drains. This will ensure that water does not produce long-term stability issues and /or create erosion issues.
- From a geotechnical perspective, there are a range of elements of the proposed managed fill design that will require further assessment and design prior to construction. These items (also listed on page 16 of the HD Geo report) will be addressed as conditions of consent:
  - Northern Retaining Wall: Further ground investigation and detailed wall design are needed.
  - Groundwater Controls: Measures are needed to manage existing seepage, open drains, and possible springs across the site, such as rock blankets beneath the proposed fill to a suitable discharge location.
  - Pylon Foundation: Batter stability assessment and foundation review are needed.
  - Fill Specification: A fill specification is needed including 'Class 3' acceptance criteria and site management plan. Further testing will be needed within the existing fill area (south-eastern corner to assess existing fill for future compaction suitability.
  - Site management plan (contractor): An SMP will be needed considering climatic condition management e.g. dust
  - Other Retaining Wall Design: Design will be needed for any other future retaining walls
  - Pond Stability and Liners: Assessment of pond stability and the need for liners, if needed.
  - Pavement and services
  - Review of Detailed Design Plans

Based on the HD Geo report, the site is suitable for the proposed managed fill. Any geotechnical hazards can be appropriately managed subject to detailed design and conditions of consent.

9.2.2 Groundwater

The Technical Assessment of Environmental Effects, prepared by Babbage, concludes that the managed fill activity is "unlikely to impact existing groundwater quality, consistent with guidance provided in the WasteMINZ 2023 guidelines".

The WasteMINZ 2023 guidelines state that dilution and attenuation processes occurring during the transportation of groundwater are anticipated to reduce contaminant concentrations within the groundwater to levels below the ANZG (2018) guidelines for freshwater protection. The Stream on the site is considered to be the receiving environment for groundwater, therefore, all managed fill placement will occur 100m from the edge of the stream. The only material accepted for placement within 100m of the stream will be cleanfill. Drawing C220-3 within Appendix B outlines this area of cleanfill separation within Stage 3.

Therefore, based on the technical guidance, the effects on groundwater quality will be less than minor.

I also note that it is proposed to divert shallow groundwater / groundwater seepage on the site. This groundwater will enter stormwater management system and ultimately be discharged to the Stream. This process will not produce any adverse effects on the groundwater, and any adverse effects associated with discharges to water are discussed in sub-section 8.2.5.

9.2.3 Erosion and Sediment

An Erosion and Sediment Control Plan (ESCP) has been prepared by Maven. A full description of the ESC measures is provided below.

Additionally, a draft Site Management Plan (SMP) is attached. The purpose of this document is to outline how the operation of the managed fill will be carried out to ensure that any potential adverse effects are avoided, remedied or mitigated. The SMP contains details on the proposed procedures and measures involved in the operation of the managed fill to demonstrate how compliance will be achieved with the relevant conditions of resource consents that will apply to the site.

Erosion and Sediment Controls

The potential adverse effects of the proposed discharges to land will be mitigated using best practice erosion and sediment control methods in accordance with Waikato Regional Council (WRC) TR 2009/02 – "Erosion and sediment control: guidelines for soil disturbing activities". Full details of the erosion and

sediment controls (ESCP) can be found in the Earthworks Management Plan prepared by Maven and are summarised below.

- Formation of Sediment Retention Pond (SRP) and associated Clean Water and Dirty Water Diversion Bunds (CWDB and DWDB).
  - DWDBs will divert silt laden runoff into the relevant SRP. The SRPs will reduce the volume of sediment leaving the site and will remain in place for the duration of each stage.
  - CWDBs will divert overland flows from upper catchments and direct the flows to existing stormwater ponds or drains.
  - Both the CWDBs and DWDBs will be designed for a 5% AEP storm event and include a minimum 0.2m freeboard.
  - For stages 1, 2 and 4 – one SRP will be required for each stage.
  - For stage 3 – two SRPs will be required.
- Installation of internal contour drains (as required throughout each stage)
- Installation of silt fences to protect existing drains/waterways (as required throughout each stage). The plans prepared by Maven outline the location and design of the proposed silt fences.
- Installation of stabilised entrances where required for access. This will be formed with an aggregate subgrade on filter cloth.
- Installation of “all weather” haul roads
- Installation of stabilised “tip head”

9.2.4 Discharges to Land

Material will be accepted as ‘Managed Fill’ if it meets the following permitted waste acceptance criteria contained in Table 3. The table is repeated below for ease.

Table 3: Summary of proposed waste acceptance criteria

Contaminant	Waikato Region Clean Fill	Managed Fill
Inorganics		
Arsenic	17	140
Boron	15	NE
Copper	120	280
Cadmium	0.8	10
Chromium	56	150 *
Lead	78	460
Nickel	33	320
Mercury	1	3
Zinc	175	1200
Asbestos as ACM (bonded)[3]	NA	<1% w/w
Asbestos as AF and/or FA[3]	Absent	<0.01%
All forms of asbestos[3]	No visible asbestos	NA
Organics		
TPH ($C_7 - C_9$)	120	200
TPH ($C_{10} - C_{14}$)	58	600
Benzene	0.0054	0.11
Toluene	1.0	19
Ethylbenzene	1.1	10
Xylenes	0.61	25
Naphthalene	NE	15
PAH as benzo[a]pyrene TEQ	2	125
Dieldrin	0.2	0.2
Total DDT	0.7	2.0
PCP	NE	55
Dioxins as TCDD TEQ	NE	0.00012
Sum of PFOS+PFHxS[4]	NE	20 (0.07µg/L) *
PFOA[4]	NE	50 (0.56 µg/L) *
Any other contaminant	NE	Protect human health and environment in rural residential use

Notes:

Concentrations for Waikato clean fill and Class 3 WAC are mg/kg dry weight unless specified otherwise. NA – not applicable (contaminant does not generate leachate). NE – not established.

5. Waikato Regional Council standard operating policies for defining clean fill acceptance criteria (Ref: WRC1).
6. Technical guidelines for disposal to land (Ref: WasteMINZ1).
7. Guidance limits for low level asbestos contaminated soil disposal at a landfill (Ref: WasteMINZ2).
8. PFAS National Environmental Management Plan (Ref: NEMP)

- * Concentrations must be less than both the relevant total and leachable concentrations.

Any material will be “Prohibited Waste” if it does not meet the acceptance levels as outlined in Table 3 above. Although the following list is not exhaustive, it provides an idea of the types of material that will be considered “Prohibited Waste”:

- Household hazardous waste
- Radioactive materials
- Biosolids from municipal or industrial wastewater treatment facilities
- Electronics including cabling and insulation
- Lithium-ion batteries
- Municipal solid waste
- Green waste, including vegetation, wood chips and bark
- Fertiliser waste in bulk
- Medical and veterinary waste
- Explosive, flammable, oxidising or corrosive substances
- Tars and paints including painted materials
- PCB wastes
- Containers that contain or were used to contain hazardous chemicals and liquids (e.g., agrichemicals, solvents, toxic chemicals, fuels).
- Bulk liquids
- Tyres
- Coal ash waste
- Marine sediments
- Sewage sludge
- Roadside sweepings

Pre-approval of Fill Material

All material that arrives at the site will be required to be pre-approved including evidence of pre-testing. The complete details of the pre-approval process are explained in the SMP, but in summary:

- ResourceCo must be informed of the source of material and be provided with a report and/or testing results to ensure that it does comply with the WAC
- All pre-approved loads will undergo a visual inspection on arrival at the site. This will occur at two points: the weighbridge and at the tipping point. Staff undertaking the inspection will be trained

and if a load contains characteristics that are suspicious (e.g. odorous, stained, organic material is present), the load will be contained on site until further testing can confirm whether it meets the WAC or not.

- If a load does not comply with the WAC it will be removed from the site and disposed of at a suitable facility within two weeks of the test results.
- Any loads that are delivered to the site without pre-approval will not be allowed to be disposed on site. These loads will be rejected and will be removed from the site.
- Random sampling of pre-approved loads will take place.

Other Disposal to Land

A 2m layer of cleanfill will be placed at the base of the fill site to provide a buffer between the managed fill material and underlying groundwater. A layer of cleanfill will also be placed along the sides of the managed fill. The cleanfill buffer will be permeable, however, the WAC will ensure that any precipitation passing through the fill material to the groundwater and surface water will not be contaminated. As discussed at length above, the managed fill will only accept specific material that meets the waste acceptance criteria (WAC).

At the conclusion of the managed fill operation, a cap will be constructed to seal the managed fill. The cap is intended to minimise water ingress and provide separation between the fill material and end users upon closure. Solid or sharp objects will not be placed at or near the surface where they could penetrate the cap, which is expected to comprise 600 mm of clay and 150 mm of topsoil and be grassed.

In line with Section 10 of the Site Management Plan, the final capping design, erosion and sediment controls and any long-term monitoring requirements will be outlined within a closure management and monitoring plan (CMMP). The requirement for a detailed and final CMMP will be included as a condition of consent (refer to draft conditions).

9.2.5 Discharges to Water

Surface water and groundwater receptors are present near the proposed fill areas, and discharges are proposed to the surface water body that is a tributary to the Waikato River. Potential adverse effects on water from the disposal of cleanfill and managed fill, and their associated discharges include:

- The reduction of water quality due to increased sediments and contaminants,
- The degradation of instream ecological values, and
- The lowering of the mauri of water

Discharges to the Stream

The Stream, which will receive discharges from the managed fill site, is a tributary of the Waikato River. It is the only permanent, natural waterbody that interacts with the proposed activity.

The application of the WAC ensures that the managed fill will have strict controls on the type of material that will be disposed of at the site. The enforcement of the WAC will mean that any discharges of water to the Stream will be of an appropriate quality.

Discharges will be comprised of two aspects:

1. Groundwater seepage within the managed fill area will be directed to daylighted swales before entering the treatment basin. The WAC will ensure that seeping groundwater is not contaminated before entering the swales.
2. Rainfall that lands on the managed fill site will be captured and directed to the network of swales before entering the treatment basin. Again, the WAC will ensure that stormwater is not contaminated prior to entering the swales.

Flocculation is proposed within the SRPs where necessary, ensuring that any suspended solids within the collected groundwater or stormwater are removed. This process will assist in ensuring that the discharge of water to the stream will contain reduced sediments compared to a 'no-flocculation approach'.

Stormwater Monitoring, Management and Contingency Plan (SMMCP)

A draft SMMCP has been provided as part of this application. The SMMCP outlines the monitoring programme for surface waterbodies that receive stormwater discharges.

The SMMCP contains the following information:

- The location(s) of surface water sampling
- The methodology for collecting and analysing samples
- The type of contaminants being tested for
- The acceptable detection limits
- Adaptive management measures

It is proposed to collect samples of the discharges quarterly. The only exception to the proposed frequency and timing of sampling is when no discharges have occurred on site. Samples will be taken

from the inlets and outlets of the shallow groundwater treatment pond(s) and within the sump that collects groundwater that has been diverted from upstream of the managed fill.

Additionally, receiving environment sampling and surface water discharge monitoring will be undertaken quarterly (including at least two times where they are both undertaken at the same time).

The proposed adaptive management measures will allow the manged fill operation to actively mitigate adverse effects if exceedances to the water quality limits are detected as part of the monitoring programme.

9.2.6 Ecology

Babbage have prepared a Technical Assessment of Environmental Effects which has been compiled based on the Baseline Monitoring Report and Baseline Environmental Report (both of which were prepared for the WRC pre-application meeting and summarised in Section 4 of this AEE). Of note, the artificial drain is of low ecological value and is proposed to be piped as part of the managed fill proposal whilst the Stream is of low-moderate ecological value and will be untouched.

The Technical Assessment of Environment Effects includes a full discussion of effects on freshwater ecology, and I make the following comments with regard to the Babbage findings:

- Erosion and sediment controls will significantly reduce the level of sediments and runoff from entering any freshwater bodies during earthworks and operation of the managed fill. Therefore, any adverse effects related to the reduction in aquatic habitat will be less than minor.
- The piping of the Drain will reduce instream habitat however; native fish are unlikely to be present in the Drain given the exposed nature of the channel and the high presence of silt. It is likely that any native fish would tend to inhabit the Stream or Waikato River. It is noted that no fish were caught in the Drain during the fish survey.
- Earthworks will be undertaken near the Stream and within the Drain (to allow it to be piped). To manage against potential adverse effects on fish species (if there are any present), a Fish Management Plan will be prepared ahead of any works being undertaken within 25m of a freshwater body.
- The Babbage modelling demonstrates that the managed fill - via the WAC, standard ESCP and stormwater treatment within vegetated swales and the SRPs - would ensure discharges to water

of an appropriate quality and a no more than minor adverse effect. Treatment of stormwater can be enhanced as necessary via adaptive measures such as implementing mussel or oyster shells.

- The vegetated swales will convey stormwater and provide initial mitigation prior to runoff entering the SRP. This pond will serve as a sedimentation basin – capturing suspended solids and reducing turbidity before water is discharged.
- While the modelling shows that nickel concentrations may be exceeded under dry conditions, adaptive management measures such as mussel shell socks within the treatment chain will reduce dissolve metals such as zinc, copper and nickel from the stormwater if required and the modelling does not account for this during low-flow states.
- The ecological assessment prepared by Babbage demonstrates that the proposal is unlikely to result in any material change or reduction in freshwater habitat conditions downstream. The relatively low discharge volume relative to upstream and downstream flows will mean that the discharges to the Stream are unlikely to cause hydrological stress or habitat disruption.
- Overall, the managed fill and its associated discharges to water will not generate adverse ecological effects that are more than minor.

9.2.7 Drinking water quality and recreation

Freshwater from the Waikato River is utilised for drinking water downstream of the site. The proposed discharges to the stream will therefore enter the Waikato River and the drinking water source. The modelling undertaken by Babbage demonstrates that the managed fill has been designed to ensure that all discharges of water to the Stream are of a quality that will not produce adverse health effects in regard to the drinking water supply.

Freshwater resources, particularly the Waikato River, are acknowledged as being of significance for recreational use. The proposed use and development of the site will not alter the freshwater features in a way that will impede the continued use of freshwater for recreation.

9.2.8 Transport

A Transportation Assessment has been prepared by CKL and is attached. Any transport effects are considered to be less than minor based on the assessment conducted by CKL and as outlined below.

While this activity will result in an increase in the number of vehicle movements associated with the site, this increase can be accommodated within the roading network, noting that Cambridge Road is a major arterial. It is proposed to increase the number of truck movements by 8 HCV movements per hour and

this increase has been assessed by CKL in summary as being "unlikely to materially increase delays and drivers are therefore unlikely to be required to take short gaps", therefore the proposal is not expected to "notably affect collective and personal road safety risk along this section of Cambridge Road". This conclusion is reached due to the following points:

- The vehicle access proposed for the managed fill is the existing vehicle access for the site. The vehicle crossing flares as it approaches Cambridge Road and is wide enough to accommodate two-way movement of traffic. At the interface with Cambridge Road, the crossing is 10.5m wide. The access is sealed and has an access gate approximately 60m from the interface with Cambridge Road. A 30km/h speed limit sign is present at the gated entrance.
- The gated entrance ensures that the site cannot be access outside of operating times, thus deterring unauthorised disposal of material at the site. Additionally, the gate's 60m setback from the road ensures that there is a sufficient space for vehicles to queue if required (e.g., for staff to safely unlock/lock the gate).
- The managed fill operation will include a weighbridge to ensure that waste loads are accurately measured and recorded. If required, heavy vehicles will be able to queue for the weighbridge on-site.
- The vehicle entrance has sight distances of 250m in each direction which is compliant with NZTA Road Traffic Standards. The Standards recommend a minimum sight distance of 210m for a vehicle crossing on a major arterial road with a posted speed limit of 80km/h.
- Despite the LOS for a right turn out of the site access moving from LOS D to LOS E as a result of the increased vehicle movements, the delay increase (10 seconds) and queuing length (7m) are both limited. Overall, the CKL Transportation Assessment notes that "there is a negligible change in performance when comparing the 'with development' scenario to the base case.

9.2.9 Amenity Values

Landscape and Visual Effects

A Landscape and Visual Effects Assessment (LVEA) has been undertaken by Oliver May of Boffa Miskell and is attached.

The site is described in the LVEA as follows:

- The existing land use(s) including the sand quarry and cleanfill have changed the landscape patterns, topography and vegetation cover.
- The existing context contains heavy machinery and extraction processes
- The Site has a utilitarian character which is reflected (and further cemented) by the nearby Wastewater Treatment Plant, and the National Grid electricity infrastructure that traverses the site.

Adverse effects associated with landscape character will be less than minor for the following reasons:

- During construction of the managed fill, the machinery visible on the site and the processes being undertaken will broadly reflect the existing mineral extraction and processing works currently operating on the site. This will result in no change in landscape character effects compared to the current baseline.
- The proposed managed fill will substantially modify the site, however, in the context that the site is currently significantly modified via quarrying activities, this will result in no change to the landscape character. The LVEA also notes that "*the proposed terraces will broadly reflect the upper terrace landform to the south of the Waikato River"* upon completion of the managed fill.
- The proposed MSE retaining wall will be grassed which will ensure they are appropriately integrated into the landscape.
- In general, the existing utilitarian character of the site that already contributes to the physical landscape and rural character will be relatively unchanged under the proposal.

Adverse effects associated with visual amenity will be less than minor for the following reasons:

- The site is generally low-lying and generally, views of the site from the south, east and west are generally impeded by intervening landform and screening vegetation along lot boundaries. These factors will provide an appropriate level of mitigation.
- However, views of the site from the north are anticipated – especially as there are elevated positions to the north. In general, views from the north will be intermittent or glimpsed due to gaps in vegetation or changes in topography.
- The LVEA, in relation to the northern viewpoints notes that the visual effects during construction will be *"broadly comparable with the existing established and consented extraction and processing activities in the site".*

- With regard to the MSE retaining walls on the northern boundary, these will appear as large structures in the landscape initially, but once grass is established on the walls after approximately six months, the walls will be appropriately integrated with the landscape.
- Visual effects in relation to specific adjacent persons have been assessed in Section 8.3 of the AEE.

Noise Effects

An assessment of Noise Effects has been undertaken by SLR and is attached. The Acoustic Assessment considered the potential effects of noise emissions associated within the operation of the managed fill, with particular focus on the dwellings that surround the subject site.

The Assessment concludes that the noise effects on residential dwellings within close proximity to the site and managed fill activity will be less than minor and therefore acceptable. This conclusion is reached based on the following information:

- The predicted noise emissions from the operation of the managed fill activity on the site will fall within the permitted noise limits of the Rural Zone and other relevant noise standards when measured from nearby sensitive receptors. Noise effects in relation to specific adjacent persons have been assessed in Section 8.3 of the AEE.
- The predicted noise emissions associated with truck movements along public roads as a result of the managed fill will result in less than minor adverse effects. Cambridge Road is a major arterial road and already carries a large number of heavy vehicles each day. The additional vehicles will produce a negligible increase in noise produce from truck movements along Cambridge Road.
- It is noted that land to the south of the site is within the Deferred Large Lot Residential Zone under the Waipa District Plan, meaning that in the future, the site's noise emissions will potentially interact with residentially zoned land and its anticipated uses. Stages 1 and 2 of the managed fill are located in the southern half of the site and as a result there should be limited interaction between the managed fill and residential land to the south. Live zoning of the deferred zones will be post 2035 as stated in the district plan and the managed fill operation will likely be moving to the north of the site by this point. If managed fill works have not progressed past Stages 1 and 2 prior to the development of Large Lot Residential sites immediately south of the site, a 3m earthbund along the southern boundary will provide suitable acoustic mitigation.

Odour Effects

The managed fill activity will not generate any adverse odour effects as it will solely involve the deposition of inert material. However, in terms of the odour effects associated with the potential re-

location of the vermicomposting activity from the Stage 2 area to the Stage 1 area after this stage had completed the filling operation:

- As noted in the original decision, there have been complaints laid in regard to odour prior to the latest consent decision relating to the vermicomposting activity (prior to December 2022). However, investigations concluded that chicken blending activity was the cause of objectionable odour beyond the site boundary. This activity (and the use/storage of chicken manure) was withdrawn from the application and no longer forms part of the vermicomposting activity.
- The main concerns raised in regard to the odour effect were for persons to the east / north-east. The decision note that this was because the proposed location of the vermicomposting activity was towards the eastern portion of the site, and it stated that the prevailing wind would push odour in that (easterly) direction.
- Re-locating the vermicompost activity to the Stage 1 area would mean shifting the activity to the west. Whilst that, in theory, has the potential to generate new adverse effects on persons to the west, the risk of these effects occurring is minimal because:

    a. The anticipated area for the re-located vermicomposting activity will be on the eastern border of the Stage 1 area. This will ensure that the vermicomposting has been shifted the least distance possible in these circumstances and also ensure that a large separation distance is maintained to potentially sensitive receptors to the west, south-west and south.
    b. The sites in the north-east / east most likely to experience objectionable odour will now be further away which will provide additional mitigation (noting that the existing effects have been assessed as less than minor).

- Overall, a variation to the vermicomposting consent under s127 is not required as a result of the proposed managed fill operation.

9.2.10 Archaeological and Cultural Values

Archaeological Effects

Given the current site use as a sand quarry, it is unlikely that any unrecorded archaeological sites are in the proposed area of works. However, if any unrecorded sites are exposed during the works, standard archaeological protocols will be followed, including ceasing of works, notifying Heritage New Zealand Pouhere Taonga and undertaking all record/information recovery required under the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014. Overall, any adverse archaeological effects are considered to be less than minor.

Cultural Effects

It is up to mana whenua to determine their cultural values in relation to the site and any cultural effects of the proposed activity. Consultation with the relevant mana whenua groups has been initiated and the applicant is committed to continuing meaningful engagement with the representatives of these groups.

A draft resource consent application package which included a draft AEE and accompanying technical reports was distributed to Beth Tauroa of Ngāti Koroki Kahukura and Norm Hill of Ngāti Hauā. To date, the applicant has not received formal feedback from mana whenua.

The applicant will continue to provide opportunities for mana whenua to provide input on the proposed use and development of the land to ensure that any cultural effects can be appropriately managed.

9.2.11 Infrastructure

National Grid Infrastructure

The site contains two National Grid towers (owned and operated by Transpower) which ensure that electricity is carried safely across the site via transmission lines. There is also a tower located a few metres north of the site's boundary.

The managed fill operation has been designed to carefully integrate with the existing National Grid infrastructure on the site. As per the requirements within the Waipa District Plan, within the National Grid Yard:

- The placement of managed fill will not create an unstable batter that could affect a transmission support structure, and
- The placement of managed fill will not result in a reduction in the ground to conductor clearance distance below what is required by Table 4 of NZECP34.

In particular, I note that the National Grid tower just north of the subject site's northern boundary will be in close proximity to the retaining wall proposed within the site. The retaining wall will be setback 12m from the tower to ensure it complies with the required setback distances. Additionally, the height of the retaining wall will maintain safe electrical clearance distances under all National Grid line operating conditions.

9.2.12 Air Discharge

The activity does not trigger any reason for consent regarding air discharge, however, given that the activity holds an overall discretionary activity status under the Waikato Regional and the Waipa District Plan, the potential adverse effects as they relate to air discharges are assessed below.

The application is supported by an Air Quality Assessment prepared by Pattle Delamore Partners (PDP) which is attached.

The main potential issue is related to dust and adverse effects of dust typically include impacts on human health, impacts on the health of biodiversity, and impacts on amenity due to dust nuisance.

The following activities have the potential to generate dust discharges:

- Movement of vehicles, including heavy vehicles, to and from the site along public roads
- Movement of vehicles, including heavy vehicles, within the site on unsealed accessways
- Placement of cleanfill and managed fill; and
- Rehabilitation measures during closure and capping

The Air Quality Assessment contains a range of mitigation measures that are summarised as follows:

- A visual dust monitoring programme including daily review of weather forecast and conditions and an inspection of dust generating activities and surfaces.
- Real time dust monitoring via the installation and operation of the continuous real-time monitoring device measuring total suspended particulates. The device will be installed along the western boundary of the site – closest to sensitive receptors. The monitoring device will send alerts to staff if dust concentrations are approaching levels which may cause adverse effects on nearby receptors.
- The monitoring device will be portable and can be adaptively located depending on the stage of works.
- Dampening, stabilising or covering exposed surfaces that may generate dust where required.
- Vehicles on site will adhere to a 30km/h per hour speed limit which will be enforced and signposted.

The Site Management Plan incorporates the above dust management measures that will mitigate any adverse effects arising from the discharge of dust on site. If the measures summarised above and fully

outlined with the SMP are followed during the operation of the managed fill, adverse effects on will be less than minor.

Asbestos Management

The managed fill will accept asbestos material as long as it can meet the requirements of the WAC. Any trace asbestos soil (if any) found in existing Revital cleanfill will be treated the same way as soil with trace asbestos imported as managed fill.

As outlined in the SMP, air monitoring for asbestos will be completed on a monthly basis during the first summer of operation to confirm that controls are adequate and then reduce to quarterly.

Air monitoring will be undertaken in the following ways:

- Upwind (as a control) and downwind of the filling operation (near boundary with neighbouring sites)
- Within the cab of an excavator working with low level asbestos containing soil within the managed fill
- All samples will be analysed at an IANZ-accredited laboratory. The results of testing will be included in annual reporting.
- Each air monitoring event will be undertaken over a period of 8 hours.

In addition to the general dust mitigation measures outlined above (which will assist in reducing the risks associated with asbestos), the potential risks from asbestos will be mitigated via the following specific control measures, as stated in the Site Management Plan:

- *Loads shall be covered to minimise dust generation and driver must carry disposal notification with each load. The disposal notification must be approved by a Competent Person or SQEP;*
- *Daily cover of loads understood to contain low level asbestos contaminated soils; and,*
- *Staff and contractors in disposal area will wear appropriate PPE (disposal P2 dust masks).*

The PDP report concludes that there is a very low risk of adverse health effects in relation to the acceptance of trace asbestos on site due to the proposed mitigation measures.

9.2.13 Cumulative Effects

There is potential for cumulative effects relating to air discharge, traffic movements, noise and discharges to water for the proposed managed fill. The following comments are made in relation to each of the potential cumulative effects:

- Dust producing activities on the site include the sand quarry and the waste recycling centre. However, the Air Quality Assessment includes an assessment of the potential cumulative effects of the proposed activity alongside the other dust producing activities. PDP conclude that "cumulative dust effects where nearby receptors experience dust from both sites are highly unlikely to be an issue".
- In addition to the cumulative effects related to dust producing activities on the subject site, there are other dust producing activities occurring adjacent to the site. In regard to the dust producing activities being carried out at 25B Matos Segedin Drive:

    a. There will be very low potential for cumulative effects as the activities on this site will be at least 360m from the nearest receptors
    b. For reference, the Institute of Air Quality Management (IAQM) Mineral Dust for Planning (2016) defines a receptor as 'distant' if it located between 200 and 400 m from a dust source.
    c. No characterisation is given for receptors further than 400 m away (which applies to the majority of the activity area at 25B Matos Segedin).

- As outlined in the Air Quality Assessment, monitoring could be temporarily undertaken in the event that cumulative dust effects were observed off-site. This monitoring would be undertaken between the site activities and the other dust-producing activities to determine a baseline concentration.
- The managed fill will introduce additional vehicle movements to the site, including heavy vehicle movements, have been assessed by CKL in their Transportation Assessment. The report confirms that the additional vehicle movements can be accommodated by the surrounding road network and no adverse operational effects are anticipated.
- Any cumulative effects relating to noise will be less than minor as it has been demonstrated that the managed fill operation will be able to comply with the WDP standards.
- The discharges to the Stream that are proposed are considered to improve the condition of the Stream, noting that potentially contaminated groundwater will be diverted away from the Stream under the proposal whereas at present there are no controls on groundwater discharges. Therefore, any cumulative effects will be less than minor.

9.3 Effects on Adjacent Persons

The operation of a managed fill on the subject site will be undertaken within a varied surrounding environment. There are a mix of land uses in the surrounding environment, however, the potential

adverse effects on adjacent persons are generally dust effects, noise effects and amenity effects (landscape and visual).

The following map outlines the key adjacent persons to the subject site.

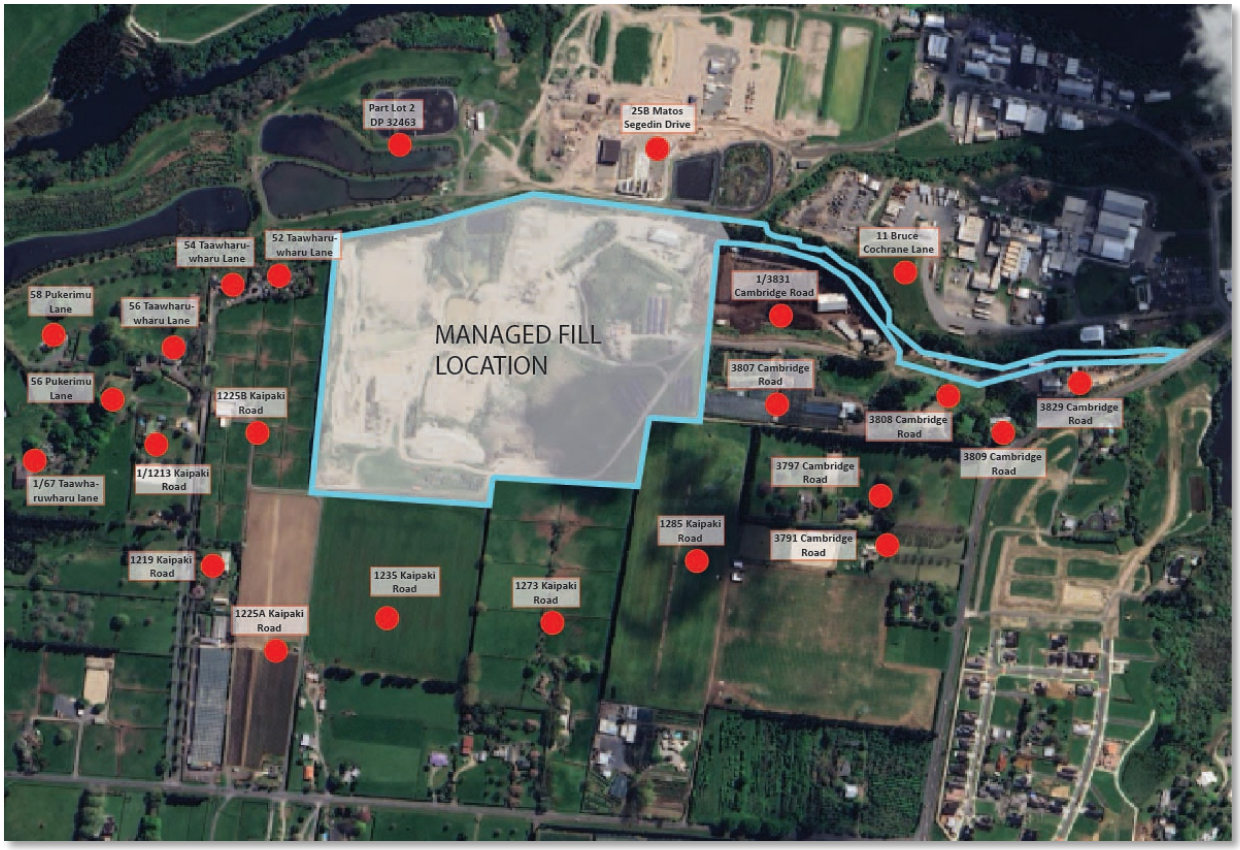

Figure 4: *Location of adjacent persons*

1225B Kaipaki Road, 1225A Kaipaki Road, 1235 Kaipaki Road, 1273 Kaipaki Road and 1285 Kaipaki Road

All of these sites are located west or south of the subject site and are immediately adjacent to the managed fill location. Rural activities are currently being undertaken on all of the sites listed, and although some of the sites do contain dwellings, these are located well over 100m from the subject site and the managed fill location. Approximate separation distances for each site with a dwelling are:

- 1225A Kaipaki Road: 400m
- 1235 Kaipaki Road: 375m
- 1273 Kaipaki Road: 250m

The managed fill operation will be sufficiently separated from any sensitive receptors by the rural activities at these sites. The Air Quality Assessment prepared by PDP did not include any of the above sites as 'discrete receptors' given their separation distance. By way of comparison, receptor 'R4' is located ~250m south-west of the managed fill and the report concluded that the separation distances appropriately mitigate any adverse dust effects on persons at these sites. The same can be applied to the above sites given the large separation distances.

With regard to landscape and visual effects, the subject site is already highly modified due to the authorised activities currently being undertaken. The managed fill will not significantly alter the character of the site when viewed from the south and west, when considered in the context that the site is currently operating as a sand quarry and contains other activities of an industrial type. Additionally, the visual effects of the managed fill will not be prominent from these sites due to the vegetation between the sites and managed fill and the topography.

Overall, any adverse effects on these sites will be less than minor.

3807 Cambridge Road and 1/3831 Cambridge Road (Lot 2 DP 472963)

These sites are located immediately east of the subject site. 1/3831 Cambridge Road is the 'Revital' site which has been discussed previously in this AEE and presents as a rural industrial site.

3807 Cambridge Road is owned and operated by Fronds Investments Limited – a wholesale supplier of ferns and large grade trees. At this nursery, Fronds have approx. 1 hectare of ferns growing under shade housing, with other aspects of the site dedicated to growing ferns, trees and shrubs in an open environment. This site is an intensive rural commercial activity.

Landscape and visual effects, noise effects and dust effects will be less the minor on persons at these sites given that they contain commercial activities that are not sensitive to the activities proposed on the subject site.

25B Matos Segedin Drive and Part Lot 2 DP 32463

These two lots are owned by Waipa District Council and contain the municipal wastewater treatment ponds for the Cambridge Township. The large retaining walls proposed along the northern boundary of the subject site will only be visible from these two lots. Given their use, the potential visual effects are considered to be less than minor as the adjoining lots are used for industrial purposes and do not contribute to a significant rural landscape. Nevertheless, the proposed retaining walls will be grassed

upon completion, ensuring they are integrated with the predominantly rural context which the site is located within.

Wastewater treatment is not particularly sensitive to noise; therefore, any adverse noise effects will be less than minor.

11 and 13 Bruce Cochrane Lane

These two lots are part of a large industrial precinct which also includes the following lots:

3847 Cambridge Road, 5 Bruce Cochrane Lane, 8 Bruce Cochrane Lane, 4 Bruce Cochrane Lane, 2 Bruce Cochrane Lane, 1B Matos Segedin Drive and 1A Matos Segedin Drive. All of the sites are within the Industrial Zone.

These sites are not considered particularly sensitive to any of the effects assessed in section 8.2, given the industrial zoning and use of the sites, as well as ~50m+ separation distance from the managed fill location. Overall, adverse effects on persons at these sites will be less than minor.

3808, 3809 and 3829 Cambridge Road

These sites are immediately adjacent the subject site – located south of the site's accessway (not pictured on Figure 4). These sites are located 250m+ away from the managed fill site and the only adverse effects potentially relating to these sites will be transport effects. The Transport Assessment has concluded that the transport aspects of the proposal are appropriate within the context of the surrounding environment. The site's access is already utilised by a large number of vehicles, as approved via previous resource consents relating to the subject site and the Revital site (which uses the same access). The increase of vehicles entering and exiting the site will have a negligible impact on the amenity effects of persons at 3808, 3809 and 3829 Cambridge Road.

***52 Taawharuwharu Lane** (previously 5/1215 Kaipaki Road)*

This site is not immediately adjacent to the site; however, it does contain a residential dwelling within close proximity of the proposed managed fill. The dwelling is located approximately 50m west of the edge of the managed fill, which will be operating along the western boundary of the subject site.

Any potential adverse dust effects on these persons will be less than minor for the following reasons:

- Potential dust transporting winds (winds > 5 m/s) will occur infrequently (1.7% of the time).

- Potential dust intensity and duration effects due to being located close to the subject site can be appropriately mitigated by the proposed mitigation measures including real time monitoring, speed limits on internal roads and dampening exposed surfaces.
- If dust is generated on the site, it will likely have a low offensiveness.
- The fill activities will initially be undertaken at the bottom of the existing sand quarry, approximately 20m below the RL of the adjacent site. This embankment will assist in controlling dust emissions for the initial stages of the filling activity.
    - For clarity, the embankment is one of many factors that will mitigate the effects of dust discharges. Once the elevation is higher and the embankment protection is reduced/redundant, the potential adverse effects of dust will remain less than minor due to the other mitigation measures provided (as per the Air Quality Assessment).

Any potential adverse landscape and visual amenity effects will be less than minor as the views east from this site are entirely screened by the amenity vegetation within 5/1215 Kaipaki Road and the shelterbelt trees along the western boundary of the subject site. The LVEA notes that there is "potential for intermittent glimpsed views of construction machinery" despite the screening vegetation, however views of the machinery will not be prominent nor dominant. Upon closure of the managed fill there will be no long term changes in views of the subject site from this site.

Any potential adverse noise effects will be less than minor as there will be physical mitigation measures and there is sufficient separation distance between the Stage 4 managed fill activity and the dwelling located on the site. Additionally, it is noted that the separation distances are significantly larger during Stages 1, 2 and 3.

54 Taawharuwharu Lane *(previously 4/1215 Kaipaki Road)****, 56 Taawharuwharu Lane*** *(previously 3/1215 Kaipaki Road),* ***1/1213 Kaipaki Road and 1219 Kaipaki Road***

These sites are rural-residential properties and the separation distances between the dwellings and the managed fill are listed below.

- 54 Taawharuwharu Lane: 120m (west)
- 56 Taawharuwharu Lane: 185m (west)
- 1/1213 Kaipaki Road: 220m (south-west)
- 1219 Kaipaki Road: 140m (south-west)

Any potential adverse dust effects on persons at these sites will be less than minor for the following reasons:

- Any adverse dust effects can be appropriately mitigated by the proposed mitigation measures including real time monitoring, speed limits on internal roads and dampening exposed surfaces. Additionally, there is a relatively large separation distance between the above receptors and the potential dust sources.
- Potential dust transporting winds (winds > 5 m/s) will occur infrequently for all sites (less than 2% of the time).
- If dust is generated on the site, it will likely have a low offensiveness.
- The fill activities will initially be undertaken at the bottom of the existing sand quarry, approximately 20m below the RL of the adjacent site. This embankment will assist in controlling dust emissions for the initial stages of the filling activity.
    - For clarity, the embankment is one of many factors that will mitigate the effects of dust discharges. Once the elevation is higher and the embankment protection is reduced/redundant, the potential adverse effects of dust will remain less than minor due to the other mitigation measures provided (as per the Air Quality Assessment).

Any potential adverse landscape and visual amenity effects will be less than minor as the sites are substantially setback from the managed fill activity and the views towards the east from these sites are entirely screened by amenity vegetation within the sites and/or the shelterbelt trees along the western boundary of the subject site. Upon closure of the managed fill there will be no long-term changes in views of the subject site from this site.

Given the location of these sites, the managed fill stages 3 and 4 are the closest parts of the operation to the sites. However, any potential adverse noise effects will be less than minor due to physical mitigation measures and as there is sufficient separation distance between the managed fill activity and the dwelling located on the site.

9.4 Conclusion

For these reasons, it is considered that the proposal's adverse effects on the environment and persons on adjacent land regarding land use will be less than minor and the relevant assessment criteria will be achieved.

10 NOTIFICATION ASSESSMENT

10.1 Public Notification

Section 95A of the RMA specifies the steps the Council must follow to determine whether to publicly notify an application, as:

- The applicant is not requesting public notification and does not relate to the exchange of recreation and reserve land;
- Public notification is not precluded by applicable rules and national environmental standards and the application is not exclusively for a controlled activity and/or boundary activity;
- Public notification is not required under applicable rules and environmental standards and will not result in environmental effects that are more than minor; and
- There is nothing exceptional or unusual about the application to warrant public notification as the proposed buildings, site works, subdivision and infrastructure servicing are appropriate to and anticipated within the Auckland Unitary Plan.

The application may be processed without public notification.

10.2 Limited Notification

If the application is not publicly notified under section 95A, the Council must follow the steps in section 95B to determine whether to limitedly notify the application:

- There are no known affected protected customary rights groups, customary maritime title groups, or persons under a statutory acknowledgement.
- Limited notification is not precluded by all applicable rules and national environmental standards and the application is not exclusively for a controlled activity.
- The application is not for a boundary activity and the proposal will not adversely affect any person to a degree that is minor or more than minor.
- There is nothing exceptional or unusual about the application that warrant limited notification for the same reasons identified in the public notification assessment above.

Although the assessment of effects on adjacent persons has concluded that all adverse effects are less than minor, the applicant wishes to limited notify the application from the outset as a courtesy and to ensure that all persons who have been previously consulted with have the opportunity to formally raise their views on the proposal.

The application is requested to be processed with limited notification for the sites listed in the below table.

Address	Name
52 Taawharuwharu Lane ***(formerly 5/1215 Kaipaki Road)***	John and Jean Marsden
54 Taawharuwharu Lane ***(formerly 4/1215 Kaipaki Road)***	Abbey and Richard Boobyer
1225B Kaipaki Road	Bryce and Susan Stevenson
1225A Kaipaki Road	Joga Singh Aujla, Mandip Kaur
1235 Kaipaki Road	Bronwynne Hutching
1273 Kaipaki Road	Bruce William Rowe, Marjorie Dawn Rowe
1285 Kaipaki Road	Whitehall Fruitpackers Holdings Limited
3807 Cambridge Road	Fronds Investments Limited
3808 Cambridge Road	John David Simpson, Marguerita Sarah Simpson
3809 Cambridge Road	G W Scott Trustees Limited, Angela Sue Totman, Grant Walter Totman
3829 Cambridge Road	Pukerimu Investments Limited
56 Taawharuwharu Lane ***(formerly 3/1215 Kaipaki Road)***	Ben Scott Hankinson, Tamaryn Venus Hankinson
1/1213 Kaipaki Road	Karin Caroline Watson, Martin John Watson
1219 Kaipaki Road	Blair Malcolm Ballard, Louise Winifred Alice Ballard, James Gerard Beban

10.3 Notification Conclusion

The application is requested to subject to limited notification as per the details provided above.

11 STATUTORY ASSESSMENT

Under section 104(1) of the RMA, the Council must, subject to Part 2, have regard to the following matters when assessing a resource consent application and any submissions received.

11.1 Section 104(1) (a)

Council must have regard to the actual and potential effects on the environment of allowing the activity, including positive.

As assessed in Section 8 above, the proposal will have actual and potential effects that are less than minor and acceptable. The proposal will result in the following positive effects:

Positive environmental effects / betterment:

The Technical AEE outlines that there is "shallow groundwater seeping to the Site through the exposed cliff faces contains contaminants from discharges upstream, including nutrient discharges from a composting facility that are irrigated to fields directly south of the Site (upgradient), and potentially from vermicomposting activities located atop the plateau south of the excavations.

It is proposed to divert this shallow groundwater as part of the proposal via subsurface drainage and there are positive effects associated with this diversion. The baseline testing of the Stream showed that contaminants are entering the freshwater body, and this is likely from uncontrolled discharges of groundwater. Any groundwater entering the managed fill site from the Revital site to the east will be diverted away from the managed fill area and discharged to a vegetated swale which leads to a shallow groundwater treatment pond. Treatment of the potentially contaminated groundwater will be provided via the swale and the wetland before being discharged into the Stream. At present this groundwater is discharged into the Stream in an uncontrolled and untreated fashion, therefore, the diversion and associated treatment is anticipated to support the improvement of the Stream and the Waikato River.

The Drain on the site has been assessed as an artificial watercourse and will likely be piped in the future as a result of this application. Ecological assessments of the Drain show that it is of low ecological value, is sparsely vegetated, contains murky water and receives significate sun exposure. In particular, the Technical AEE notes that:

> *"The temperature in the Drain was recorded as being 16.8 °C, higher than downstream (14 °C) and upstream (13.3 °C) sites of the Stream"*

"Dissolved oxygen (DO) within the Drain was 7.03%, much lower than the downstream (92.04%) and upstream (85.26%) sites of the Stream. The higher flow rate of water (which increases oxygen mixing) shading (cooler environments increase oxygen that can dissolve in water) along the Stream has likely contributed to the higher DO in the Stream than the Drain"

The works to clean and pipe the drain will have a positive impact on the Drain as it will provide a form of shading to the watercourse which is anticipated to assist in lowering the temperature of the water. This will likely have a flow on effect of supporting greater dissolved oxygen readings within the Drain.

The existing cleanfill material on the site will be utilised as part of the managed fill's cleanfill buffer. This will require sorting through the existing material to ensure that it is suitable for placement within the managed fill areas. As noted in this application, unexpected contamination has been encountered within the existing cleanfill and this has been appropriately removed from site and disposed of. Future unexpected discoveries will follow the procedure set out in Section 8 of the Site Management Plan, and the removal of any contaminated waste(s) is a positive effect.

Other positive effects

Other positive effects of the proposed managed fill are:

- The site operations will require the employment of various personnel to operate the managed fill. This will deliver economic and social wellbeing for people and communities in the Waikato.
- The activity will help to meet demand for managed fill disposal within the Waikato Region.
- The managed fill will remediate the existing sand quarry that is operating on the site. This will allow the site to return to a flat condition where it can be used for a variety of activities in the future.

11.2 Section 104(1) (ab)

Council must have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

In this case, the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.

11.3 Section 104(1) (b)

Council must have regard to the relevant provisions of operative or proposed national, regional and district planning documents as well as other regulations.

An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that activity may have on the environment has been provided below.

National Policy Statement for Freshwater Management (NPS-FM)

The NPS-FM is underpinned by the fundamental concept of Te Mana o te Wai. This concept refers to the fundamental importance of water including recognising that the health of freshwater is connected to the health and well-being of the wider environment, therefore freshwater is worth protecting.

The Objective of the NPS-FM, which is also the hierarchy of obligations in Te Mana o te Wai is as follows:

> *The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*
>
> *(a) first, the health and well-being of water bodies and freshwater ecosystems*
>
> *(b) second, the health needs of people (such as drinking water)*
>
> *(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

Whilst all of the NPS-FM policies implement this objective, Policy 1 of the NPS-FM directly references Te Mana o te Wai in support of the Objective, requiring that "freshwater is managed in a way that gives effects to Te Mana o te Wai".

The proposed managed fill involves the discharge of groundwater and stormwater to a surface water body (the Stream) that is a tributary of the Waikato River. The proposal does not seek to take water for use on the site as part of the managed fill. The Waste Acceptance Criteria for the managed fill and the proposed stormwater management system have been designed to ensure that any discharges will have less than minor effects on the receiving environment.

Furthermore, the establishment of the shallow groundwater treatment pond in the north-east corner of the site will provide additional water quality treatment, over and above what is considered necessary to mitigate any adverse effects on the environment from the managed fill activity.

Overall, the managed fill will not adversely affect the health or wellbeing of nearby waterbodies and as such, is consistent with the Objective and Policy 1 of the NPS-FM.

> *Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for*

At various stages throughout the process, the applicant has consulted with Mana Whenua to allow them an opportunity to provide input into the design and operation of the managed fill. Consultation remains ongoing with Mana Whenua, and as a result, the proposal is considered to align with Policy 2.

> *Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*

As a result of the managed fill, and the associated discharges to the Stream, it is considered that the proposed stormwater management system (vegetated swales, adaptive management measures and SRPs) will ensure that the health and well-being of the Waikato River will be maintained and potentially improved. Additionally, the shallow groundwater treatment pond will provide further improvement to the water discharges above the already acceptable level. The polishing capacity of the shallow groundwater treatment pond will partially reduce the concentrations of all monitored parameters. The combination of the stormwater management measures, and the shallow groundwater treatment pond will improve the quality of the Stream compared to the baseline scenario.

> *Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.*

The proposal is consistent with this policy. There are no natural inland wetlands on the site, therefore there will be no loss of extent of this particular feature as a result of the managed fill activity.

> *Policy 7: The loss of river extent and values is avoided to the extent practicable.*

The Stream, which receives stormwater and groundwater discharges, will experience no loss of extent. Any potential loss of values of the Stream will be avoided via the proposed WAC and the stormwater management system. This assessment is in the context that the Stream is a waterbody that has already experienced a level of degradation as a result of receiving discharges from surrounding agricultural and industrial activities.

> *Policy 8: The significant values of outstanding water bodies are protected.*

Neither the Drain nor the Stream are outstanding water bodies.

Policy 9: The habitats of indigenous freshwater species are protected.

The Stream was noted as a habitat for longfin eel based on observations on-site. The discharges proposed are not anticipated to adversely affect the habitats of indigenous freshwater species given the mitigation measures included as part of the application.

Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.

There were no observed trout and salmon habitats relating to the subject site.

Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.

Freshwater take is not proposed as part of the managed fill.

Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.

Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

The application is supported by a monitoring programme contained within the Stormwater Monitoring, Management and Contingency Plan (SMMCP). The SMMCP will ensure that the condition of the Stream is continuously monitored to ensure that the discharges are not adversely affecting the waterbody. Adaptive management measures are included in the SMMCP so that the applicant can make enhancements to the treatment process if required.

Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.

As the above assessment demonstrates, the proposed managed fill is not contrary to the NPS-FM and it allows people (the applicant and wider community) to provide for their social, economic and cultural wellbeing.

Waikato Regional Policy Statement

The Waikato Regional Policy Statement (the RPS) was made operative in 2016. It sets out high level objectives and policies that relate to the Waikato Region, providing guidance to the development of the Waikato Regional Plan.

Part 3 of the RPS contains a Land and Freshwater (LF) Domain. An assessment of the relevant objectives and policies within this Domain is provided below.

LF-O1 – Mauri and values of freshwater bodies

The managed fill is aligned to this objective as it will:

a. maintain, and potentially improve, the overall water quality of the Stream and as a result, the Waikato River
b. maintain the existing ecosystem processes and species habitats within the Stream
c. enable the applicant and wider community to provide for their social, economic and cultural wellbeing
d. recognise the interrelationship between land use and water quality as illustrated by the level of consideration for the WAC and stormwater management system – two land use aspects that will have a significant impact on the receiving environment.

LF-O3 – Riparian areas and wetlands

There are no wetlands on the site or involved in the proposal in any way. With respect to riparian areas, the proposal will maintain the riparian areas of the Stream. Therefore, the proposed activity is in alignment with LF-O3.

LF-P3 – All freshwater bodies

The proposal is aligned with this policy for the following reasons:

- The level of sediment and contaminants discharged to the Stream, will be reduced via the proposed stormwater management measures. These measures include a vegetated swale and adaptive management measures that incorporate treatment materials to reduce heavy metals.
- The Stream will not be physically modified in any way as a result of the proposed activity, and the riparian areas will be maintained.
- The linkages between groundwater and surface water will be appropriately managed, including the collection of any groundwater seepages into the stormwater network.
- In addition to the measures above, a shallow groundwater treatment pond is proposed to provide betterment. As discussed, the stormwater system comprising of vegetated swales, the SRPs and adaptive management measures (e.g. mussel shell filters) provide sufficient mitigation to ensure that discharges to waterbodies produce no more than minor adverse effects. The groundwater

treatment pond will further reduce contaminant concentrations above the acceptable level so that the proposed activity improves the condition of the receiving environment compared to the baseline.

Part 4 of the RPS contains Topics that are relevant to the proposal: Energy, infrastructure and transport (EIT); and Natural character (NATC). An assessment of the relevant objectives and policies within these Topics are provided below.

EIT-O1 – Energy, and EIT-P1 – Significant infrastructure and energy resources

The site contains Transpower infrastructure that is vital for the sustained functioning of national electricity provision. As a result, the proposed managed fill has taken considerable care to ensure the ongoing function of this energy infrastructure.

The applicant has provided development plans to Transpower during the process, and the proposal is entirely compliant with the district plan rules and standards relating to the National Grid Yard.

As a result, there will be no adverse effects on the energy infrastructure that exists on the site.

NATC-O1 – Natural character and NATC-P1 – Preserve natural character

The proposal primarily relates to the natural character of rivers/streams and is consistent with the contents of the above provisions for the following reasons:

- The proposed managed fill is not considered to be inappropriate use and development. A facility of this kind is commonplace to remediate a quarry site such as this site.
- Furthermore, the managed fill has been designed to avoid significant effects on the freshwater features that receive stormwater and groundwater discharges. In particular, the WAC and the stormwater management system will significantly reduce the level of contaminants entering the Stream.
- It is noted that man-made elements and influences are already dominant in this location. NATC-P1 indicates that in some situations it may be appropriate for activities to result in further adverse effects on natural character, setting a fairly liberal baseline. Nevertheless, the proposal will maintain the existing natural character and not produce any additional significant adverse effects on the Stream.

Waikato Regional Plan

The Waikato Regional Plan provides direction regarding the use, development and protection of natural and physical resources in the Waikato Region. The key chapters to consider in relation to the proposed managed fill are Chapter 3.5 Discharges, Chapter 3.6 Damming and Diverting and Chapter 5.2 Discharges Onto or Into Land.

Chapter 3.5 Discharges

Chapter 3.5 Discharges contains the following Objective:

> *Discharges of contaminants to water undertaken in a manner that:*
>
> *a. does not have adverse effects that are inconsistent with the water management objectives in Section 3.1.2*
>
> *b. does not have adverse effects that are inconsistent with the discharges onto or into land objectives in Section 5.2.2*
>
> *c. Ensures that decisions regarding the discharge of contaminants to water do not reduce the contaminant assimilative capacity of the water body to the extent that allocable flows as provided for in Chapter 3.3 are unable to be utilised for out of stream uses*

In regard to (a), the proposed discharges to water are not inconsistent with the water management objectives in Section 3.1.2 for the following reasons:

- Adverse water quality effects are avoided via the stormwater management measures proposed for the activity, and the waste acceptance criteria, which will ensure that highly contaminated material is not deposited on the site.
- The relationship that tangata whenua as Kaitiaki have with water including identified taonga, wahi tapu and customary and traditional uses cannot be defined by anyone other than tangata whenua themselves. There will be an opportunity for tangata whenua to outline this during consultation between the applicant and the relevant mana whenua groups.
- The proposed discharges to the Stream are not inappropriate in the context of the site and surrounding environment, ensuring that the existing natural character of the Stream will be maintained.
- Potential contamination of groundwater and surface water from waste disposal activities will be appropriately managed via the waste acceptance criteria and the treatment measures on site. The activity will not present significant risks to human health or aquatic ecosystems.

In regard to (b), an assessment of Section 5.2.2 (and Chapter 5.2 generally) is provided separately below.

In regard to (c), the proposed discharges will not adversely affect the ability of the Stream to be used for the taking and use of water as provided for in Chapter 3.3. As discussed, the water quality effects on the Stream will be less than minor.

The managed fill activity is also consistent with the relevant policies of Chapter 3.5 Discharges as assessed below.

> *3.5.3 (Policy 1): Enabling Discharges to Water that will have only Minor Adverse Effects*
>
> *Enable through permitted and controlled activity rules, discharges to water that due to their nature, scale and location will:*
>
> *a. avoid adverse effects on surface water bodies that are inconsistent with policies in Section 3.2.3 of this Plan*
> *b. not increase the adverse effects of flooding or erosion on neighbouring properties*
> *c. ensure that any adverse effects of sediment on aquatic habitats are confined to a small area relative to the habitat as a whole or are temporary, and the area will naturally re-establish habitat values comparable with those prevailing before commencement of the activity*
> *d. not result in significant effects on the Coastal Marine Area as identified in the Waikato Regional Coastal Plan, wetlands that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, cave ecosystems or lakes*
> *e. not have adverse effects that are inconsistent with the policies for air quality provided in Section 6.1.3 of this Plan.*

The proposed discharges have been assessed as producing less than minor effects on the receiving environment and, in relation to Policy 1, will:

a. Not increase the level of erosion experienced by the Stream or by neighbouring properties. The proposed outlet structures/features will ensure the discharge flows are controlled.
b. Habitat values within the Stream will be comparable with the existing context. The Stream already receives discharges containing sediment and other contaminants, and because the proposed discharges will not carry high volumes of sediment, no material change to the values of the Stream will occur.

> *3.5.3 (Policy 5): Ground Water*
>
> *Minimise the adverse effects of discharges onto or into land on ground water quality by ensuring that they:*

a. *do not compromise existing or reasonably foreseeable uses of ground water*
b. *avoid adverse effects on surface water bodies that are inconsistent with the policies in Section 3.2.3 of this Plan as far as practicable and otherwise, remedy or mitigate those effects*
c. *are not inconsistent with the policies in Section 3.8.3 that manage the effects of drilling and discharges associated with drilling on ground water quality.*

With regard to (a), groundwater use will not be compromised.

With regard to (b), any potential adverse effects on surface water bodies have been addressed in the assessment of effects and on numerous occasions when assessing the relevant objectives and policies of the RPS and the Waikato Regional Plan. In summary, effects on water bodies will be mitigated to an appropriate level via the stormwater treatment and WAC proposed.

With regard to (c), the proposal does not involve any drilling or discharges associated with drilling.

3.5.3 (Policy 6): Tangata Whenua Uses and Values

Ensure that the relationship of tangata whenua as Kaitiaki with water is recognised and provided for to avoid significant adverse effects and remedy or mitigate cumulative adverse effects on:

a. *the mauri of water*
b. *waahi tapu sites*
c. *other identified taonga.*

The relationship that tangata whenua as Kaitiaki have with water can only be defined and described by tangata whenaua themselves. There will be an opportunity for tangata whenua to discuss any effects in this space during future consultation on the project. The applicant is committed to furthering meaningful engagement with tangata whenua to ensure that their uses and values related to water are recognised and provided for.

3.5.3 (Policy 7): Stormwater Discharges

Encourage at-source management and treatment of stormwater discharges to reduce water quality and water quantity effects of discharges on receiving waters.

The proposed stormwater management system for this managed fill is built around at-source management and treatment of the stormwater discharges, as evidenced by the integrated swale network and the shallow groundwater treatment pond measures.

Chapter 3.6 Damming and Diverting

The diverting of groundwater is proposed under this application (noting that damming is not proposed). As outlined, the site currently experiences groundwater seepage, and this is expected to continue whilst the managed fill is in operation. To manage the seepage, groundwater will be diverted into the stormwater system – entering the proposed swales and eventually being discharged to the Stream. The proposed groundwater diversion(s) are consistent with the objective and policies of Chapter 3.6 Damming and Diverting for the following reasons:

- No structures will be placed in the bed of a river or lake
- No damming will occur that could impede the passage of fish
- The channelisation of rivers will not occur as part of the diversion
- Flooding or land instability hazards will not be increased

Chapter 5.2 Discharges Onto or Into Land

This chapter manages the discharge of materials onto or into land, which is acknowledged as being "an essential part of many resource use activities throughout the Region". The chapter contains the following objective:

> *Discharges of wastes and hazardous substances onto or into land undertaken in a manner that:*
>
> *a. does not contaminate soil to levels that present significant risks to human health or the wider environment*
>
> *b. does not have adverse effects on aquatic habitats, surface water quality or ground water quality that are inconsistent with the Water Management objectives in Section 3.1.2*
>
> *c. does not have adverse effects related to particulate matter, odour or hazardous substances that are inconsistent with the Air Quality objectives in Section 6.1.2*
>
> *d. is not inconsistent with the objectives in Section 5.1.2*
>
> *e. avoids significant adverse effects on the relationship that tangata whenua as Kaitiaki have with their taonga such as ancestral lands, water and waahi tapu*
>
> *f. remedies or mitigates cumulative adverse effects on the relationship that tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water and waahi tapu.*

In regard to (a), it is proposed to discharge cleanfill and managed fill to land. The WAC will control the type of fill material accepted at the site, ensuring that material discharged to land will not contaminate soil to levels that present significant risk to human health or the wider environment. It is important to note that the proposed WAC utilises the generic Class 3 WAC from Technical guidelines for disposal to land (Ref: WasteMINZ1). These criteria are derived on the basis that leachate from precipitation will not

exceed either drinking-water standards or trigger values protective of 95% of freshwater species after migrating to a nearby point of compliance (Ref: PDP2). As such, they are highly conservative when applied to this site, which is 500m away from the Waikato River and 100m from the Stream.

In regard to (b), the proposal has already been assessed against the relevant objectives of Section 3.1.2 and is not inconsistent with the provisions.

In regard to (c), there will be no discharges to air as part of the proposal.

In regard to (d), the proposal is not inconsistent with the objectives in Section 5.1.2 for the following reasons:

- Accelerated erosion will not occur on the site as a result of the proposed managed fill, thus aligned with the goal of 'a net reduction of accelerated erosion across the Region'
- Infilling of lakes, estuaries, rivers, wetlands and cave systems is not proposed
- There will be no damage to property or infrastructure, including the National Grid infrastructure, as a result of this proposal.
- There will be no effects that are inconsistent with any related provisions of the plan, including Water Management Objective 3.1.2 and Air Quality Objective 6.1.2.

In regard to (e) and (f), the relationship that tangata whenua as Kaitiaki have with their taonga such as ancestral lands, water and waahi tapu can only be defined and described by tangata whenaua themselves. There will be an opportunity for tangata whenua to discuss any effects in this space during future consultation on the project.

In addition to the Objective (5.2.2), the proposed managed fill needs to be considered against 5.2.3 (Policy 2):

> *Policy 2: Other Discharges Onto or Into Land*
>
> *Manage discharges of contaminants onto or into land not enabled by Policy 1, in a manner that avoids, where practicable, the following adverse effects and remedies or mitigates those effects that cannot be avoided:*
>
> *a. contamination of soils with hazardous substances or pathogens to levels that present a significant risk to human health or the wider environment*
>
> *b. the discharge is not inconsistent with policies in Section 5.1.3*
>
> *c. any effect on water quality or aquatic ecosystems that is inconsistent with the purpose of the Water Management Classes as identified by the policies in Section 3.2.3*

d. the adverse effects outlined in the policies and rules for air quality in Chapters 6.1 and 6.2, particularly for odour and particulate deposition

e. damage to archaeological sites, waahi tapu or other identified sites of importance to tangata whenua as Kaitiaki.

In regard to (a), the proposed WAC will ensure that the material discharged onto land at the site will not contain contaminants of a level that will present a significant risk to people or the environment. The WAC contains strict criteria that will be adhered to during the operation of the facility.

In regard to (b), (c) and (d), the application material has demonstrated throughout that it will not generate adverse effects on land, water or air.

Chapter 5.3 Contaminated Land

5.3.2 Objective:

Discharges of contaminants from contaminated land shall be managed so that they:

a. do not present significant risk of chronic or acute toxic effects on human health, flora or fauna due to the contamination of soil and ground or surface water

b. do not have adverse effects on water quality or aquatic ecosystems that are inconsistent with the water management objectives in Section 3.1.2

c. there are no adverse effects on air quality that are inconsistent with air quality objectives in Section 6.1.2

d. avoid significant adverse effects on the relationship that tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water and waahi tapu

e. remedy or mitigate cumulative adverse effects on the relationship that tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water and waahi tapu.

As mentioned, ResourceCo has commenced excavation of the cleanfill material to allow further compaction. In doing so ResourceCo has uncovered a small volume of asbestos containing material (ACM) within the cleanfill. The ACM has been appropriately disposed of, along with trace asbestos soil.

Any further ACM (if identified) will be disposed of at an authorised offsite disposal location. Trace asbestos soil will be disposed of onsite, in accordance with the measures identified in the SMP.

When asbestos is removed from the cleanfill and disposed of, all personnel involved in the process will wear appropriate PPE to ensure there are no significant risks to human health. When being transported within the site and/or from the site, asbestos loads will be covered to ensure there are no adverse air

quality effects. There will be no inappropriate discharges to water involving asbestos, as only trace asbestos that meets the managed fill WAC will be disposed of on site. Therefore, any discharges to water will be undertaken in line with the stormwater management measures outlined in this application.

In regard to (d) and (e), the relationship that tangata whenua as Kaitiaki have with their taonga such as ancestral lands, water and waahi tapu can only be defined and described by tangata whenaua themselves. There will be an opportunity for tangata whenua to discuss any effects in this space during future consultation on the project.

As per the above, we consider that the removal of asbestos from the site is aligned with Policy 3: Remediation as the proposed remediation work will be undertaken in a way that does not give rise to adverse effects.

Waipa District Plan

Section 4 – Rural Zone

4.3.1 Objective – Rural resources

To maintain or enhance the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources.

The site has been subject to authorised mineral extraction activities in the past, most notably sand quarrying. The majority of the site is an active quarry facility at present although there are other activities, such as composting and vermicomposting taking place on the site. Overall, the proposed managed fill will maintain the existing status of the rural land. The site will be remediated to a flat state by the activity and could be returned to pasture upon completion, allowing for a range of rural uses to utilise the land in the future.

The health and well-being of the water resources on and adjacent to the site will be maintained as well. The Stream will receive stormwater and groundwater discharges, but the WAC and stormwater management system (including treatment measures) will ensure that the Stream is not adversely affected by the discharges.

4.3.1.1 Policy - Health and well-being of the Waikato and Waipā Rivers

To give effect to the directions and outcomes in Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River and the Waipā Accord through District Plan provisions relating to building

setbacks, earthworks, farming activities, non-farming activities, intensive farming, rural based industries and solid and liquid waste.

Although the proposal is for a managed fill activity which infringes the building setback and earthworks rules, potential adverse effects on the health and wellbeing of the receiving waterways, including the Waikato River will be appropriately mitigated. The discharges to the Stream will not contain contaminants of a significant level due to the type of material accepted for the facility – as controlled primarily by the WAC. Furthermore, the discharges will be treated prior to entering the Stream, ensuring that water quality will remain at an acceptable level.

4.3.1.3 Policy – Avoid adverse effects on aquatic and riparian ecosystems (including lakes)

To avoid, remedy or mitigate adverse effects of development, subdivision and activities on the quality of the District's ground and surface water resource, and promote the enhancement of their ecological and cultural values by:

a. Maintaining or enhancing the life supporting capacity of water bodies; and

b. Maintaining or enhancing the ability to use aquatic ecosystems as mahinga kai (a food source); and

c. Where appropriate, maintaining or enhancing the availability of water bodies for recreation; and

d. *Enhancing ecological corridors and riparian margins.*

The proposed development will maintain the condition of the receiving waterbodies, notably the Stream, due to the nature of the stormwater management system, the strict waste acceptance criteria for managed fill material, and the diversion of potentially contaminated groundwater. I note that it is not appropriate within this context to use the Stream for recreation (given its small size and the privately owned land adjoining its banks), but the life supporting capacity of the Stream will be maintained, including as an aquatic habitat for longfin eel. The recreational use of the Waikato River will not be altered by the proposal and associated discharges.

4.3.1.4 Policy – Protect the rural soil resource

The versatility and life supporting capacity of the District's rural land and soil resource, particularly high class soils and peat soils, are protected from development, subdivision or activities that would prevent its future use for primary production, or its ability to maintain the District's ecological/biodiversity values.

The site's soil resource has already been removed as part of previously authorised activities – most notably, sand quarrying. Therefore, this proposal represents no change to the condition of the site's soils. However, it is noted that the managed fill will remediate the site to a flat state which could be

returned to pasture and used in the future for primary production, thus representing an improvement compared to the current state.

4.3.1.5 Policy - Solid and liquid waste management

The storage and disposal of solid and liquid waste is undertaken in a manner that remedies or mitigates effects on the environment and adjacent properties that cannot be avoided.

A managed fill is a form of solid waste disposal (although the waste is not particularly hazardous). The proposed activity will be carried out in a way that mitigates any adverse effects on the environment and adjacent properties, if they cannot be avoided. This has been demonstrated throughout the application and its relevant documents.

4.3.1.6 Policy – Earthworks

To ensure that earthworks are carried out in a manner that avoids adverse effects on infrastructure, between properties and on water bodies.

The proposed earthworks have considered in significant detail the interactions with infrastructure (notably National Grid infrastructure), adjacent properties and nearby waterbodies. Each aspect is addressed below:

- The National Grid infrastructure setbacks are all adhered to across the site in relation to the earthworks. In general terms, when fill is placed within close proximity to the National Grid infrastructure, it will be appropriately integrated and not generate any adverse effects, including land instability effects.
- The effects on adjacent properties have been assessed in detail in Section 8.3. This concludes that earthworks activities will have a less than minor effect on adjacent properties.
- Waterbodies will be protected from the effects of earthworks via the stormwater management system proposed. Fill will be placed incrementally on the site and any discharges to waterbodies will occur via the planned stormwater system.

4.3.2 Objective – Rural activities: farming

The capacity of rural areas and rural resources to support farming activities and lawfully established rural based activities is maintained.

The proposal is not for farming activities, however, the capacity of the site to support farming activities and other rural based activities will be maintained. At present, the site is unable to support farming

activities, however, at the completion of the managed fill, the site will be flat and can be returned to pasture. Therefore, this activity does not prevent farming activities from establishing on the site and does not impede surrounding rural sites from being utilised for farming activities. I also note that the proposal is consistent with the policies that support 4.3.2 Objective – Rural activities: farming and a full assessment of these policies is not considered necessary.

4.3.5 Objective –Rural activity: mineral and aggregate prospecting, exploration and extraction

To meet the District's and Region's mineral and aggregate needs from predominantly local sources and ensure that the location, use and development of the District's mineral and aggregate resources is provided for, subject to the management of the adverse effects associated with such activities.

The proposed managed fill will provide a suitable location for the disposal of solid waste materials that meet the waste acceptance criteria. This facility will help meet the needs of the Waipa District and the Waikato Region, and the operation can be undertaken in a manner that appropriately mitigates any adverse effects on people, property and the environment.

Policies – Mineral extraction

4.3.5.3 Policy:

Mineral extraction activities are managed so that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management, mitigation and rehabilitation plans that address matters such as:

a. *Managing dust, noise, vibration, access and illumination to maintain amenity values, particularly during the night time; and*
b. *Ensuring buildings and structures are appropriately located in relation to boundaries, and of an appropriate scale; and*
c. *Undertaking remedial measures during extraction operations; and*
d. *Requiring sites to be rehabilitated and ensuring appropriate materials are used for this purpose.*

The proposed activity is in taking place on a site where mineral extraction activities has occurred in the past. The existing conditions and management plans that apply to the site's quarrying activity are suitable to address any existing effects of the activities. Additionally, the proposed managed fill will not increase the potential for adverse effects associated with the mineral extraction activities.

Upon the completion of the filling activities, the site will be appropriately capped and measures to ensure the ongoing use of the site will be implemented. This is considered to be suitable rehabilitation of the existing sand quarry.

4.3.7 Objective – Rural character

Rural character and amenity is maintained.

The proposed activity will be aligned with this objective and maintain rural character and amenity based on the following points:

- The existing land use activities on the site include a sand quarry, composting and a cleanfill. These activities are authorised under various resource consents and contribute to the character and amenity of the surrounding area.
- When considering the proposed managed fill against the existing activities, the site will be perceived in the same manner as it currently does – that is, a large rural site being utilised in an industrial/commercial manner. Therefore, the character and amenity of the site, and the site's contribution to the character and amenity of the area, will be unchanged under this proposal.

Policies – Rural character

4.3.7.1 Policy:

Land use activities should be at a density, scale, intensity and location to maintain rural character.

As per the above assessment of 4.3.7 Objective – Rural character, the proposed activities will maintain the existing rural character of the site and the area. The managed fill will not introduce particularly a particularly high intensity of activity within the surrounding environment compared to the existing activities on the site. Furthermore, I note that for the vast majority of rural sites (to the south, east and west), the site and its activities will be well screened from view via the boundary vegetation on the site and topography.

4.3.7.2 Policy:

Rural character and associated amenity values shall be maintained by ensuring rural land uses predominate in the Rural Zone, and buildings are of an appropriate scale and location.

A managed fill is an anticipated use within a Rural Zone and the only 'buildings' that will be present as part of the proposal will be the MSE retaining walls along the northern boundary. Within a short period

of time after they are erected, the MSE walls will be entirely grassed and present as a vegetation façade to the site when viewed from a northern location. Therefore, the buildings will be of an appropriate scale and location in this context.

4.3.7.3 Policy:

Ribbon development or residential cluster development shall be avoided.

No residential development is proposed under this application.

4.3.7.5 Policy - Rural character of entrance roads

To preserve the rural character of entrance roads to towns and villages and maintain a distinct delineation between urban and rural areas by avoiding aggregations of buildings and non-farming uses.

Cambridge Road is a key entrance road to the township of Cambridge. However, the proposed activity will take place in a location that is well setback from the road. Therefore, the activity will not be visible by users of Cambridge Road and does not impact the rural character of the entrance road.

4.3.8 Objective - Rural amenity: setbacks

To maintain rural character and amenity and avoid reverse sensitivity effects.

As per the assessment of 4.3.7 Objective – Rural character, this proposal will maintain rural character and amenity within this location.

With regard to reverse sensitivity effects, the managed fill is not particularly sensitive to other rural, industrial or residential activities that could be anticipated within the surrounding environment. Furthermore, I note that potential nuisance effects on persons within the surrounding environment (notably, noise and dust effects) will be appropriately managed via the mitigation measures included as part of the application.

4.3.8.1 Policy - Transport network boundaries

Buildings and activities are set back from road boundaries and railway tracks to maintain safety, rural character and amenity, and to avoid reverse sensitivity effects

The site only has a limited road frontage, therefore the activities proposed for the site under this application will be well setback from the road (approx. 500m from the any public road).

4.3.8.2 Policy - Internal boundaries

Buildings and activities are set back from rear boundaries and side boundaries to maintain rural character and amenity and avoid reverse sensitivity effects

The proposed MSE retaining walls along the northern boundary are of a height that means they are defined as a building under the Waipa District Plan. Whilst they do not comply with the zone's setback standard, the walls will be able to maintain rural character and amenity values as they will be grassed, thus presenting a rural appearance.

4.3.10 Objective – Rural amenity: noise and vibration

To maintain rural amenity while enabling the operation of noise and vibration generating farming activities within the Rural Zone.

4.3.10.2 Policy – Noise: rural activities

To ensure that the adverse effects of noise generated by rural activities are avoided, remedied or mitigated.

This application and its relevant supporting material have demonstrated that any potential adverse noise effects can be appropriately mitigated on the site.

4.3.18 Objective – National Grid transmission networks

To recognise and provide for the ongoing operation, maintenance and development of the National Grid electricity transmission network

Policies – Management of activities within National Grid Corridors

4.3.18.1 To recognise the importance of the National Grid network in enabling communities to provide for their economic and social well-being and to provide for the ongoing operation, maintenance and development of the Grid through the management of activities within identified setbacks and corridors

The proposal will integrate with the existing National Grid transmission network including the towers on and adjacent the site. The ongoing operation, maintenance and development of the National Grid electricity transmission network will be unaffected by the managed fill.

Section 16 – Transportation

Reference	Objective/Policy	Assessment
16.3.1	Objective – Ensuring sustainable, integrated, safe, efficient and affordable multi-modal land transport systems All new development, subdivision and transport infrastructure shall be designed and developed to contribute to a sustainable, safe, integrated, efficient (including energy efficient network design), accessible and affordable multi-modal land transport system.	The managed fill will introduce additional heavy vehicle movements to the site, however, it has been demonstrated that these movements can be safely accommodated within the roading network and by the existing vehicle crossing/access on the subject site.
16.3.1.1	Policy – Design elements Development, subdivision and transport infrastructure shall be designed and located to: a. Minimise energy consumption in construction, maintenance and operation of the network; and b. Accommodate and encourage alternative modes of transport; and c. Give effect to the road hierarchy; and d. Contribute to: i. Integrated transport and land use planning and a safe road system approach; and ii. Reducing deaths and serious injuries on roads; and iii. An effective and efficient road network; and iv. Efficient movement of freight; and v. Providing good accessibility for people	The proposed activity relies on the movement of heavy vehicles, therefore, the transport infrastructure has been designed to accommodate for this mode of transport. Predominantly, the existing transport infrastructure on the site will be utilised and this is appropriate given the existing heavy vehicle movements. Alternative modes are not relevant given the land use proposed and the location of the site outside the urban areas of Cambridge. The transportation aspects of the proposal are able to integrate appropriately with Cambridge Road given it is classified as a major arterial. The proposal is considered to be a safe and efficient design to provide for the required transport movements to and from site to facilitate the managed fill activity.
16.3.1.2	Policy – Ensuring future connections Development, subdivision and transport infrastructure shall be designed and located to: a. Link to existing transport networks, including roads, walking, cycling and passenger transport; and b. Accommodate future transport network connections and walking, cycling and passenger transport options to Deferred Zones and future growth areas.	The site will continue to gain vehicle access from Cambridge Road. This is a major arterial road and is well suited to providing access to the subject site, including providing access for a number of heavy vehicles.

16.3.2	Objective – Integrating land use and transport: ensuring a pattern of land uses and a land transport system which is safe, effective and compatible Land use and transport systems successfully interface with each other through attention to design, safety and amenity.	The proposed land use will integrate with the transport network in an appropriate manner. The managed fill will be accessed via the existing vehicle crossing which has adequate sight distances and connects directly with a major arterial road capable of accommodating increased vehicle movements. The on-site accessway can facilitate two-way movements and speed will be managed on site to ensure the safe integration between land use and the wider transport network.
16.3.2.1	Policy – Integrating land use and transport Development, subdivision and transport infrastructure shall be located, designed and managed to: a. Minimise conflict on and across arterial routes and provide appropriate access; and b. Include access that is safe and appropriate for all road users, including those with restricted mobility; and c. Minimise the need for travel and transport where practicable; and d. Facilitate travel demand management opportunities where practicable	
16.3.2.2	Policy – Enhancing pedestrian safety To improve pedestrian safety in proximity to schools and other community facilities, and commercial areas including pedestrian frontage areas; the standard of pedestrian networks shall be enhanced to accommodate and encourage greater use.	Cambridge Road is a major arterial road within Cambridge. In this location, it does not have any pedestrian infrastructure due to the generally rural environment.
16.3.2.3	Policy – Safe roads Development and subdivision design and construction shall contribute to a safe road environment, by: a. Providing safe and appropriate locations for vehicle entrances, driveways, pedestrian and cycle routes; and b. Designing and locating transport networks, lighting, street furniture and landscaping to minimise conflict, maintain visibility, and provide for maintenance activities.	The existing vehicle entrance, which will be utilised by the managed fill activity, is a safe and appropriate location for the movement of vehicles (including heavy vehicles). The road environment is complimentary to the rural context which includes rural-commercial and rural-industrial activities. The proposed development will not interfere with the safe functioning of Cambridge Road as a major arterial.
16.3.2.4	Policy – Managing effects on character and amenity Development, subdivision and transport infrastructure shall be located, designed and managed to:	Transport infrastructure will be fundamentally unchanged on the site. The site access will be retained, and is already used by a range of vehicles every day which contributes to a baseline of amenity and character. The additional vehicles required for this

	a. Avoid, remedy, or mitigate adverse effects of transport on character and amenity; and b. Facilitate opportunities to enhance character and amenity; and c. Ensure that the outcomes sought in the Waipā Growth Strategy, Town Concept Plan 2010 Plans, and the Character Precinct statements in Section 6 – Commercial Zone of this Plan are achieved.	proposal will not result in a meaningful impact on amenity. The effects of the site's internal roading network will be internalised and will not be felt outside the boundaries of the site. Therefore, the transport aspects of the proposal are appropriate in regards to character and amenity.
16.3.3	Objective – Maintaining transport network efficiency To maintain the ability of the transport network to distribute people and goods safely, efficiently and effectively.	It has been demonstrated that the transport network is of appropriate design and will have capacity to accommodate the vehicle movements required to facilitate the proposed managed fill.
16.3.3.1	Policy – Effects of development or subdivision on the transport network Avoid, remedy or mitigate the adverse effects of development or subdivision on the operation and maintenance of the transport network, including from: a. Traffic generation, load type, or vehicle characteristics; and b. The collection and disposal of stormwater; and c. Reverse sensitivity effects where development or subdivision adjoins existing and planned roads.	The assessment of the proposal by CKL has shown that there will be no adverse effects arising from traffic generation. Furthermore, the collection and disposal of stormwater within the managed fill operation will have no impact on the transport network given the stormwater management network and discharge locations are not adjacent to the transport network. Reverse sensitivity effects have been assessed as being less than minor.
16.3.4	Objective – Provision of vehicle entrances, parking, loading and manoeuvring areas The provision of adequate and well located vehicle entrances and parking, loading and manoeuvring areas that contribute to both the efficient functioning of the site and the adjacent transport network.	The vehicle entrance to the site will remain the same under this proposal. It is considered to be an appropriate design and location to service the site and its activities. Specific parking, loading and manoeuvring space will be provided for the managed fill operation. Vehicles bringing material on site will be able to safely move throughout the site as needed and deposit material.
16.3.4.1	Policy – Location of vehicle entrances To maintain the safe and efficient functioning of adjoining roads and railways, vehicle entrances to all activities shall be located and formed to achieve safe sight lines and entry and egress from the site. In some locations, adjoining rail lines, State Highways, and the District's Commercial Zones; vehicle entrances will be limited and will require assessment due to the	The existing vehicle entrance to the site will be retained. Safe entry and egress from the site will be provided given the size of the vehicle entrance, the sight lines provided by being on the outside of the corner of Cambridge Road and the large separation from other vehicle crossings.

	complexity of the roading environment, or the importance of provision for pedestrians.	
16.3.4.2	Policies – Ensuring adequate parking, loading and manoeuvring areas on-site To maintain the efficient functioning of adjoining roads, all activities shall provide sufficient area on-site to accommodate the parking, loading and manoeuvring area requirements of the activity, except in the Residential Zone and Medium Density Residential Zone where the provision of on-site manoeuvring for dwellings is enabled within the setbacks.	Specific parking, loading and manoeuvring space will be provided within the site to allow heavy vehicles to safely move and deposit material within the site.
16.3.4.3	Activities that operate at different times and have adjoining sites may be able to share the use of the same parking spaces.	N/A – shared car parking spaces are not proposed.
16.3.4.4	Certain activities may be able to demonstrate through the provision of a travel plan, that staff or occupants of the activity can access the activity through alternative means of travel, thus reducing the necessity for car parks.	N/A – the activity will not be accessed via alternative means of travel.
16.3.5	Objective – Minimising adverse effects of the transport network The transport network can have effects on the adjacent environment that must be mitigated through design.	The Transportation Assessment has demonstrated that any adverse effects on the transport network will be less than minor.
16.3.5.1	Policy – Natural environment Transport infrastructure, including its layout within a development and subdivision, shall be designed and located to avoid, remedy or mitigate adverse effects on the adjacent environment, having regard to stormwater collection, treatment and disposal, earthworks, noise and the landscape areas identified within this Plan and on the Planning Maps.	
16.3.5.2	Policy – Noise and vibration Noise sensitive activities, adjacent to strategic roads, including State Highways, collector roads in the Rural Zone and Large Lot Residential Zones, and railway lines; will require acoustic attenuation to ensure the continuation of the ability to achieve acoustic privacy.	No noise sensitive activities are proposed for the site, and the adverse effects on sensitive receptors as a result of noise generated via the managed fill has been assessed as being less than minor.

Section 26 – Lakes and water bodies

26.3.1 Objective - Protecting the natural character of lakes and water bodies and their margins, from inappropriate use, and development

Ensure that activities that occur on and adjacent to lakes and water bodies are managed to avoid, and where possible enhance, natural character and water quality.

The natural character of the water body including its margins will not be subject to inappropriate use and development. The natural character of the water body at present is representative of its context which includes receiving discharges from surrounding rural and industrial land uses. The proposed stormwater system which includes a shallow groundwater treatment pond, will ensure that the discharges received by the water body under this proposed activity will be of a quality that is better than the existing scenario.

26.3.1.1 Policy – Ensuring activities are setback from lakes and water bodies

To ensure that adverse effects on public access to lakes and water bodies, and on the natural character and quality of the water in lakes and water bodies are avoided, through establishing setbacks for a range of activities that may cause adverse effects, except within the Karāpiro and Arapuni Hydro Power Zone.

The proposed earthworks within close proximity of the Stream are being implemented to establish SRP 3B. The SRP will receive dirty water from a 1.5ha catchment and the SRP will reduce the amount of sediment and other pollutants leaving a site via the stormwater system, therefore protecting downstream water bodies (the Stream) from erosion and water quality degradation.

26.3.1.2 Policy - Managing effects

Buildings, paved areas and wastewater treatment systems shall be located to avoid, remedy or mitigate adverse effects on remnant areas of indigenous flora and fauna, including, significant natural areas, peat lakes, and wetlands.

No buildings, paved area and wastewater treatment systems will be located in areas that could adversely affect any of the natural features described in Policy 26.3.1.2.

26.3.1.3 Policy - Customary activities

To enable customary activities to be undertaken within and adjacent to the lakes and water bodies of the District.

Customary activities are not anticipated to be affected by the proposed activity. The applicant is engaging with tangata whenua who will be able to declare if they have a customary interest in the surrounding environment.

26.3.1.4 Policy - Managing ecological effects

To ensure that users undertaking activities on the surface of lakes and water bodies and within their margins do not adversely affect water quality, or significant natural areas, other indigenous vegetation, or habitats of significant indigenous fauna.

The proposed earthworks within close proximity of the Stream are being implemented to establish SRP 3B. The SRP will receive dirty water from a 1.5ha catchment and the SRP will reduce the amount of sediment and other pollutants leaving a site via the stormwater system, therefore protecting downstream water bodies (the Stream) from erosion and water quality degradation.

Additionally, I note that the proposed WAC, and overall material approvals process will ensure that material deposited on site is does not contain contaminants that could enter the stormwater system and be discharged into the water thus degrading the water quality.

26.3.1.5 Policy – Recreational activities

To enable recreation activities adjoining lakes and water bodies, and ensure that they do not have adverse effects on the health and well-being of lakes and water bodies.

No recreation activities are proposed on site, nor will any recreation activities in the surrounding environment be affected by the proposal.

26.3.1.6 Policy – Enhancing natural character

Promote the restoration and enhancement of the natural character of lakes, water bodies and their margins.

The proposed earthworks within the waterbody setback will not produce adverse effects on the water body or its margins. Additionally, the applicant proposed to divert potentially contaminated groundwater away from the proposed discharge points to ensure it does not enter the Stream – thus improving the current situation whereby the Stream receives a range of (generally uncontrolled) discharges from the site and surrounding environment.

26.3.1.7 Policy – Good practice: lakes, water bodies and wetlands

To promote good land use practice adjoining lakes, water bodies and wetlands; including promoting the value of wetlands for both their biodiversity importance and the ecological services they provide (e.g. controlling sediment and nutrients runoff from intensively managed land).

The proposed earthworks within close proximity of the Stream are being implemented to establish SRP 3B. The SRP will receive dirty water from a 1.5ha catchment and the SRP will reduce the amount of sediment and other pollutants leaving a site via the stormwater system, therefore protecting downstream water bodies (the Stream) from erosion and water quality degradation.

26.3.2 Objective - Managing conflict on the surface of the water

To avoid, remedy, or mitigate conflict between users of the surface of the water.

The Stream adjacent to the site is narrow and small, therefore it does not many users of the surface of the water. No recreational activities are possible within the Stream due to its size and location – adjacent to privately owned land. Nevertheless, the surface of the water will not be restricted in any way as a result of the proposed earthworks to create the SRP or by any associated discharges and the proposal is not anticipated to produce any conflict between the users of the surface of the water. Therefore, it is aligned with Objective 26.3.2 and the related Policies (26.3.2.1, 26.3.2.2 and 26.3.2.3).

11.4 Section 104(1)(c)

Council must have regard to any other matter that it considers relevant and reasonably necessary to determine the application.

The following matters are considered to be relevant to this application.

WasteMINZ Technical Guidelines for Disposal to Land

The Technical Guidelines for Disposal to Land are prepared by the Waste Minimisation Institute of New Zealand (WasteMINZ). The latest version of this document was prepared in 2023.

The document outlines that its purposes is to: “provide technical guidance relating to the siting, design, operation and monitoring of landfills/fills in New Zealand”. The document seeks to define the various types of waste disposal facilities as well. In this case, the proposal is for a Class 3 Managed Fill, and this is defined as:

Class 3 Managed Fill

> *A Class 3 Managed Fill accepts materials as defined in these Guidelines. These materials comprise predominantly clean fill and controlled fill, which may also contain material with contaminant concentrations in excess of controlled fill limits. Site specific management controls are required to manage discharges to the environment. The fill material will not contain putrescible or reactive materials that when deposited may result in generation of leachate or landfill gas.*
>
> *Class 3 Managed Fills should be sited in areas of appropriate geology, hydrogeology and surface hydrology. Site ownership, location and transport distance are likely to be the predominant siting criteria. However, as contaminated materials (in accordance with specified limits) may be accepted, an environmental site assessment is required in respect of geology, stability, surface hydrology and topography.*
>
> *Monitoring of accepted material is required, as are operational controls, and monitoring of surface water and groundwater.*

As set out throughout this AEE and in the accompanying technical reports, the specific design of the managed fill on this site and the mitigation measures included have been developed in alignment with the contents of the technical guidelines, especially those that relate to Class 3 Managed Fills.

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (referred to as the Act for the remainder of this section), was enacted in May 2010. The Act serves a multitude of purposes but in summary, it recognises the significance of the Waikato River to Waikato-Tainui, recognises the vision and strategy for the Waikato River and provides co-management arrangements for the Waikato River.

The subject site is approximately 300m south of the Waikato River. Discharges of water are proposed to an unnamed tributary of the Waikato River therefore; the site and its activities are closely connected to the health and wellbeing of the Waikato River.

The proposal includes a range of measures that will ensure that sediments and contaminants do not enter the tributary that flows to the Waikato River. Most notably, this will be ensured via the WAC, which will apply strict controls on the type of material that is accepted for disposal at the site. As a result of the WAC and other measures, the managed fill activity will have a less than minor adverse effects on the Waikato River and its tributary.

Waikato-Tainui Environmental Plan (Tai Tumu, Tai Pari, Tai Ao)

The Waikato-Tainui Environmental Plan (Tai Tumu, Tai Pari, Tai Ao) was published in August 2013. It

aims to "provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha".

The plan contains a large number of objectives, policies and methods to implement the purpose and identified issues. The objectives and policies within the plan that are relevant to the proposed activity and the subject site have been assessed below.

Chapter 10 - Tribal Strategic Plan

> *Objective – collaboration and consistency*
>
> *10.5.1 – Resource management, use and activities within the Waikato-tainui rohe are consistent with the vision, mission, values and strategic objectives of Whakatupuranga 2050.*

ResourceCo are a resource user and an activity operater within the rohe of Waikato-Tainui. The applicant's consultation with mana whenua groups(s) has allowed the opportunity for mana whenua to present their values and align with their vision and mission.

Chapter 11 – Vision and Strategy for the Waikato River

The objectives for the vision and strategy for the Waikato River are addressed in a separate section below (refer "Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River").

Chapter 17 - Natural Hazards

> *Objective – land use and structures*
>
> *17.3.1 – Land use and the construction of structures occurs in a way that does not increase the risk or magnitude of a natural hazard event, and that does not increase the risk or effects on human life or activity in the event that a natural hazard event occurs.*

The proposed land use (managed fill operation) has been assessed from a geotechnical perspective, and it was noted that the site currently presents risks of landslips, subsidence and lateral spreading, given the current sand quarry activity. However, the proposed filling of the site will reduce the risk of liquefaction and will improve stability of the site. Overall, there will be no increase in the risk of effects on human life in the event that a natural hazard event occurs as a result of the proposal.

Chapter 19 - Freshwater

> *Objective – The relationship between Waikato-Tainui and water*

19.4.1 – Waikat-tainui engage and participate in the highest level of decision-making on matters that affect waters in the Waikato-tainui rohe

Engagement with mana whenua has begun and will continue throughout the resource management process. As part of this, mana whenua will be provided the opportunity to give input on the proposal as it relates to fresh water.

Objective – Water quality

19.4.2 – Water quality is such that fresh waters within the rohe of Waikato-tainui are drinkable, swimmable and fishable in all places (with water quality to the level that kiingi taawhiao could have expected in his time).

The managed fill activity aims to contribute to the achievement of this objective in the following ways:

a. Ensuring that discharges to the Stream are of an acceptable quality. This will be controlled via the WAC and stormwater management measures. Stormwater management measures proposed for mitigating adverse effects include vegetated swales, SRPs and adaptive management measures such as mussel shell filters. Flocculation may be used to reduce the volume of sediment in discharges as well.
b. The shallow groundwater treatment pond is proposed so that the activity can provide treatment above what is required to mitigate adverse effects to an appropriate level. The shallow groundwater treatment pond represents an improvement of the baseline scenario and supports the improvement of water quality sought by this objective.

Objective – Water quality (integrated catchment management)

19.4.3 – An integrated and holistic approach to management of water is achieved.

The interaction with the freshwater features on the site is intended to be a holistic approach. In particular, the diversion of potentially contaminated groundwater is not produced by the proposed activities, but to ensure that the discharges to water are not compromised by other contaminants, it is proposed to undertake a coordinated and site-wide approach to protecting the freshwater bodies.

It is also worth noting that the applicant, within previous consents that relate to the recycling facility on the site, has agreed to restoration planting over an area of 3000m^2 which will be integrated with the proposed activities on the site.

Chapter 21 – Land

Objective – effectively manage soil erosion

21.3.1 – Activities that accelerate soil erosion are managed effectively, including through the reforestation and retirement of marginal lands from existing intensive and environmentally unsustainable land uses.

The managed fill activity will improve the stability of the site. Currently, the site is operating as a sand quarry which presents a higher risk in terms of erosion compared to a managed fill carried out with appropriate measures and controls.

Policy – retirement and restoration of marginal land

21.3.1.1 – To encourage local authorities and landowners to retire highly erodible land from farming and to restore and protect highly erodible lands

The site is considered to be a High-Risk erosion area under the Waikato Regional Plan due to the steep gradients that exist on the site – as a result of the quarrying activity. The managed fill will return the site to a flatter condition and thus protect the land from eroding.

Policy – land development

21.3.1.2 – All major excavation works that have the potential to impact on waterways shall have sufficient erosion and sediment control measures in place to ensure that adverse effects on water bodies are managed.

The proposed managed fill is a major land development activity that does have the potential to impact waterways. The proposal is accompanied by a range of erosion and sediment control measures that will be appropriate for managing the effects of the earthworks on waterways.

Policy – soil and land management practices

21.3.2.1 – To promote the adoption of best practice land and soil management that minimises soil erosion, nutrient leaching, and sediment and nutrient runoff.

Soil erosion is anticipated to be minimal on the site during the operation of the managed fill due to the implementation of progressive stabilisation measures such as retaining walls. Any sediment runoff will be appropriately managed via the erosion and sediment controls proposed for the site which are based on best practice management techniques.

Policy – land management

21.3.2.2 – Promote and encourage the development and adoption of land management practices that protects waterways from suspended sediments, nutrients and pollutants

The materials that are accepted for disposal at the managed fill will be strictly controlled by the WAC, pre-approval of loads and visual inspections on site. These practices will ensure that any material that could potentially be discharged via the stormwater network does not contain contaminants or pollutants that could pose significant threat to the health and wellbeing of the waterways. Additionally, sediment contained in stormwater flows will be managed via the proposed stormwater basin prior to discharge and flocculation may potentially be used too.

Objective – effectively manage land contamination

21.3.3 – Effectively manage the impact of contaminated land on the surrounding environment.

The subject site does not contain contaminated land, nor will it bring contaminants onto land as a result of the managed fill. This will be enforced via the WAC.

Chapter 23 – Air

Objective – Discharge quality and amenity

23.3.1 – the quality and amenity of discharge to air is such that the life supporting capacity and quality of air within the rohe is retained at a level that does not compromise human health, amenity values, or property.

Policy – discharge quality

23.3.1.1 – to ensure that the quality of any discharge to air is retained at a level such that it does not compromise human health, amenity values, or property.

There is potential for the managed fill activity to generate nuisance dust effects beyond the site's boundary. The application has included an Air Quality Assessment which has outlined that any discharges to air can be appropriately mitigated and controlled to an acceptable level to surrounding sensitive receptors.

Chapter 25 – Land Use Planning

Objective – approach to land use and development

25.3.1 – development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

Policy – approach to land use and development

25.3.1.1 – to encourage development principles to be applied to land use and developments (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

In relation to the development principles listed:

- The development is carried out in an appropriate location for a managed fill. Quarrying sites are often remedied via filling operations such as proposed in this application.
- Pollution on site will be minimised via the WAC
- The health and function of the Stream will be unchanged as a result of the activity, including the proposed discharges.
- Upon the closure of the managed fill, the site will be visually consistent with the surrounding environment.

Policy – rural development

25.3.2.2 – to ensure that rural development is well planned and the environmental, cultural, spiritual and social outcomes are positive.

The proposed rural development has undergone a lengthy planning process, involving a variety of technical specialists and collaboration with WDC and WRC, to ensure that it responds appropriately to the context of the site and surrounding environment.

Objective – positive environmental and cultural effects

25.3.3 – Land use and development has positive environmental and cultural effects.

Policy – positive environmental and cultural effects

25.3.3.1 – to ensure that land use and development, particularly new land use and development, has positive environmental and cultural effects.

The managed fill will have positive environment effects via the proposed shallow groundwater treatment pond in the northeast of the site.

It is proposed to divert upstream groundwater to a sump and test it as the level of contamination is unknown. The diverted groundwater will then enter the shallow groundwater treatment pond which will partially reduce the contaminant concentrations in this groundwater before being discharged. This will improve the quality of the Stream as, at present, some of this contaminated groundwater is likely

entering the stream without any form of treatment and contaminants may be affecting the health and wellbeing of the Stream and the Waikato River.

Chapter 26 - Infrastructure

Objective - liquid, solid, and hazardous waste

26.3.3 – Liquid, solid, and hazardous waste management is best practice and manages social, cultural, spiritual, economic and environmental effects

The managed fill will not contain hazardous waste, however, it is a waste management facility disposing of solid wastes. It will operate as per best practice management techniques, notably a WAC that has been specifically curated to reflect the context of the site. There will be discharges to water as part of the stormwater system for the site and the WAC will ensure that hazardous contaminants are not discharged into the stream.

Chatper 28 - Mining and Quarrying Oil, Gas, Minerals

Policy - remediation

28.3.1.2 – to ensure that existing and new mining activities effectively remediate and restore mining sites.

The proposed managed fill will ultimately remediate and restore the current sand quarry that exists on the site. Upon the closure of the managed fill, it will be capped and the site can be used for new activities.

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River

The Waikato River is located approximately 300m north of the subject site and location of the proposed managed fill. Whilst the subject site is not immediately adjacent to the Waikato River, it is proposed to discharge stormwater and groundwater to the Stream – an unnamed tributary of the Waikato River. Therefore, the site and the proposed land use are directly connected to the health and wellbeing of the Waikato River.

An assessment of the proposal against the objectives of Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River is provided below.

a. *The restoration and protection of the health and wellbeing of the Waikato River.*

Direct restoration of the Waikato River is not proposed; however, the proposal will help to achieve improved outcomes for the health and wellbeing of the Waikato River via the shallow groundwater

treatment pond. This pond is not required as part of the mitigation package – this is provided via the stormwater measures such as the swales – instead, this is provided as a form of betterment. The pond will provide additional treatment to reduce the concentrations of contaminant further before water is discharged into the receiving environment.

By providing this additional treatment, the proposed activity will ensure the Stream and the Waikato River are subject to levels of contaminants that are better than a baseline mitigation package– thus resulting in an improved situation which aligns with the above objective.

b. *The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.*

c. *The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships.*

d. *The restoration and protection of the relationship of the Waikato region's communities with the Waikato River including their economic, social, cultural and spiritual relationships.*

The applicant cannot determine the relationship of Waikato-Tainui with the Waikato River, therefore, it is proposed to work towards outcomes in respect of Objectives (b, c and d) during engagement with the relevant mana whenua groups.

e. *The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.*

The interaction with the freshwater features on the site is intended to be a holistic approach. In particular, it is proposed to undertake a coordinated and site-wide approach to protecting the freshwater bodies. This is demonstrated via the stormwater management measures that will apply across the site to ensure discharges to water are of an acceptable quality. Additionally, the upstream shallow groundwater will receive some treatment prior to discharge under this proposal as it will enter the shallow groundwater treatment pond after it is put through a sump.

It is also worth noting that the applicant, within previous consents that relate to the recycling facility on the site, has agreed to restoration planting over an area of 3000m^2 which will be integrated with the proposed activities on the site.

f. *The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.*

The discharges within the Waikato River catchment will not create a scenario where serious or irreversible damage is caused to the River. The combination of the WAC, the design of the stormwater system and the proposed sediment controls prior to discharge will ensure that any discharges to water are of quality that will not contribute to the degradation of the River.

g. *The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.*

The potential cumulative effects have been assessed in Section 8 of the AEE. This assessment concludes that any cumulative effects will be less than minor, including cumulative effects in regard to discharges to the Stream.

h. *The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.*

The proposed discharges within the Waikato River catchment will not further degrade the condition of the Waikato River. The combination of the WAC, the design of the stormwater system and the proposed sediment controls prior to discharge will ensure that any discharges to water are of quality that will not contribute to the degradation of the River.

i. *The protection and enhancement of significant sites, fisheries, flora and fauna.*

The site does not directly connect with significant sites, fisheries, flora or fauna – although it is recognised that the land use and discharges can have an impact on these features if they are located downstream of the site.

The proposal aligns with this objective via the WAC, the proposed stormwater management system and the inclusion of the shallow groundwater treatment pond. All of these measures ensure that the water quality of discharges is above an acceptable level thus protecting any significant sites, fisheries, flora or fauna downstream.

j. The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing is subject to the restoration and protection of the health and wellbeing of the Waikato River.

The importance of the Waikato River is recognised within this proposal. The managed fill will operate within close proximity to the river and discharges to a tributary of the Waikato River. The discharges will not contain contaminants or sediment that could harm the health and wellbeing of the Waikato River due to the WAC and other measures within the erosion and sediment control plan as well as stormwater management measures.

k. The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.

The combination of the WAC, the design of the stormwater system and the proposed sediment controls prior to discharge will ensure that any discharges to water are of quality that will contribute to achieving this objective.

l. The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.

The subject site is not immediately adjacent to the Waikato River; therefore, it is unable to provide any access to the Waikato River.

m. The application to the above of both maatauranga Maaori and latest available scientific methods.

Maatauranga Maaori is defined in the Waikato-Tainui Environmental Plan as: "traditional and contemporary Maaori knowledge, knowledge systems, and knowledge bases. This includes the body of knowledge originating from Maaori ancestors, including the Maaori worldview and perspectives, Maaori creativity, and cultural and spiritual practices. as an organic and living knowledge base, maatauranga Maaori is ever growing and expanding". During engagement with the applicant, mana whenua will have the opportunity to describe the ways in which maatauranga Maaori may be incorporated into the proposal.

The proposal incorporates the best practice scientific methods to ensure that the discharges to land maintain the stability of the site and that discharges to water are of an appropriate quality for the receiving environment.

Ngati Haua Environmental Management Plan

The Ngati Haua Environmental Plan was published in September 2018. The purpose of the plan is to "express and articulate our values, frustrations, aspirations and position statements in relation to our taiao (environment)".

The plan contains a large number of objectives, policies and methods to implement the purpose and identified issues. The objectives and policies within the plan that are relevant to the proposed activity, and the subject site have been assessed below.

Chapter 9 - Sustainable Land Use and Development

> *9.2.1 Objective: A more integrated, holistic and collective approach to sustainable land use, development and management within our rohe. This is to provide for population growth without compromising the productive capacity of our soils or life supporting capacity of our environment.*

The proposal represents a holistic approach to the land use and development of the site by demonstrating how the site will be remediated following the end of life for the sand quarry on the site. The managed fill will encompass effectively all of the sites usable area for one singular activity thus reducing the ad-hoc management of the site which occurs at present.

> *9.2.2 Objective: The mauri of land and soils within our rohe to be restored and enhanced. This means that:*
>
> - *Rural land use and development occurs in a manner that is sustainable and consistent with the natural limits of our lands and waters*
> - *Urban development occurs in a manner that provides for population growth without compromising the productive capacity of our soils or life supporting capacity of our environment.*

The proposal is for rural land use and development which has considered, in a detailed way, the impacts of the proposal on land and waters.

In particular, the materials that are accepted for disposal at the managed fill will be strictly controlled by the WAC, pre-approval of loads and visual inspections on site. These practices will ensure that any material that could potentially be discharged via the stormwater network does not contain contaminants or pollutants that could pose significant threat to the health and wellbeing of the waterways. Additionally, sediment contained in stormwater flows will be managed via the proposed stormwater basin prior to discharge and flocculation may potentially be used too.

9.2.3 Objective: Recognition of Ngati Haua values, interests and Matauranga in relation to the sustainable management and development of land, particularly underutilised Maori Land, within our rohe. This means that:

- *Our aspirations for developing our lands are not unfairly disadvantaged by water allocation, water quality and any potential restriction on land use*
- *Our intergenerational knowledge and experience is valued*
- *Our role as a Treaty partner and post settlement governance entity is recognised*
- *We are actively involved in land catchment management, planning and decision making.*

The values, interests and Matauranga for Ngati Haua can only be defined and described by Ngati Haua themselves. There will be an opportunity for Ngati Haua to discuss any effects in this space during future consultation on the project. The applicant is committed to furthering meaningful engagement with tangata whenua to ensure that their interests and values related to all aspects of the proposal are recognised and provided for.

Policy 9A: Work collaboratively to ensure a holistic and integrated approach is taken to the sustainable use, development and management of land within our rohe.

As per the assessment of Objective 1 above.

Policy 9B: Manage the potential effects of rural and urban land use and development within our rohe.

As per assessment of Objective 2 above.

Policy 9C: Build traditional and contemporary knowledge about our lands

The application is not contrary to this policy as it does not restrict the building of any knowledge about lands. The application is supported by a range of technical inputs which may assist in building contemporary knowledge about the site and other natural features.

Chapter 11 – Te Wai Maori – Water

Objective 11.2.1: The mauri of freshwater within our rohe is restored and protected. This means that:

- *Water is plentiful and clean enough for drinking, swimming and sustaining plentiful mahinga kai.*
- *Water allocation occurs in a manner that is sustainable and consistent with the natural limits of our rivers, streams and aquifers.*
- *Water is allocated fairly and used efficiently and responsibly.*
- *Waterways are accessible for customary use e.g. gather mahinga kai.*

The managed fill activity aims to contribute to the achievement of this objective in the following ways:

a) Ensuring that discharges to the Stream are of an acceptable quality. This will be controlled via the WAC and stormwater management measures. Stormwater management measures proposed for mitigating adverse effects include vegetated swales, SRPs and a range of adaptive management measures. Flocculation may be used to reduce the volume of sediment in discharges as well.

b) The shallow groundwater treatment pond is proposed so that the activity can provide treatment above what is required to mitigate adverse effects to an appropriate level. The shallow groundwater treatment pond represents an improvement of the baseline scenario and supports the improvement of water quality sought by this objective

Objective 11.2.2: Recognition of Ngati Haua values, interests and Matauranga in relation to freshwater planning and management within our rohe. This means that:

- *Aspirations for marae, papakainga and Maori land development is not unfairly disadvantaged by freshwater allocation and quality.*
- *Our intergenerational knowledge and experience is valued*
- *Our role as a Treaty partner and post settlement governance entity is recognised.*

The values, interests and Matauranga for Ngati Haua can only be defined and described by Ngati Haua themselves. There will be an opportunity for Ngati Haua to discuss any effects in this space during future consultation on the project. The applicant is committed to furthering meaningful engagement with tangata whenua to ensure that their interests and values related to freshwater of the proposal are recognised and provided for.

Objective 11.2.3: Protection and revitalisation of our traditional knowledge and practices, regarding our rivers, streams and aquifers (puna).

The traditional knowledge and practices of Ngati Haua are, at present, not known to the applicant. Through engagement and discussion with tangata whenua, there may be opportunities to utilise traditional knowledge and practices regarding the waterbodies connected to this proposal. At this stage, the proposal is not contrary to the objective.

Policy 11A: Work collaboratively to ensure a holistic and integrated approach is taken to restoring the mauri of freshwater within our rohe

The interaction with the freshwater features on the site is intended to be a holistic approach. In particular, the diversion of potentially contaminated groundwater is not produced by the proposed

activities, but to ensure that the discharges to water are not compromised by other contaminants, it is proposed to undertake a coordinated and site-wide approach to protecting the freshwater bodies.

It is also worth noting that the applicant, within previous consents that relate to the recycling facility on the site, has agreed to restoration planting over an area of 3000m^2 which will be integrated with the proposed activities on the site.

Policy 11B: Ensure that water allocation and use is equitable and efficient

N/A - water take is not proposed.

Policy 11C: Avoid further degradation of water quality within our rohe

The proposed discharges to the Stream will not further degrade the water quality of the stream or the Waikato River (further downstream). The combination of the WAC, the design of the stormwater system and the proposed sediment controls prior to discharge will ensure that any discharges to water are of quality that will not contribute to degradation.

Policy 11D: Build traditional and contemporary knowledge about our wai.

The application is not contrary to this policy as it does not restrict the building of any knowledge about wai. The application is supported by a range of technical inputs which may assist in building contemporary knowledge about the site and its relationship with watercourses.

Chapter 13 – Fisheries

Objective 13.2.1 Our freshwater fisheries are restored, sustainably managed and enhanced. This means that:

- *We can access our customary fishery sites*
- *Habitat for our taonga fish species is restored and enhanced*
- *Our fish stocks are healthy and plentiful*
- *We are able to provide for ourselves and our manuwhiri*
- *We have robust information about fish stocks and threats to guide decision making.*

Policy 1 (13.3): Enhance access to our freshwater fish species

Policy 2 (13.3): Ensure no further degradation or loss of habitat for taonga fish species

Policy 3 (13.3): Work collaboratively to restore and enhance the sustainability of our freshwater fisheries.

The site does not directly connect with specific fisheries – although it is recognised that the land use and discharges can have an impact on these features if they are located downstream of the site. Furthermore, it is acknowledged that the Stream likely offers permanent fish habitat.

To ensure any adverse effects on fish and their habitats are less than minor, the following will be implemented:

a) A Fish Management Plan will be prepared ahead of any works being undertaken within 25m of a freshwater body.
b) No damming will occur that could impede the passage of fish
c) The Stream will not be further degraded under this proposal due to the range of water quality mitigation measures (e.g., the WAC, swale network and SRPs), therefore allowing fish habitat to continue as it currently functions.

Chapter 14: Te Ararangi – Air

14.2.1 Objective: Protect and enhance the mauri of air within our rohe. This means that:

- *There is no further degradation in the quality of air within our rohe.*
- *The air we breathe is clean and our health, wellbeing and way of life is not impacted by poor air quality.*
- *We have unimpeded views of our celestial landmarks to give effects to our Matauranga and associated cultural practices.*

Policy 14A: Manage activities that contribute to poor air quality within our rohe

Policy 14B: Manage activities within our rohe so that our celestial landmarks can be seen.

Policy 14C: Building traditional and contemporary knowledge about our air and celestial landmarks.

There is potential for the managed fill activity to generate nuisance dust effects beyond the site's boundary. The application has included an Air Quality Assessment which has outlined that any discharges to air can be appropriately mitigated and controlled to an acceptable level to surrounding sensitive receptors.

With regard to the celestial landmarks, the activities are not of a scale that would have a meaningful impact on general sky visibility. The ability to see celestial landmarks would be unchanged from the current situation under the proposed activity.

Chapter 15 – Cultural Heritage

Objective 15.2.1: Our sites and areas of cultural significance to be identified, mapped, protected and where possible, restored.

Objective 15.2.2: Our knowledge and history associated with our cultural heritage (including sites, areas, landscapes and practices) is collated, protected and passed onto the next generation.

Policy 15A: Manage the potential effects of land disturbance activities (e.g. earthworks) on our cultural heritage

Policy 15B: Work collaboratively and strategically to protect, manage and/or restore wahi tapu within our rohe.

Policy 15C: Enable the revitalisation of our traditional knowledge and practices associated with our cultural heritage

ResourceCo has recently been able to gain a copy of the CIA produced in 2022 in relation to the Revital consents authorised at this time. The CIA identifies the application area to be of historic, cultural and spiritual significance and importance to Ngāti Hauā Iwi Trust and Ngāti Korokii Kahukura and therefore wahi tapu.

I note that there will be an opportunity for Ngati Haua to provide feedback on the proposed activities, and they previously (2022) took a neutral stance to the sand quarry, cleanfill and other activities authorised to operate on the site. The proposed managed fill, while being a new activity on the site, is not distinctly different to the current activities being undertaken on site as they involve large quantities of excavation and deposition via the sand quarry and cleanfill. At this stage, the applicant has not received any formal feedback from Ngati Haua.

Chapter 16: Customary Activities

Objective 16.2.1: Recognition of our culture and traditions associated with our ancestral lands, water, sites, wahi tapu and other taonga.

Policy 16A: Manage the potential effects of land use and development on our customary activities.

Policy 16B: Enable the revitalisation of our traditional knowledge and practices associated with customary activities.

The customary activities of Ngati Haua, as they relate to the site, can only be defined and described by Ngati Haua themselves. There will be an opportunity for Ngati Haua to discuss any effects on customary

activities during consultation on the project. At this stage, the applicant has not received any formal feedback from Ngati Haua.

Raukawa Environmental Management Plan

The Raukawa Management Plan sets out issues, aspirations, and priorities of Raukawa in relation to the environment. Relevant objectives include those in relation to the mana and mauri of water, maintaining a healthy and resilient whenua, and avoiding impacts on the cultural landscape.

While, as identified in the Ruakawa Environmental Management Plan, this application falls within the area shown (Figure 1 of that document) that is of interest to Ruakawa, it is outside the area shown where Ruakawa identifies they are practicing contemporary kaitiakitanga. Therefore, a full assessment of the Raukawa Environmental Management Plan has not been undertaken.

National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission (NPS-ET) came into force in 2008. The operation, maintenance, development and upgrade of the electricity transmission network is a matter of national significance.

The NPS-ET "sets out the objective and policies to enable the management of effects of the electricity transmission network under the Resource Management Act 1991". It is also noted that the "operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third part activities and development" – such as the activities proposed on the subject site.

The Objective of the NPS-ET is:

> *To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*
>
> - *Managing the adverse environmental effects of the network; and*
> - *Managing the adverse effects of other activities on the network.*

Of most importance for this proposal is the direction to manage the adverse effects of other activities on the network – and this is further addressed via Policies 10 and 11.

The proposed managed fill is considered to align with the Objective and Policies 10 and 11 of the NPS-ET as it will integrate with the National Grid infrastructure and heed any setback requirements where required.

Sections 105 and 107

Section 105(1) of the RMA outlines that if the application is for a discharge permit, the consent authority must have regard to the following matters:

a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and

b) the applicant's reasons for the proposed choice; and

c) any possible alternative methods of discharge, including discharge into any other receiving environment

The proposed discharge to the Stream is the most appropriate discharge option given the site context and the effects of the discharge have been demonstrated to be appropriately mitigated via the WAC, sediment controls and stormwater measures.

Section 107(1) of the RMA restricts a consent authority from granting a discharge permit if:

> *after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:*
>
> *a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:*
> *b) any conspicuous change in the colour or visual clarity:*
> *c) any emission of objectionable odour:*
> *d) the rendering of fresh water unsuitable for consumption by farm animals:*
> *e) any significant adverse effects on aquatic life.*

The proposed water discharges will be of an acceptable quality –primarily due to the WAC ensuring that contaminants are not present on site in high quantities. As a result, the discharges will not give rise to any of the effects listed in s107(1).

12 CONCLUSION

It is therefore concluded that the resource consents can be granted by Council on a non-notified basis.

It is requested that draft conditions are shared for review prior to the issuing of the resource consents.

Please contact us should you require further information or clarification in relation to this application.