

Date:	10 April 2026	App Number:	LU/0231/25
Reporting Planner:	Layla Gruebner	Site Visit on:	05 November 2025 and 18 May 2026

Applicant:	ResourceCo Limited
Property Address:	3831 Cambridge Road, Cambridge
Legal Description:	Lot 1 DP 472963 as held in Record of Title 646080
Site Area:	21.67ha
Activity Status:	Non-Complying
Zoning:	Rural Industrial
Policy Area(s):	Mineral extraction area; High voltage electricity structure; High voltage electricity transmission line; Part of an archaeological site (S15/286); Quarry site; and HAIL site.
Designation(s):	N/A
Proposal:	Establish and operate a managed fill activity

1 INTRODUCTION

Saddleback ('the agent') has applied for land use consent on behalf of ResourceCo Limited ('the applicant') to establish and operate a managed fill activity on the subject site.

- It is proposed to undertake 1,472,200m³ of earthworks (111,000m³ of cut and 1,361,200m³ of fill). This level of earthworks exceeds the permitted level of 1,000m³ for the Rural Zone, requiring resource consent as a discretionary activity.
- Consent is required as a discretionary activity under the NES-CS for soil disturbance.
- The acoustic report provided with the application confirms that the daytime noise level relative to the southern boundary of the site will be 55dB, exceeding the daytime noise limit of 50dB.
- The proposed activity has the potential for dust emissions from the site to go beyond the boundary.
- The proposed earthworks are within 23m of a stream.

- The proposed retaining walls along the northern, eastern, southern and western internal boundaries are 1.5m or more in height and are therefore considered to be buildings. The retaining walls are located on the boundaries, where a 25m setback is required for buildings.
- The proposed retaining wall will have a maximum height of 13m along the northern boundary and 14m along the eastern boundary, which exceeds the 12m maximum height permitted.
- Given some of the retaining walls will be located on internal boundaries, and they are more than 1m in height, there is potential for these to breach daylight control requirements.
- While an exact building coverage total cannot be confirmed at this stage, it is expected that it will exceed the 3% (6,500m²) maximum permitted given the extent and size of retaining walls proposed.

Overall, resource consent is required as a Non-Complying Activity.

1.1 Description of site

The subject site is a rear site located on the western side of Cambridge Road. The site contains a single freehold record of title with an area of 21.67ha.

To date, the activities currently operating on the site are a sand quarry, a sand washing and screening plant, vermicomposting, a construction waste recycling operation, and clean fill activity. Refer to Figure 4 below for an overview of the activities onsite.

Surrounding properties are a mix of industrial, rural, and rural residential in nature. The Cambridge Wastewater Treatment Plant ('WWTP') is located in the north adjoining property. Industrial zoned land and land uses are located to the northeast of the site. Properties to the west and south are deferred large lot residential zone and comprise a mix of rural blocks and rural residential properties.

The site is zoned Rural, with part of the entrance being Industrial Zone land and is subject to the following overlays of the Waipā District Plan ('District Plan') (shown in Figures 2 and 3 below):

- Mineral extraction area (brown areas);
- High voltage electricity structure (black dot);
- High voltage electricity transmission line (black dashed line);
- Part of archaeological site S15/286 (borrow pits – shown as green square);
- Quarry site (sand coloured areas); and
- HAIL site (transparent brown area and brown dot).

There are no other features overlaying the site.

Refer to Figures 1 to 37.

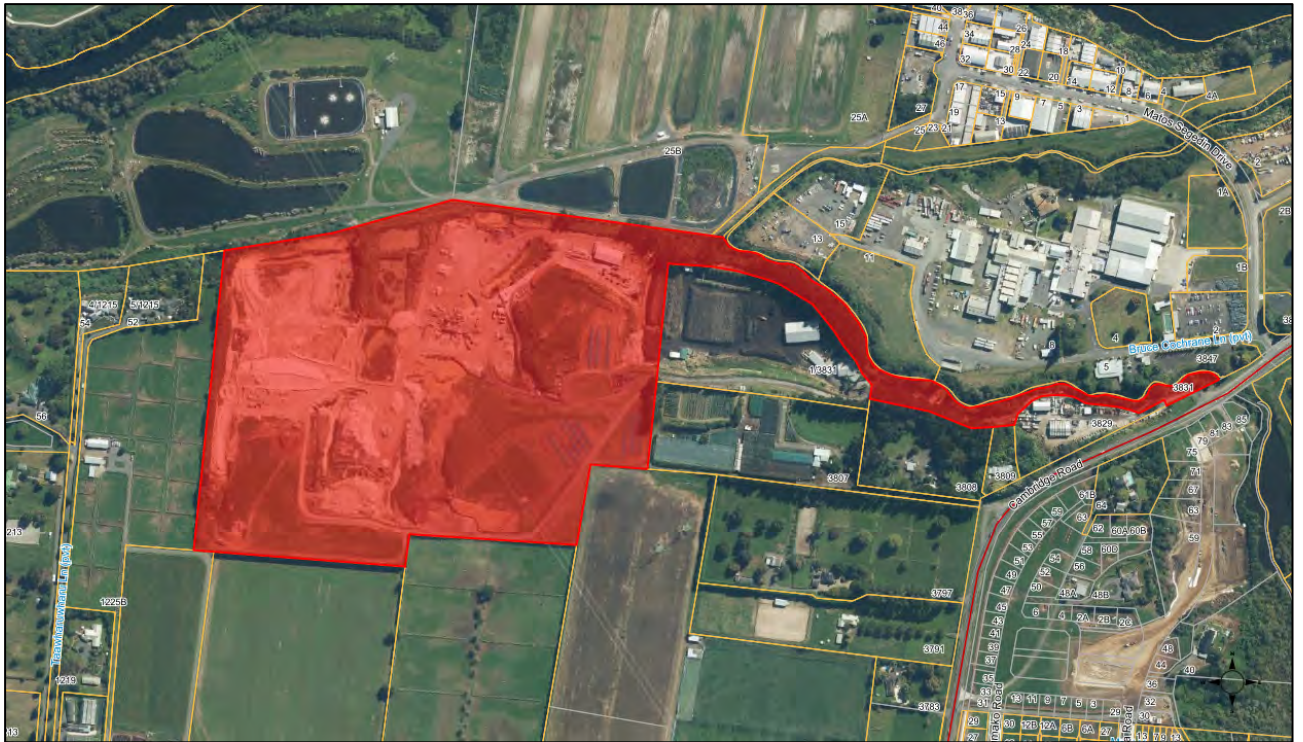


Figure 1: Aerial photograph of site (site shown in red).

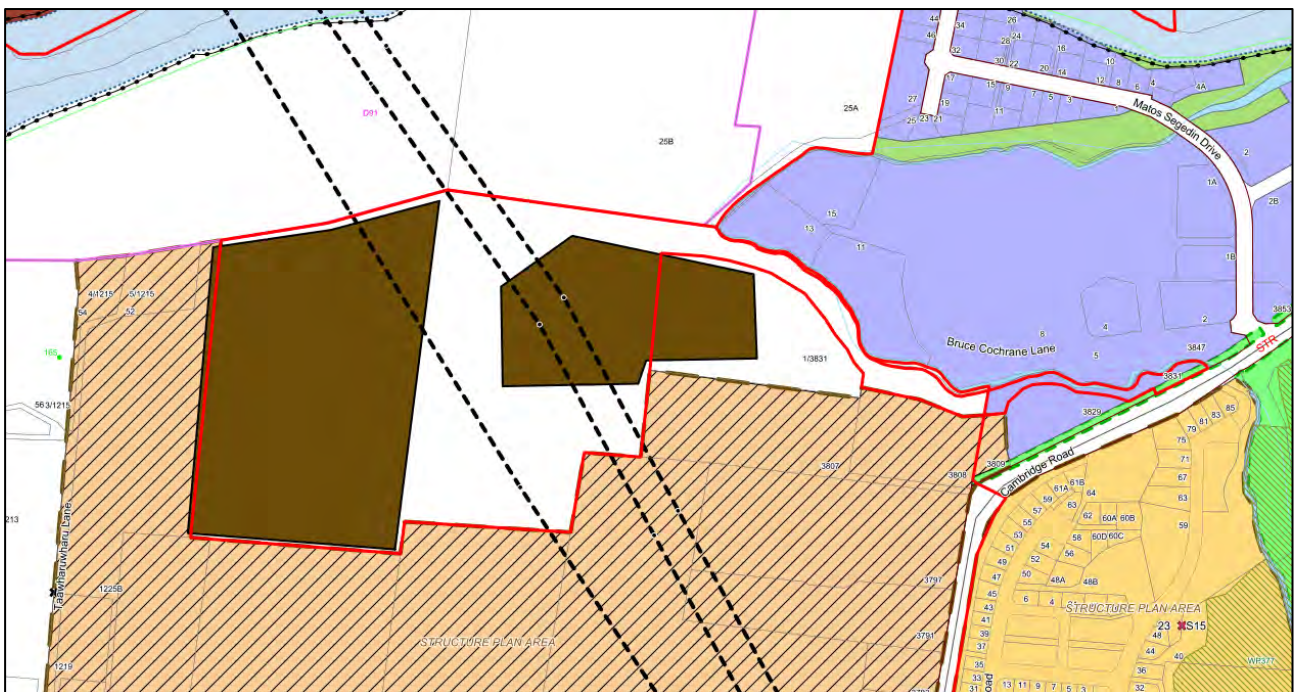


Figure 2: District Plan Zoning and policy overlays (site outlined in red).

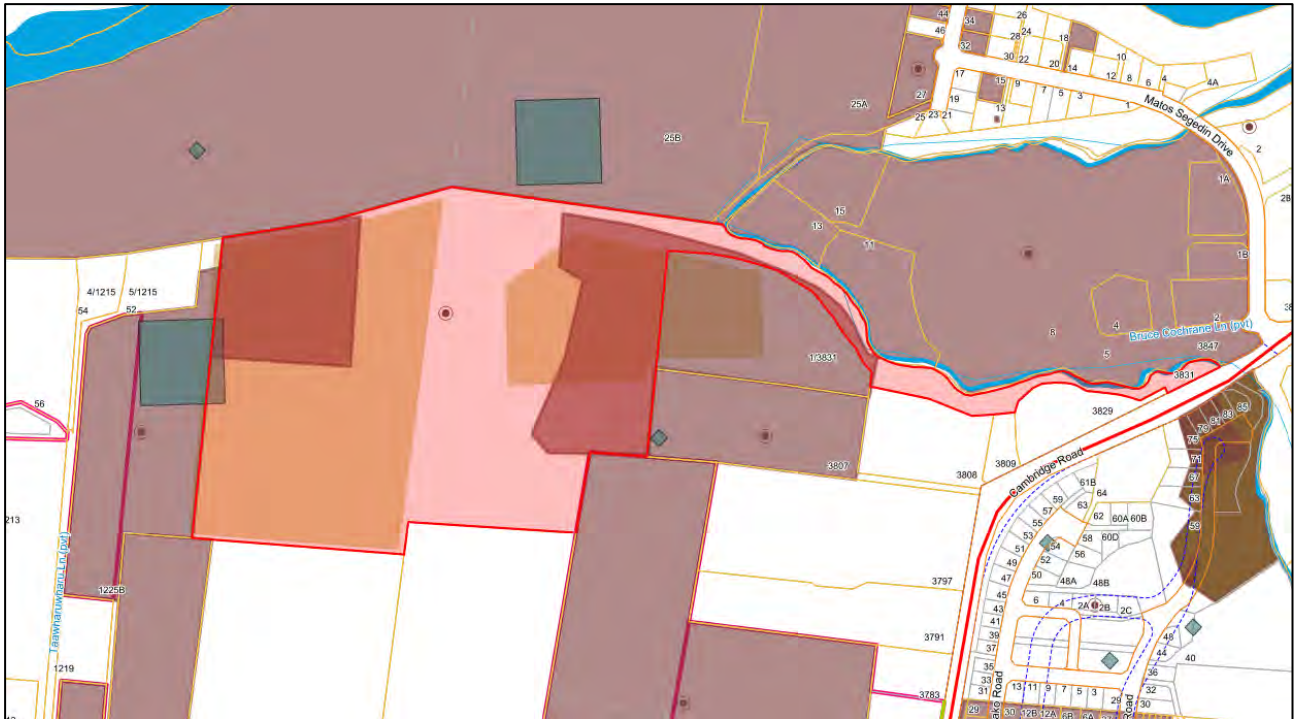


Figure 3: District Plan Special Features Map (site outlined in red).

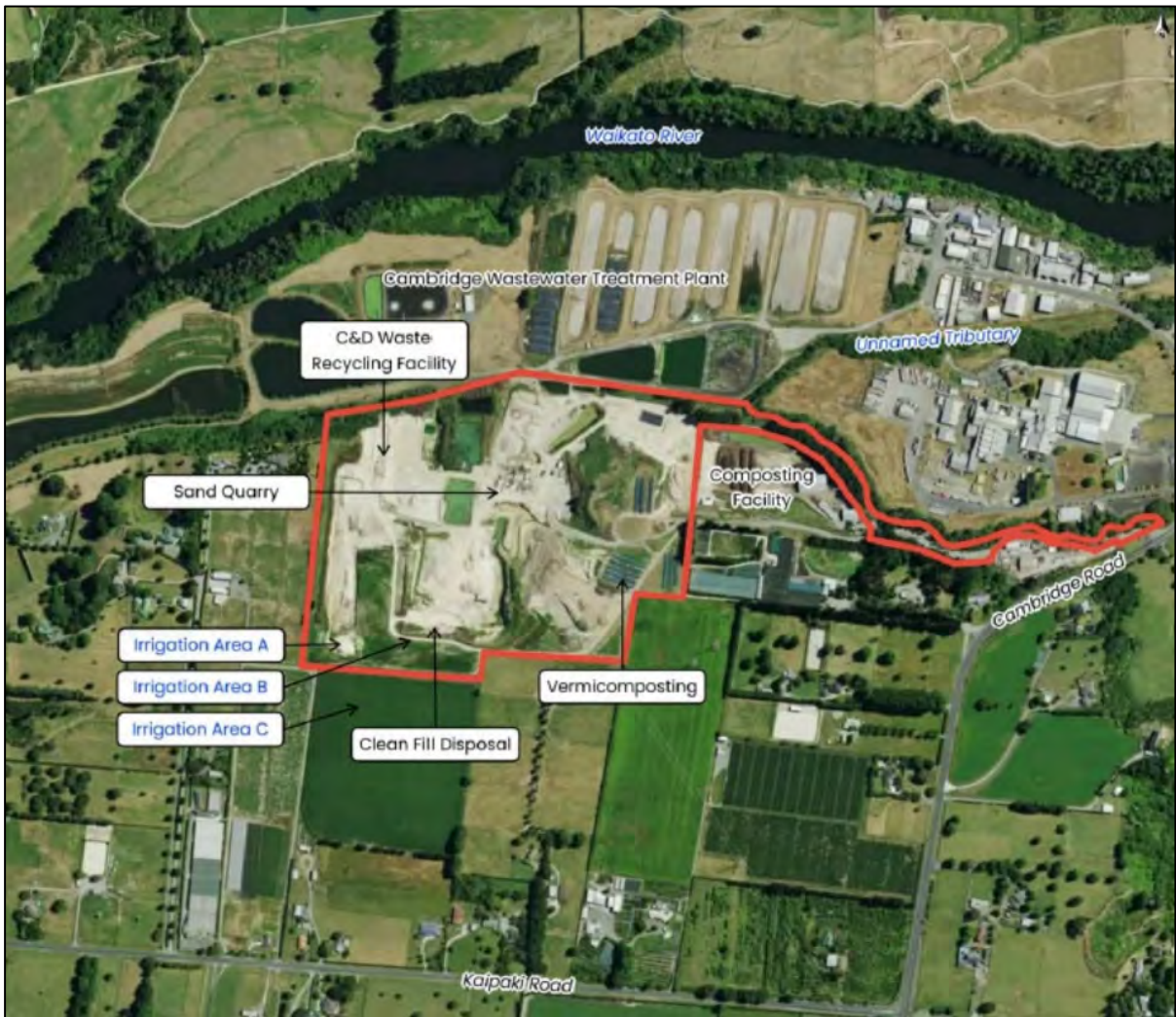


Figure 4: Overview of consented activities currently operating on the site.



Figure 5: Site visit photo showing the entrance to the site (facing southwest).



Figure 6: Site visit photo showing the entrance to the site (facing southwest).



Figure 7: Site visit photo showing the entrance to the site and the two driveways into the green waste operation at 1/3831 Cambridge Road and into the subject site.



Figure 8: Site visit photo showing southwest down Cambridge Road and the neighbouring property across the road from the site's entrance.



Figure 9: Site visit photo showing northeast down Cambridge Road and the neighbouring property across the road from the site's entrance.



Figure 10: Site visit photo showing the property across the road from the site's entrance (facing south).



Figure 11: Site visit photo showing the accessway next to the landscaping business (stream to the right).



Figure 12: Site visit photo showing the accessway with retaining next to the landscaping business.



Figure 13: Site visit photo showing the accessway along the southeastern boundary (photo taken from access within 1/3831 Cambridge Road).



Figure 14: Site visit photo showing the accessway (starting to be sealed) along the southeastern boundary (facing southwest).



Figure 15: Site visit showing the haul road and pine trees along the southern boundary (facing west).



Figure 16: Site visit showing the haul road, pine trees and ground level along the southern boundary (facing west).



Figure 17: Site visit photo showing the row of pines along the southern boundary (facing west).



Figure 18: Site visit photo showing the southwestern corner of the site where there is a gap in the pines (facing west).



Figure 19: Site visit photo showing the southwestern corner of the site where there is a gap in the pines (facing south).



Figure 20: Site visit photo showing along the western boundary of the site (facing north).



Figure 21: Site visit photo showing the existing vegetation along the western boundary of the site (facing northwest).



Figure 22: Site visit photo showing the quarry from the western boundary of the site (facing northeast).



Figure 23: Site visit photo showing the quarry area within proposed Stage 1 (facing east).



Figure 24: Site visit photo showing towards the southern boundary of the site marked by the pine trees and showing the ground level where the site will be raised to (facing east).



Figure 25: Site visit photo showing across the site to the northeast.



Figure 26: Site visit photo showing the waste recycling operation and quarry area within Stage 4 (facing north).



Figure 27: Site visit photo showing the internal access road along the western boundary of the site towards the waste recycling operation (facing north).



Figure 28: Site visit photo showing the waste recycling operation from the western boundary of the site (facing north).



Figure 29: Site visit photo showing the waste recycling facility (from updated site visit in May 2026).



Figure 30: Site visit photo showing the site from the northern boundary of the site (facing south).



Figure 31: Site visit photo showing the view of the site from 20A Alpha Street (facing southwest).



Figure 32: Site visit photo showing the view of the site from standing on the road at the entrance of 5 Queen Street (facing southwest).



Figure 33: Site visit photo showing the view of the site from the end of Te Rerenga Terrace (facing south).



Figure 34: Site visit photo showing the view of the site from the path down from the end of Te Rerenga Terrace (facing south).



Figure 35: Site visit photo showing the view of the site from the southern exit off the new Cambridge Road roundabout (facing south).



Figure 36: Site visit photo showing the view towards the site from the WWTP entrance (facing southwest).



Figure 37: Site visit photo showing the view towards the site from 1225B Kaipaki Road (facing northeast).

1.2 Legal interests in the property

Table 1 below summarises the relevant interests on the existing title.

Title Reference	Legal Description	Size	Date Issued	Relevant Interests
646080	Lot 1 DP 472963	21.67ha	06 June 2014	- Subject to a stormwater right over part marked B and D on DP 472963 specified in Easement Certificate B681945.2 - The easement specified in Easement Certificate B681945.2 is subject to Section 243 (a) Resource Management Act 1991 - Appurtenant to part formerly Lot 6 DPS 51170 is a water right created by Transfer S439796 - Subject to a right of way over part marked L and to a right to drain stormwater over part marked K on

				DP 472963 created by Easement Instrument 5929027.3 ▪ The easements created by Easement Instrument 5929027.3 are subject to Section 243 (a) Resource Management Act 1991 ▪ Land Covenant in Easement Instrument 8862112.6 ▪ Land Covenant in Easement Instrument 9311861.5 ▪ Appurtenant hereto is a right to convey electricity created by Easement Instrument 9311861.6 ▪ The easements created by Easement Instrument 9311861.6 are subject to Section 243 (a) Resource Management Act 1991 ▪ Subject to a right (in gross) to convey telecommunications and computer media over part marked A, B, C, D, E, F, K, and L on DP 472963 in favour of Chorus New Zealand Limited created by Easement Instrument 9747622.2 ▪ The easements created by Easement Instrument 9747622.2 are subject to Section 243 (a) Resource Management Act 1991 ▪ Subject to a right of way and a right to convey electricity over part marked A, B, C, D, E, F, K and L on DP 472963 created by Easement Instrument 9747622.3 ▪ Appurtenant hereto is a right to convey water created by Easement Instrument 9747622.3 ▪ The easements created by Easement Instrument 9747622.3 are subject to Section 243 (a) Resource Management Act 1991 ▪ Land Covenant in Easement Instrument 9747622.4 ▪ 12849575.7 Bond pursuant to Section 108(2)(b) Resource Management Act 1991
--	--	--	--	---

				12849575.8 Bond pursuant to Section 108(2)(b) Resource Management Act 1991
--	--	--	--	--

Table 1: Existing title and interests.

The above listed interests do not restrict the proposal from proceeding.

1.3 History

The property is subject to multiple resource consents as described below.

- Consent granted in 1990 for a sand quarry operation where a maximum area of exposed sandpit of 0.25ha was allow at any one time.
- RC 1244: Consent granted in 1993 to establish a landscape business.
- RC 1753: Consent granted in November 1995 to expand the sand quarry, allowing for a working area of 0.5ha and an abstraction rate of 8,000m³. The consent was varied in 2001 to allow a 1.5ha area and increase the abstraction rate to 30,000m³.
- SP 3707: Subdivision granted in 2001 to subdivide the sand quarry from part of the landscaping business, being the fern nursery.
- RC 3240: Consent granted in October 2001 to establish and operate a sand washing and screening plant in association with the sand quarry.
- SP 4195: Subdivision consent granted in October 2003 to subdivide the remaining part of the landscaping business from the sand quarry, washing, and screening activities.

LU/0019/06 – To establish a sand quarry, sand washing and screening plant, green waste and recycling operation, clean fill, and storage of materials

- The sand quarry covered majority of the site and stockpiled topsoil and sand. Materials are taken to the washing and screening plant and then stockpiled north of the screening plant to be then taken off site.
- The green waste composting facility covers 0.75ha and produces useable compost within 12 months of being processed and is taken off site for use. This includes the intake of 20,000m³ of green waste per year, with a daily intake of 60m³, and up to 12,000m³ of compost material allowed to be stored on site at any one time.
- Discharge up to 8,000m³ of clean fill per year.
- Material storage in the northwestern corner of the site and a 2,400m² covered yard area was also proposed as part of this land use.
- The application was publicly notified on 02 August 2006 and received 91 submissions, 39 of the submissions were in support, one was neutral, and 51 were in opposition.
- The application was considered by the Regulatory Committee in a joint hearing with both Waipa District Council and Environment Waikato (Waikato Regional Council). A final decision was issued on 11 January 2007, granting the consent.

LU/0019/06.01 – Delete condition 67

- Removed condition requiring signage for no public access as the applicant identified that members of the public were ignoring the “No Public” sign and were entering the site to purchase the various products. While they had consent to sell certain volumes of products per year, there was no public access to the site, limiting accessibility for potential clients and affecting sales. Therefore the applicant proposed to remove this condition to avoid breaching the conditions of the consent. The Section 127 was processed on a non-notified basis and was granted on 04 October 2012.

LU/0019/06.02 – Section 127 Variation to increase heavy vehicle movements

- Increased truck numbers from 250 to 500 per two-week period. The application was reviewed by Councils Development Engineer who agreed with the findings of the ITA whereby the effect to the wider road network is less than minor. This application was processed concurrently with LU/0144/17.01, whereby a total of 1,000 truck movements are allowed within a two-week period under both consents. The decision was granted on 22 December 2022.

LU/0173/09 – Extension to sand quarry

- Extend the existing quarry to an area of 9ha to the west of the site. Written approval was provided by all owners and occupiers of the sites directly located adjacent to the site who could be considered affected and the application was therefore processed on a non-notified basis. The decision was granted on 23 December 2009.

LU/0144/17 – Operate the green waste composting operation beyond the original 10-year period and irrigate the leachate from the compost to land

- Limited notified with two submissions in opposition and one neutral. A hearing was not held due to submitters either withdrawing their submission or not wishing to be heard. A decision was therefore made at a delegated authority level with consent granted on 13 December 2018, approving an additional 6 years (till 2034).
- The composting operation is located within 1/3831 Cambridge Road, with two of the three leachate irrigation areas being within the subject site (the third one is in 125 Kaipaki Road).

LU/0144/17.01 – Section 127 Variation to increase heavy vehicle movements and to replace the Traffic Management Plan (‘TMP’) with the Integrated Transport Assessment (‘ITA’)

- Increased truck numbers from 250 to 500 per two-week period and removed the requirement for a TMP and have an ITA instead. The application was reviewed by Councils Development Engineer who agreed with the findings of the ITA whereby the effect to the wider road network is less than minor. This application was processed concurrently with LU/0019/06.02, whereby a total of 1,000 truck movements are allowed within a two-week period under both consents.

LU/0206/23 – Establish a construction and demolition waste recycling plant in the Rural Zone

- Consent to process 177,000 tonnes of material per year and store up to 43,000m³ of waste for a period not exceeding 5 months. The plant has capacity to process up to 3,500m³ of waste per day. The proposal was assessed as passing both gateway tests being that the effects are less than minor and is not contrary to the relevant objectives and policies of the District Plan. The application was processed on a non-notified basis and was granted by delegated authority on 19 July 2024.
- Since the waste recycling plant has been in operation, Council have received complaints from neighbouring properties about vibration, dust, noise, and discharges into the stream. On 16 April 2026, a large wood stockpile (part of the waste recycling operation) caught fire, which Fire and Emergency NZ ('FENZ') 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.

1.4 Proposal

Pursuant to Section 88 of the Resource Management Act 1991 ('the Act'), the agent has applied on behalf of the applicant for land use consent to establish and operate a managed fill activity on the subject site to fill in the quarried areas and level out the site.

It is proposed to undertake 111,000m³ of cut and 1,361,200m³ of fill (1,472,200m³ total) across the site, including raising ground levels up to 21m in some areas. The works are to be undertaken in four stages over a period of 10-20 years. Consent is also required under the NES-CS for disturbing soil. To support the fill, a 13m high mechanically stabilised earth ('MSE') retaining wall will be constructed along the northern boundary on the site and will be constructed as the site is filled; the wall will be grassed as it is constructed. There are also multiple other retaining walls proposed within the site, these range from 0m to 14m in height. Refer to Figure 41 below for the retaining wall plan. Existing pine trees in the northeastern portion of the site will be removed as part of the proposed works.

As part of the managed fill activity, materials will be stockpiled on site within each stage as it occurs, these areas are indicated in Figures 42 to 45 below. The proposed managed fill operation will operate from 7.00am to 6.00pm Monday to Saturday. Access will be via the existing entrance and proposes 4 heavy commercial vehicle (HCV) loads per hour (8 movements), which results in 8,000 HCV loads annually when considering an 8-hour working day 250 days a year.

The proposal is to undertake earthworks to fill in the quarried areas as a managed fill site, which involves accepting materials that meets the classification of a Class 3 Managed Fill which accepts clean fill, controlled fill and soils that contain contaminants at concentrations that require controls to manage the risk to the environment. The application details the following materials that will be accepted:

- 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 Waste Acceptance Criteria ('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 in Table 2 below)

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 (0.07 µg/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: WasteMIN21). 3. Guidance limits for low level asbestos contaminated soil disposal at a landfill (Ref: WasteMIN22). 4. PFAS National Environmental Management Plan (Ref: NEMP) * Concentrations must be less than both the relevant total and leachable concentrations.		

Table 2: Summary of proposed WAC (sourced from application AEE document).

The managed fill may utilise processed material from the consented waste recycling plant facility if it meets the WAC. Schedule 4 of the decision for the waste recycling facility outlines the list of accepted wastes (page 60 of Council ECM document: 11142021), the following align with the proposed materials to be accepted as part of the managed fill operation:

- *Concrete, concrete blocks or bricks*
- *Roading materials and asphalt*
- *Site clearance and excavation materials (including soils, clays, rocks, tree stumps)*
- *Cleanfill material, as defined in these consents*

The application does not detail any information about fire risk as, nor any management procedures for potential risk.

The application (page 20 of Council ECM document: 11668360) details the following as part of the proposal:

- *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.*

This application does not allow any changes to the waste recycling plant consent (LU/0206/23) and any changes that may result to the operation of the waste recycling plant. It has been confirmed by the agent that the waste recycling facility will cease to operate onsite once Stage 4 works commence (Council ECM document: 11653113). It is also noted that this application does not include allowing the operation of the waste recycling facility within the site post Stage 4 completion.

At this stage, the agent has confirmed there is no planned future land use for the site once it has been filled in.

Refer to Figures 38 to 45 for the proposed plans for the activity.

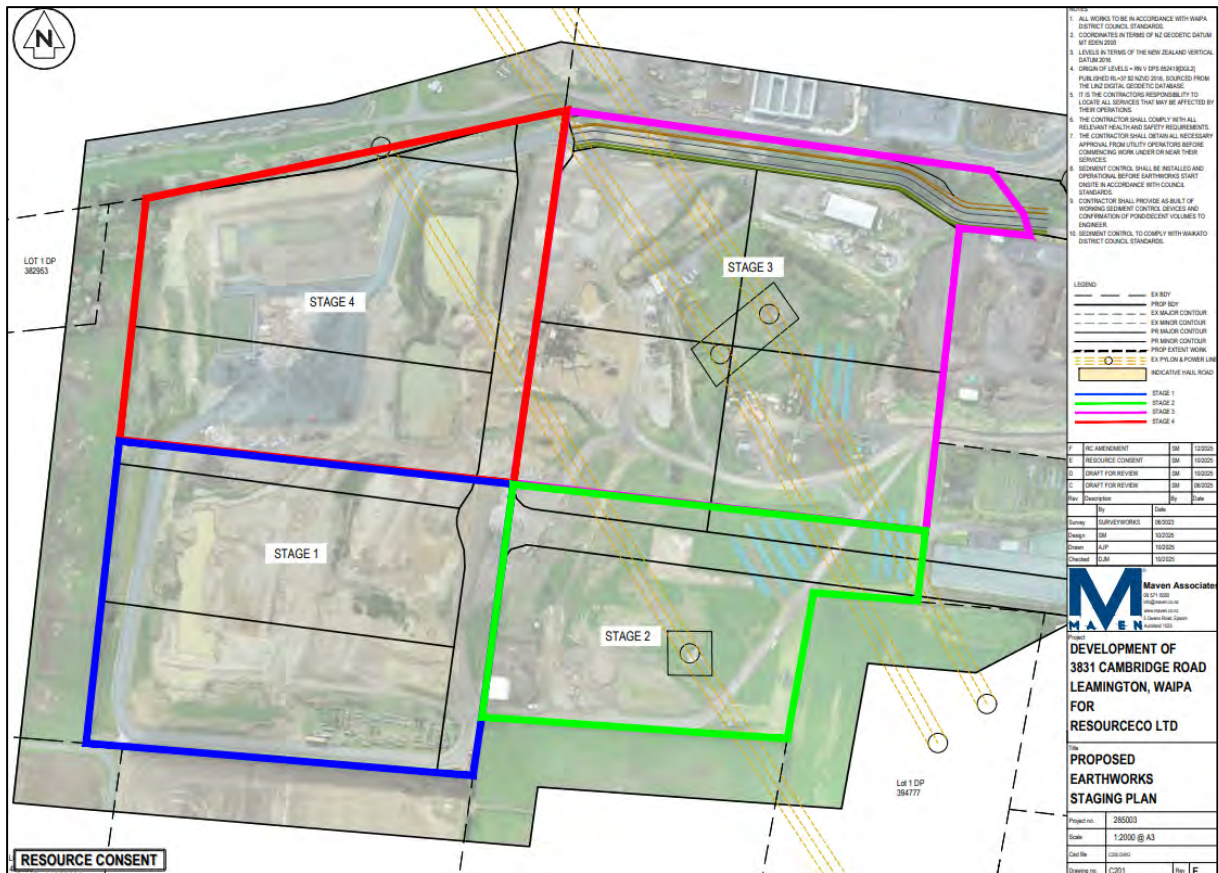


Figure 38: Proposed site staging plan.

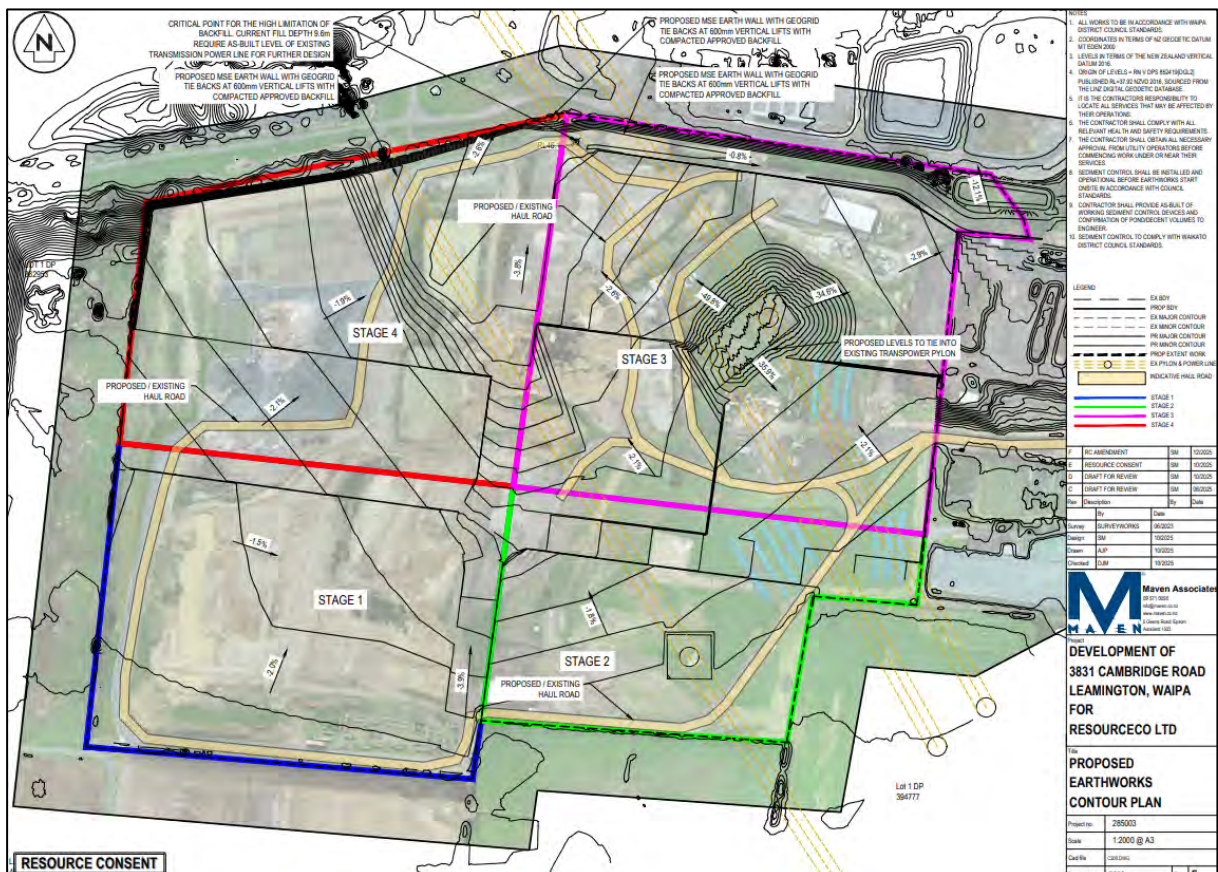


Figure 39: Proposed earthworks contour plan.

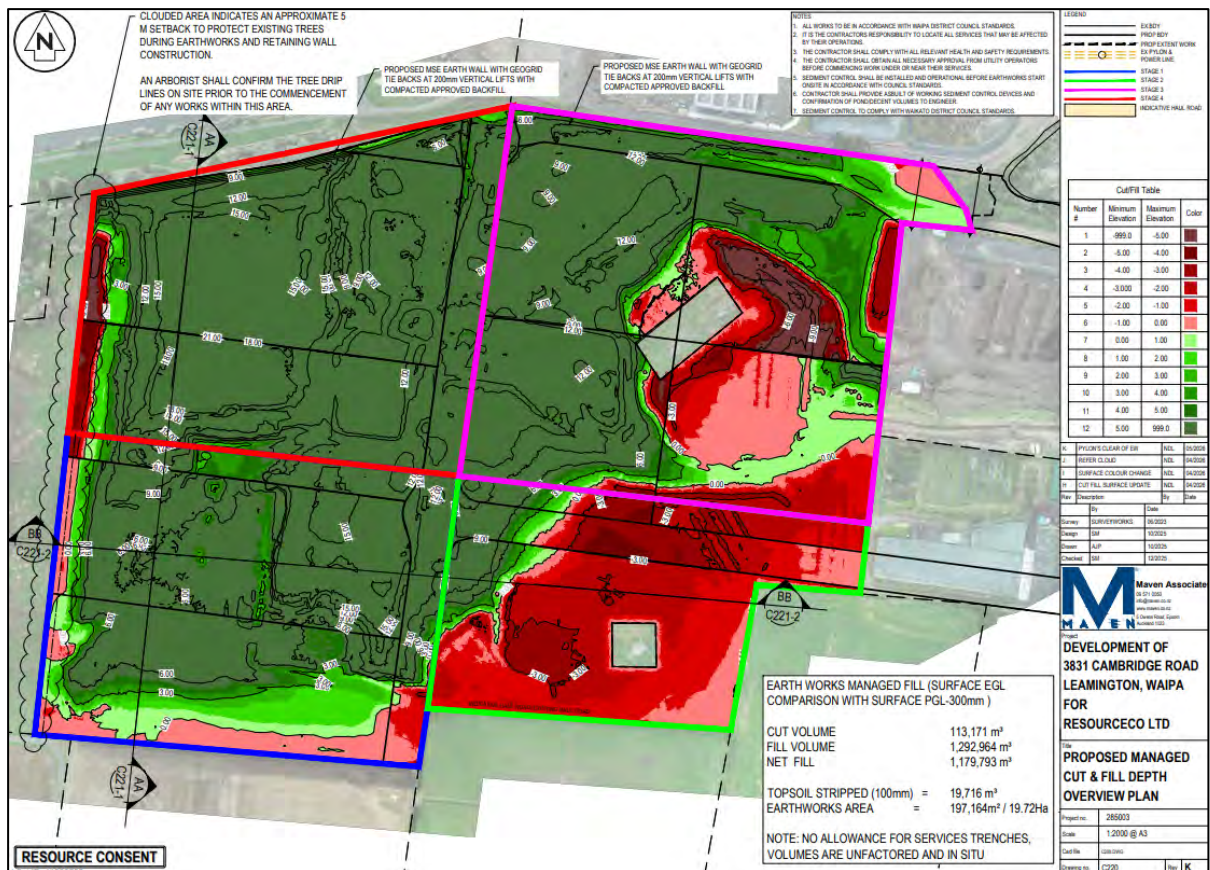


Figure 40: Proposed cut and fill overview plan.

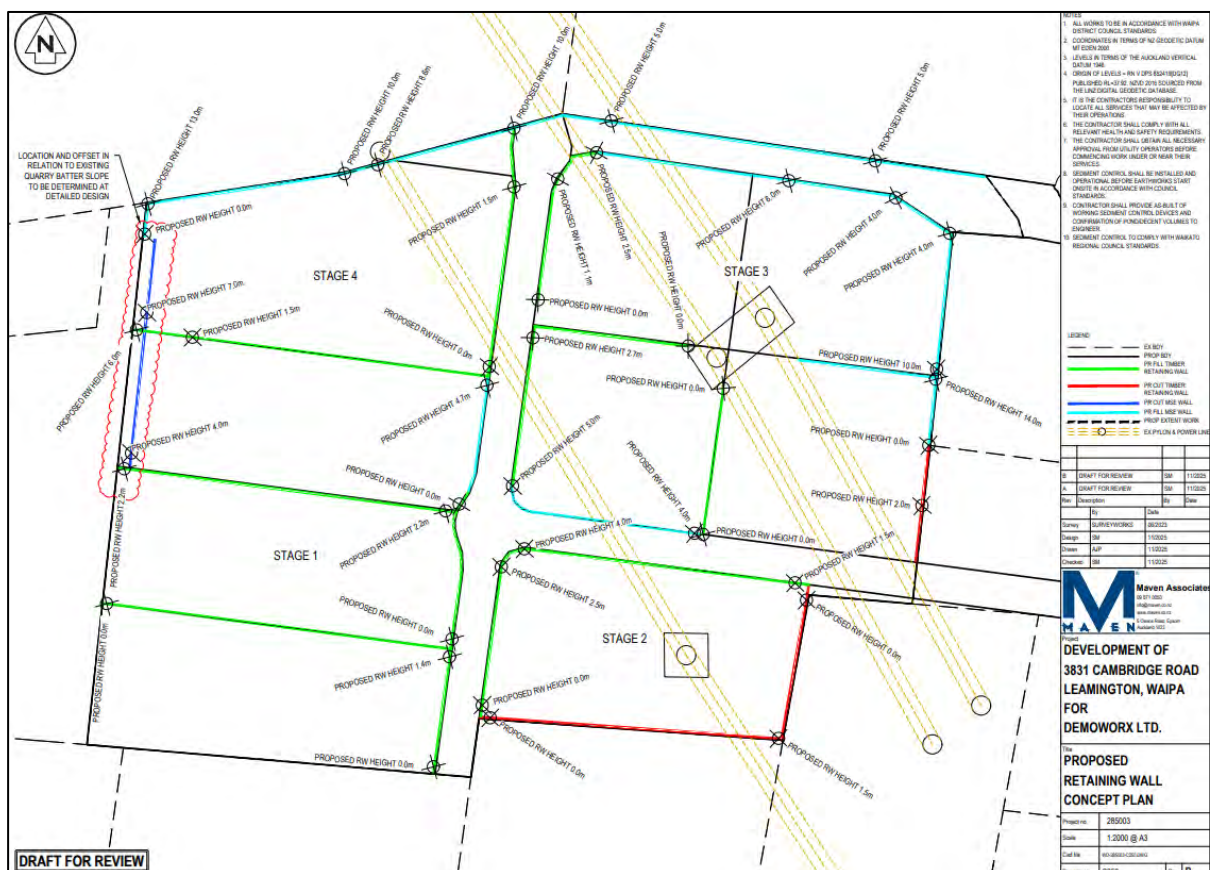
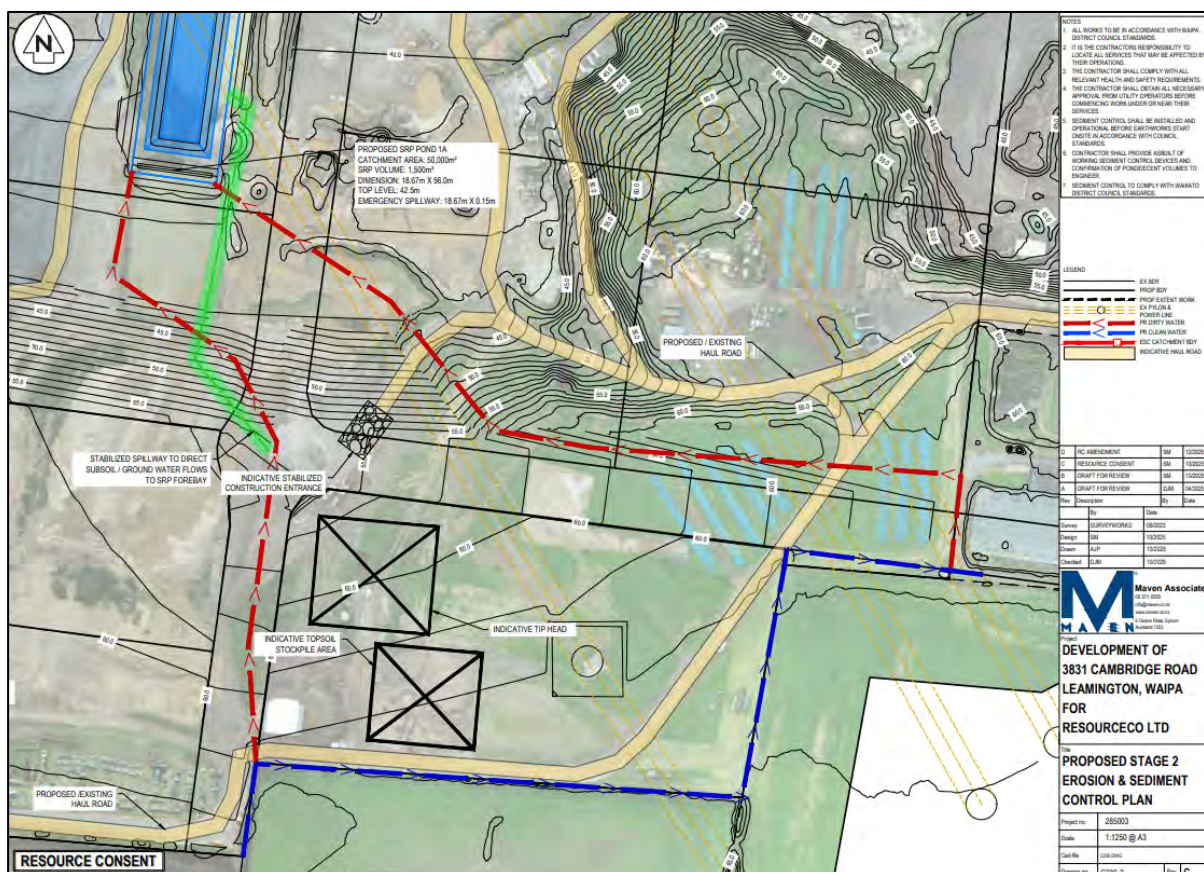
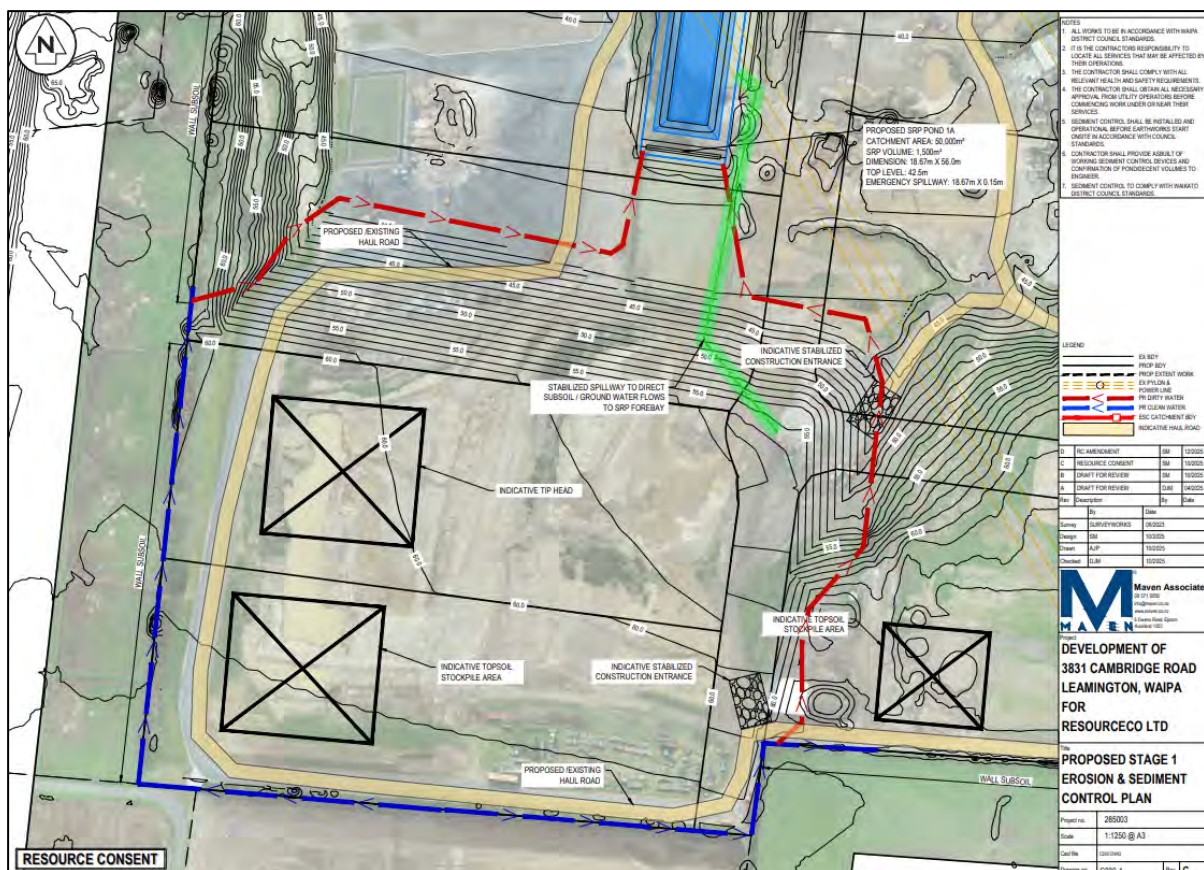


Figure 41: Proposed retaining wall concept plan.



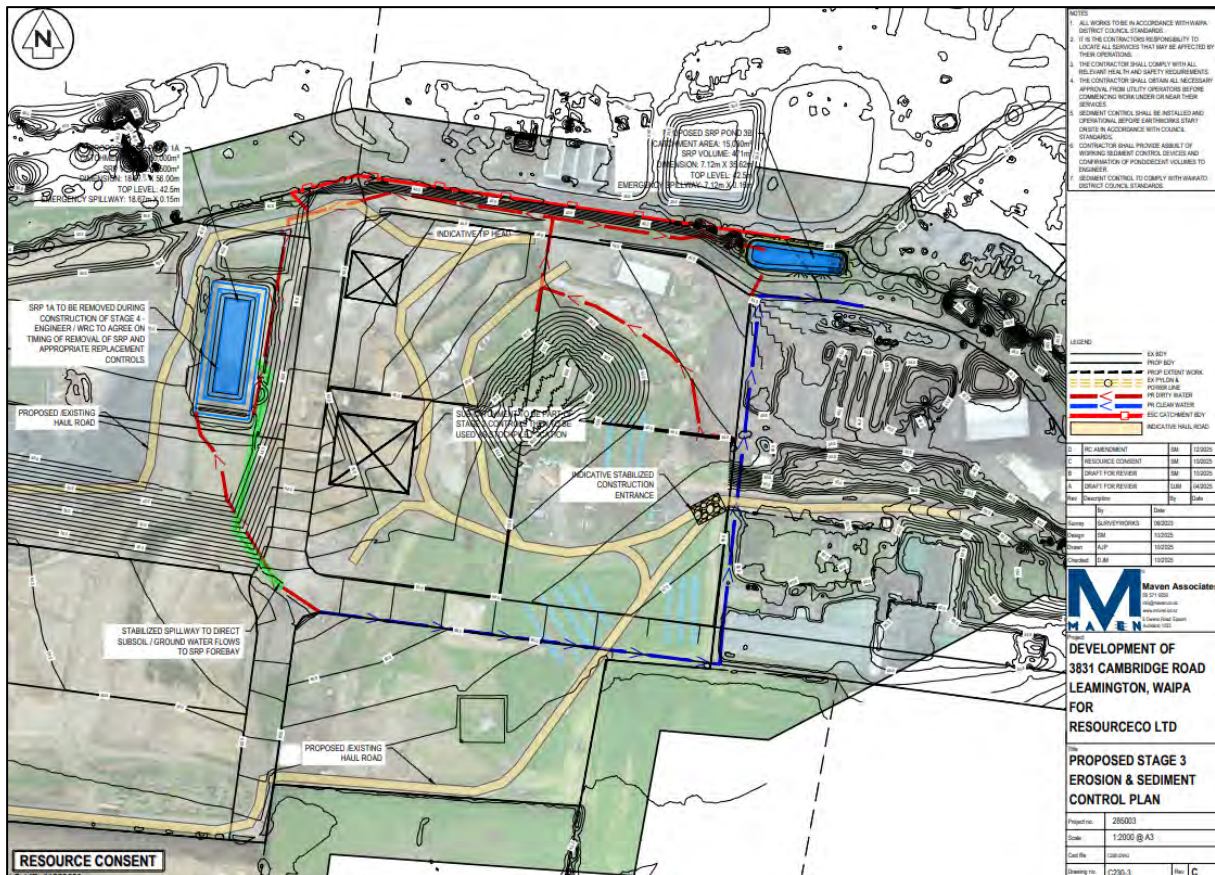


Figure 44: Stage 3 erosion and sediment control plan.

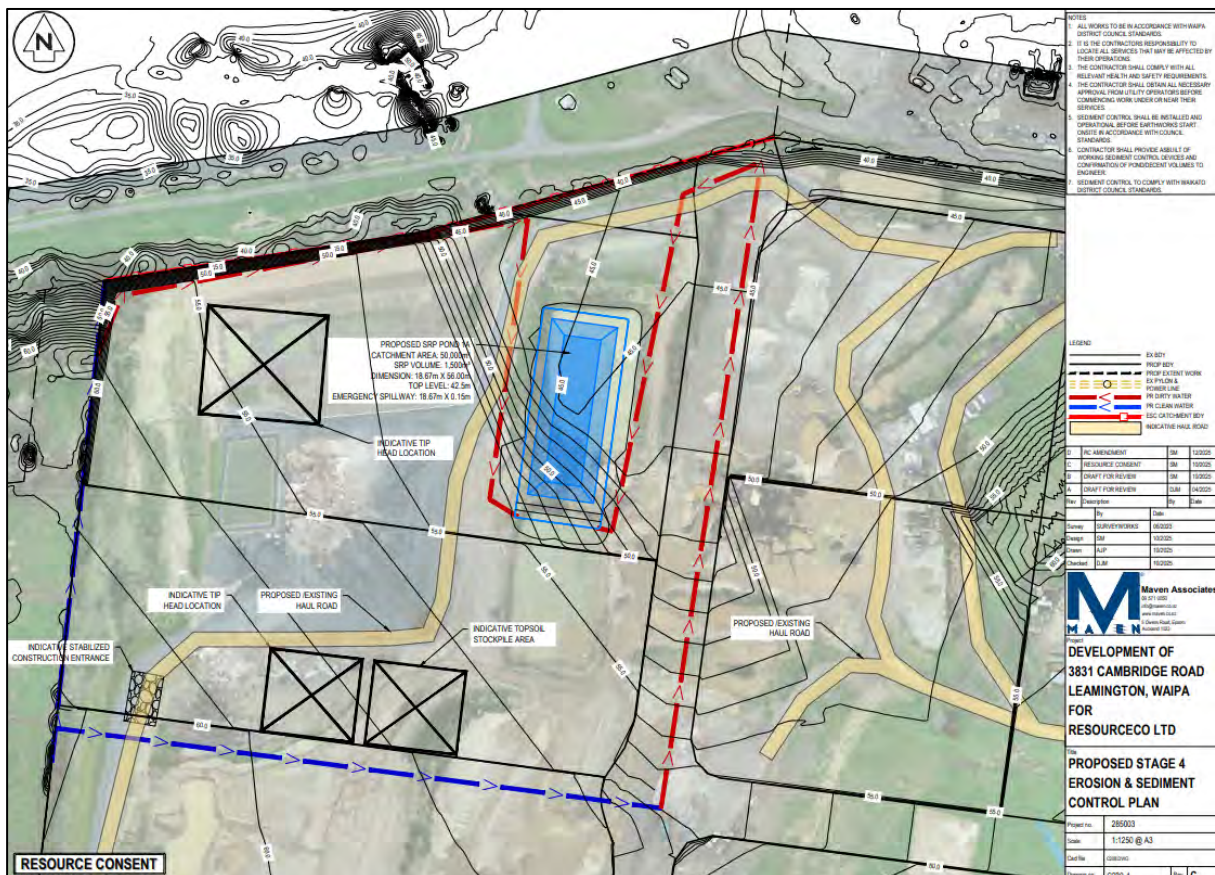


Figure 45: Stage 4 erosion and sediment control plan.

The applicant has concurrently sought resource consent for the proposal from Waikato Regional Council ('WRC') for the following (application number APP147661):

- AUTH147661.01.01 – Discharge to land: To discharge managed fill and associated contaminants into or onto land and any subsequent discharge of contaminants into water and air.
- AUTH147661.02.01 – Discharge to land: To discharge clean fill onto or into land in a high-risk location, and any subsequent discharge of contaminants into water or air.
- AUTH147661.03.01 – Divert water: To divert water and damming said water in treatment train ponds and associated diverting, taking and discharging of water related to the passage of water through, or past or over the ponds; and discharging water and contaminants to surface water.
- AUTH147661.05.01 – Land disturbance: To undertake earthworks in a high-risk erosion area, inclusive of any subsequent discharge of contaminants into water or air.
- AUTH147661.06.01 – Surface water take: To take surface water from a sediment retention pond and a stormwater sump located within the site for dust management purposes.

1.5 Process Matters

A request for further information was sent to the agent on 07 November 2025, requesting the following (request letter in Council ECM Document: 11569570):

Planning:

1. *A MSE retaining wall is proposed along the northern boundary of the site and is proposed to be grassed. Please confirm how long after the retaining wall has been constructed that it will take to be completely covered in grass. If the retaining wall will be constructed as the site is filled, please confirm whether the wall will be grassed/hydro seeded as it is being constructed or once the retaining wall is completed.*
2. *Provide final correspondence with Transpower.*
3. *Based on the 'Proposed Managed Cut & Fill Depth Overview Plan' drawing C220, the proposal does not comply with rule 4.4.2.76 of the District Plan. Please apply in writing for this rule breach.*

Note: *The abovementioned correspondence from Transpower must include this in their written approval.*

Landscape Architect:

4. *Maven's drawing C200 includes an annotation for the MSE wall but does not show its actual locations. Please provide an amended drawing showing the locations of the MSE wall including critical spot heights at the top and bottom of the wall.*

5. *The Landscape Effect Assessment references timber retaining walls within the site, but their locations and heights are unclear on the engineering drawings. Please provide more detail about these, including their locations and heights.*
6. *If the MSE retaining wall construction is to be undertaken in stages, please provide the timeframe of each MSE wall construction.*

Contamination:

7. *Provide an assessment against the NES-CS and confirmation if consent is required under the NES-CS. The application has been peer reviewed by consultant contamination expert, Curtis Blyth, who has expressed the opinion that further information and potentially resource consent is required under the NES-CS. The following reason has been provided by Mr Blyth, in addition to the assessment in the attached email.*

Reason:

Clarification is sought as to why the site, or various areas of the site, are not classified as a 'piece of land' subject to the NES-CS. Several items within HAIL Environmental's report suggest that, on the balance of evidence provided, it is more likely than not a HAIL activity has taken place, therefore consent under the NES-CS is likely required unless permitted activity standards can be met.

No assessment of the application's proposed Waste Acceptance Criteria (WAC) has been undertaken in this review which is limited to the NESCS, however it is noted that non-typical managed fill contaminants, such as PFAS, have been included. Any assessment of the inclusion of non-typical contaminants needs to be reviewed in relation to the long term discharge risk of managed fill materials to the Waikato River and its tributaries.

Development Engineering and Transportation:

Note: *Any indicative future lot boundaries and road layouts shown on the Earthworks Plans prepared by Maven will not be considered as part of this application. Any layout followed will be completed at the developer's risk.*

Earthworks

8. *Confirm the type of retaining wall used to support the fill within the site other than the MSE wall.*

Reason: *To understand the type of retaining structures around the site.*

9. *Provide a Quality Assurance plan that details the following points for each stage:*
 - a) *Fill controls to ensure the quality of compacted ground*

- b) *Geotechnical testing requirements as fill is placed*
- c) *Methods to distribute differing fill material*
- d) *Quality control of fill material entering the site*

Reason: *To ensure the quality of fill works.*

Roading

10. *Confirm provisions to seal the access road to the site.*

Reason: *As a dust control measure, given the close proximity to sensitive neighbouring residential activities.*

11. *Provide an assessment of the access road that includes the following details:*

- a) *Confirm the access road can support heavy traffic.*
- b) *Allow for 2-way heavy traffic along the length of the access road.*
- c) *Confirm if provisions to secure the access road from slips are required.*
- d) *Confirm if provisions are required to protect the nearby stream.*
- e) *Confirm if any upgrades are required to the access road.*

Reason: *To allow flow of heavy traffic and protect the access road and nearby stream.*

ITA

12. *Provide commentary on the traffic counts from the existing activities and justify whether the consented traffic counts or the traffic surveys undertaken by CKL are more appropriate to assess the traffic effects on the surrounding area. Provide the following traffic counts to consider (LU/0206/23, LU/0019/06.02 & LU/0144/14.01):*

- a) *The traffic reporting for the construction and demolition waste recycling plant required under condition 11 of LU/0206/23.*
- b) *The log of truck numbers for the sand quarry required under condition 69 of LU/0019/06.02.*
- c) *The log of truck numbers for the green waste composting operation required under condition 8 of LU/0144/14.01.*

Reason: *To consider accurate traffic counts.*

13. *Consider traffic generated from the development of the C4 growth cell in addition to the 2% increase per year mentioned in the ITA prepared by CKL, and whether a right turn onto Cambridge Road from the site is still safe.*

Reason: *To consider the impact of planned growth in the area.*

14. *Provide detailed commentary on any crashes near the entrance to 3831 Cambridge Road and the Matos Segedin Drive intersection during the 2017 - 2025 period. This must include the following:*

- a) Whether the increase in traffic is likely to raise the risk of more crashes.*
- b) Key crash risks and how they are managed.*

Reason: *To consider a full picture of the risk of crashes.*

15. *Section 7.1.2 of the ITA states that truck and trailer units are expected to deliver 30 tonnes per load on average. This assumption forms the basis for estimating the traffic generation. Please update the ITA to include other types of heavy/haul vehicles (such as medium-rigid trucks) and varying densities of clean fill material, as this could significantly increase the number of vehicle movements.*

Reason: *To allow for various means of delivery and consider realistic traffic generation.*

The first response was provided on 04 December 2025 (Council ECM Document: 11590691), which satisfied only the first point (confirming timing of the retaining wall), and points 4 to 6 (landscape architect requests); all other points were not satisfied (response to agent in Council ECM Document: 11595477).

A second response was provided on 12 February 2026 (Council ECM Document: 11625745), which satisfied point 7 (contamination) and points 8 to 12 (engineering/transportation). All other points were not satisfied (response to agent in Council ECM Document: 11633373).

A meeting was held, at the agents request, with the agent, the applicant and their traffic specialist on 11 March 2026 to discuss the outstanding transportation matters with Councils Transportation Manager.

A third response was provided on 02 April 2026 with an updated traffic assessment to address the outstanding engineering/transportation information (Council ECM Document: 11659041). This was considered acceptable by Council's Transportation Manager and satisfied the remaining engineering/transportation information. Point 3 was the only outstanding point remaining with regard to the cut/fill plans showing cut where Transpower pylons are located. An amended cut/fill plan excluding the pylons areas was provided on 21 April 2026 and the application was taken off Section 92 hold from this date.

Other queries were raised with the agent, including retaining wall locations in relation to the pine trees along the western boundary, hours of operation, stockpiling, reversing alarms, and sealing the haul roads. While responses were being provided, the application was put on hold under Section 91D of the RMA at request of the agent. The application was officially taken off 91D hold on 15 May 2026 and processing of the application resumed. The correspondence regarding the additional queries is included in Council ECM document: 11690439.

2 REASON FOR THE APPLICATION

A land use consent as described under Section 87A of the Act is required for the reasons set out below.

2.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES-CS')

These regulations came into force on 1 January 2012 and apply when a person wants to do an activity described in Regulation 5(2) to 5(6) on a piece of land described in Regulation 5(7) or 5(8). The site is listed as a HAIL site, specifically HAIL activity codes G6 (Waste recycling or waste or wastewater treatment), A17 (Storage tanks or drums for fuel, chemicals or liquid waste), and A6 (Fertiliser manufacture or bulk storage). A Detailed Site Investigation ('DSI') has not provided.

In accordance with Regulation 5(7), the site is a 'piece of land' and consent is required as a **Discretionary Activity** under Regulation 11 of the NES-CS.

2.2 Waipā District Plan Rule Assessment

An assessment of the proposal's compliance with the relevant rules of the District Plan has been completed. In summary, Table 3 below outlines the relevant rules relating to the proposed activity.

Rule #	Rule Name	Status of Activity	Comment
4.4.1.5(b)	Non-complying activities – All other activities not listed in activity status table Rules 4.4.1.1 to 4.4.1.4 and not listed as a prohibited activity	Non-Complying	It is proposed to undertake 1,472,200m³ of earthworks (111,000m³ of cut and 1,361,200m³ of fill) as a managed fill activity. The nature of the managed fill is a commercial operation, which is not provided for in the Rural Zone. As the activity is not listed in the activity table, the proposal requires consent as a non-complying activity.
4.4.2.2(d)	Minimum setbacks from internal site boundaries	Restricted Discretionary	The proposed retaining walls along the northern, eastern, southern and western internal boundaries are 1.5m or more in height and are therefore considered to be buildings. The retaining walls are located on the boundaries, where 25m is required (for buildings greater than 250m²). This non-compliance results in the proposal

			requiring consent for a restricted discretionary activity.
4.4.2.9	Height of buildings	<i>Restricted Discretionary</i>	The proposed retaining wall will have a maximum height of 13m along the northern boundary and 14m along the eastern boundary, which exceeds the 12m maximum height permitted. This non-compliance results in the proposal requiring consent for a restricted discretionary activity.
4.4.2.10(a)	Maximum building coverage	<i>Restricted Discretionary</i>	The Rural Zone allows for a total building coverage of 3% on sites greater than 1ha. 3% of the subject site is 6,500m². While an exact building coverage total cannot be confirmed at this stage, it is expected that it will exceed the maximum given the extent and size of retaining walls proposed. This non-compliance results in the proposal requiring consent for a restricted discretionary activity.
4.4.2.12	Daylight control	<i>Restricted Discretionary</i>	Given some of the retaining walls will be located on internal boundaries, and they are more than 1m in height, there is potential for these to breach daylight control requirements. This non-compliance results in the proposal requiring consent for a restricted discretionary activity.
4.4.2.15	Noise	<i>Discretionary</i>	The acoustic report provided with the application confirms that the daytime noise level relative to the southern boundary of the site will be 55dB, exceeding the daytime noise limit of 50dB. This non-compliance results in the proposal requiring consent for a discretionary activity.
4.4.2.18	Vibration	Complies	It has been confirmed that no vibration compaction will be used as part of the managed fill works and therefore is expected to comply with vibration standards.
4.4.2.19	Construction noise	Complies	Construction noise associated with the set up of the site (not including operational noise) is considered to comply with the noise levels.
4.4.2.44	Signs	Not applicable	No signs proposed as part of the proposal.

4.4.2.75	Earthworks	Discretionary	It is proposed to undertake 1,472,200m³ of earthworks (111,000m³ of cut and 1,361,200m³ of fill). This level of earthworks exceeds the permitted level of 1,000m³ for the Rural Zone. This non-compliance results in the proposal requiring consent for a discretionary activity.
4.4.2.76	Earthworks	Complies	The plans demonstrate that any works will comply with works around the National Grid Yard and National Grid Yard Structures.
4.4.2.77	Buildings and structures within the National Grid Yard	Complies	The plans demonstrate that any works and retaining walls will comply with works around the National Grid Yard and National Grid Yard Structures.
Section 7 – Industrial Zone			
7.4.2.2	Minimum building setback from internal boundaries	Not applicable	The first 250m of the sites accessway is zoned industrial. As there are no buildings proposed in this area, this provision is not considered applicable to the proposal.
7.4.2.6	Height	Not applicable	The first 250m of the sites accessway is zoned industrial. As there are no buildings proposed in this area, this provision is not considered applicable to the proposal.
7.4.2.7	Daylight control	Not applicable	The first 250m of the sites accessway is zoned industrial. As there are no buildings proposed in this area, this provision is not considered applicable to the proposal.
7.4.2.13	Landscaping and screening	Not applicable	There is an area of 25m where the accessway (industrial zone) adjoins a property within the deferred LLRZ (being 3808 Cambridge Road). Given this comprises the existing accessway and is at the extent of the industrial zoning, this provision is not considered applicable.
Section 20 – Health and General Amenity			
20.4.2.1	Odour, smoke, fumes or dust	Discretionary	This provision requires 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. The proposed activity has the potential for dust emissions from the site to go beyond the boundary. It is noted that the applicant has applied for consent from WRC for an associated discharge consent in relation to the proposed

			activity. This non-compliance results in the proposal requiring consent for a discretionary activity.
<i>Section 26 – Lakes and Water bodies</i>			
26.4.2.1	23m setback from lakes and water bodies	<i>Restricted Discretionary</i>	The proposed earthworks are within 23m of a stream. This non-compliance results in the proposal requiring consent for a restricted discretionary activity.

Table 3: District Plan rule assessment.

As outlined in the table above, the application is deemed to be a ***Non-complying Activity*** being the highest status indicated by the above rules.

3 STAFF COMMENTS

3.1 Environmental Health

Council's Environmental Health Officer, Glynn Jones, reviewed the application and notes the following (full comments in Council ECM Document: 11566702):

Noise

Truck Noise

- Concerns were raised with regard to the reversing alarms used by trucks on site. It was proposed during a meeting with the applicant that they will fit all their own vehicles (or third party vehicles being operated by the applicant) operating onsite with broadband reversing signals as opposed to tonal alarms to reduce noise from trucks reversing. While it is outside of the applicants control the type of reversing alarm for external contractor trucks, should they use tonal alarms, Mr Jones advised that this would be for a brief period should they need to reverse to unload and agrees with the acoustic report that they unlikely to be audible at existing dwellings; though this could still potentially result in complaints.
- Overall, Mr Jones is satisfied that noise from vehicle reversing signals can be controlled through a condition requiring all vehicles operated on site to be fitted with broad band reversing alarms and a condition is recommended. However, the applicant does not have control of contractors vehicles bringing waste to the site.

Operational Noise

- It is proposed in the acoustic report that the daytime (7:00am to 10:00pm) operational noise limit of 50dB LAeq is not achieved with the mitigation (3 metre high bund) proposed along the southern boundary; the noise level will be up to 55dB LAeq. The

properties adjoining this boundary are zoned deferred large lot residential. Mr Jones believes that there is no obvious reason provided to justify the higher noise level.

- Mr Jones therefore recommends a condition requiring that if Stages 1 and 2 are not completed prior to the zone uplifting and development of the land to the south of the site, then the additional 3m high earth bund extension must be constructed and maintained along the entire southern boundary of the fill site, with additional screening implemented as necessary to achieve the required noise level, until these works are complete. Should additional mitigation measures be required, details of these are required to be submitted for approval by the Team Leader Environmental Health, prior to implementation.
- Noise levels from the activity have otherwise been shown to be able to comply with the daytime operation noise limits, subject to the recommended conditions.

Vibration

Operational Vibration

- It was confirmed by the applicant that vibratory roller compaction would not take place during the proposed managed fill and that other rollers designed to specifically compact the fill material without vibration will be used instead. It was also advised that greater compaction will be required at the completion of the fill to meet engineering requirements for building footings. However, this will be assessed at time of future development.

Road Sealing/Construction Vibration

- It was confirmed by the applicant that a vibratory roller will be used to complete proposed haulage road sealing works and would take place over a period of around two days to provide compaction. The nearest location of this proposed vibratory compaction would be the southwestern corner of the site, though this area does have reasonable separation distance to the nearest residential properties to mitigate vibration effects. However, vibration transmission through the ground can be unpredictable and there is a possibility that there could be adverse effects for the neighbouring residents. This matter would be assessed as a construction activity and it would be recommended that before a vibratory roller is used near to the western boundary, testing is carried out by the applicant to establish if the vibration can be felt through the ground at the nearest boundary. In this case, the construction management plan would need to identify the assessment and other compaction options to be adopted. However, the applicant advised that this proposed road sealing work is currently underway.

Overall

- The effects from the proposed activity with regard to vibration and noise can be suitably controlled with the recommended conditions. However, the applicant has not up to

now, specifically proposed controls to ensure that operational noise limits will comply in relation to the future residential occupation of adjacent land to the south.

- Subject to the recommended conditions, the noise and vibration effects from the proposed operation as described in the application are acceptable and will not adversely affect any existing or future neighbouring residential activities, with the exception of land to the south of the subject site.
- Mr Jones considers that the proposed road sealing work will address the potential for dust issues from the haulage roads. No further comments are made about the dust controls for the managed fill application, as this matter is being fully addressed by an air quality technical report commissioned by WRC, which is discussed below in Section 3.2.

3.2 Air Quality

WRC engaged a consultant air quality specialist, Tracey Freeman, to undertake a review of the air quality assessment provided with the application. This review memo has been provided to Council for consideration with regard to potential dust effects resulting from the proposal. Ms Freeman notes the following (noting that direct quotes from the memo are in *italics* and my paraphrasing is in normal text) (full comments in Council ECM Document: 11690499):

Summary

- *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, and this risk of emissions could be exacerbated once the fill activity commences unless appropriate mitigation is applied.*
- *The applicant has proposed to seal the internal access road from the weighbridge to the C&D Pad which will go some way towards mitigating this risk. There will still be some risk of dust emissions from internal roads that extend from the C&D Pad back to the weighbridge, which includes some shared roads with the sand quarry. However, these roads run along the northern edge of the site and are further away from sensitive receptors.*
- *If dust from the remaining unsealed access roads or other parts of the fill activity is an issue, mitigation measures are readily available. The Draft Conditions (March 2026) are largely appropriate although I would recommend several amendments and additions if this consent application was granted to provide confidence about monitoring and additional mitigation measures to be implemented to manage dust emissions from the site.*

Opinion on PDP Air Quality Report Conclusions

- *A focus of PDP's assessment has been on the low frequency of high wind speeds, particularly in the direction of the sensitive receptors to the west of the site. This focus*

is appropriate for dust generation that is caused by wind erosion off exposed ground surfaces and stockpiles, but dust can also be generated during lower wind speeds due to movement of vehicles over unsealed surfaces, handling and loading/unloading of dry materials to the tiphead or stockpiles, mechanical processing of solid wastes that includes fine or powdered material, and earthworks or filling activities. Vigilance by site staff to the generation of dust is therefore a full time requirement, not just under high wind speeds.

- *In respect of cumulative effects between activities at the managed fill and the Revital composting activity, PDP concludes that cumulative dust effects where nearby receptors experience dust from both sites are highly unlikely to be an issue. I agree with this conclusion, except in relation to use of shared access roads as discussed in Section 5.*
- *PDP also concludes that there is a low risk of cumulative dust effects between the site, the C&D and sand quarry facilities (reasons for this and Ms Freemans response in page 3 of memo). Given that existing objectionable dust effects have been confirmed by WRC from activities within the ResourceCo boundary, I do 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.*

Dust from internal access roads

- *Some of the access roads within the site are shared between ResourceCo, the sand quarry and the composting plant. There is the potential for dust emissions from the access roads used by ResourceCo to increase if the application is granted, due to increased truck movements.*
- *The applicant's proposal to seal the internal access road from the weighbridge to the C&D Pad will reduce the potential for dust emissions due to truck movements associated with the proposed fill activity. There will still be some risk of dust emissions from internal roads that extend from the C&D Pad back to the weighbridge, which includes some shared roads with the sand quarry. However, these roads run along the northern edge of the site, and are further away from sensitive receptors. If dust from the remaining unsealed access roads is an issue, mitigation measures are readily available.*

Notification

- *Ms Freeman considers the properties identified in Figure 1 of the application, along with three other properties (being 3791 and 3797 Cambridge Road and 1221 Kaipaki Road) represent the extent to which surrounding properties will be potentially affected by dust given their proximity to the site.*
- *I do not consider that any properties further west of the applicant's site need to be included in the notification, because the associated dwellings are more than 350 m from the application site boundary and I agree with the PDP assessment that separation distance is a relevant factor in the potential for dust impacts.*

- *I have considered that a separation distance of about 300-320 m from the managed fill boundary is an appropriate indicator for the 'no more than minor' dust impact, due to the existing separation distance of the residence where WRC has confirmed existing dust impacts.*

3.3 Development Engineering/Transportation

Council's Development Engineer, Brendan Koevoet, and Councils Transportation Manager, Bryan Hudson, have reviewed the application and note the following (noting that direct quotes from the specialist comments are in *italics*) (full comments in Council ECM Document: 11561532):

Earthworks

- *The Earthworks Management Plan outlines the methodology of the proposed earthworks and the required controls for a fill activity of this scale. The general methodology for each stage will require the following points and will form conditions of consent:*
 - *Installation of sediment controls in accordance with the approved erosion and sediment control plans.*
 - *Remove any existing structures, equipment and vegetation.*
 - *Strip topsoil and stockpile (within each stage) for future rehabilitation of the managed fill.*
 - *Install underdrains as shown on the engineering plans.*
 - *Earthworks to facilitate the managed fill stage (which may require removal of existing clean fill).*
 - *Placement (or confirmation) of 2m thick buffer between groundwater and base fill material. This may exist naturally or comprise clean fill material.*
 - *Carry out managed fill operations as shown on the engineering plans, and as detailed in the Site Management Plan, prepared by Hail Environmental, dated 10/10/2025 (Doc set: 11558977, Pages 995 - 1027).*
 - *Placement of capping material, which is expected to comprise of 600mm of clay and 150mm of topsoil.*
 - *Stabilise earthworks site (grass-seed and hay mulch).*
 - *Remove erosion and sediment controls (as required).*

Enabling Works

- *The Maven report states that enabling works are required before the managed fill is imported and placed. Enabling works will involve the installation of subsoil drainage, the establishment of sediment and erosion control measures, the formation of haul roads, the removal of clean fill, and the confirmation of a buffer zone (minimum 2m thick) between the shallow groundwater and the managed fill layer.*

Buffer Zone

- *The buffer zone must be a minimum of 2m thick and may comprise selected clean fill material or in-situ material, provided the requirements outlined in Hail Environmental's Environmental Site Assessment are met.*

Erosion and Sediment Control

- *The Earthworks Management Plan proposes erosion and sediment control measures to be established and maintained throughout the construction of each stage, these include:*
 - *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 a 100mm running course of clean grey GAP material on haul roads*
 - *Installation of stabilised "tip head"*
 - *Sealing the access road from the site entrance to the waste recycling facility*
- *These will form conditions of consent, as well as monitoring conditions to determine whether any changes are needed, allowing potential problem areas to be addressed as appropriate.*

Retaining Walls

- *This activity will involve extensive retaining structures throughout the site, most notably along the northern boundary, with a series of mechanically stabilised earth (MSE) retaining walls with exposed heights up to 14m, proposed to support the material from the managed fill activity. Further retaining walls are proposed within the site. Retaining walls less than 3m will be constructed as timber pole retaining walls, while walls greater than 3m will be constructed as MSE retaining walls. The final details of the retaining walls across the site will be confirmed during the design stage.*
- *The Preliminary MSE Construction Methodology provides preliminary recommendations on the construction of the MSE retaining walls, stating inspections will be required at critical stages, i.e. excavation, foundation preparation, drainage installation, reinforcement placement, and backfilling. The preliminary construction methodology also highlights that the MSE retaining wall will be built in 3.6m stages as fill material is placed. Further retaining design and construction details will be provided as part of the detailed design. Conditions are recommended in this regard.*

Closure

- *Upon the completion of each stage, the managed fill area will be capped with 600mm of clay, 150mm of topsoil and grassed to create a separation between the fill material and the new ground surface. A closure management and monitoring plan will be conditioned, and will advise on the specific details for the cap.*

Transportation

Traffic Generation

- *The ITA prepared by CKL states that the proposed managed fill activity will generate an additional 64 heavy-vehicle movements per day and 8 heavy-vehicle movements per hour during peak times. This is equivalent to 640 light-vehicle movements per day and 80 per hour, as heavy vehicles are equivalent to 10 light-vehicle movements according to section 16.4.2.22 of the district plan.*
- *Along with the information provided with CKL's ITA, the subsequent section 92 responses, and a meeting undertaken between council and applicant representatives on 11/03/2026, it has been demonstrated and agreed that the surrounding road network can safely support the generated traffic patterns with conditions limiting the vehicle movements and ongoing monitor to determine if any further mitigations are required in future.*

Road Safety

- *Key points are addressed in the section on 92 requests, which clarify the traffic growth assumptions by comparing 2022 and 2025 traffic counts and indicate a 2% annual growth rate. The SIDRA modelling undertaken by CKL demonstrates that, over a 10-year period, this will result in the maximum delay of right exit movement from the site, increasing by 4 seconds. This delay and the methodology for determining the growth assumptions are considered acceptable following discussions between representatives.*
- *The crash risk has been assessed for a number of possible crash events, as outlined in CKL's ITA and the subsequent section 92 responses. This assessment has been completed using a combination of the New Zealand Transport Agency (NZTA) Crash Analysis System (CAS), measurements of the road corridor and site surveying. The conclusions of the crash assessment demonstrate that the proposed managed fill activity can operate, with the surrounding road network supporting the generated traffic patterns.*
- *A key part of the road safety for this site and activity has been determining that southbound heavy vehicles exiting the site and northbound traffic heading towards Cambridge do not conflict. The traffic survey completed by CKL demonstrates that sightlines from both southbound heavy vehicles and northbound traffic are sufficient, allowing adequate time for heavy vehicles to clear the lane and for northbound traffic to sight heavy vehicles with enough time and room to react and stop if necessary.*
- *I am comfortable that with the inclusion of the vehicle limit and monitoring conditions, the proposed clean fill activity can operate safely with the surrounding road network.*

Entrance

- *The entrance has recently been upgraded as part of the construction and demolition waste recycling activity; therefore, the entrance is in good condition and meets the required council standards. No further work is required on the entrance; however, the*

applicant will be responsible for ensuring the condition is maintained, with any maintenance completed to ensure heavy vehicles can continue to access the site.

Internal Haul Network

- *It proposed to seal and upgrade the access road from the site entrance to the waste recycling facility. This is proposed as a dust mitigation measure and also to prevent vehicles from tracking debris on the carriageway.*
- *It is acknowledged that part of the haul road is adjacent to an unnamed stream with steep banks in places. Maven has completed a preliminary slope stability assessment along this bank and found one section of the bank with a slope greater than 1 in 2, as shown in the Maven memo. It is proposed that this section be retained to protect the haul road and stream. Further testing along the whole stream bank will be provided as part of the design stage.*
- *The design philosophy proposed that slopes greater than 1 in 2 would require further testing to demonstrate slope stability, and that the remaining banks be cleared of exotic vegetation and planted with native vegetation and coconut matting to enhance slope stability.*
- *Therefore, vehicle limit, haul road design & construct, and monitoring conditions are recommended.*

Water Supply

- *Water supply will be obtained on-site to suit the needs of the managed fill facility. No connections are proposed to the council's water supply network.*

Wastewater

- *No changes to the wastewater service level requirements are proposed. No connections are proposed to the council's wastewater network.*

Stormwater

Deep Subsoil Drainage

- *The Technical Assessment of Environmental Effects – Managed Fill, prepared by Babbage states that 324 m³/day of 'shallow groundwater' (considered deep groundwater by Maven) will need to be diverted, towards the existing drain along the northern boundary of the site.*
- *The Earthworks Management Plan proposes extending the existing 300mm stormwater line, which discharges to the existing drain, through the Stage 4 area to Stage 1, with manhole structures to provide access for monitoring and maintenance. The details of the maintenance and monitoring structures will be determined by an Ecologist as part of their Monitoring Plan.*
- *A series of twin 160mm subsoil drains will be installed along the edges of the cleanfill separation layer to intercept and redirect the existing groundwaters to the 300mm*

stormwater line. It is recommended that the deep subsoil drains be installed within Stage 1 and potentially Stage 3, in accordance with the Proposed Deep Cleanfill Subsoil Plans, prepared by Maven and the Ecologist's recommendations. The final details of deep subsoil drains will be confirmed during the design stage.

Shallow Subsoil Drainage

- *The Earthworks Management Plan proposes installing shallow subsoil drains prior to the import and placement of managed fill. This will be achieved by a series of 160mm subsoil drains located within each stage, connecting to a 300mm stormwater pipe that will convey groundwater to a treatment and conveyance swale, which discharges into a treatment pond.*
- *Each stage will have specific requirements for the treatment ponds, Sediment Retention Ponds (SRP), stabilised conveyance systems and other mitigations to ensure all shallow groundwater is appropriately treated. Further details are outlined in the Maven report and the corresponding Proposed Upper Managed Fill Subsoil Plans, prepared by Maven and dated 10/2025. The final details of shallow subsoil drains will be confirmed during the design stage.*

Surface Water

- *The Earthworks Management Plan states that surface water during the managed fill activity will be controlled as part of the sediment and erosion control systems. This has been addressed in the earthworks comments above.*
- *Prior to the import and placement of managed fill at each stage, a series of clean-and-dirty-water diversions will be installed. Clean water will be directed around the site to existing overland flow paths, while dirty water will be directed towards the proposed SRPs.*
- *SRPs will be placed within each stage as outlined within the Maven report and Proposed Erosion and Sediment Control Plans. The purpose is to treat sediment-laden runoff and reduce the volume of sediment leaving the site. It is the responsibility of the consent holder to ensure the SRPs and sediment controls are appropriately maintained. Conditions will be imposed to ensure regular monitoring and maintenance is undertaken.*
- *I am satisfied that the proposed stormwater controls are suitable, subject to the appropriate conditions imposed.*
- *Therefore, stormwater design & construct, and methodology conditions are recommended.*

3.4 Landscape Architect

Council's consultant Landscape Architect, Zoe Du (Harrison Grierson), reviewed the application and notes the following (noting that direct quotes from the specialist comments are in *italics*) (full review report in Council ECM Document: 11595341):

- *The recommendations in the applicant's LEA are considered appropriate. However, there are further opportunities to address the uncertain staging timeline and enhance the site's ecological value, which were not explored in the LEA. In addition to these recommendations, it is suggested that:*
 - *Given that the proposed managed fill might take several years to complete, the pine trees along the northern boundary that are proposed for removal should be removed as late as possible to minimise potential adverse visual effects arising from this proposal—i.e., as part of Stage 3 earthworks.*
 - *The timber structure underneath the MSE wall and internal timber retaining walls should be a neutral finish or a colour that could blend in with the grass surface and better integrate into the landscape.*
 - *It is suggested that fast-growing native species (e.g., Griselinia, Mānuka, Kānuka) that are suitable for the site conditions could be planted where possible along the northern boundary at the base of the proposed MSE walls to minimise the contrast of the built structure with the surrounding landscape and for added ecological value.*
 - *There is opportunity to further enhance the unnamed tributary on the site that connects to the Waikato River. This would provide a positive effect on landscape character and ecological values, and provide potential future visual softening once mature.*
- *The applicant's LEA is well considered and effectively communicates the proposal and its potential effects other than timing. Although additional viewpoints identified during my site visit, and a different perspective on the removal of mature trees indicate slightly more adverse visual effects in some locations when timeframe is considered, the overall visual impact arising from this proposal still aligns with the conclusions the applicant's LEA comes to.*
- *As the MSE wall and retaining wall proposals are conceptual and subject to future detailed design, their exact locations and heights remain unclear. The visual simulation has limitations in representing the outcomes of the proposed design.*
- *In my view, this proposal has the potential to offer positive visual effects when seen from a distance once completed. Once the MSE wall is fully grassed, the site is likely to reduce its visual contrast with the surrounding landscape, resulting in a very low but positive impact. Furthermore, if my additional recommendations are implemented, the site could visually blend more naturally with its context and offer opportunities to enhance the landscape character and ecological value through the planting of native species.*
- *The construction timeframe introduces some uncertainty. Nevertheless, if the MSE walls are immediately grassed after construction and maintain good coverage over their lifespan, the visual impacts are still considered Very Low adverse which aligns with the applicant's assessment, and is equivalent to a 'Less than Minor' effect in the RMA.*
- *Ms Du agrees with the recommendations in the LVA provided with the application and makes additional recommendations to address the uncertain staging timeline.*

3.5 Contamination

Council's consultant Contamination Specialist, Curtis Blyth (Beca), reviewed the application and notes the following (full comments in Council ECM Document: 11595407):

- It is agreed that A17 is not applicable given this has not been identified as being present in the quarry area. It is also agreed that G3 (Landfill sites) is applicable to the area of the site where clean fill has occurred.
- It is agreed that consent is to be sought under Regulation 11 of the NES-CS as a discretionary activity, with the inclusion of a condition of consent (should consent be granted) requiring the implementation of a Contaminated Site Management Plan ('CSMP') with respect to earthworks within the identified HAIL area. Beca is to review any draft conditions to this effect when required.

4 ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

4.1 Adequacy of information

It is my opinion that the information contained within the application is substantially suitable and reliable for the purpose of making a recommendation of and decision on notification. The information within the application is sufficient to understand the characteristics of the proposed activity as it relates to provisions of the District Plan, for identifying the scope and extent of any adverse effects on the environment, and to identify persons who may be affected by the activity's adverse effects.

4.2 Mandatory Public Notification - Section 95A(2) & (3) – Step 1

Council must publicly notify the resource consent where:

- a) it has been requested by the Applicant; or
- b) a further information request has not been complied with or the Applicant refuses to provide the information pursuant to Section 95C; or
- c) the application has been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In this instance, none of the above situations apply, therefore public notification is not required under Section 95A(2) and 95A(3).

4.3 Public notification precluded – Section 95A(5) – Step 2

The consent is for a resource consent for one or more activities and there are no rules in a National Environmental Standard or the District Plan relevant to this proposal that preclude public notification.

The application is not for a resource consent for one or more of the following:

- a) Controlled activity;
- b) A restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;

As the application is not one of the above activities, the application is not precluded from public notification.

4.4 Public notification required in certain circumstances – Section 95A(8) – Step 3

Council must publicly notify the resource consent where:

- a) The application is for a resource consent for one or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification; or
- b) The consent authority decides, pursuant to Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

In this instance, public notification is not required by a rule or a national environmental standard. Refer to Section 4.5 and 4.6 of this report for Council's assessment of the effects.

4.5 Effects that may or must be disregarded – Section 95D(a), (b), (d) and (e)

Pursuant to Section 95D, if a rule or national environmental standard permits an activity with that effect the adverse effect of that activity may be disregarded.

4.5.1 Permitted Baseline

Pursuant to Section 95D, a Council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect (i.e. the Council may consider the 'permitted baseline'). The permitted baseline is a concept designed to disregard effects on the environment that are permitted by a plan with regard to who is affected and the scale of the effects.

The District Plan provides for up to 1,000m³ of earthworks per site, given the proposed level of earthworks far exceeds this, there is no relevant permitted baseline to be considered with respect to the proposed earthworks.

4.5.2 Land excluded from the assessment

For the purpose of assessing an application to establish whether public notification is required, effects on owners and occupiers of the subject site and adjacent sites, and persons whom have given written approval **must** be disregarded. The adjacent properties to be excluded from the public notification assessment are listed in Table 4 and shown in Figure 46 below.

ID#	Street Address	Legal Description	Owner
1	3829 Cambridge Road RD 3 Cambridge 3495	Lot 1 DP 331365	Pukerimu Investments Limited
2	3809 Cambridge Road RD 3 Cambridge 3495	Lot 1 DPS 74781	Angela Sue Totman, Grant Walter Totman, G W Scott Trustees Limited
3	3808 Cambridge Road RD 3 Cambridge 3495	Lot 2 DPS 74781	Margarita Sarah Simpson Estate & John David Simpson
4	3807 Cambridge Road Cambridge 3434	Lot 1 DPS 91164	FronDs Investments Limited
5	1/3831 Cambridge Road RD 3 Cambridge 3495	Lot 2 DP 472963	Remediation (NZ) Limited
6	1285 Kaipaki Road RD 3 Cambridge 3495	Lot 1 DP 394777 and Lot 1 DP 517505	Whitehall Fruitpackers Holdings Limited
7	1273 Kaipaki Road RD 3 Cambridge 3495	Lot 2 DPS 51170	Bruce William Rowe, Marjorie Dawn Rowe
8	1235 Kaipaki Road RD 3 Cambridge 3495	Lot 2 DP 373633	Bronwynne Elizabeth Hutching
9	1225A Kaipaki Road RD 3 Cambridge 3495	Lot 1 DP 459303	Joga Singh Aujla, Mandip Kaur
10	1225B Kaipaki Road RD 3 Cambridge 3495	Lot 1 DP 456022	Bryce Charles Stevenson, Susan Kerry Stevenson
11	52 Taawharuwharu Lane RD 3 Cambridge 3495	Lot 1 DP 382953	John Andrew Marsden, Tessa Jean Marsden
12	25B Matos Segedin Drive RD 3 Cambridge 3495	Lot 1 DP 32463, Part Lot 2 DP 32463, Lot 1 DP 610585 and Section 1 SO 466755	Waipa District Council
13	13 Bruce Cochrane Lane Cambridge 3495	Lot 2 DP 514259	Aotearoa Park Developments Limited
14	11 Bruce Cochrane Lane Cambridge 3495	Lot 3 DP 514259	Aotearoa Park Developments Limited
15	5 and 8 Bruce Cochrane Lane Cambridge 3495	Lot 5 DP 514259	Aotearoa Park Developments Limited
16	Keri Rua Road RD 3 Cambridge 3495	Lot 400 DP 622555	Waipa District Council
17	Keri Rua Road RD 3 Cambridge 3495	Lot 503 DP 622555	Waipa District Council
18	85 Keri Rua Road RD 3 Cambridge 3495	Lot 54 DP 622555	Te Awa Rise Limited
19	83 Keri Rua Road RD 3 Cambridge 3495	Lot 53 DP 622555	Te Awa Rise Limited

ID#	Street Address	Legal Description	Owner
20	81 Keri Rua Road RD 3 Cambridge 3495	Lot 52 DP 622555	Te Awa Rise Limited
21	79 Keri Rua Road RD 3 Cambridge 3495	Lot 51 DP 622555	Te Awa Rise Limited
22	75 Keri Rua Road RD 3 Cambridge 3495	Lot 50 DP 622555	Te Awa Rise Limited

Table 4: Properties excluded for purposes of public notification assessment.

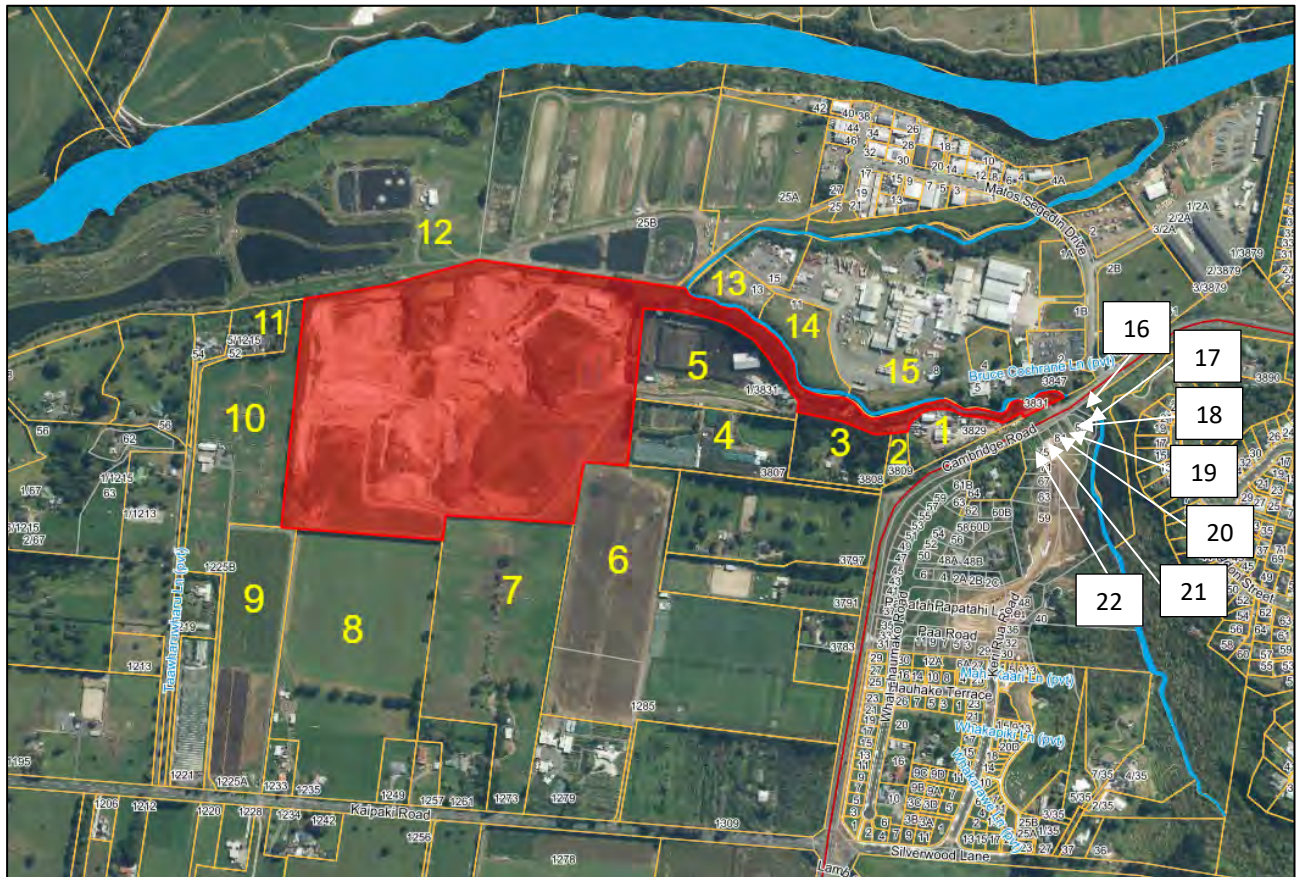


Figure 46: Adjacent properties map (Subject site highlighted in red).

Written approval was provided by Transpower.

4.6 Assessment of Adverse Environmental Effects – Section 95D

The meaning of ‘effect’ is defined under the Act as:

*In this Act, unless the context otherwise requires, the term **effect** includes—*

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present, or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects — regardless of the scale, intensity, duration, or frequency of the effect, and also includes—

- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

With the definition of 'effect' in mind, it is considered appropriate to further examine the effects of the proposed activity relating to character and amenity, traffic, infrastructure, noise, vibration, dust, contamination, and land productivity effects.

An assessment of effects is included in Section 9 of the application. In accordance with Section 42A(1A) and (1B) of the Act I wish to generally adopt the Applicant's assessment and provide the additional commentary below.

4.6.1 Effects on character and amenity

The Act defines amenity values as *"those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes"*.

In terms of character and amenity, the proposal will result in a visual change of the site, as it will be levelling the site by filling in the existing quarried areas and areas of bare earth, using retaining walls within the site as well as a grassed 13m high MSE retaining wall along the entire northern boundary of the site.

Despite being mostly rurally zoned (with part of the access being industrial), the subject site is not a typical rural site. The site has been operating as a quarry since 1990 (as outlined in Section 1.3 of this report) and has since been consented to extend over majority of the site, as well as the introduction of the sand washing and screening plant in associated with the quarry. Since then, the site has developed to operate other activities including vermicomposting, clean fill disposal, and the construction waste recycling plant.

Visually, the prominent view of the site is the quarry, comprising large areas of bare earth, with the waste recycling facility, specifically the storage area, being visible in the lower lying area of the site when viewed from across the Waikato River. The vermicomposting is not as visible, comprising of on ground mound areas located in the southeastern corner of the site.

A Landscape and Visual Assessment ('LVA') was provided with the application and was peer reviewed by Council's Consultant Landscape Architect, Zoe Du. The LVA and peer review identified several viewpoints of the site in which each received a rating from very low to moderate in terms of visual impact. This rating varied due to the visibility at each viewpoint, staging of the development, and the removal of the pine trees within the northeastern portion of the site which would result in more visibility of bare earth and machinery. Overall, it was concluded that the overall visual impact of the proposal is low during construction and is very low once completed as the retaining wall will be fully grassed, reducing the visual contrast with the surrounding landscape. The overall ratings on the visual effects of the proposal from each point was determined on visibility from the location,

Refer to Figures 47 and 48 below from the LVA showing the existing view from the end of Te Rerenga Terrace looking southwest towards the subject site, and then the proposed visual of the site once works are completed.



Figure 47: Existing viewpoint from the end of Te Rerenga Terrace looking southwest towards the subject site (image sourced from LVA).



Figure 48: Graphic supplement showing viewpoint from the end of Te Rerenga Terrace looking southwest towards the subject site six-month post-construction (image sourced from LVA).

Overall, I agree with the assessment and conclusions made by Ms Du and consider that the adverse effects on the wider environment with regard to the character and amenity of the proposal once completed are less than minor, however, I consider that the visual effects from the proposal during construction will be minor.

4.6.2 Effects on the roading network

Traffic and the effects on the roading network are an instrumental part of the District Plan direction to ensure an integrated approach to land use and transport. At a local scale the integration of new activities need to ensure that the roading network can continue to function in a safe and efficient manner.

The proposed managed fill activity will generate an additional 64 heavy-vehicle movements per day and 8 heavy-vehicle movements per hour during peak times. This is equivalent to 640 light-vehicle movements per day and 80 per hour, as heavy vehicles are equivalent to 10 light-vehicle movements.

An ITA prepared by CKL was included with the application and has been reviewed by Councils Development Engineer, Brendan Koevoet, and Councils Transportation Manager, Bryan Hudson. Mr Koevoet and Mr Hudson are satisfied that it has been demonstrated through the ITA, further information provided and a meeting with the applicant's team, that the surrounding road network

can safely support the generated traffic patterns with conditions limiting the vehicle movements and ongoing monitor to determine if any further mitigations are required in future.

It has been demonstrated by SIDRA modelling done by CKL that as a result of the indicated 2% annual growth rate, over a 10-year period, this will result in the maximum delay of right exit movement from the site, increasing by 4 seconds. Mr Koevoet and Mr Hudson are satisfied that this delay and the methodology for determining the growth assumptions are considered acceptable.

A crash risk assessment has been undertaken by CKL using a combination of the NZTA CAS, measurements of the road corridor, and site surveying. The conclusions of the crash assessment demonstrate that the proposed managed fill activity can operate, with the surrounding road network supporting the generated traffic patterns.

The traffic survey completed by CKL also demonstrates that sightlines from both southbound heavy vehicles and northbound traffic are sufficient, allowing adequate time for heavy vehicles to clear the lane and for northbound traffic to sight heavy vehicles with enough time and room to react and stop if necessary.

Overall, Mr Koevoet and Mr Hudson are comfortable that with the inclusion of the vehicle limit and monitoring conditions, the proposed clean fill activity can operate safely with the surrounding road network. Therefore, the effects relating to traffic generation and safety are considered to be less than minor.

Regarding the entrance, this has recently been upgraded, is in good condition, and meets the required council standards. No further work is required on the entrance at this stage, and the applicant will be responsible for ensuring the condition is maintained, with any maintenance completed to ensure heavy vehicles can continue to access the site. In addition to this, by sealing the haul road, this helps to prevent vehicles from tracking debris on the carriageway.

Overall, it is concluded that any adverse effects on the roading network as a result of this proposal will be less than minor.

4.6.3 Effects on Infrastructure

How and where infrastructure occurs is critical to the suitability of a development and the resulting use of the area.

Regarding water supply, this will be obtained on-site to suit the needs of the managed fill facility, and no changes to the wastewater requirements are proposed. No connections are proposed to the council's water supply or wastewater network.

The stormwater management for the site has been detailed in the application and subsequent information provided and has been summarised above in Section 3.3 of this report. In summary, the proposed onsite stormwater management involves:

- Diverting water towards existing drains;
- Extending the existing stormwater line to discharge to the existing drain with manholes for access, monitoring and maintenance;
- Installing drains to intercept and redirect existing groundwaters to the stormwater line;
- Installing drains in each stage and connecting a pipe to convey groundwater to a treatment and conveyance swale, which discharges into a treatment pond;
- Installing SRPs to treat run off and reduce sediment leaving the site; and
- Directing clean water around the site to existing overland flow paths and directing dirty water to the SRPs.

Mr Koevoet is satisfied that the proposed stormwater controls are suitable, subject to the appropriate conditions imposed.

Overall, based on the technical reports provided with the application and Council's Development Engineering Team advice, it is my opinion that any adverse effects on infrastructure will be less than minor.

4.6.4 Noise and Vibration

An acoustic report prepared by SLR was provided with the application and has been reviewed by Council's Environmental Health Officer, Glynn Jones, whose comments are summarised in Section 3.1 of this report.

Overall, based on the information provided with the application and the advice from Mr Jones, in terms of the wider environment, potential noise and vibration effects resulting from the proposed activity are considered to be less than minor.

4.6.5 Dust

An air quality assessment has been provided with the application and has been reviewed by WRCs air quality specialist, Tracey Freeman. This review memo has been provided to Council for consideration with regard to potential dust effects resulting from the proposal.

The memo confirms a distance from which the site where dust is likely potentially be an issue, this is estimated to be between 300-320m. This identified range extends over neighbouring properties only and no public areas in the wider environment. Therefore, it is considered from a public perspective that any potential adverse dust effects will be less than minor.

4.6.6 Contamination

The site is listed as a HAIL site, specifically HAIL activity codes G6 (Waste recycling or waste or wastewater treatment), A17 (Storage tanks or drums for fuel, chemicals or liquid waste), and A6 (Fertiliser manufacture or bulk storage). It is noted that it has been agreed between Council's Contamination Consultant and the applicant's contamination specialist that A17 is not applicable

given this has not been identified as being present in the quarry area. In addition, it was agreed that G3 (Landfill sites) is applicable to the area of the site where clean fill has occurred.

In terms of ensuring existing contaminated material safely remains on site and contractors/employees working on-site are protected, Mr Blyth considers that any adverse effects with regard to contamination can be managed via conditions, such as a Contaminated Site Management Plan ('CSMP'), to ensure contamination is managed onsite.

Overall, based on the on the technical reports provided with the application and Council's contamination consultants advice, it is my opinion that any adverse effects with regard to contamination will be less than minor.

4.6.7 Summary of Effects

Overall it is concluded that any adverse effects of the proposal will be no more than minor. On this basis the adverse effects are below the more than minor threshold and the proposal does not require public notification.

4.7 Special Circumstances – Section 95A(9) – Step 4

Council must determination as to whether special circumstances exist in relation to the application that warrant public notification of the application and publicly notify an application if it considers that special circumstances exist. In effect, special circumstances 'trumps' other notification provisions. Special circumstances have been defined as circumstances that are unusual or exceptional, but may be less than extraordinary or unique. Special circumstances provide a mechanism for public notification of an application which may otherwise appear to be routine or uncontentious or minor in its effects.

The purpose of considering special circumstances requires looking at matters that are beyond the plan itself. The fact that a proposal might be contrary to the objectives and policies of a plan is not sufficient to constitute special circumstances. Special circumstances must be more than:

- where a Council has had an indication that people want to make submissions;
- the fact that a large development is proposed; and
- the fact that some persons have concerns about a proposal.

It is acknowledged that there is a high level of interest in this site and application from neighbours and the community, as well as the complaints received about the existing consented waste recycling facility onsite. However, this is not considered to constitute a special circumstance to require public notification.

In this instance, the proposal is not considered to have unusual or exceptional circumstances warranting public notification.

4.8 Summary of Public Notification Assessment

Pursuant to Section 95A, the application has been assessed to determine if public notification is required. In this instance, and for the reasons outlined in Sections 4.1 to 4.7 above, it is not considered that the proposal warrants public notification. For this reason, the application is required to be assessed pursuant to Section 95B for limited notification.

5 ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION

Pursuant to Section 95B(1), where a consent authority decides that public notification is not required under Section 95A of the Act, an assessment is required to determine whether limited notification of an application is required.

5.1 Affected Customary Rights or Marine Title Groups – Section 95B(2) – Step 1

The property subject to this application is not within a protected customary rights group area or a customary marine title area as defined by the Marine and Coastal Area (Takutai Moana) Act 2011.

5.2 Statutory Acknowledgment Area – Section 95B(3) – Step 1

Pursuant to Section 95B(3)(a), the Council is required to determine whether the proposed activity is on, or adjacent to, or may affect, land that is the subject of a statutory acknowledgment made in accordance with an Act specified in Schedule 11. The property subject to this consent is within Raukawa Statutory Acknowledgement Area.

Assessment is now required under Section 95B(3)(b) to determine whether the person to whom the statutory acknowledgment is made is an affected person in accordance with Section 95E of the Act. The application was circulated to the Ngā Iwi Tōpū O Waipā ('NITOW') representatives who did not provide a response in regard to a position on the application. The application was shared to Ngāti Koroki Kahukura but no response was received.

Prior to the lodgement of the application a site visit was undertaken with Beth Tauroa of Ngāti Koroki Kahukura. A draft resource consent application package which included a draft AEE and accompanying technical reports was distributed by the applicant to Beth Tauroa of Ngāti Koroki Kahukura and Norm Hill of Ngāti Hauā for comment. The applicant has not received formal feedback from mana whenua.

To date, no further response has been received. As Council cannot be satisfied that potential adverse cultural effects on Waikato Tainui, Ngāti Koroki Kahukura, Ngāti Hauā, and Raukawa would be less than minor, the proposal is considered to have as a minimum, minor adverse cultural effects for Waikato Tainui, Ngāti Koroki Kahukura, Ngāti Hauā, and Raukawa. Accordingly, the application is considered to warrant limited notification to Waikato Tainui, Ngāti Koroki Kahukura, Ngāti Hauā, and Raukawa.

5.3 Limited Notification Precluded in Certain Circumstances – Section 95B(6) – Step 2

There are no rules in a National Environmental Standard or in the District Plan relevant to this proposal that preclude limited notification (Section 95B(6)(a)).

The application is not a controlled activity requiring consent under the District Plan (Section 95B(6)(b)).

There are no circumstances relevant to this proposal that preclude limited notification under Section 96B(6) (Step 2).

5.4 Certain other affected persons must be notified – Section 95B(7) – Step 3

Step 3 required Council to determine whether, in accordance with Section 95E whether the following persons are affected:

- In the case of any other boundary activity, an owner of an allotment with an infringed boundary.

The proposal is not a boundary activity (Section 87AAB), so there are no owners of with an infringed boundary that are affected, so there are no parties to notify in this report.

5.5 Assessment of adversely affected persons - Section 95B(8) – Step 3

Assessment is now required under Section 95B(8) to determine whether a person is an affected person in accordance with Section 95E. Under Section 95E, a person is an affected person if the consent authority decides that the activity's adverse effects on a person are minor or more than minor (but are not less than minor).

The following provides an assessment of the adverse effects on the potentially affected persons.

To avoid repetition where the assessment and conclusion of an effect is the same for all properties assessed, an overall assessment has been provided below.

Traffic

It was determined in the ITA and subsequent information that the proposed managed fill activity can operate, with the surrounding road network supporting the generated traffic patterns, and that sightlines from both southbound heavy vehicles and northbound traffic are sufficient, allowing adequate time for heavy vehicles to clear the lane and for northbound traffic to sight heavy vehicles with enough time and room to react and stop if necessary. Therefore, it is considered that any effects with regard to traffic generation and safety are less than minor on all persons at all properties discussed below.

Infrastructure

The main potential effect with regard to infrastructure on surrounding properties is stormwater and managing it onsite. Information and details for the proposed stormwater management and erosion and sediment control have been provided and assessed by Mr Koevoet who Koevoet is satisfied that the proposed stormwater controls are suitable. I am therefore satisfied that stormwater and any associated run off from the proposal can be managed onsite and consider that any effect on any identified properties below will be less than minor.

Contamination

While effects from contamination, being discharges to air and water, are a consideration of WRC, it is noted that Mr Blyth is satisfied that any contamination can be managed with consent conditions. Additionally, with the erosion and sediment controls proposed this will ensure that any sedimentation will be managed onsite. Therefore, any effects with regard to contamination are considered to be less than minor on all persons at the properties discussed below.

Dust (excluding Properties 16 to 22 (Lot 400 DP 622555, Lot 503 DP 622555, and 85, 83, 81, 79, and 75 Keri Rua Road))

While the sealing of the internal access road along the southern and western boundary addresses a high level of the potential dust effects on the sensitive adjoining receptors, there is still a risk of dust issues from the other unsealed access roads and the managed fill operation itself (i.e. filling, moving material). Ms Freeman identified that a separation distance of 300-320m from the managed fill boundary is an appropriate indicator for potential dust impacts, due to the existing separation distance of the residence where WRC has confirmed existing dust impacts. However, where properties are within 320m of the managed fill boundary but have a dwelling well out of this range, they are not considered affects. Therefore, the potential dust effects on the persons identified below is considered to be minor.

Noise and Vibration (excluding Properties 6 to 9 (1285, 1273, 1235, and 1225A Kaipaki Road))

The two key areas of noise assessed by Mr Jones are the truck noise and operation noise of the proposal. In summary, the applicant owned trucks operating onsite can be fitted with broadband reversing alarms to reduce noise, while the external contractor trucks that may be fitted with a tonal alarm, in the event they need to reverse while unloading, this is for a brief period and is unlikely to be audible at existing dwellings. It has been demonstrated that the operational noise of the proposed activity is able to comply with the 50dB LAeq daytime operation noise limit. Therefore, any potential noise effects on these properties are considered to be less than minor.

It was confirmed by the applicant that vibratory roller compaction will not be utilised as part of the proposed managed fill and that other rollers designed to specifically compact the fill material without vibration will be used to achieve compaction instead (such as a sheepfoot roller). Therefore any potential vibration effects are considered to be less than minor on these properties.

Overall, Mr Jones considers that any noise and vibration effects from the proposed activity are acceptable and will not adversely affect any existing or future neighbouring residential activities, and can be suitably controlled with conditions. Therefore, any noise and vibration on these properties is considered to be less than minor.

5.5.1 Properties 1 to 3 (3829, 3809 and 3808 Cambridge Road)

These properties adjoin the southern boundary of the sites long accessway. #3829 is an industrial zoned property containing a landscaping supply business and a mechanical engineer business, and utilises the same entrance as the subject site. #3809 is residentially developed with a dwelling and two attached accessory buildings of what appears to be a carport and a garage or shed; there is a large amount of established vegetation separating this property from the subject sites accessway. #3808 contains a dwelling (converted from shed), a shed, and a large amount of established vegetation separating this property from the subject sites accessway.

Visual Effects

The LVA did not provide assessment for these particular properties. The nearest assessment location was undertaken further east down Cambridge Road (VP-5 in LVA), which is located at an elevation that is 5-10m lower than these properties and the subject site. Therefore, this is not considered a comparable viewpoint when considering the visual effects from these properties. In saying that, the view point does show the level of vegetation around these properties.

Considering the locations of #3809 and #3808 adjoining the access way as opposed to the proposed managed fill area, having 40m and 80m of distance between the dwellings and the subject site boundary respectively, as well as a large amount of established vegetation, it is considered there will be less than minor visual effects of the proposed activity from these two properties.

With regard to #3829, while there is no large amount of vegetation to screen the property from the subject site, the property is zoned industrial and is a landscaping supply and mechanical engineer business and is not considered as sensitive to visual effects as a residential property would be. In saying that, the property is adjoining the subject sites accessway and is separated by a retaining wall which elevates the property above the accessway. There are also trees on either side of the accessway which are much denser on the northern side of the accessway where the stream runs along. Therefore, given the location of the property in relation to the managed fill area and the existing vegetation, the visual effects on #3829 are considered to be less than minor.

Overall, the visual effects on 3829, 3809 and 3808 Cambridge Road as a result of the proposal are considered to be less than minor.

5.5.2 Properties 4 and 5 (3807 and 1/3831 Cambridge Road)

These properties are properties both adjoin the eastern boundary of the subject site, with #1/3831 adjoining the southern boundary of the sites long accessway. #3807 contains a plant nursery with

an access off Cambridge Road and #1/3831 is a composting facility which shares the same access as the subject site with part of the haul road being located within #1/3831. Both properties contain buildings and structures associated with the activities onsite, being offices, sheds, and greenhouses. Both properties adjoin Stage 2 of the proposal.

Visual Effects

The LVA did not provide assessment for these particular properties. There is some separation between these properties and the subject site, with the western boundaries of these properties adjoining the managed fill area. There may be some views from these properties, as they currently have limited views of the site due to topographical differences and partial vegetation. These properties are used for a plant nursery and a composting facility and are not considered as sensitive to visual effects as a residentially developed property would be and there is a lower expectation of amenity. Additionally, there is the element of the existing site which involves some industrial activity and visually is an excavated site. Therefore, as the proposal involves extensive earthworks across the site, it will be similar in nature to the current view from these properties.

Overall, the visual effects on 3807 and 1/3831 Cambridge Road as a result of the proposal are considered to be less than minor.

5.5.3 Properties 6 to 9 (1285, 1273, 1235, and 1225A Kaipaki Road)

These properties are located to the south of the subject site. All of these properties are large farm blocks with paddocks, grazing and agricultural areas and associated buildings. #1273, #1235, and #1225A all contain dwellings located near Kaipaki Road and are well over 250m (within the range identified in the dust memo) from the southern boundary of the subject site; #1285 does not contain a dwelling. #1273 and #1235 contain areas of trees and vegetation within the property. #1285 and #1273 adjoin Stage 2 of the proposal, while #1235 and #1225A adjoin Stage 1.

Visual Effects

The entire southern boundary of the subject site is lined with tall established pine trees which visually screen the subject site from these southern adjoining properties. In addition, where these properties contain dwellings, these are between 270m and 380m from the closest boundary of the subject site. #1285 can establish a dwelling as of right, which is required to be located at least 10m from any internal boundary. While it is difficult to ascertain a future dwelling location, I believe it is fair to assume that it would likely be located closer to the road boundary of the site rather than the very back corner of the site within the agricultural area where it adjoins the subject site. In addition, should the zoning of these sites be uplifted and developed in accordance with the deferred LLRZ zoning prior to the completion of stages 1 and 2, then an additional 3m high earth bund will be constructed, which while for the purpose of noise mitigation, will also provide for some visual screening.

The LVA provided an assessment from the road boundary of 1225 Kaipaki Road (VP-3 in LVA), that also shows part of 1235 Kaipaki Road and the existing line of pine trees within the subject site which shows a small break in the pine trees in the southwestern corner of the site (where a 3m high bund is also proposed, which again is for noise but can also provide visual screening). Overall, it was determined in the LVA and agreed in the peer review that these properties will experience very low effects during construction and neutral post completion.

Overall, the visual effects on 1285, 1273, 1235, and 1225A Kaipaki Road as a result of the proposal are considered to be less than minor.

Noise and Vibration

Vibratory roller compaction will not be utilised as part of the managed fill operation, therefore any potential vibration effects are considered to be less than minor on these properties.

The acoustic report provided with the application assesses that the noise level for these properties will be 55dB, exceeding the daytime noise levels by 5dB, even with the proposed 3m high earth bund to mitigate noise.

As these properties are zoned deferred large lot residential, Mr Jones deems it suitable to require that should Stages 1 and 2 not be completed prior to the zone uplifting and development of the land to the south, then the additional 3m high bund must be constructed and maintained along the southern boundary (see Figure 49 below) along with additional screening as necessary until the works are complete.

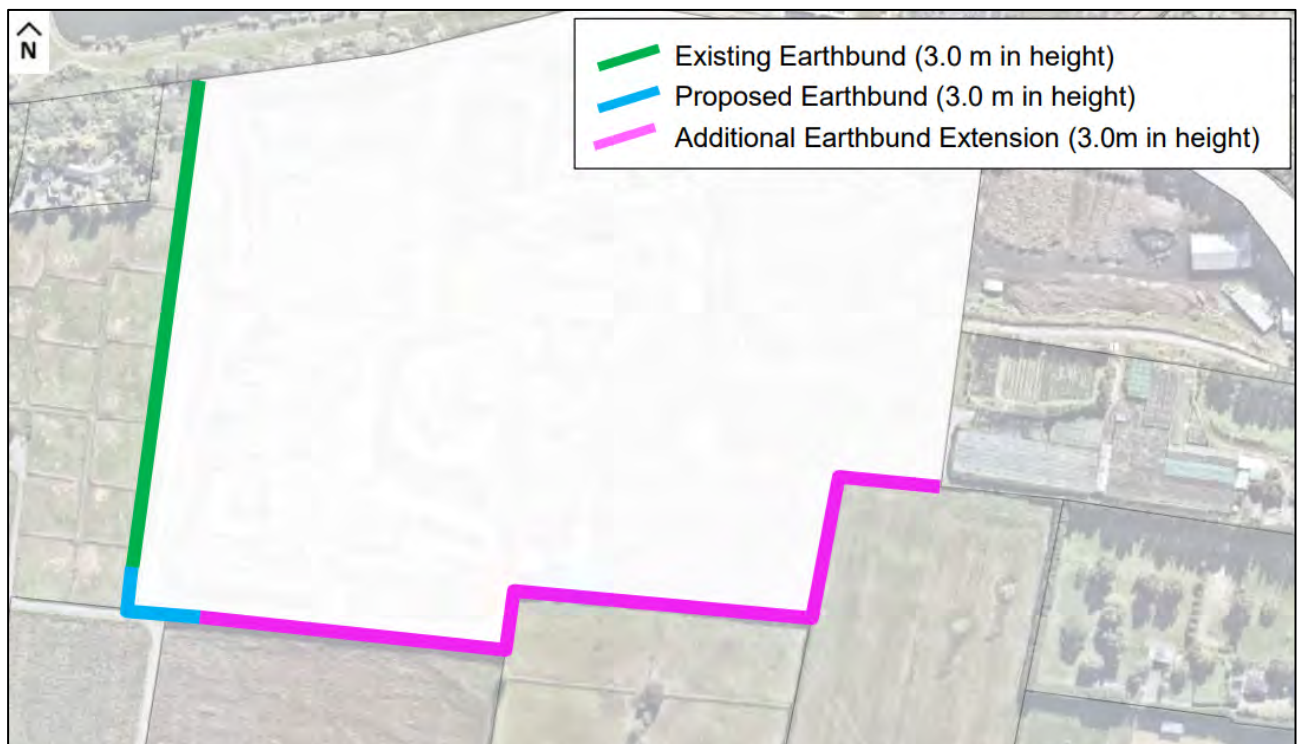


Figure 49: Acoustic Screening Prior to Development of Large Lot Residential Land (sourced from acoustic report prepared by SLR provided with the application).

It is not clear from the assessment why this level is proposed and why no additional mitigation is proposed to address this. While no dwellings are currently within close proximity to the southern boundary of the subject site, this could change over the duration of the works within Stages 1 and 2. Therefore, it is considered that the proposal has potential for noise effects on these properties that are minor.

5.5.4 Properties 10 and 11 (1225B Kaipaki Road and 52 Taawharuwharu Lane)

These properties are located to the west of the subject site, with #1225B directly adjoining the western boundary of the site and #52 being separated by #1225B by approximately 23m. #1225B comprises mainly horse paddock areas with associated buildings, there is no dwelling on the property. The boundary shared with the subject site is lined with tall existing pine trees. #52 contains a dwelling, which is 45m from the subject site boundary, and multiple associated buildings that appear to be garaging and a sleepout. There is also a large amount of trees and vegetation within #52. #1225B adjoins stages 1 and 4 of the proposal.

Visual Effects

The LVA provided an assessment from the western boundary of 1225B Kaipaki Road within Taawharuwharu Lane (VP-1 in LVA), this clearly shows the existing pine trees lining the boundary between the property and the subject site. The LVA also includes #52 in this assessment which is identified as 5/1215 Kaipaki Road. Overall, it was determined in the LVA and agreed in the peer review that these properties will experience very low effects during construction and post completion.

Given #52 is separated by #1225B which is screened by the pine trees and also contains a large amount of trees and vegetation within the property, the visual effects is considered the same if not less than those for #1225B given the increased separation and screening.

Overall, it is considered that the visual effects on 1225B Kaipaki Road and 52 Taawharuwharu Lane as a result of the proposal will be less than minor.

5.5.5 Property 12 (25B Matos Segedin Drive)

This property is industrially zoned and located to the north of the subject site and contains the Cambridge WWTP. The WWTP contains multiple pond areas and buildings and infrastructure associated with the WWTP operation. The property adjoins Stages 3 and 4 of the proposal.

Visual Effects

The LVA provided an assessment from the entrance to the WWTP (VP-6 in LVA) and from across the Waikato River facing towards the WWTP and the subject site but shows a very limited portion of the site and not the WWTP (VP-11 in LVA). VP-9 in the LVA also shows the view from across the river at the end of Te Rerenga Terrace towards the WWTP and the subject site. VP-6 clearly shows there is no view of the site from the entrance of the WWTP and the view is largely dominated by large dense

trees. VP-9 shows the subject site located at a higher level than and will be in view from the WWTP. The WWTP will adjoin the proposed 13m high retaining wall proposed along the entire northern boundary of the subject site. Given the industrial nature of the site being a WWTP there is a lower expectation of amenity. Additionally, there is the element of the existing site which involves some industrial activity and visually is an excavated site. Therefore, as the proposal involves extensive earthworks across the site, it will be similar in nature to the current view from the WWTP.

Overall, it is considered that the visual effects on 25B Matos Segedin Drive as a result of the proposal will be less than minor.

5.5.6 Properties 13 to 15 (13, 11, 5 and 8 Bruce Cochrane Lane)

These properties are industrially zoned and located to the north of the subject site adjoining the accessway. These properties contain industrial activities including civil construction, freight transportation, Inghams distribution, and other businesses and their offices and large carpark areas. These properties are all access off Matos Segedin Drive.

Visual Effects

These properties adjoin the access way of the subject site and is separated by a stream and a large amount of vegetation, limiting the views of the subject site. Of these properties, the closest property to the managed fill operation is 13 Bruce Cochrane Lane which comprises largely carparking and yard area. The properties surrounding these properties are industrial in nature, therefore there is an existing character and level of activity experienced by these properties. Because of this, these properties are not considered as sensitive to visual effects as a residentially developed property would be and there is a lower expectation of amenity. Additionally, there is the element of the existing site which involves some industrial activity and visually is an excavated site. Therefore, as the proposal involves extensive earthworks across the site, it will be similar in nature to the current view from these properties.

Overall, the visual effects on 13, 11, 5 and 8 Bruce Cochrane Lane as a result of the proposal are considered to be less than minor.

5.5.7 Properties 16 to 22 (Lot 400 DP 622555, Lot 503 DP 622555, and 85, 83, 81, 79, and 75 Keri Rua Road)

These properties are located across the road from the subject site entrance. These sites are newly created residential lots and two reserve lots, in which the residential lots are currently vacant.

Visual Effects

These properties are located across the road opposite the entrance to the site, the proposed managed fill activity is over 660m away. Given the significant amount of distance and extensive vegetation separating these properties from the managed fill activity, there will be very limited to no views of the managed fill operation. Additionally, there is a close boarded tall fence along the

road boundary of these properties (Figure 10), providing for further visual screening. There will be increased truck movements as part of the proposal, which as there are no occupiers of the site as yet, there is no change to be experienced. Therefore, it is considered that the visual effects on Lot 400 DP 622555, Lot 503 DP 622555, and 85, 83, 81, 79, and 75 Keri Rua Road as a result of the proposal will be less than minor.

Dust Effects

These properties are located 650m from the closest boundary of the managed fill activity, which is well out of the range identified in the dust memo. Additionally, the existing entrance to the site is already sealed and the access road will be sealed as part of the proposal. Therefore, it is considered that any potential dust effects on Lot 400 DP 622555, Lot 503 DP 622555, and 85, 83, 81, 79, and 75 Keri Rua Road as a result of the proposal will be less than minor.

5.5.8 Other properties (3791 and 3797 Cambridge Road, 1/1213, 1221, 1219, and 1213 Kaipaki Road, 52, 54, 56, 62, and 63 Taawharuwharu Lane)

These properties are located to the west of the subject site and are not adjoining the site. These properties largely comprise of rural residential development including dwellings, sheds, garaging, and areas of trees, vegetation and landscaping.

While not directly adjacent or adjoining, it has been identified in the dust memo that the range of which minor effects will be experienced is 300-320m from the managed fill operation boundary. These properties are located within this range and are therefore considered to experience adverse effects to a minor degree. Therefore, the owners and occupiers of these properties are considered to be affected by the proposal to a minor degree.

5.5.9 All other persons

Due to separation distance, topography and vegetation, there are no other persons or owners/occupiers of any other properties considered to be affected by the proposal.

5.5.10 Summary of Assessment

Based on the above assessment, the proposal will have effects on properties that are minor on the owners and occupiers of the above properties and persons.

5.6 Special Circumstances – Section 95B(10) – Step 4

Pursuant to Section 95B(10), the Council must limit notify an application, to any other persons not already determined to be eligible for limited notification, if it considers that special circumstances exist in relation to the application. The reasons set out in Section 4.7 above are also relevant here and are not repeated. It is my opinion that there are no special circumstances applicable that would warrant the application being notified to any persons.

5.7 Summary of Limited Notification Assessment

Pursuant to Section 95B, the application has been assessed to determine if limited notification is required. In this instance, and for the reasons outlined in Sections 5.1 to 5.5 above, it is considered that the proposal warrants limited notification to the below persons or owners/occupiers of the following properties:

Dust Effects

- 3829 Cambridge Road
- 3809 Cambridge Road
- 3808 Cambridge Road
- 3807 Cambridge Road
- 1/3831 Cambridge Road
- 1225B Kaipaki Road
- 52 Taawharuwharu Lane
- 54 Taawharuwharu Lane
- 25B Matos Segedin Drive
- 13 Bruce Cochrane Lane
- 11 Bruce Cochrane Lane
- 5 Bruce Cochrane Lane
- 8 Bruce Cochrane Lane
- 3791 Cambridge Road
- 3797 Cambridge Road
- 1/1213 Kaipaki Road
- 1221 Kaipaki Road
- 1219 Kaipaki Road
- 1213 Kaipaki Road
- 56 Taawharuwharu Lane
- 62 Taawharuwharu Lane
- 63 Taawharuwharu Lane

Dust and Noise Effects

- 1285 Kaipaki Road
- 1273 Kaipaki Road
- 1235 Kaipaki Road
- 1225A Kaipaki Road

Cultural Effects

- Waikato Tainui
- Ngāti Koroki Kahukura
- Ngāti Hauā

- Raukawa

6 SECTION 95 NOTIFICATION RECOMMENDATION AND DECISION UNDER DELEGATED AUTHORITY

Pursuant to section 95 A & B application LU/0231/25 for a Non-complying Activity shall proceed on a **Limited Notified** basis for the reasons discussed above in Section 1 to 5.

Reporting Officer:



Layla Gruebner
Intermediate Planner
Dated: 25 May 2026

Approved By:



Quentin Budd
Consents Team Leader
Dated: 27 May 2026