

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

2 This is a submission on an application from (name, address & activity) –

ResourceCo Ltd which is applying for a Class 3 Managed Fill consent for 3831 Cambridge Rd, Cambridge

3 Trade competition

Select one	☐ I am	a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
	☒ I am not	
Select one	☒ I am	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition
	☐ I am not	

4 Attendance at Council hearing

Select one	☒ I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	☐ I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

☒ Yes
☐ No

5 The specific parts of the application that my submission relates to are:

All parts

6 My submission is either in part or all: ☐ In support ☒ Opposed ☐ Neutral

The reasons for my submission are:

See separately attached submission.

7 I seek the following decision from the consent authority:

(Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought)

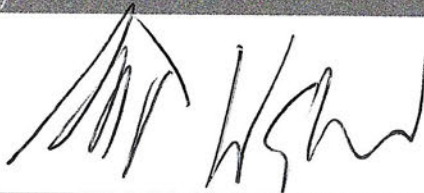
I ask that the consent authority decline the consent in its entirety.

8 Hearings Commissioners

Select one	☐	I request	that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.
	☒	I do not request	

9 Signature of submitter *(note: a signature is not required if you make your submission by electronic means, however please type your name below)*

Name and Signature of submitter:
(or person authorised to sign on behalf of submitter)



Dated 26/6/26

Notes to submitter

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

SUBMISSION ON AN APPLICATION FOR RESOURCE CONSENT

To: Waipā District Council

Application Number: LU/0231/25

Applicant: ResourceCo Ltd

Site Address: 3831 Cambridge Road, RD 3, Cambridge

Proposed Activity: Establishment and operation of a Class 3 Managed Fill within a quarry void.

Submitter: Martin Watson

Address: [REDACTED]

Outcome Sought

I oppose this resource consent application and request that the Commissioners decline consent for the proposed Class 3 Managed Fill activity at 3831 Cambridge Road, Leamington.

I acknowledge that the Commissioners may ultimately decide to grant consent, notwithstanding the concerns raised in this submission. In that event, I request that consent be granted only subject to substantially more robust conditions than those proposed by the applicant — conditions that ensure that all adverse effects of the activity are either fully contained within the applicant's property boundaries or, where that is not achievable, do not exceed the permitted rural zone standards at the boundaries of adjoining neighbours' properties.

I request to be heard in support of my submission at any hearing of the application.

Location Context

The 3.3ha property that I jointly own with my wife, Karin Watson, is located on the western side of the ResourceCo site. The northeastern boundary of our property is approximately 160m from the western boundary of the ResourceCo site. Our home is located approximately 200m from the western ResourceCo boundary. We are longstanding residents, having here for 28 years.

Reasons for Opposing the Resource Consent Application

In my view, the environmental risks associated with the proposed activity are unacceptable given:

- the nature of the contaminants that will be brought onto the site
- the proximity to the Waikato River
- the difficulties that will be experienced in managing leachate flows
- the metastable structure and free draining nature of the sandy soils on this site, as well as the strong groundwater flows
- the prospect of unacceptable levels of dust from the site, both as a direct physical nuisance and as a source of wind-blown contaminants
- the site location on the boundary of Cambridge township
- the site being fully within a 750 metre Environmental Buffer Zone that runs alongside the Waikato River
- the incompatibility of the proposed activity with the surrounding residential and rural residential development
- the cumulative heavy traffic impacts
- the challenges of managing the stability and the depth of managed fill
- the existing record of non-compliance on site
- the self-acknowledged lack of experience of the principals of ResourceCo, when it comes to managing demolition waste recycling and Class 3 managed fill

Because of these factors, I believe that the resource consent application should be declined. Declining the Class 3 managed fill consent would still allow the applicant to accept clean fill onto the site under an existing resource consent.

Submission Structure

I will divide my submission into two parts:

- Issues for neighbours on the western boundary of the site and
- Issues that affect all notified parties and, in many cases, the wider community

Issues For Neighbours Close to the Western Boundary of the Site

1. Dust and Air Quality

Background

Significant dust issues have been experienced by the site's western boundary neighbours over the past 12 months, as ResourceCo has been preparing for the arrival of the demolition waste recycling plant and stockpiling demolition waste. Dust was not an issue for site neighbours during the years that sand quarrying was the only operating activity close to the western boundary.

The Council Planners' reports confirm that dust problems have been significant for some residents, from current ResourceCo site activities, before the addition of any further activity.

The Waikato Regional Council notification decision states: 'Objectionable dust effects have been confirmed by Waikato Regional Council (WRC) at a complainant's residence near but not adjacent to the site which are suspected by WRC and Waipa District Council (WDC) to have been caused by truck movements on internal access roads within the site.'

The Jacobs air quality review prepared for WRC recognises this. In the report, Tracy Freeman explicitly disagrees with PDP's reasoning that low wind frequency justifies a conclusion of low cumulative dust risk, stating that this frequency factor 'is of limited relevance in the absence of other dust controls' given confirmed objectionable effects at the complainant's property. Ms Freeman concludes that she 'does not agree with the conclusion reached by PDP that there is a low risk of cumulative adverse dust effects from the operation of the managed fill, the C&D facility, the sand quarry and the Revital composting.'

I note that if dust effects from existing consented operations are already confirmed as objectionable at neighbouring residences, the characterisation of the cumulative effect of adding a 20-year managed fill operation as 'less than minor' is not credible.

Limitations of the Proposed Dust Mitigations

Ms Freeman's Report highlights a range of deficiencies in the proposed dust mitigations:

- The applicant's proposal to seal only the internal access road from the weighbridge to the demolition waste recycling pad is acknowledged by Ms Freeman to leave remaining risk from unsealed roads that extend back to the weighbridge, including shared roads with the sand quarry. These partially unsealed roads will be further loaded with additional heavy vehicle movements associated with the managed fill activity.
- Ms Freeman recommends in her technical review that a second monitoring instrument for particulate concentrations be placed within the site, accompanied by CCTV, to allow identification of dust sources. The applicant, apparently, does not agree with this recommendation so, as far as I am aware, the issue remains unresolved.
- Dust vigilance is always required, not only under high wind speeds. Ms Freeman's review states: 'Vigilance by site staff to the generation of dust is therefore a full-time requirement, not just under high wind speeds.' Yet the proposed SMP relies predominantly on wind-speed triggers.
- The 1.7% wind frequency relied upon by PDP to justify low risk is undermined by the confirmed objectionable dust effects at the complainant's property — which lies downwind under similar wind conditions and is further from the site than some notified receptors.
- The proposed adaptive management contingency measures in the SMP are 'mainly limited to greater use of water to dampen surfaces or temporarily ceasing dust-generating activities' — inadequate for longer-term management. Ms Freeman recommends expanding these to include water cannon deployment, increased road maintenance, further road sealing, surface stabilisation, and shelter fences.

I appreciate the guidance that Ms Freeman has given to interested parties on these issues. In addition, I would like to add the following comments:

- In support of Ms Freeman's observation, it seems to me that a single monitoring device cannot simultaneously reflect dust emissions across a complex 21ha site which has multiple environmentally sensitive activities underway.
- The currently proposed real-time monitoring uses a single portable device measuring total suspended particulates (TSP). This will be of some value in monitoring nuisance dust. It will not however monitor smaller particle sizes that can travel longer distances and can cause serious health effects. The Ministry for the Environment's Good Practice Guide for Assessing and Managing Dust identifies PM10 and PM2.5 as the appropriate metrics for assessing health effects on residents.
- The monitoring is reactive, not preventive. By the time the device triggers an alert, dust has already left the site and reached neighbours. To address this, there should be binding wind-speed thresholds requiring pre-emptive cessation of operations before dust dispersal occurs.
- The AEE places significant weight on the quarry embankment, which is approximately 20 m below adjacent ground level, as a barrier protecting western neighbours during early stages. This protection diminishes progressively as fill rises during each 5-year stage. The protection will be lost almost entirely once fill elevation approaches the western boundary level. There is no compensating mitigation proposed that takes account of this.
- The incoming fill material WAC contains no provisions governing particle size distribution or moisture content of incoming loads, both of which directly affect dust generation at the tipping face.
- Dust spirals from localised wind effects in quarry basins are common phenomena and have been regularly observed at this site. The meteorological conditions that lead to dust spirals in quarry basins are well known. A system needs to be in place where weather is monitored, and preventative irrigation action is taken, as necessary, to reduce the likelihood of dust spirals occurring.
- The issue of the open southwest corner of the site (no bund or established trees) is not addressed. This gap is contributing to dust issues for western neighbours, in particular, Bryce and Sue Stevenson of Vision Farm and market gardener, Joga Singh Aujla, whose properties, respectively, are adjacent to and very near to the southwest corner of the site
- The dust dispersion modelling has not been independently verified. The assumption that dust-transporting wind conditions occur with only a 1.7% frequency contrasts with the real-world experience of long-time residents. The figure of 1.7% appears to be based on direct easterly winds and does not consider relevant southeasterly and northeasterly winds.

Additional Dust Consent Conditions Sought

Based on the Applicant's AEE and the subsequent Council reports, I request the following additional conditions to address the issue of dust nuisance and potential adverse health effects:

1. Mandatory cessation of all earthworks and tipping activities when sustained wind speeds, that will move dust in a westerly direction, exceed 5 metres per second. This is the threshold already used by PDP as the definition of 'dust-transporting wind'. Cessation of work under these circumstances should be a binding consent condition, not merely guidance in the Site Management Plan.
2. All incoming fill material should meet minimum moisture content requirements. Loads that are visually dry and dusty should be rejected at the weighbridge inspection point.
3. The WRC consent conditions must incorporate Ms Freeman's recommendation for a second continuous particulate monitoring instrument within the site, accompanied by CCTV, to allow source identification of dust emissions. This monitoring requirement should remain in place for the full duration of the consent and not be subject to withdrawal after two years at WRC's discretion without a formal review and neighbour consultation.
4. TSP monitoring should be supplemented with continuous PM10 and PM2.5 monitoring at the western boundary, with alert thresholds referenced to MfE and WHO health guidelines.
5. The Site Management Plan should be expanded to include all additional contingency dust mitigation measures recommended by Ms Freeman, including water cannon deployment, road sweeping and cleaning programmes, reduction of exposed areas, accelerated surface stabilisation, and erection of shelter fencing where required. As Ms Freeman suggests, these should be listed as available measures in the SMP and not merely suggested as possibilities.
6. The bund with mature trees that exists along the western boundary must be effectively maintained throughout the operational period. Replacement tree planting is needed where trees die off.
7. While the western boundary has a planted bund along most of its length, this bund does not expand around the southwestern corner of the site. A consent condition is required that, before the managed fill activity is operational, ensures that a 3-metre earth bund is constructed around this corner. The bund should be planted with evergreen trees and scrubs once it is in place. This bund will assist in dust and noise mitigation. It will also screen out the demolition waste stockpile, the waste recycling facility and the proposed managed fill activity from the Vision Farm driveway. The massive waste pile that is clearly visible from the Vision Farm' driveway creates a poor first impression for the clients of Sue and Bryce's agistment business.
8. All internal roads within the site, not only the weighbridge to demolition waste recycling pad, should be sealed, and the seal maintained, to eliminate dust generation from vehicle movements, given that the confirmed objectionable dust effects have been attributed, by Council, to truck movements on internal access roads.

9. Binding wind-speed trigger levels at which specific dust mitigation measures must be activated should be incorporated as consent conditions (not merely SMP guidance), referenced to the MfE 2016 Good Practice Guide thresholds.
10. Alert level triggers in the conditions should escalate on cumulative exceedances (multiple events within a period), not merely on increasing instantaneous concentration — reflecting Ms Freeman's recommendation.
11. CCTV footage from the site should be retained for a minimum of 30 days and made available to WRC, WDC, and affected neighbours on request, to allow identification of dust sources when complaints are received.
12. Ms Freeman's recommendation that the quality of the weather station wind data, the efficacy of the alert system, and the reliability of the instrumentation be independently verified annually has apparently been incorporated into the Draft Conditions. I support this condition and request that the commissioners ensure it is retained in any consent granted, and that it cannot be removed or weakened through any pre-hearing negotiation between the applicant and the consent authority

2. Noise Effects

The Applicant's own acoustic report, prepared by SLR, confirms that daytime noise levels at the southern boundary will reach 55dB LAeq — exceeding the permitted daytime noise limit of 50dB LAeq by 5dB. WDC Environmental Health Officer, Glynn Jones, states in his review that 'there is no obvious reason provided to justify the higher noise level.' This is a finding of a confirmed and unmitigated noise limit exceedance in the applicant's own documentation.

This 5dB exceedance is legally significant. As I understand it, noise compliance is not a matter of degree where 'close enough' suffices — the 50dB LAeq limit is the planning standard for the Rural Zone and the adjacent Deferred Large Lot Residential zone.

Limitations of the Proposed Noise Mitigations

I believe that the following limitations apply to the applicant's proposed mitigations:

- The assessment of effects appears to rely entirely on predictive modelling. No baseline noise monitoring at western boundary receptor locations is proposed, and no ongoing monitoring during operations is required. Without a measured baseline, compliance cannot be demonstrated or detected during operations.
- The acoustic assessment models the managed fill operation in isolation. The cumulative noise from all concurrent activities on the site — the demolition waste recycling activity, the sand quarry, and vermicomposting — is not assessed. Rural Zone noise limits apply to the total noise experienced by neighbours, not just the managed fill component.
- The closest western receptor, 52 Taawharuwharu Lane, is located approximately 50 metres from the site boundary and less than 100 metres from the demolition waste recycling plant. While the resource consent application for the demolition waste recycling activity was non-notified, my understanding is that this activity

alone could result in the residents of 52 Taawharuwharu Lane experiencing noise levels exceeding the 50dB LAeq limit. If the managed fill activity is consented, the cumulative noise effects will make achieving the Rural Zone noise limits even more challenging, and this will impact on these residents. This needs to be adequately assessed, independently reviewed, and mitigated.

- Despite the acknowledged noise limit exceedance at the southern boundary, no consideration is given to the impacts on neighbours, Sue and Bryce Stephenson from Vision Farm. Vision Farm is a long-established equine spelling and agistment business, predominantly catering to the thoroughbred racing industry. The Vision Farm driveway and entrance is to the south of the applicant's site. Agistment paddocks are located alongside the western boundary, including down to the southwestern corner. Running the agistment operation, requires long hours of daytime work on the property. The principal hours of operation mostly correspond to the hours of operation that will apply to the activities on the applicant's site. The noise effects of the demolition waste recycling activity and the proposed managed fill activity could have significant effects on the welfare of Sue and Bryce as they work, as well as on the welfare of their equine residents.
- The need for a bund to be erected around the southwestern corner, and subsequently planted in evergreen trees and shrubs, has not been addressed.
- No conditions appear to be currently proposed that restrict tonal reversing alarms, concrete crushing, or compaction plant operating near the western boundary during sensitive time periods (early morning, evening, and weekends).
- Twenty or more years of continuous heavy machinery noise — even if technically within permitted limits — constitutes a material adverse effect on residential amenity that is not adequately acknowledged in the AEE's 'less than minor' characterisation.

Additional Noise Conditions Sought

13. Cumulative noise from all concurrent site activities — the demolition waste recycling facility, the sand quarry, vermicomposting and the proposed managed fill — should be modelled against Rural Zone limits before any consent is granted, given that all activities will operate simultaneously for much of the consent period.
14. The noise exceedance of 5dB at the southwestern corner of the site, and any exceedance along the western boundary that would impact on the workers at Vision Farms and the residents at 52 Taawharuwharu Lane, must be remedied before any managed fill operations commence. The applicant must demonstrate, through revised acoustic modelling independently reviewed, how compliance with the 50dB LAeq limit will be achieved at the southwestern corner and along the western boundary throughout the full duration of the consent.
15. Pre-operational baseline noise monitoring should be undertaken at the nearest western boundary residential receptor (52 Taawharuwharu Lane) and at representative locations along the boundary with Vision Farms before any operations commence.

16. Ongoing noise monitoring at the western boundary should be required quarterly during the first two years of the consent, conducted by an independent acoustic consultant appointed by WDC, with results provided to affected neighbours.
17. Before the managed fill activity is operational, a 3-metre earth bund must be constructed around the southwestern corner of the site. It is acknowledged in the AEE that the noise limits will be exceeded even with a bund erected. However, a bund will at least provide some mitigation. The bund should be planted with evergreen trees and scrubs once it is in place. This bund will also assist in dust mitigation and will screen out the demolition waste stockpile, the waste recycling facility and the proposed managed fill activity from the Vision Farm' driveway.
18. All vehicles operated on site within 200 metres of the western boundary must be fitted with broadband (white noise) reversing alarms rather than tonal (beeping) alarms. The WDC Environmental Health Officer has already recommended this as a condition and I strongly support this.
19. If the Rural Zone noise limit is exceeded at any western boundary receptor on two or more separate occasions within any 12-month period, all operations within 300 metres of the western boundary should cease until an independent noise management review is completed and approved by the consent authority.

Issues That Affect All Notified Parties

1. Operating Hours

The resource consent application suggests operating hours, for the Class 3 managed fill activity, from 7 am through to 6 pm, six days a week. The proposed operating hours do not appear to align with the operating hours of the other activities taking place on the site. Operating between 5pm and 6pm during weekdays will increase traffic movements at peak times for Cambridge's roads. In addition, the extended weekday evening hours and the inclusion of Saturday afternoon hours would diminish amenity for the site neighbours.

Condition Sought

20. Operating hours should be limited to 7 am to 5 pm Monday to Friday, and 7 am to 12 pm on Saturday, with the site being closed on Sundays and public holidays.

2. Traffic Effects

The Waikato Regional Council Notification Report states that the site is located approximately 2 kilometres southwest of Cambridge township. I do not believe that this is a correct assertion. The site is 2 kilometres from Cambridge town centre but is right on the Cambridge town boundary as is shown by the WDC Planning Maps.

There are several residential developments at the eastern side of the site and deferred large lot residential land and numerous rural residential properties at the southern and western sides of the site. The site is near to Cambridge town and near to many Cambridge residents.

Cumulative heavy vehicle traffic movements from the wide range of consented activities at this site, alongside heavy vehicle movements associated with the Shaw's Kaipaki Rd sand quarry and the Matos Segedin Drive industrial estate, place significant pressure on traffic flows along Cambridge Rd, Kaipaki Rd and through Leamington. Each new consent that involves additional heavy traffic movements, on the edge of Cambridge, may individually be deemed to have a "no more than minor" effect, but the cumulative effects are significant and in conflict with the ongoing growth of Cambridge and its immediate surrounds.

It is acknowledged by the applicant that materials for the Class 3 managed fill activity are expected to be drawn from the Waikato, King Country, Taranaki and Bay of Plenty regions. This is a large area of the central North Island to be sourcing fill from, and it means that many loads will travel a long distance to reach the site. While there might be demand for a Class 3 managed fill site, this raises the question – is the edge of Cambridge town, close to the Waikato River, the right location to be receiving contaminated fill, given that a more remote and less sensitive site (in terms of surrounding activities, ground permeability, and water flows) would be equally acceptable for prospective customers who are prepared to travel long distances?

Leaving in place the status quo, where only clean fill is accepted on site, will ensure that the facility services the local community without leading to contaminated fill materials being transported long distances to a sensitive receiving environment.

Decision sought: Decline the Class 3 Managed Fill Consent

3. Acceptance of Managed Fill

I have concerns about the proposed process for accepting Class 3 Managed Fill at the site. The current proposal has the applicant's own staff making visual inspections of truck and trailer loads of material as it comes onto the site. Visual inspection will be challenging, and the reality is that only a very small part of each load will be visually able

to be inspected upon arrival. Clearly, also, visual inspection will be completely ineffective at assessing the level of contaminants in the fill coming on to the site. In addition, there does not appear to be any independent oversight, which means that the WAC acceptance process will be self-policing.

I request the following additional conditions:

21. That an independent third-party auditor be appointed by the consent authority (not by the applicant) to conduct unannounced inspections of incoming loads and WAC acceptance records at least four times per year throughout the operational period.
22. All WAC acceptance decisions should be recorded electronically in real time, with records accessible to the consent authority and auditor on request.

4. Fire Risk

While a fire involving managed fill may seem unlikely, given the proximity to the demolition waste recycling facility and the demolition waste stockpile, and with a fire event having already taken place, and with the possibility of materials not approved being brought on site, a further fire incident cannot be ruled out.

The WDC Planner's Report (Section 1.3) confirms: 'On 16 April 2026, a large wood stockpile (part of the waste recycling operation) caught fire, which Fire and Emergency NZ responded to and determined it did not present an immediate risk to life or property; the fire was left to be monitored by ResourceCo. The fire reignited overnight and FENZ responded again and the fire was ultimately put out by ResourceCo over the following 24 hours.'

The fire at this waste facility caused significant concern for neighbours. However, it is recognised that, unfortunate as it was, it could have been significantly worse.

The WDC Planner's Report confirms that 'the application does not detail any information about fire risk, nor any management procedures for potential risk.' This is a significant omission in the AEE. A 20-year managed fill operation accepting material adjacent to an existing demolition waste stockpile, which has already caused a multi-day fire, should have a comprehensive fire risk assessment and management plan as a condition of consent.

Additional Conditions Sought:

23. A comprehensive fire and emergency management plan covering all concurrent activities on the site — managed fill, demolition waste storage and recycling, and vermicomposting — should be prepared by a qualified fire safety engineer and approved by the Commissioners before any managed fill operations commence. The plan should specifically address fire risk from demolition waste stockpiles in proximity to the managed fill, containment of fire-suppression water to prevent discharge to the on-site stream, neighbour alerts, and coordination with FENZ.

5. Groundwater, Surface Water, PFAS, and Te Ture Whaimana

The WRC notification decision confirms that contamination specialists from Jacobs (Walter Starke, Fiona Lyttle, and Greg Sheppard) have reviewed the waste acceptance criteria (WAC) and discharge proposals. While they concluded adverse effects will be less than minor subject to conditions, I would like to see some aspects of this more comprehensively addressed.

Highlighted Concerns

- The WRC specialist Dean Sandwell flagged that the generic WAC and dilution-attenuation factors used 'may not be conservative for this site due to its proximity to an unnamed tributary and high permeability' — raising specific concern about copper, nickel, and zinc.
- Modelling confirmed that nickel concentrations may be exceeded under dry conditions which is acknowledged in both the AEE and the WRC notification decision.
- PFAS compounds (PFOS+PFHxS and PFOA) are accepted under the proposed WAC. My understanding is that acceptance of these materials is not commonly a feature of Class 3 managed fill undertakings. The WRC notification decision does not contain any specialist assessment of PFAS-specific risks. Presumably, this is because the levels of PFAS that can be accepted under the proposed WAC, are equivalent to the maximum levels that can be found in drinking water in New Zealand. However, I note that these maximum levels in drinking water are many times higher than maximum permitted levels in the USA and Europe. As concerns increase around PFAS contaminants, acceptable levels of PFAS in New Zealand drinking water are likely to be reduced. Given the location of the site and its groundwater flow and drainage characteristics, I question whether any level of PFAS contamination in soil is acceptable. I believe that accepting PFAS contaminated soils, is likely to conflict with Te Ture Whaimana.

Additional conditions sought:

24. Exclude PFAS from the list of acceptable contaminants that will be brought onto the site
25. If PFAS is not excluded, quarterly groundwater monitoring for contaminants at a network of at least four wells (two upgradient, two downgradient of the fill) should be maintained throughout the operational period and for a period post-closure.

6. Impact on the Recognised Environmental Buffer Zone Running Alongside the Waikato River

The 21-hectare (thereabouts) site is within a 750m Biodiversity River Corridor that runs alongside the Waikato River as it passes through Cambridge. This corridor is recognised in the Waipa District Plan as a mapping overlay.

Under Te Ture Whaimana o Te Awa o Waikato — the Vision and Strategy for the Waikato River — all council planning documents are legally required to give effect to its overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations. This mandates that any development near the river must actively restore and protect its "mana" (prestige) and "mauri" (life force). The applicant acknowledges in the AEE that the site is directly connected to the Waikato River via the unnamed tributary to which stormwater and groundwater discharges are proposed.

The applicant's AEE, under the heading *Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River*, on pages 99 to 100, states:

“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.”

The applicant's claim that providing an additional mitigation (the shallow groundwater treatment pond) will result “in an improved situation which aligns with the above objective”, does not make sense. This is only an “improvement” relative to just using the swales. The Waikato River will still be worse off than it would have been, if no contaminants had been accepted onto the site in the first place. The objective is not met.

Decision Sought: Decline the Class 3 managed fill consent

7. Financial Assurance

There are operational complexities, significant environmental risks, and long-term responsibilities for site remediation and monitoring that are associated with the proposed large-scale Class 3 managed fill activity.

With those risks in mind, if the consent is to be granted, I request that the Commissioners include the following conditions in the consent:

26. A requirement for the payment of a suitably sized bond as surety that all long-term site responsibilities are met by the consent holder. While I have no insight into the financial circumstances of the applicant, I believe that the payment of a bond is an appropriate condition that would reduce the possibility of costs being

incurred by ratepayers and the wider Cambridge community should things go wrong at this site.

27. Given the long-term nature of the managed fill activity and the increasing amounts of accumulated fill that will be onsite with the passing of years, I would like to see included in the consent condition, a mechanism that allows the bond amount to be independently reviewed every five years and adjusted accordingly.
28. The bond should remain in place after the completion of the managed fill activity, as the consent holder will have ongoing long-term responsibilities for monitoring and potentially remediating site stability, as well as carrying out contaminant testing of leachate.

8. The Applicant

I believe that the applicant's capability and compliance history is relevant to this resource consent application. I understand that, following changes to the RMA during 2025, compliance history can now be considered by Commissioners when they assess resource consent applications.

History of Non-Compliance by the Applicant

In 2024, Wasteworx (now re-named ResourceCo), with the Fullerton-Smith family as principal shareholders, obtained a non-notified consent for a demolition waste recycling facility. There have already been examples of non-compliance with the consent conditions for this activity during the early preparatory stages, which have included the installation of a working pad and the accumulation of demolition waste materials.

Issues that have arisen include:

- Vibration from compaction work during the formation of the pad which created serious disturbance and health issues for neighbours located within 300m metres or more of the western boundary of the site. Following complaints, Waipa District Council staff intervened, and changes were made to the way compacting was carried out.
- Dust problems have significantly impacted neighbours as work has been underway on the site over the past twelve months and as demolition waste materials have been stockpiled. These effects have been acknowledged by staff from Waikato Regional Council (WRC) and Waipa District Council (WDC) following investigation by WRC.
- On 16 April 2026, the demolition waste stockpile caught fire, requiring Fire and Emergency NZ to respond twice, with the fire ultimately put out by ResourceCo staff over a 24-hour period.
- I understand that WRC issued a formal abatement notice against ResourceCo on 13 March 2026. ResourceCo apparently then appealed to the Environment

Court, against the abatement notice, on the same day. This has been described by WRC's compliance manager as 'extremely unusual.' The abatement notice was subsequently withdrawn by WRC. When the alternative was, presumably, to work through the issues directly with WRC, it is worth considering what this action implies about ResourceCo's attitude to compliance.

Level of Experience

At a meeting held on Sunday 21st June between representations of ResourcCo and some of the notified neighbours, principal ResourceCo shareholder, Peter Fullerton-Smith, openly stated that the ResourceCo team has no experience of managing demolition waste recycling and Class 3 managed fill activities and are completely reliant on outside experts. This lack of experience is deeply concerning. I also note that being dependent on outside experts is unlikely to be helpful when an onsite emergency arises.

If the applicant cannot manage stockpiling building demolition waste over a twelve-month period without confirmed consent breaches, a significant fire, and formal enforcement action, there is no reasonable basis for confidence that Class 3 managed fill operation will be operated to the standard required.

Conflicts of Interest

Fullerton-Smith family members are the only shareholders in Rubbish Farming Ltd, which owns the site at 3831 Cambridge Rd, and Demoworx Ltd, which is a demolition and asbestos removal specialist. Fullerton-Smith family members are also the dominant (85%) shareholders in ResourcCo Ltd, which is consented to run the demolition waste recycling activity and is applying for the Class 3 managed fill consent.

While I am not attempting to cast aspersions on the Fullerton-Smith family, there are clearly conflicts of interest that arise when one business deals with asbestos removal and another business operates a Class 3 managed fill site.

I note also that the corporate separation between Rubbish Farming Limited (landowner) and ResourceCo Limited (consent applicant) creates a potential risk that post-closure monitoring and remediation obligations could become unenforceable should ResourceCo cease to exist.

Decision Sought: Decline the Class 3 Managed Fill Consent