13 January 2025

Attention: Vance Hodgson, Hodgson Planning Consultants
Via email: vance@hpcplanning.co.nz

Dear Vance

Resource consent application – Further information request

Application numbers:	BUN60440759 (LUC60440790 & DIS60440791)
Applicant:	Scarbro Environmental Limited
Address:	362 Jones Road, Drury
Proposed activity:	To establish and operate a managed fill activity for the deposition of approximately 790,000m3 of fill

This letter is a request for further information that will help me better understand your proposal, including its effect on the environment and the ways any adverse effects might be mitigated.

Requested information

Due to the large number of different specialists and asset owners involved, the information requests have been included in a table form attached to the end of this letter. A word document version will also be provided for efficient response tracking.

Suggested changes/recommendations – not pursuant to section 92 of the RMA

Where suggested changes/recommendations are made, these are specifically labelled as "non-s92" items in the attached table.

Providing the information

Please provide this information in writing within 15 working days[1] plus an additional 5 working days already agreed to (before 7 February 2025). If you will not be able to provide the information by that date, please contact me before then to arrange an alternative time. We will not work on your application any further until either you provide this information, or you state that you refuse to provide it.

Note: If you will require more than 15 working days to provide this further information, I will seek that you agree to an extension of time under section 37 of the Resource Management Act 1991 (the RMA). This will enable appropriate time for me to undertake the necessary review of the information once provided.

[1] Section 92A(1) of the RMA

Refusing to provide the information

If you refuse to provide the information, or if you do not submit the information to us within 15 days (or by another other agreed time), the RMA requires that we publicly notify your application.[2]

If this happens, you will be required to pay the notification fee of $20,000 in full before we proceed with the notification of your application.[3]

Next steps

Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request.

In the application acceptance letter, I described the statutory timeframe for our decision on your application. The time for you to respond to this further information request will be excluded from this timeframe[4]. I will be able to give you an updated forecast on a decision date on request once you have provided the information requested above.

If you have any queries, please contact me on 027 210 9865 and quote the application number above.

Yours sincerely,

Karl Anderson
Senior Planner

[2] Section 95C of the RMA
[3] Section 36AAB(2) of the RMA
[4] Section 88C(2) of the RMA

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1. Planning	
1(a)	The application details consultation undertaken with Ngāti Tamaoho. The following mana whenua groups are also listed as potentially having an interest in this area. - Ngāi Tai ki Tāmaki - Ngāti Maru - Ngāti Pāoa - Ngāti Tamaterā - Ngāti Te Ata - Ngāti Whanaunga - Te Ahiwaru - Waiohua - Te Ākitai Waiohua - Waikato - Tainui Please confirm if consultation has also been undertaken with these groups, and if so, provide evidence of consultation. Contact details can be found here: https://www.aucklandcouncil.govt.nz/building-and-consents/resource-consents/prepare-resource-consent-application/Pages/find-hapu-iwi-contacts-for-your-area.aspx
1(b)	The AEE details consultation undertaken with some neighbouring occupants. Please confirm if any of this consultation has been in writing and if so, can copies of this be provided for review?
1(c)	Council's GIS indicates an unformed legal portion of Jones Road (at the existing site entrance) as potentially being subject to Road Closure/Severance. Please confirm if this is currently an ongoing process, and if this is likely to become part of the subject site in the near future.
2. Managed Fill and Land Contamination	
2(a)	The managed fill site is proposing to import fill containing contaminant concentrations at levels that may have an effect on the environment (some proposed concentrations exceed the AUP(OP) permitted activity soil criteria). The AEE does not include an assessment on the potential effects to surface water and groundwater from the placement of managed fill on the site. Please provide an assessment on the potential effects to surface water and groundwater within the managed fill site.
2(b)	Please provide an assessment of the potential human health effects from the managed fill material to site workers during filling on the site.
2(c)	The AEE states that the stormwater ponds on site will be decommissioned at the completion of filling on the site. Please provide details on where underfill drains will discharge to following the completion of filling. Please discuss the potential for surface water and groundwater to contain elevated concentrations of contaminants after the completion of the managed fill, and the potential ongoing effects of contaminant discharges to the environment.
2(d)	The Fill Management Plan (FMP) states cleanfill – please update the plan to state Managed Fill to match the application.
2(e)	It is understood that the applicant is now not proposing to import soil containing asbestos onto the site. Please remove from the FMP Waste Acceptance Criteria (WAC) - Asbestos No detect (P/A test) at source; <0.001 % AF/FA and <0.01 % ACM, please remove any reference within the AEE and FMP to "accidental" residual asbestos at low levels and/or asbestos.
2(f)	The provided FMP does not meet the requirements of Managed Fill FMP for the Auckland Region. Please update the FMP with the following:

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	(i) The Council requires random soil samples to be collected at the entrance to the site/weigh bridge at a frequency of 1 sample per 500m3 of fill imported onto the site therefore a site personnel member needs to be on site daily to collect soil samples or a SQEP is employed to undertake random soil sampling. Please update the staff requirements within the FMP. (ii) All incoming loads are subject to random testing, which will occur at a rate of 1 sample per 500m3. Samples must be collected and logged by suitably trained personnel. Samples must be collected from at least three locations within each and placed in laboratory supplied appropriate containers. They are then sent under chain of custody documentation to an IANZ accredited laboratory and tested for the WAC parameters and asbestos presence/absence. (iii) A designated area for truck loads to be stockpiled while waiting for laboratory results. (iv) Procedures for the rejection of waste if contaminants exceed the acceptance criteria such as: o additional material associated from the source site may be temporarily or permanently suspended; o review the exceedance in relation to any additional test results taken from fill previously or subsequently received from the source site; o review the exceedance in relation to total volume of material from the source site, and assessment in respect of total volume accepted at the Managed Fill site over the time period of disposal from the source site. o additional sampling of remaining fill material or stockpile material at the customer's site in the area and at the relative level where the material was removed from. o remedial actions appropriate to the level of contamination and extent of contaminated material as discussed and agreed in writing with Auckland Council. If necessary, these actions will be undertaken by a Suitably Qualified and Experienced Professional. Remedial Actions will be in accordance with MfE's Contaminated Land Management Guidelines No. 5 (Site Investigation and Analysis of Soils) which details the requirements for statistically representative investigation of contaminated soils. They may include one, intrusive investigation to determine extent and concentration of contaminants in the area where the load was placed at the fill, if practicable; (v) Verification sampling to be undertaken every six months within the managed fill site by an independent SQEP . The frequency and depth of soil sampling will be at an appropriate level that represents the volume of fill deposited over the previous six months. Verification samples must be analysed for the WAC and asbestos presence/absence. (vi) Six monthly pond sediment samples must be sampled for the WAC and asbestos presence/absence.

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	Details on the proposed capping material/depth for the managed fill – noting the cap must be verified cleanfill material.
2(g)	***Non-s92 suggestion/comments:*** *As per previous correspondence between Karl Anderson and Vance Hodgson, an additional landfill consent application could be made at this stage in order to fully consider the potential for accidental or residual asbestos contaminated materials to be imported to the site. If this additional consent is applied for, some of the queries here may change and/or there may be further queries.*
3. Noise	
3(a)	There is a likelihood of additional noise that will arise from the rear swinging flap of tipper trucks causing the banging of metal on metal, after the load has been tipped. Please confirm if this has been considered in the acoustic assessment, and if not, provide a further assessment to include this.
3(b)	The activity involves trucks arriving on site and unloading fill. According to the acoustic report – *tonal reverse alarms must not be used on any plant or machinery on site. Broadband reverse alarms may be fitted if reverse alarms are required.* Will this apply to visiting trucks that may not be part of the operation of the site?
4. Auckland Transport	
4(a)	The Applicant's assessment focuses on daily averages derived from total operation. AT is of the view that this is not accurate way to assess the truck trip generation as the assessment focuses more so on daily averages and less on worst-case scenarios of truck trip generation. The Applicant provided a worst-case scenario for truck trip generation of 192 truck trips a day, stating this is related to 'seasonal fluctuations' and would not reflect the daily average truck trips. Please clarify: (i) What is the 'seasonal' period? (ii) Exactly how long will the period be? (iii) Is this an average number of truck trips per day during the seasonal period, or a worst-case scenario? What will the vehicle per hour (vph) be for a scenario where 192 trips are generated daily?
4(b)	The Applicant states that on average, 54 truck movements per day (in and out) will be generated outside the 'seasonal' period. Given this is an average, it is important to understand what the worst-case scenario would be for daily truck trips being generated outside the 'seasonal' period. It is noted that these types of activities, some days would generate more truck trips than others, and AT needs to understand this in more detail. Can the Applicant please provide what the worst-case scenario for daily truck trips and vph outside the regular period, noting that the numbers provided are only averages.
4(c)	The shoulder widening should be sufficiently designed so that vehicles can pull over to make a safe right turn from the shoulder when vehicles are following behind them. By adopting Austroads

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	Figure 7.1, it will accommodate situations of turning right from centre and still allowing following vehicles to use the shoulder. Please demonstrate the shoulder widening is sufficient by utilising Austroads Part 4A & section 7 (Figure 7.1 for taper calculations).
4(d)	The application identified several bends along Hunua Road where truck tracking shows overlap for two-way truck movements. This presents a potential adverse safety effect as there will be a significant increase in trucks using this road. To mitigate these adverse safety effects, the applicant suggested improving the sightlines of oncoming trucks by trimming vegetation that currently blocks sight distance. Trimming these trees would enhance visibility for truck drivers, allowing them to slow down and wait for an oncoming truck to complete the turn around the bends. Given the increase in truck movements, this mitigation is relevant to address the potential adverse safety effects. As a result of this, the applicant will need to review this tree trimming periodically. Please confirm how often tree trimming would need to occur and also provide a further assessment on why periodic tree trimming would reduce potential adverse effects more than the option of complete vegetation removal.
4(e)	AT notes that when newly generated heavy vehicle volumes exceed more than 10% of the current level of traffic, a Pavement Impact Assessment (PIA) is required. The proposal states that the daily volumes on Hunua Road are 1921vpd. Therefore, 10% of this translates to 192 trips per day. The transport assessment states that the average truck trip generation is 54 truck movements per day; however, the application has also stated that on some days there will be a maximum of 192 truck movements per day thereby reaching the 10% threshold for a PIA to be provided. A PIA is required to understand the impacts on the pavement and if they will reduce the pavement life. The PIA must be submitted and reviewed by AT before the granting of consent. Please provide a PIA which includes (but is not limited to) details about the landfill routes, materials being transported to the site, what upgrades are needed to the existing pavement and design of the upgrades.
5. Healthy Waters	
5(a)	Confirm whether the proposed recontouring of the land will result in changes in the natural catchment areas and clarify the scale of effects on: (iv) Volume or frequency of flooding within the surrounding sites. Hydrology of the receiving watercourses/wetlands.
5(b)	The proposal seeks to remove an average of approximately 0.2m-0.4m of topsoil and replace with average 0.15m. Given the likely low permeability of the underlying soils, expected to further decrease with the proposed earthworks, the soil water retention capacity is likely to decrease and the runoff from the site is likely to increase as a result. In this regard, clarify the scale of effects on: (i) Volume or frequency of flooding within the surrounding sites Hydrology of the receiving watercourses/wetlands.
5(c)	It appears that the proposed bridge abutments encroach into the existing floodplain extents. It is accepted that the removal of the existing culvert may result in a decrease in flood levels upstream,

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	however the overall effects on flooding in the area following the installation of the proposed bridge structure is unclear. Provide a hydraulic assessment, including the comparison of the pre-development and post-development flooding extents, to demonstrate that the proposed bridge will not increase upstream or downstream flood levels (beyond the land owned or controlled by the Applicant).
5(d)	Section 6.4 of the Engineering Report states: '*The new impervious area is a very small proportion (0.3% of the total OLFP1 catchment area) and hence is not expected to cause any adverse flood effects for the 10% and 1% AEP storm events affecting other properties and/or buildings*.' Healthy Waters cannot rely on statements such as '*not expected to cause any adverse flood effects*', particularly given there is no specific hydraulic assessments provided to support this. Therefore, confirm that the stated in increase in impervious surfaces **will not** cause adverse downstream effects on flooding.
5(e)	Section 6.5.2 of the Engineering Report states: '*Overall, it is considered that the proposed Fill areas are likely to have less than minor effects on overland flows and flooding*.' Similar to the above, Healthy Waters cannot rely on statements such as '*likely to have less than minor effects*', particularly given there is no specific hydraulic assessments provided to support this. Therefore, confirm that the stated fill areas **will not** cause adverse effects on overland flows and flooding.
6. Water Bore	
6(a)	Provide the coordinates of the proposed bore in NZTM format
6(b)	Provide the following construction details: - Proposed depth - Proposed casing depth - Proposed casing type - Diameter of the proposed bore - Proposed grouting length Aquifer to be drilled to
6(c)	Provide a map showing the location of any septic tanks/wastewater disposal fields within 100m of the proposed bore location
6(d)	***Non-s92 suggestion/comment:*** *The application indicates that the water take will meet the Permitted Activity thresholds of 20m3/day and 5,000m3/year. A notice of the water take on the prescribed form will need to be provided prior to commencing of the water take. A copy of the form is provided separately.*
7. Regional Earthworks	
7(a)	The proposed Erosion and Sediment Control Plans are not currently designed in accordance with GD05. Please update the plans to demonstrate how the fill areas will be controlled and managed during the earthworks phase. Please provide the following information:

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	- SRP locations, design, contributing catchment, dimensions, inlet/oulet, emergency spillway and set back from stream and wetland environments. - Super silt fencing location (silt fencing should be upgraded to super silt fencing given proximity to fresh water environments and slope). - Clean and dirty water diversions - Contour drains/drop out pits - Any other impoundment devices for smaller catchment areas (i.e. DEBs) - Stabilised entranceways and haul roads - Wheel wash information (if proposed, a management plan required to ensure any additional sediment-laden water from the wheel wash is appropriately managed and captured). Location of any temporary stockpile(s) and controls.
7(b)	Section 5.2 of the Engineering states that *"open channel drain/bunds located around the fill perimeter will collect all runoff (i.e. both clean and dirty runoff) from the fill area and convey it into the three sediment ponds..".* Per best practice GD05, clean water **should not** be diverted to a SRP. Please update the report and provide clear plans clearly distinguishing any clean water diversions separate to dirty water diversions to ensure clean water is diverted around the fill site.
7(c)	Please confirm the anticipated timing and duration for each of the fill areas and 2-hectare open sections.
7(d)	Section 6.8.2 of the Engineering Report states the removal of the existing culvert will take place by way of installing a silt fence across the stream downgradient of the culvert. Per best practice working within watercourses, silt fencing is not recommended within streams. Please provide an alternative methodology i.e. dam and divert with sandbags and appropriate design drawings.
8. Streams & Wetlands	
8(a)	Please provide long and cross section of the bridge design to demonstrate compliance with AUP(OP) standards E3.6.1.16.
8(b)	Please provide long and cross section of the reinstated stream and wetland, with plans of planting and instream habitat enhancement that are in line with the Guidance for Large Wood Installations in New Zealand Rivers, dated 2024
8(c)	Please confirm if temporary diversion, or a temporary culvert will be required to facilitate removal of the existing culvert? I note that during our site visit in December 2024, the stream was very wet and that this stream may not completely dry up.
8(d)	Please provide catchment plans to show how flow to wetlands and streams will be maintained.
9. Ecology (Significant Ecological Area)	
9(a)	***TBC – a subsequent s92 request for further information may follow***
10. Traffic Engineering	
10(a)	***TBC – a subsequent s92 request for further information may follow***

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11. Landscape	
11(a)	The proposal is described in section 2 of the Assessment of Landscape and Visual Effects (ALVE) as a series of 'bullet points'. With the exception of the visual simulations, no figures have been included in the assessment to illustrate the detail of the proposal. To fully understand the proposal it is recommended that figures illustrating: 1. the staging of the proposal in relation to the contextual landscape and potentially affected individuals; 2. how the proposed fill areas relate to the contextual landform (in addition to a plan, this should also include extended cross sections based on those contained in the lodged engineering plans to determine whether the slopes of the proposed landform are sympathetic to / are consistent with the existing topography); The description of the proposal should also be expanded to include discussion of the proposed staging and activity within the site (including vehicle activity).
11(b)	The inclusion of additional figures would be helpful to understand the themes and issues described in section 4 (the site and surrounding landscape). Such figures should illustrate the key topographical features both of the site and contextual landscape. This will assist with the understanding of the terrain and visual catchment.
11(c)	It is recommended that a plan be included that illustrates the location of potentially affected individuals / viewer groups identified in section 6. The assessment comments on the relatively small scale and complexity of the landscape / topography and opies that this is helpful in enabling the integration of new landform of a similar scale, but at the same time, a small scale landscape with intimate views is also more sensitive to change. The suggested illustrative figures should seek to demonstrate how the potentially affected individuals are situated within their respective visual catchments and how they are situated in relation to the proposed fill areas. *The policy directives under the AUP(OP), as I read them, point towards the consideration of potential adverse effects on the amenity values of people within rural-residential lifestyle properties. I also note that Policy H19.2.6.(4)(b), suggests that completed landforms (following the completion of cleanfill activity in the rural landscape) should be designed and implemented to be "...in keeping with the appearance, form and location of existing rural character and amenity values"*
11(d)	Landscape effects are discussed in paragraph 3.16 onwards. The analysis is lacking comment on cultural values and it is recommended that the landscape assessment commentary highlight any relevant Māori cultural landscape values and address any potential impacts on these values.
11(e)	The assessment of landscape effects only considers the longer term level of effect - the landscape effect following completion of the fill activity. It is likely that temporary landscape effects will occur during the life of the consent and it is recommended that these be considered and discussed.
11(f)	It is recommended - when discussing temporary landscape effects - that comment be included regarding the effect that will be generated by vehicle activity within the site

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11(g)	From 6.26 onwards, the ALVE discusses visual effects. Potentially affected individuals are identified in paragraph 6.29. My preliminary assessment suggests that the lists of potentially affected individuals is deficient and I have attached a rough figure showing additionally potentially affected residential individuals (noting that, in section 6.58, Distant residents within some of the elevated landholdings in the surrounding area appear to be classified as individuals in excess of 500m from the Site). It is recommended that further consideration be given to the identified affected individuals, and additional assessment be undertaken to capture any individuals previously omitted. A copy of this figure is provided separately.
11(h)	The visual effects assessment has generally adopted representative viewpoints (with the proposed fill modelled as visual simulations). This approach has resulted in a number of the potentially affected identified individuals (as at 6.32), being left out of the assessment. With respect to Viewpoint 2, it is not clear if the representative view also includes consideration of #345 and 363. Similarly, with respect to Viewpoint 5, no assessment is provided for 1800 Hunua Road (mis-identified in para 6.29 as 1500 Hunua Road?), and 27 Gillespie Road. Please amend the assessment to ensure that all identified potentially affected individuals are thoroughly assessed
11(i)	Please clarify if any internal lighting is proposed, and if yes, has this been considered in the assessment?
11(j)	Has the ALVE taken into consideration any land modification and resulting potential adverse landscape / visual effect of the internal access road?
11(k)	Has consideration been given to the potential for effects arising from the visual difference in colour which may arise from the fill material, being different from the distinctive local soils? Does this have the potential for a greater level of visibility and effect?
11(l)	A recently constructed / relocated dwelling located immediately adjacent to the western boundary of the site within #1821 has not been included in the assessment. Please provide comment.
11(m)	Little consideration is given to the detail of individual dwellings, such as the primary outlook / orientation, and the nature of the existing outlook. In some cases - such as #353 and 345, the primary outlook is to the east and away from the site. In the case of the dwelling within 332, the main outlook is to the north west and south west - with the latter (being the outlook over the site) being the main view across the valley. In this latter case, it would be helpful to better understand the degree of view loss that would occur as a result of the proposal. Please provide comment.
11(n)	With regard to #332, the staging plan included as 33250/130 in the lodged plans shows a noise bund constructed along the western boundary of this property. It is recommended that a cross section be included showing how the noise bund relates to the dwelling within #332, and the assessment should be expanded to include comment on this element. Similarly, a bund is proposed to the west of #353. It is recommended that a cross section be included showing how the noise bund relates to the dwelling within #353, and the assessment should be expanded to include comment on this element. Also, is it proposed that the bund be planted?

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11(o)	The assessment provides little detail (in some instances) with regard to the staging of the proposal and how this will affect individuals over time. Please provide comment.
11(p)	The assessment does not comment in any detail on the potential effect that will be generated by vehicle activity on the visual amenity of individuals. This matter is briefly addressed in the section conclusion (6.68) but should be considered at a more detailed level in relation to specific properties / individuals.
11(q)	In some instances (Viewpoints 2, 3 and 5) the assessed level of effect for either the short term / temporary effect, or the long term effect has been omitted. The assessment should provide an assessed level of effect for all the identified potentially affected individuals / groups, and should state the timeframe assumed when referring to 'short term / long term'
11(r)	In some instances, the assessment has grouped residential receptors and road users. Generally, residential receptors are considered to have a greater degree of sensitivity compared to transitory individuals such as road users (including Viewpoints 4 and 5). Please ensure that the assessed level of effect takes into account these differences.
11(s)	it is recommended that consideration be given to proposing landscape mitigation for potentially affected individuals that are situated proximate to the site and have the potential to be adversely affected

19 February 2025

Attention: Vance Hodgson, Hodgson Planning Consultants
Via email: vance@hpcplanning.co.nz

Dear Vance

Resource consent application – Further information request

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Applicant:	Scarbro Environmental Limited
Address:	362 Jones Road, Drury
Proposed activity:	To establish and operate a managed fill activity for the deposition of approximately 790,000m3 of fill

Further to my letter of 13 January 2025 where I requested further information, this letter is an additional request for further information that will help me better understand your proposal, including its effect on the environment and the ways any adverse effects might be mitigated.

Requested information

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Traffic Engineering	
10(a)	Please provide cross sections of the internal Haul Road (every 20m) to ensure that two-way movement of the largest design vehicle (i.e. truck and trailer) can be accommodated.
10(b)	Please provide tracking of the largest design vehicle (i.e. truck and trailer) around the bends of the Haul Road to ensure the truck stays within the Haul Road.
10(c)	Please provide a visibility assessment of the largest design vehicle (i.e. truck and trailer) around the bends of the internal Haul Road to ensure inter-visibility of trucks entering/exiting is achieved.
10(d)	Please confirm the priority control around the proposed bridge @chainage 50 and accordingly provide a signage and markings plan annotating all traffic engineering infrastructure proposed.
10(e)	AEE states the following: *"The local power supply reticulation to the site is off Jones Road and extends to the site office and wheel washing area."* The provision of wheel wash procedures are supported from a Traffic Engineering perspective to avoid any sediments being tracked onto the road reserve.

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	Please confirm and provide the potential wording of a consent condition if this forms part of the proposal.
10(f)	Please provide further assessment and annotations on the plans of the temporary stabilised access roading, tip heads and vehicle turning circle areas for each stage of filling.

Providing the information

Please provide this information in writing within 15 working days[1] (before 12 March 2025). If you will not be able to provide the information by that date, please contact me before then to arrange an alternative time. We will not work on your application any further until either you provide this information, or you state that you refuse to provide it.

Note: If you will require more than 15 working days to provide this further information, I will seek that you agree to an extension of time under section 37 of the Resource Management Act 1991 (the RMA). This will enable appropriate time for me to undertake the necessary review of the information once provided.

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If this happens, you will be required to pay the notification fee of $20,000 in full before we proceed with the notification of your application.[3]

Next steps

Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request.

As this is not the first request for further information made, the time for you to respond to this further information request will **NOT** be excluded from the statutory timeframes.

If you have any queries, please contact me on 027 210 9865 and quote the application number above.

Yours sincerely,

Karl Anderson
Senior Planner

[1] Section 92A(1) of the RMA
[2] Section 95C of the RMA
[3] Section 36AAB(2) of the RMA