WILLIAMSON
WATER & LAND ADVISORY

Assessment of Environmental Effects

Ararimu Road - Managed Fill Facility

SAL LAND LTD

WWLA0745 | Rev. 1

31 July 2025

Ararimu Road - Managed Fill Facility

Project no:	WWLA0745
Document title:	Resource Consent and Assessment of Environmental Effects
Revision:	7
Date:	31 July 2025
Client name:	SAL Land Ltd
Project manager:	Wendi Williamson
Author(s):	Laila Alkamil
File name:	G:\Shared drives\Projects\SB Civil Ltd\WWLA0745_Ararimu cleanfill\Deliverables\Resource Consent application\WWLA_Ararimu Managed Fill_AEE_261023.docx

Williamson Water & Land Advisory

P.O. Box 314
Kumeu
New Zealand
www.wwla.kiwi

Document history and status

Rev	Date	Description	By	Review	Approved
1	26 October 2023	Assessment of Environmental Effects	Laila Alkamil	Wendi Williamson	Wendi Williamson
2	17 February 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson
3	15 April 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson
4	9 May 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson
5	17 July 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson
6	24 July 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson
7	31 July 2025	Updated Assessment of Environment Effects – for notification	Laila Alkamil	Wendi Williamson	Wendi Williamson

Distribution of copies

Rev	Date issued	Issued to	Comments
1	26 October 2023	Auckland Council; SAL Land Ltd	For lodgement
2	17 February 2025	Auckland Council	For notification
3	15 April 2025	Auckland Council	For notification
4	9 May 2025	Auckland Council	For notification
5	17 July 2025	Auckland Council	For notification
6	24 July 2025	Auckland Council	For notification
7	31 July 2025	Auckland Council	For notification

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1. Introduction

1.1 Overview

This Assessment of Environmental Effects (AEE) report has been prepared on behalf of SAL Land Ltd (the Applicant). The AEE supports a resource consent application to Auckland Council for the construction and operation of a managed fill facility on the site at 1618 Ararimu Road in Papakura[1] (the site).

This report has been prepared by Williamson Water & Land Advisory Ltd (WWLA) in fulfilment of section 88 of the Resource Management Act 1991 (RMA).

1.2 Applicant and Property Details

Table 1. Property and applicant details.

Applicant	SAL Land Ltd
Site address	1618 Ararimu Road, Papakura
Owner / occupier of application site	SAL Land Ltd Bhavia Jattan Rakesh Rajesh Jattan
Total site area	40.4 ha
Legal Description	Pt Lot 2 DP 77813 Lot 1 DP 166299 and Lot 8 DP 369781
Record of Title reference	NA89C/580 369962
Council **Plan**	**Auckland Council** Auckland Unitary Plan - Operative in Part (AUP)
Address for service during consent processing	**Williamson Water & Land Advisory** Attention: Laila Alkamil Email: Laila.alkamil@wwla.kiwi Ph: 027 266 8405
Address for service during consent implementation and invoicing	**SAL Land Ltd** Attention: Alistair McCourtie Email: alistair@sbcivil.nz

The Record of Title and relevant Interests are included in **Appendix A**.

1.3 Overview of Resource Consent Requirements

Resource consents are sought from Auckland Council under the following rules:

Auckland Unitary Plan Operative in Part (AUP):

- Rule E3.4.1(A49) – New reclamation or drainage, including filling over a piped stream, as a non-complying activity;
- Rule E11.4.1(A8) – Earthworks exceeding 2,500 m^2 where the land has a slope equal to or greater than 10 degrees as a restricted discretionary activity;

[1] Note the physical address of the property as per Google Maps is 1618, however there is no physical address on Auckland Council Geomaps Viewer with the parcel being referenced only by its legal description on Council records (being Lot 2 Deposited Plan 77813).

- Rule E11.4.1(A9) – Earthworks exceeding 2,500 m^2 within the Sediment Control Protection Area as a restricted discretionary activity;
- Rule E12.4.1 (A6) – Earthworks exceeding 2,500 m^2 as a restricted discretionary activity;
- Rule E12.4.1(A10) – Earthworks exceeding 2,500 m^3 as a restricted discretionary activity;
- Rule E13.4.1(A5) – Discharges from a managed fill where 250 m^3 per year or more is deposited and do not comply with Standard E13.6.2.1 as a restricted discretionary activity;
- Rule E15.4.1 (A10) – Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250 m^2 of indigenous vegetation as a restricted discretionary activity;
- Rule E15.4.1 (A17) – Vegetation alteration or removal within 10 m of rural streams as a restricted discretionary;
- Rule E15.4.1 (A18) – Vegetation alteration or removal within 20 m of a natural inland wetland, in the bed of a river or stream, or lake as a restricted discretionary activity;
- Rule E27.4.1 (A2) – Parking, loading, access which is an accessory activity but which does not comply with the standards for parking, loading and access as a restricted discretionary activity;
- Rule E36.4.1(A41) – Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path as a restricted discretionary activity; and
- Rule H19.8.1(A66) – Managed fills in the Rural – Rural Production Zone as a discretionary activity.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES - Freshwater):

- Regulation 45B(1) – Vegetation clearance within, or within a 10 m setback from, a natural inland wetland for the purposes of constructing and operating a landfill or a cleanfill area as a discretionary activity;
- Regulation 45B(2) – Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland for the purposes of constructing and operating a landfill or a cleanfill area as a discretionary activity; and
- Regulation 45B(4) – The taking, use, damming or diversion of water within, or within a 100 m setback from, a natural wetland is a discretionary activity for the purposes of constructing and operating a landfill or a cleanfill as a discretionary activity.
- Regulation 571) – Reclamation of the bed of any river as a discretionary activity.

Overall, resource consent is sought as a **non-complying** activity.

1.4 Consent Duration

Resource consent is sought for a duration of 16 years.

2. Description of the Receiving Environment

2.1 General

The site is located at 1618 Ararimu Road in Papakura, Auckland. The land occupies an area of some 40.4 ha (refer to **Figure 1** below).

The proposal will take place over two land parcels - Pt Lot 2 DP 77813 and Lot 1 DP 166299 and Lot 8 DP 369781. The Applicant has lease agreement with the landowner for Lot 1 DP 166299 for the purposes of using the land for filling activities (refer to **Appendix B**).

As shown in **Figure 1** above, the property is a rural/lifestyle block surrounded by similarly sized land parcels. The site has an irregular elongated shape. The site gains access from Ararimu Road to the north with a formed access (metalled track) extending along the western boundary of the property crossing a culverted watercourse before rising up to the south. This formed access extends up to the ridge line in the central-south portion of the site (**Photograph 1***).*

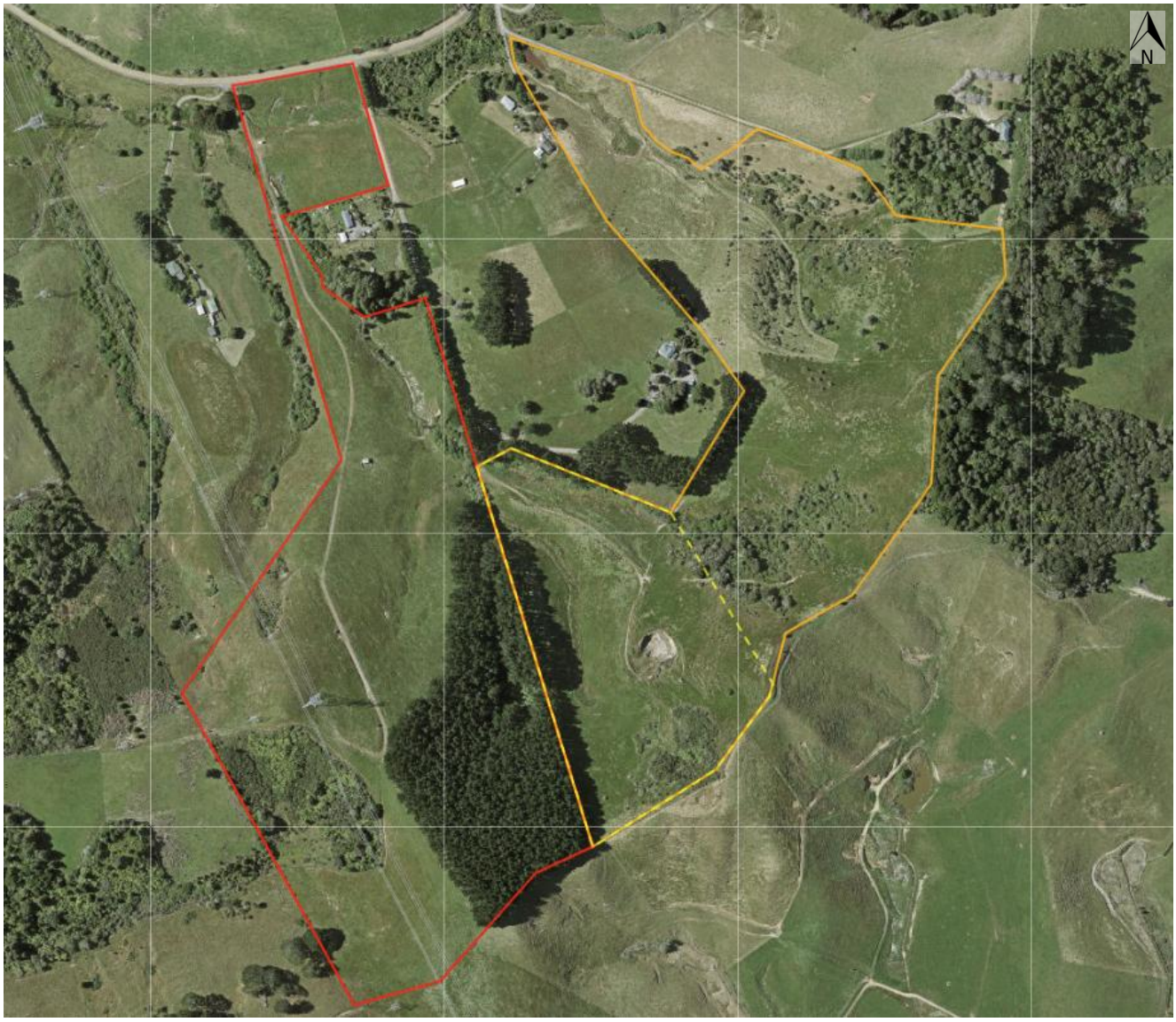


Figure 1. The site, including Lot 2 DP 77813, Ararimu Road, Auckland (red line), and the adjacent property, Lot 1 DP 166299, Lot 8 DP 369781 (yellow dashed line). The remainder of the adjacent property is marked with an orange line and is not part of the site. (Source: Auckland Council Geomaps Viewer, 2023).

There are three structures on the site, a small shed in the north, a corrugated iron hay shed further to the south with stockyards on the western boundary between the two sheds (**Photograph 1**). There is no dwelling on the property but a smaller land parcel containing a dwelling is in the northeast of the site, potentially originally part of this land parcel (shown in **Photograph 1**). The only other structure on the site is a water tank at the top of the ridgeline in the south of the site.

An electricity pylon (**Photograph 5**), owned and operated by Transpower, is in the south-western corner of the site with associated overhead power lines traversing the site in a north-south direction.

Council's GIS identifies open watercourses traversing the northern portion of the site, refer **Figure 2**. The site inspection confirmed a watercourse traversing the eastern boundary, continuing to the north before crossing the access track and traversing northwest (**Photograph 2**).

Two drained former wet (wetland) areas following the watercourse alignment are noted in the north of the site (**Photographs 1 and 2**) and in a section further south (**Photographs 3 and 4**). A groundwater spring is to the southwest of the stream and the foot of the slope (**Photographs 5 and 6**).

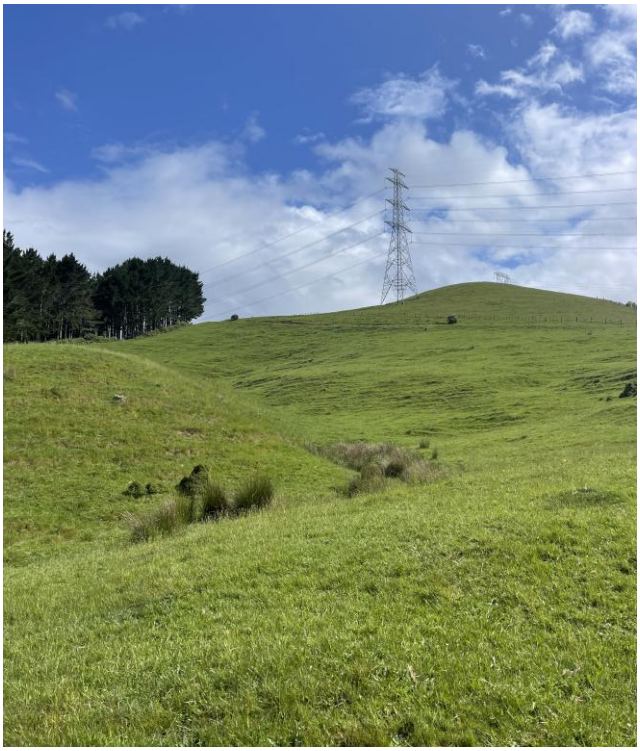
A former farm quarry is located on the leased portion of the site to the east (**Photograph 8**).

Photograph 1. Access from Ararimu Road looking south with the sheds and stockyards (drone image SB Civil, 9 Nov 22).

Photograph 2. From the ridgeline looking north showing the previous pine plantation (now removed) and stream (drone image SB Civil, 9 Nov 22).

Photograph 3. Drained wetland area / watercourse.

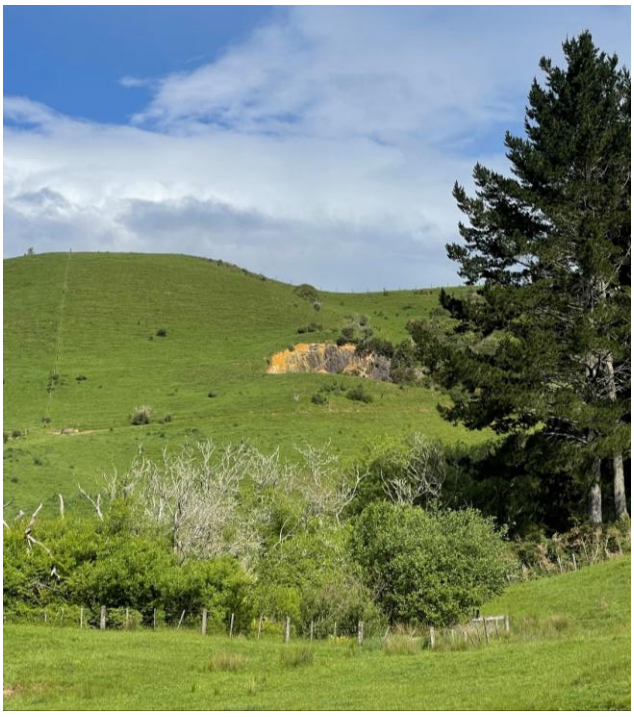
Photograph 4. Spring looking towards the wetland in Photograph 1.



Photograph 5. Looking up the valley, groundwater spring in the foreground.

Photograph 6. Groundwater spring area. Note – the pine plantation in the background has now been removed.

Photograph 7. Upper slopes and pylon.



Photograph 8. Former quarry on the eastern boundary of the site.

Photograph 9. Entrance culvert.

Photograph 10. Native tree stand located to SW corner.

2.2 Culture and Heritage

Auckland Council's GeoMap Viewer does not identify any site/s of cultural of heritage value positioned within the property.

2.3 Traffic Network

Ararimu is a two-laned local road. It runs from Great South Road in the west to Paparimu Road in the east. It has a carriageway width of approximately 7 m near the subject site and the road follows relatively gentle vertical and horizontal curves in alignment with the natural topography. Near the site Ararimu Road has a posted speed limit of 80km/h. East of the subject site, Ararimu Road is provided with an advisory curve 45 km/h signage and chevron boards to highlight the curve within the road.

Traffic counts and vehicle operating speeds were collected along Ararimu Road via a one-week tube count. From this data collection, it was determined that Ararimu Road has an average daily traffic count of 299 vehicles, with a peak hour volume of 37 vehicle movements. On average, 14.7% of the vehicle traffic along Ararimu Road was classified as heavy vehicles.

For further information, refer to the Traffic Assessment in **Appendix C**.

2.4 Topography

The site has an undulating topography, falling from the southern portion (approximately 210 m RL) of the site towards Ararimu road (northern portion of the site, approximately 140 m RL). At its steepest there is a difference of approximately 70m in height across the site.

As discussed above, an unnamed stream enters the site from the east, draining toward the road (northern boundary).

2.5 Soils and Geology

Published geology indicates the site is underlain by Waipapa group Sandstone, with valleys infilled with Tauranga group alluvial/colluvial deposits (**Figure 2**).

The Waipapa Group comprises predominantly thin-bedded alternating fine-grained sandstone and argillite, massive, poorly bedded or laminated argillite and massive, jointed "greywacke" sandstone, in beds or composite beds up to tens of metres thick. Zones of melange and broken formation are also common. The rocks are typically hard to very hard, closely fractured and sheared.

Well-drillers' records within 1.5 km of the site retrieved from the NZGD indicate sandstone was encountered from 7-34 m BGL, with various sedimentary deposits (including peat) overlying the rock. Exposed rock is evident on an adjacent hillside (former quarry, **Photograph 8** and shown on **Figure 1**).

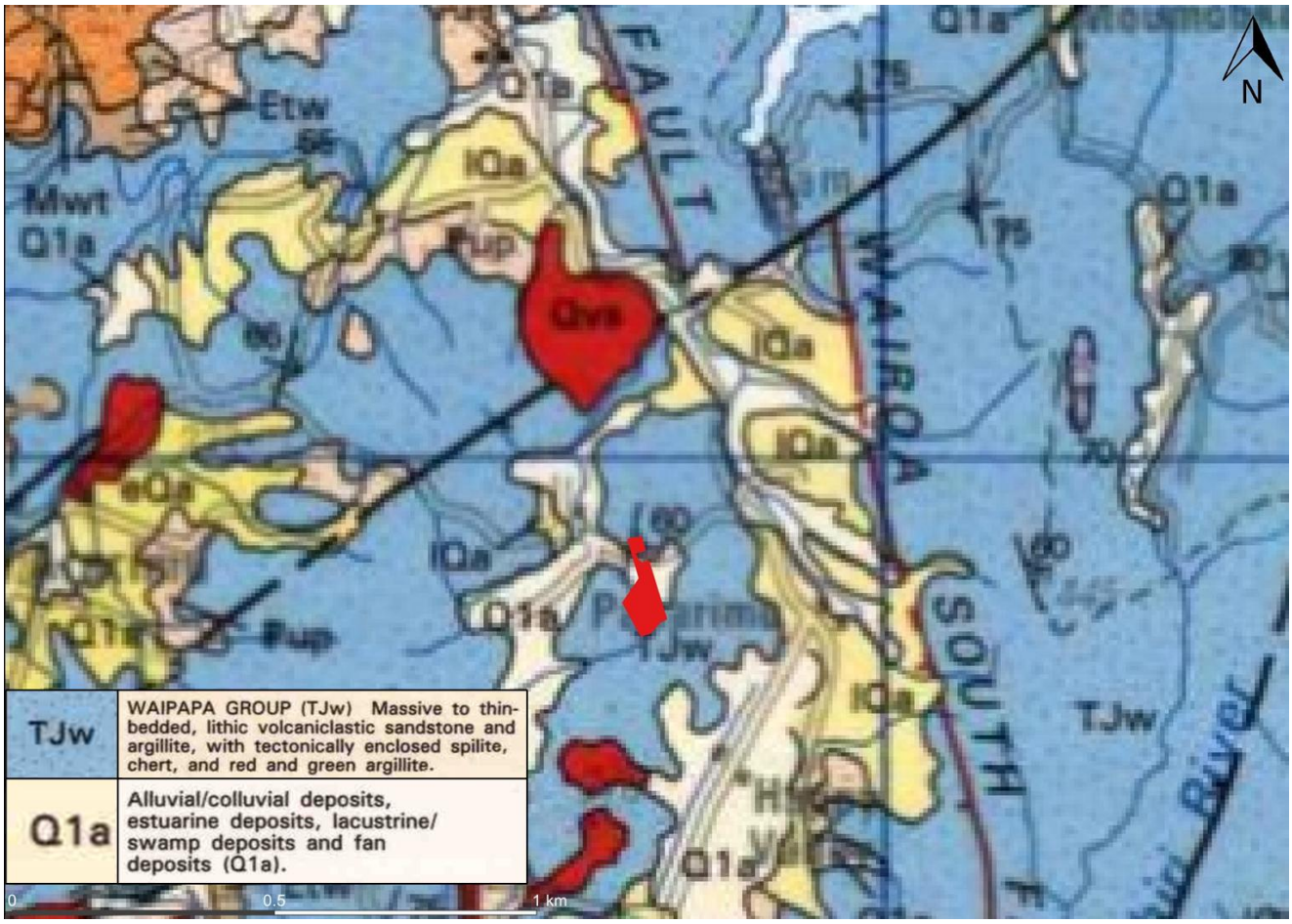


Figure 2. Published Geology of the site, shown in red (Source: Edbrooke 2001).

2.6 Surface Water

As discussed above, an unnamed stream is located on the northern boundary of the site, alongside the road with a watercourse running generally on the eastern side of the site discharging to this stream. There is an existing culvert approximately 30 m from the site entrance. This is in poor condition as shown in **Photograph 9** above.

2.7 Hydrogeology

Static water levels recorded on the NZGD well-drillers' logs range from slightly artesian to 15 m BGL, strongly dependent on local topography. Regional groundwater is expected to flow roughly east to west, from the Hunua Ranges ultimately discharging into the Manukau Harbour.

There are multiple overland flowpaths (OLFP) with catchments up too and greater than 4,000 m^2 that are predicated to cross the fill footprint. The overland flow path predominantly enters from east and exits the site to the northwest. There are also two OLFPs that build within the site and exit at the central area, and the southeastern section of the site.

Floodplains are located on the property. The floodplains are associated with the OLFP within the site.

2.8 Ecology

The below sections summarise the existing ecological values of the site, as described in the Ecological Impact Assessment (**Appendix D**).

2.8.1 Aquatic Values

2.8.1.1 Streams

The site contains three gullies in the southern half of the site, through which three headwater streams / overland flow paths flow south to north where they join another tributary that flows east to west across the northern end of the site.

There are two permanent streams on site, Streams P1 and P2, both un-names tributaries of the Wairoa River that flows north towards its mouth at the Tamaki Strait. Permanent Stream P3 is on the leased land on the neighbouring property and is not within the development footprint. There is one intermittent stream, Stream I1, that is located at the foot of the western gully and flows into an area of wetland (Wetlands W5 and W6) and on into Stream P2. This intermittent stream is modelled in the Auckland Council GeoMaps as an overland flow path, however the Ecological Assessment determines that it meets the definition of an intermittent stream.

There are a number of braided overland flow paths that flow through the gully before they form permanent Stream P2. These are modelled in the Auckland Council GeoMaps as overland flow paths and they meet the criteria for an ephemeral stream. For further information on this, see the Ecological Impact Assessment (**Appendix D**).

2.8.1.2 Permanent Stream P1

Permanent Stream P1 flows east to west through pasture that has been grazed recently; there is no wood riparian vegetation along this section. The immediate upstream section of the stream, on the adjacent property to the east, flows through dense vegetation which comprises a mix of planted natives and exotic species, including willow. The immediate downstream section, on the adjacent property to the west, flows through a mix of exotic wetland vegetation with a few trees, and grazed pastured.

The New Zealand Freshwater Fish Database records a number of native fish species within the wider Wairoa River catchment. As Stream P1 only supports limited habitat for native fish, it is unlikely that many of these species are present. Shortfin eel (*Anguilla australis* – Not Threatened) is the most likely species to be found as it can tolerate higher water temperatures and lower dissolved oxygen content than most other native fish species. The NIWA River Map has predicted records for fish in all streams, and shortfin eel is the one species predicted to be present in this stream.[2]

2.8.1.3 Permanent Stream P2

Permanent Stream P2 begins at the northern end of the gully and flows north through the site before crossing the site boundary into the neighbouring property. Upstream of Stream P2 the channel becomes braided, indistinct and ephemeral; these braided channels do not meet the criteria for intermittent or permanent streams.

The dominant substrate making up the stream banks and channel bottom is clay. The sections of the stream that flow beneath willow canopies also contain root and leaf mats and woody debris. These sections provide a greater range of habitat for native fish and aquatic invertebrates than the sections passing through pasture. It is likely however, that due to the lack of suitable habitat in the stream downstream, shortfin eel is the only native fish species that may be present in Stream P2.

2.8.1.4 Intermittent Stream I2

There is no woody riparian vegetation along this short stream, although long grasses on the margins provide some shade for the stream bed. Its bed and banks are formed of clay and it supports only very limited habitat

[2] https://shiny.niwa.co.nz/nzrivermaps/

for aquatic invertebrates. Fish habitat is very restricted as undercut banks, debris, leaf packs, and roots are absent – the stream is effectively only a chute channelling water.

2.8.1.5 Ephemeral Stream E1

Ephemeral Stream E1 is an overland flow path that has many braided channels within the gully. There is no well-defined channel, evidence of natural pools or other indicators of an intermittent or permanent stream.

2.8.2 Wetlands

Eight areas on the site have been assessed as meeting the criteria of a "wetland" under the RMA and the definition of a "natural inland wetland" under the National Policy Statement on Freshwater Management 2020. Wetlands W1, W2 and W3 are three small remnants of wetland at the northern end of the site. All three have been modified through drainage and grazing by stock. Wetland W4 is a small riparian wetland alongside Stream P2. Wetland W5 is a small area of wetland at the downstream end of Stream I1, that leads directly into Wetland W6. Wetland W6 is a larger area of wetland that has been fenced from stock and supports a diverse range of native wetland species, as well as a canopy of exotic willow. Wetlands W7 and W8 are both on the neighbouring property and are linear wetlands along gully bottoms; both are grazed and trampled by stock. Wetland W8 lies alongside Stream P3 which is a tributary of Stream P2.

For further information on the wetlands present, refer to the Ecological Impact Assessment (**Appendix D**).

2.8.3 Terrestrial Values

2.8.4 Vegetation

The majority of the site comprises of grazed pasture grasses, that have been grazed up until recently (and we understand will continue to be grazed over spring and summer as part of ongoing livestock use of the site).

At the bottom of the gully, ephemeral flow paths begin to emerge and there is a greater diversity of native tree and shrub species. In addition to the native species listed above, mamaku (*Sphaeropteris medullaris*), mahoe (*Melicytus ramiflorus*), cabbage tree (*Cordyline australis*), marble leaf (*Carpodetus serratus*), rough tree fern (*Dicksonia squarrosa*) and *Coprosma rotundifolia* are also present.

There is an area of regenerating native bush and wetland at the south western edge of the site, that lies in the head of another gully that runs downstream into the neighbouring property to the west. This area was not formally surveyed during the site visit as it lies outside of the area proposed for the managed fill operations.

The plant species found are all 'Not Threatened' or are exotic species. The abundance of the native plant species is low overall and comprises a very small portion of the vegetative cover.

The National Policy Statement-Indigenous Biodiversity came into force 4 August 2023 and is intended to part of a suite of measures to better protect New Zealand's indigenous biodiversity. Amongst other things, the NPS-IB provides a nationally consistent framework for the identification of Significant Natural Areas (SNAs), and for their protection through the careful management of activities that could adversely affect the values that make such areas significant.

The NPS-IB establishes strong national direction for the management of activities in SNAs with which all future resource consents applicants must comply, and provides direction on the management of indigenous biodiversity outside of SNA sites. There are no SEAs listed in the Unitary Plan for this site, and therefore by default there are no NPS-IB SNA areas. There is a process which Councils must work through to declare areas of new SNA under the NPS-IB; this process is managed by Council and there the Applicant cannot identify areas as SNA unless they are already identified in a District Plan as SNA (or equivalent). Therefore, the analysis contained in the Ecological Impact Assessment (**Appendix D**) focusses on the management of biodiversity values within the site in the context of the requirements of the NPS-IB for managing biodiversity outside of SNAs.

2.8.5 Avifauna

Six species of birds were recorded during the site visits, including five native species, none of which are listed as 'At Risk' or 'Threatened'.

The area of native bush at the south western edge of the site was not surveyed for birds, but is likely to support a similar suite of species as noted for the rest of the site.

There are no species of birds listed as 'At Risk' or 'Threatened' that are expected to utilise the site.

2.8.6 Lizards

No lizards, or sign of lizards e.g. scat or slough, were seen during the site surveys. The area of regenerating native bush was not formally surveyed for lizards as it is outside of the footprint of the proposed managed fill activity. Any lizards that may be present in the area of native bush are very unlikely to use the rest of the site due to the lack of suitable habitat.

The lack of lizard records close to the site along with the absence of suitable habitat indicate that it is very unlikely that native lizards are present within the footprint of the managed fill development.

2.8.7 Long-Tailed Bats

The closest record of long-tailed bats is approximately 2.5 km to the south west of the site. There are also records of bats from 4.5 km to the east, 5 km to the north west, and 5.5 km to the south east.

The site did previously contain a pine plantation, which would have been the main area of potential bat roosting habitat on site, however this has now been removed.

The area of mixed native/ exotic bush in the gully at the western edge of the site may potentially support trees large enough to provide bat habitat. This area of bush was not surveyed during the site visits as it is beyond the development footprint.

The wetlands on site will provide habitat for flying insects which in turn provide a food source for bats, and the linear features on site e.g. streams, gullies, and forest edges may provide routes along which bats transit between roosting and feeding sites.

2.9 Ground Contamination

WWLA undertook a Preliminary Site Investigation (PSI) in January 2023 to determine the contamination status of the site. The PSI concludes that there are no potentially contaminating activities on the site that may present a risk to human health or the environment. The site is not therefore considered a *'piece of land'* as defined by the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ('NESCS'). A copy of the PSI is included in **Appendix E**.

2.10 Land Use Capability

Auckland Council GIS Viewer identifies a very small portion of the site (very north-western corner) as LUC 2, which is considered arable with slight limitations to horticulture; the northern portion of the site is LUC 3, which is considered arable with moderate limitations, the southern portion of the site (where the fill operation is proposed) is categorised as LUC 6, which is non arable, with moderate limitations.

No filling activities or construction works will occur within any land identified as being 'Highly Productive' as defined under the National Policy Statement for Highly Productive Land (NPS-HPL).

2.11 Landscape Values

A Landscape and Visual Assessment has been prepared for the proposal and is attached as **Appendix H**. The below sections summarise information contained in that assessment.

2.11.1 General Setting

The site is situated within the Hunua foothills; a rolling, mainly pastoral landscape which is influenced by the presence of scattered rural residential properties. Approximately 2 km to the east of the site, the slopes of the Hunua Ranges rise steeply and dramatically, dominating the landscape. The site is separated from the ranges by the broad and flat Wairoa River Valley.

Within the vicinity of the site, and to the west, the landscape is characterised by a rolling and gentle topography which rises to a maximum height of some 250 m. The natural patterns of the landscape are strengthened by native vegetation which has been retained. The riparian vegetation emphasises the alignment of watercourses and where vegetation reflects the topographical patterns that correspond to human imposed boundaries such as property and paddock boundaries, and the wider rural residential and lifestyle blocks. This reflects the smaller landholdings associated with rural residential and lifestyle blocks. These patterns impart a relatively fine grain to the landscape, whilst where holdings are larger, pastoral land use prevails and the landscape assumes a larger scale.

The rural character of the Ararimu Road valley is strongly influenced by the presence of a number of powerlines that dominate the landscape.

The site occupies a small catchment, comprising three gullies which extend into the southern half of the site. Three headwater streams / overland flow paths flow from south to north where they join another tributary that flows east to west across the northern end of the site.

Overall, the site is found to be within an ‘ordinary’ landscape. It displays a distinguishable landscape structure, characteristic patterns of landform and land cover often masked by land use, together with some features worthy of conservation and some detracting features.

2.11.2 Visual Catchment

On a broad scale, the site is contained on its southern, south-eastern and eastern sides by a ridge which is defined by One Tree Hill and Peach Hill.

Across the valley to the north-west, north and north-east the rising hill slopes preclude more distant views from these directions. A northerly trending ridge encloses the proposed managed fill on its western side, and screens views of the proposed landform from the south-west and west. Views to the proposed landform are however, possible from locations within the valley landscape and from the lower hill slops to the north, north-west and north-east. This includes longer views from the elevated locations to the north-west from a distance of approximately 1,600 m.

Views from the locations to the north-east and east are curtailed by the ridge land form, but more proximate dwellings located to the north, on the ridge flanks and associated landform offer views to the proposed managed fill.

Specific view locations are outlined in the Landscape and Visual Assessment in **Appendix H**.

3. Description of the Proposal

3.1 Project Overview

The Applicant proposes to establish a managed fill facility at the site with a maximum capacity for 1,364,466 m^3 m^3 of fill to be placed for a duration of 16 years.

The overall project will comprise:

- A gravel access road constructed on Ararimu Road to the managed fill areas;
- Bulk earthworks to construct the fill areas;
- Establishment of ancillary infrastructure, including site office, parking area and weighbridge; and
- Construction of a new accessway and installation of new culverts.

3.2 Fill Footprint, Design and Capacity

The managed fill operation will consist of two fill areas – one to the south and one to the north. The fill area to the north is proposed to be filled first, with the southern fill area commencing after Stage 1 is complete.

The rate of deposition of fill to be disposed at the site will be project-specific, however the capacity of the fill areas are as follows:

- The maximum cut depth will be 1.5 m;
- The maximum height of the fill will be 45.1 m; and
- The bulk total fill volume will be approximately 1,364,466 m^3 over the 16-year duration of the managed fill.

In addition to this, earthworks are required to form the internal haul road involve earthworks to a maximum cut depth of 2.5 m across an area of 3,635 m^2.

For further information, refer to the Cut and Fill Plan (**Appendix F**).

3.2.1 Layout

The existing access track through the site will maintained with alterations to the northern section and the point at which the track enters the site. The existing entry point in the northwestern corner of the site is proposed to be removed, and a new entry created at the centre of the site's road frontage. A new track will be constructed to run south before turning west to join the existing track at the site's western boundary

As part of the alterations to the access track, the existing culvert in the northwest corner of the site will be removed, and a new culvert created to carry the track in its new location over Stream P1. A new culvert will also be installed to replace the existing pipe, at the point the access track crosses Stream P2.

The site office, parking area and weighbridge will be located approximately 400 m from the front of the site, by the Stage 1 fill area. A site office is proposed as shown in **Figure 2** below. Roof water will be collected and filtered to provide potable water for employees and portaloos will be provided (which will be emptied in accordance with the portaloo provider requirements). There will be no lighting on site.

Filling of the site will occur in two stages, the first stage (northern gully) is at the bottom of the valley, up from the stream. The second stage (southern gully) will occur within the valley where the pine plantation was originally.

The general site layout is shown in **Figure 2** below, the full site drawings are included at **Appendix F**.

Figure 3. Site Layout Plan. (Source: WWLA, 2025).

3.3 Managed Fill Operations

The Fill Management Plan (**Appendix G**) sets out the details regarding the operations and management of the fill operation, staging, site access and water management and treatment (i.e. erosion and sediment control measures).

All fill operations will be undertaken in accordance with an approved FMP (refer to **Appendix G**). The purpose of this plan is to:

- Describe the acceptance criteria, management, construction and operation of the managed fill to ensure it is operated in accordance with the consent conditions;
- Identify all relevant consents that apply to the managed fill activities on the site; and
- Provide reference information on the operation of the managed fill site for the staff, regulators and peer reviewers (if required).

In summary:

- The acceptance criteria (i.e. the characteristics of the fill material to be accepted) is set out in the FMP. The fill material will be sourced from earthworks sites, expected to be largely in the Auckland region but potentially the northern portion of the Waikato region and wider afield on a case-by-case basis. Source material will be required to be characterised prior to being received at the managed fill via a Preliminary and Detailed Site Investigation (PSI and DSI) or specific testing for the purpose of informing soil disposal; and
- Erosion and sediment controls will be established and managed as set out in the draft Erosion and Sediment Control Plan (refer to **Section G**).

3.3.1 Fill Placement

A key part of the geotechnical design of the managed fill design is undercutting soft material in the gully floor. This undercut is to be backfilled with gravel / cobbles / crushed concrete. The gravels / cobbles will consist of GAP65 or GAP100. Crushed concrete, if used, will come in various particle sizes between 100 to 200 mm. A geofabric separation layer will be used for backfill placement direct above soft material to minimise segregation.

Guidance on placement requirements and the proposed compaction controls is set out in **Table 2** below.

Table 2. Summary of fill placement requirements.

Material Type	Loose Layer Thickness (max)	Max Particle Size	Placement Requirements
Undercut backfill	0.4m	200 mm	Upper 1.5 thickness of undercut backfill to be compacted. Minimum of 4 passes with a 12 tonne roller. Geofabric separation layer may be required depending on the insitu ground condition.
Bulk Managed Fill	0.4 m	200 mm	Bladed out into loose lifts by a bulldozer. Minimum of 4 passes with a 12 tonne padfoot roller.

3.3.2 Signage

The only signage proposed will be a site identification sign located within the site, which will be visible from Ararimu Road during the filling operation. Given that the sign will relate to the activities on site, it is not considered to be a billboard (as per the definitions of the AUP) and therefore E23 does not apply.

The sign proposed will be the only sign located on the site and will be setback from the road boundary, adjacent to the vehicular entrance, within the application site. The sign will have a maximum area of 3 m^2, its overall height will be less than 4 m above ground level and will be set back at least 2 m from the side boundary. The sign will not be illuminated and will be removed when the filling operations on the site are completed. The sign proposed will be similar to other identification signage located within the surrounding rural area and will not be out of keeping with the rural character of the area. Given that the sign is not proposed to be illuminated and will not be located within the road berm, it is not considered that any traffic hazards would result.

3.3.3 Traffic

3.3.3.1 Site Access

The site is currently serviced by a single vehicle crossing along the site's western boundary. The existing crossing will be removed and reinstated as a grass berm as part of the proposal. A new vehicle crossing will be constructed approximately mid-way along the site's frontage, so to be located in a position with increased visibility along Ararimu Road. The vehicle crossing will be onto a local road, more than 500 m from the nearest intersection. As such, there are no vehicle access restriction which apply to the site.

The vehicle crossing for the site will have a formed width of 6 m at the boundary. This width is the maximum typically permitted under the AUP for vehicle crossings within rural zones, however it is noted that they are permitted to be as wide as 9 m, where an access would be serving large heavy vehicles. Based on the likely volumes of trucks to/from the site, it is not anticipated that two vehicles would meet at the vehicle crossing, as such the vehicle crossing has been designed to accommodate a single turning truck and trailer, which is anticipated to be the largest vehicle utilising the site.

The vehicle crossing for the site will be formed with a bespoke design to facilitate two-way vehicle movement at the access for a truck and trailer. The vehicle crossing has also been design, such that a truck and trailer turning left out of the site will not be required to cross the centreline of Ararimu Road. The vehicle crossing will have a width of 23 m at the boundary, where under the AUP a maximum width of 9 m is permitted (refer to **Section 5** for further details).

Within the site, the access will have a formed width of 6 m, allowing for two-way vehicle movement along straight sections of the access, and ensuring vehicles stay within sealed areas through bends along the access. Overall, the access widths comply with the E27 standards in the AUP.

For further information, refer to the Traffic Assessment in **Appendix C**.

3.3.3.2 Sight Distance

For this location, the access is forecast to accommodate less than 200 vehicle trips per day, therefore classifying the driveway as low volume. The 85th percentile speed along Ararimu Road were found to be 84 km/h (rounded up to 90 km/h). As Ararimu Road is a local road, a sight distance of 130 m is required.

Sight distances at the proposed vehicle crossing location were confirmed to be 140 m towards the west and more than 170 m to the west. Based on the information in the Traffic Assessment (**Appendix C**), the proposed access points provide a suitable level of sight distance.

3.3.3.3 Trip Generation

The proposal involves a maximum of 87 trucks arriving and then departing the site, with up to 9 trucks (18 movements per hour) at peak over a 10 hour day.

With the existing traffic volumes on Ararimu Road being relatively low (299 daily vehicles, with 37 peak hour vehicles), truck traffic to / from the site are forecast to be able to turn freely with minimal delay / queuing along Ararimu Road or within the site's access.

3.3.4 Hours of Operation

The site will be operational six days a week; 7:00 Am to 7:00 pm Monday to Friday during the summer season, 7:00 am to 5:00 pm during the winter season and between 7:00 am to 12:00 pm (midday) on Saturdays.

Outside of these hours, including during weekends and public holidays, there will be no outside truck movements but machinery may be employed within the site when required e.g. site maintenance and upkeep of erosion and sediment controls, for safety reasons, or following unexpected events.

3.4 Ecological Management

3.4.1 Stream and Wetland Removal

The managed fill footprint covers 35 m of Stream I1, resulting in the complete loss of this section of intermittent stream. The loss of this section of stream cannot be avoided in this proposal, and stream loss cannot be remedied or mitigated. The fill footprint will also include much of the gully that is currently occupied by Wetland W7.

In order to reduce the magnitude of the effect, this loss of stream and wetland value will be **offset** through restoration planting along Stream P1, and the loss of stream extent is offset through a 'trade-up' offset, re-creating wetland in place of re-creating stream.

The offset requirements for replacing stream value and wetland values have been calculated using the Stream Ecological Valuation and Wetland Ecological Valuation data that has been calculated for the impacted stream and wetland respectively. For further information on this, refer to **Section 3.4.2** below and the Ecological Impact Assessment in **Appendix D**.

3.4.2 Ecological Enhancement

To offset the loss of Wetland W7 and the loss of Stream P1, the following ecological enhancement is proposed:

- 20 m wide riparian planting on both sides of Stream 1;

- 471.5 m^2 of native planting of the historic wetland as an equitable exchange to offset the loss of extent (35 m) of Stream I2;
- 10 m wide riparian planting around the perimeter of the recreated wetland; AND
- 2,677 m^2 of riparian planting around Stream P2 and the restoration of 1,554 m^2 of wetland at Wetlands W5 and W6.

Culvert SW-1-1 on Stream P1 will result in a total length of 29.3 m of stream disturbance. Compared to the original culvert design this represents an additional 4.9 m of stream disturbance.

Culvert SW-1-2 on Stream P2 will result in a total length of 20.34 m of stream disturbance. Compared to the original culvert design this represents an additional 5.44 m of stream disturbance.

The proposed offset plan has been amended slightly to take into account those areas previously identified for mitigation or offset planting that will now be within the footprint of the culverts.

The footprint of culvert SW-1-1 will encroach into areas previously identified for stream offset planting and wetland re-creation and wetland buffer planting. The footprint of culvert SW-1-2 will encroach into the area previously identified for wetland and stream buffer planting. To ensure sufficient area for these plantings are maintained, additional areas for planting and wetland re-creation have been identified as follows:

- 40 m^2 around Drain D3;
- 60 m^2 of recreated wetland HW1 buffer;
- 40 m^2 of Stream P1 terrestrial buffer

Although an additional 10.34 m of stream bed will be disturbed, the ecological value of Streams P1 and P2 has been rated as low and the level of adverse effect following proposed mitigation is considered to be very low. There will be no loss of stream extent, and minimal loss of stream value. Fish passage will be maintained, and in the case of Stream P2, restored, and extensive planting around both streams will increase the ecological value of the streams beyond their current value. As such, additional mitigation or offsetting measures are not required.

As the areas available as replacement planting areas are further from the target streams or wetlands, larger areas than those being lost have been identified for added value. Whilst only ca. 15 m² of re-created wetland HW1 is within the culvert footprint, 40 m² has been identified as replacement wetland creation area to ensure there is sufficient suitable land. Wetland re-creation will take place in an area previously identified for wetland buffer planting; thus, a larger area has been identified for buffer planting than will actually be lost to culvert construction.

3.4.3 Screen Planting

Within the first planting season following the commencement of operations on the site, mitigation planting will be undertaken within the mid-part of the site to the north of the Stage 2 footprint. The eastern-most area of planting will encompass Stream I1 and Stream P2. These planting will also encompass the wetland areas associated with Stream P2, and will comprise locally appropriate native species, planted as revegetation grade stock at a density that will ensure canopy closure within 3-5 years. These plantings are intended to buffer the works from neighbours to the north, north-east and north-west, and to establish a robust framework of vegetation that will enhance the natural patterns of the landscape.

Extending along the western boundary of the site by the access, a buffer strip of native revegetation planting is proposed to screen views of activity on the access track from occupants of 1616 Ararimu Road.

For more information on the planting schedule, refer to Landscape and Visual Assessment in **Appendix H**.

3.4.3.1 Bund Screens

The proposal seeks to limit the visibility of the activity associated with the construction of the proposed managed fill by – at the commencement of each phase of filling- creating a screening bund at the northern extreme of the area of fill, and then 'infilling behind' the bund (noting the maximum working area open at any one time will not exceed 2 ha). By doing so, views of the construction and filling activities will largely be hidden, although individuals will have the potential to gain views of the completed and grassed landform.

3.5 Works in Proximity to National Grid Infrastructure

All works in proximity to the National Grid support structures and transmission lines will be undertaken in accordance with the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001). No works will be carried out within 12 m of the outer edge of the transmission lines and support structure. There will be no machinery operating in proximity to the transmission lines and no filling / earthworks undertaken within a 12 m setback of the transmission lines. Access to the transmission lines and support structure for Transpower will be maintained at all times.

The Applicant has proffered resource consent conditions to address these matters (refer to **Appendix I**).

3.6 Post-Closure

The life of the managed fill facility will depend on the fill volumes – if fill volumes decrease over time, the managed fill will be extended, and vice versa for increasing fill volumes. Once the managed fill facility reaches capacity, the fill facility shall be closed and a fill footprint grassed over.

Additional post-closure works will include grading stockpile areas to integrate them into the surrounding topography, probable removal of sediment ponds and the re-vegetation of any exposed earthwork areas.

3.7 Consideration of Alternatives

Schedule 4 of the RMA requires that consideration of alternatives is given where it is likely that the activity will result in any significant adverse effect on the environment. As discussed in **Section 5** of this report, the proposed managed fill facility is expected to result in less than minor adverse effects on the environment. On that basis, a consideration of alternatives is not required for this activity. Notwithstanding this however, the Applicant has assessed the viability of a number of sites across Auckland for suitability as a managed fill facility. The topography of the site is favourable with a depression area located where the fill site proposed. The site, being located just 15 minutes drive from State Highway 1, is well located in terms of the transportation network.

Furthermore, the position of the fill area is to the rear of the property, with the existing vegetation lining the watercourse, assists with screening to neighbouring properties and reducing visual landscape effects on the wider environment making its suitbale from an effects perspective.

Although the proposal is not expected to result in significant adverse effects on the environment, it is noted that the amendments to the Essential Freshwater 2020 regulations now means an 'no practicable alternative location' test is used to support a consenting pathway for fill activities in proximity to natural inland wetlands. This test requires that "there is either no practicable alternative location, or every other practicable alternative location would have equal or greater adverse effects on a natural inland wetland".

In terms of the meeting this gateway test, the following is noted regarding the suitability of this site:

- The site has three gullies (east, central and west), which are sufficient in size for a considerable volume of fill to be deposited;
- Ability to maintain separation distances from sensitive receivers;
- Proximity to State Highway 1 and Auckland CBD, noting this is essential for the overall feasibility of transporting fill material;
- Potential longer term development capacity;

- Avoidance of land identified as being 'highly productive'; and
- Avoidance of identified sites of cultural significance or significant waterbodies.

Based on these features, it is considered that this site meets the 'no practicable alternative location' test.

Furthermore, the amendments made in 2022, a new consenting pathway was introduced for landfills and cleanfills in the form of regulation 45B.

Within the Policy Rationale prepared by the Ministry for the Environment (MfE) for the Essential Freshwater amendments in 2022, it was recognised:

With a growing population and rising demand for aggregate materials to facilitate urban development and infrastructure, we can expect that the need for clean and managed fill sites will continue and may grow. We agree that where possible, fill sites should be outside natural inland wetland areas. However, because of the prevalence of natural wetlands in areas where fills tend to be located (ie, depressions in the landscape), this may not always be feasible[3].

In assessing each of the parts of regulation 56B(6), the following is considered:

- Section (a) – it is considered that the proposal will provide significant regional benefits, and therefore is consistent with subsection (i). The proposed managed fill development will take soil from a select number of reputable contractors who are working in the construction industry within Auckland and the Waikato. As set out in the National Policy Statement on Urban Development 2020 (NPS-UD), both Auckland and Hamilton (including Waikato District Council and Hamilton District Council) are classified as Tier 1 urban environments where the need for new housing (and including affordable housing) is greatest to meet the demands of current and future residents. An essential part of this housing provision is having managed fill sites in close proximity to the construction sites in Auckland and Waikato for disposal of excess soils and managed waste during the bulk excavation of the application site. There is no viable alternative to landfill for the disposal of large quantities of waste in New Zealand. Given sustainability concerns over trucks undertaking long trips to deliver soils to the managed fill sites due to its carbon footprint, it is important that they are located near to the sites being developed for housing. Given the priority and importance given to the development of new housing in the NPS-UD and in Plan Change 78 (in Auckland), it is considered that the provision of this managed fill capable of taking 1,559, 094 m3 of fill in an efficient manner will provide significant regional benefits.
- Section (b) – In considering this criterion, we believe that (ii) applies, in that every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland. As discussed in section (a), it is important to the urban growth and provision of housing demand in Auckland and Waikato (Tier 1 Councils) to have suitably located clean and managed fill sites to deliver excess soils and other earth and construction waste. To make these efficient and minimise disruption local communities, they typically need to be large rural sites which are located near to the motorway or other arterial roads. The application site is in close proximity to State Highway 1, which makes it a particularly efficient location. The other key feature which is applicable to the site and makes it more appropriate for a managed fill location, comparted with others in the south Auckland, north Waikato region, is that it does not contain Highly Productive Land. Such a site would not be suitable for a managed fill. In considering the sites in South Auckland near to the motorway which do not contain Highly Productive Land, there are few which are of the required size and with good roading links as the application site, as shown in the plan below. Given that sites which are suitable for managed fills nearly always contain gullies which accommodate the soil to be disposed of the majority will contain some form of natural wetland. This is recognised in the quote from Policy Rationale prepared by MfE for the Essential Freshwater amendments in 2022, which acknowledges that natural wetlands tend to be located in areas suitable for fills owning to the depressions in the landscape. Therefore it is considered that every other practicable alternative location in this part of South Auckland is likely to contain a natural wetland or a stream in any gullies or depressions located on the site. In the case

[3] Essential Freshwater amendments – Managing our wetlands : Policy retaionale for exposure draft amendments 2022. In support of amendments to the NES_F and NPS- FM in the 2022 exposure draft prepared by the Ministry for the Environment (page 17).

of the current proposal, while Wetland W7 is proposed to be removed, it will be offset by extensive planting which will result in net ecological gain on the site.

Furthermore, there are other restrictions on sites within this area being used for the deposition of fill including sensitivities relating to neighbouring residential, schools, and sites with cultural significance, which limits the pool of potential sites within this area even further. For these reasons, it is considered that the proposal would have equal adverse effects on a natural inland wetland when compared with every other practicable location, and the proposal is consistent with section 6(b)(ii).

- Section (c) in applying the effects management hierarchy, reference is made to clause 3.22(3) of the National Policy Statement for Freshwater Management 2020 as a guide. It is considered that an assessment of the following is required in the assessment of the effects management hierarchy:
  - Ecosystem health – The Ecologist has assessed the existing wetland and stream on site which are to be removed and concludes that both these features are highly degraded due to a pastoral conversion and stock access and damaged. They are both assessed as having low ecology values and have compromised ecological services. The loss of the wetland is proposed to be offset through the restoration on historic wetlands on the site. The Ecologist has advised that overall the works proposed, including the wetland enhancement and protection works will result in an overall net benefit to ecology as a result.
  - Indigenous biodiversity – as outlined by the Ecologists, indigenous biodiversity is not expected to be adversely impacted by the proposal as majority of the site to be affected by the proposed fill footprint is in pasture.
  - Māori freshwater values – the proposal has been assessed by a Hydrologist who has advised that the groundwater flow to the wetlands will be maintained. The proposed offset planting is also expected to result in net biodiversity gain on the site. In addition, initial consultation with relevant mana whenua groups has been undertaken.
  - Amenity values – the AEE and Landscape and Visual Assessment have considered the landscape and visual amenity effects on amenity values of the surrounding persons and in the wider environment. It is considered that any such effects are overall less than minor.

For these reasons, it is considered that the proposal can be granted by the consent authority as section 45B(6) is satisfied.

4. Resource Consent Requirements

4.1 Overview

The requirements for resource consent are determined by the rules in the AUP and the NES-Freshwater. The rules which apply are determined by the zoning of the site, any identified notations and the nature of the activities proposed.

The AUP overlays and planning limitations which apply to the site are presented in **Table 3** below.

Table 3. Zoning and planning notations.

Planning notation	Comment
Rural – Rural Production Zone	Applies across the entire site.
Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay – Franklin Volcanic Overlay	Applies across the entire site. This overlay identifies the presence of shallow and unconfined aquifers.
Natural Resources: High-Use Aquifer Management Aquifer Management Areas Overlay – Bombay Volcanic	Applies across the entire site. This overlay identifies the presence of aquifers that are highly allocated.
Infrastructure: National Grid Corridor Overlay – National Grid Yard Uncompromised / Subdivision Corridor	Applies to Transpower's HLY-OTA-A 220kV transmission line and support tower which traverses the south-eastern section of the site.
Designation 8512	Applies to the western boundary of the site. Applies to the Transpower New Zealand Ltd as the requiring authority for the construction, operation and maintenance of that part of the 400 kV transmission line that conveys electricity between the Brownhill Road Substation and the Whakamaru and Whakamaru North Substation.
Floodplain	Applies across the southern section of the site, following the existing farm drain. The flood plains indicate the area of land inundated by runoff in a storm event that has a 1 percent or greater probability of occurring in any given year.
Overland flow path	Numerous overland flow paths exist across the site.
Macroinvertebrate Community Index – Rural	Applies across the entire site. No applicable rules.

4.2 Auckland Unitary Plan

Resource consent required for the proposed works under the AUP are outlined in **Table 4** below. Overall, resource consent is sought under the AUP as a **non-complying** activity.

Table 4. Resource consent required under the AUP.

Proposed activity	Rule reference / description	Activity status	Comments
Earthworks	Rule E11.4.1(A8) – Earthworks exceeding 2,500 m^2 where the land has a slope equal to or greater than 10 degrees.	Restricted discretionary	The proposal will involve earthworks exceeding 2,500 m^2 on land with a slope equal to or greater than 10 degrees.
	Rule E11.4.1(A9) – Earthworks exceeding 2,500 m^2 within a	Restricted discretionary	Earthworks exceeding 2,500 m^2 within 100 m of a waterbody will be required to be undertaken.

Proposed activity	Rule reference / description	Activity status	Comments
	Sediment Control Protection Area.		
	Rule E12.4.1(A6) – Earthworks exceeding 2,500 m^2.	Restricted discretionary	The proposal involves earthworks exceeding 2,500 m^3 over an area greater than 2,500 m^2.
	Rule E12.4.1(A10) – Earthworks exceeding 2,500 m^3.	Restricted discretionary	The proposal involves earthworks exceeding 2, 500 m^3.
Stream reclamation	Rule E3.4.1(A49) – New reclamation or drainage, including filling over a piped stream.	Non-complying	The managed fill footprint covers 35 m of Stream I1, resulting in the complete loss of this section of intermittent stream.
Discharges from a managed fill area	Rule E13.4.1(A5) – Discharges from a managed fill where 250 m^3 per year or more is deposited and do not comply with Standard E13.6.2.1.	Restricted discretionary	A site investigation report and site management plan has not been prepared for this site, and therefore Standard E13.6.2.192) cannot be complied with. On that basis, resource consent is required under E13.4.1(A5).
Vehicle crossing	Rule E27.4.1 (A2) – Parking, loading, access which is an accessory activity but which does not comply with the standards for parking, loading and access.	Restricted discretionary	The proposed accessway will have a width of 23 m (measured at the road boundary) and therefore will not comply with Standard E27.6.4.2. The proposed accessway will also be designed with a gradient of 1 in 16.1 (6.2 %) for 6 m, where adjoining the road boundary. Therefore, it will not comply with Standard E27.6.4.4 in relation to vehicle access gradient.
Filling over an overland flow path	Rule E36.4.1(A41) – Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path.	Restricted discretionary	The proposal involves placing fill material over existing overland flow paths.
Establishing and operating a managed fill facility in the Rural Production Zone	Rule H19.8.1(A66) – Managed fills in the Rural-Rural Production Zone.	Discretionary	The activity is not permitted in the Rural Production Zone.
Vegetation alteration / removal	Rule E15.4.1 (A10) – Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250 m^2 of indigenous vegetation.	Restricted discretionary	Vegetation is proposed to removed to allow for earthworks and development for the re-location and upgrade to the access track, and for the area proposed for managed fill.
	Rule E15.4.1 (A17) – Vegetation alteration or removal within 10 m of rural streams in the Rural – Rural Production Zone	Restricted discretionary	Vegetation will be removed within 10 m of Stream P1 for the development of the new access track, and for the excavation of material for wetland recreation (approximately 930 m^2 of exotic pasture species).

Proposed activity	Rule reference / description	Activity status	Comments
	Rule E15.4.1 (A18) – Vegetation alteration or removal within 20 m of a natural wetland.	Restricted discretionary	Vegetation will be removed within 20 m of natural inland wetlands. Vegetation will be removed for the development of the new access track (approximately 680 m^2 of exotic pasture species within 20 m of Wetlands W1, W2 and W3).

4.2.1 Permitted Activities

The activities listed in **Table 6** have been identified as permitted activities under the AUP. An assessment against the relevant standards is set out below.

Table 5. Permitted activities under the AUP.

Proposed activity	Rule reference / description	Comment on compliance
Land disturbance in proximity to National Grid infrastructure	Rule D26.4.1 (A19) – Land disturbance that complies with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d).	• There will be no land disturbance within 12 m of a National Grid support structure or transmission line. • There will be no placement of fill or land disturbance under any transmission line. • There will be no movement of mobile plant within 6 m of a transmission line. • The proposed earthworks are outside the National Grid Overlay and will not create an unstable batter for any National Grid support structure.
Installation of culverts for farm crossings and associated bed disturbance	E3.4.1(A32) – Culverts or fords less than 30 m when measured parallel to the direction of water flow complying with standards in E3.6.1.18.	• The proposed culverts will accommodate fish passage and the 1 percent AE flood and overland flow paths. • The culverts will be constructed of inert material with a design life of at least 50 years. • The proposed culverts will not exceed 30 m when measured parallel to the direction of the water flow.
Temporary diversion and damming of surface water and the discharge of treated sediment laden water	Rule E11.4.2 (A13) – The temporary diversion and damming of surface water and the discharge of treated sediment laden water from any land disturbance that complies with all relevant permitted activity standards	• The proposed land disturbance will not result in any adverse effects on receiving waters, including any emission of objectionable odour or the rendering of fresh water unsuitable for consumption by farm animals. • The works will be undertaken in accordance Auckland Council Guideline Document 5 (Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region; GD05).
Construction noise	Rule E25.6.27 (A1) – Activities that comply with the all the relevant permitted activity standards.	• The proposed works will comply with the construction noise levels as per Table E25.6.27.1 and will be in accordance with the New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
Operational noise	Rule E25.6.27 (A1) – Activities that comply with the all the relevant permitted activity standards.	• The predicated operational noise levels show that compliance with the daytime AUP noise limits can be achieved at surrounding receivers (refer to **Appendix L**).

4.3 National Environmental Standard for Freshwater Regulations 2020

Resource consent is required under the NES – Freshwater as set out in **Table 7** below.

The proposal also involves the installation of culverts to provide for farm crossing. The proposed culverts will provide fish passage in accordance with the conditions set out under Regulation 70 and therefore can be undertaken as a permitted activity.

Table 6. Resource consents required under the NES – Freshwater.

Proposed activity	Rule reference / description	Activity status	Comment
Vegetation clearance within 10 m setback from a natural inland wetland	Regulation 45B(1) – Vegetation clearance within, or within a 10 m setback from, a natural inland wetland for the purposes of constructing and operating a landfill or a cleanfill area.	Discretionary	The proposed works will involve vegetation clearance within 10 m setback from a natural inland wetland.
Earthworks / land disturbance within 10 m setback from a natural inland wetland	Regulation 45B(2) – Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland for the purposes of constructing and operating a landfill or a cleanfill area.	Discretionary	The proposed works involve earthworks and land disturbance activities within 10 m of a natural inland wetland.
Diversion and discharge of stormwater within 100 m of a natural inland wetland	Regulation 45B(4) – The taking, use, damming or diversion of water within, or within a 100 m setback from, a natural wetland is a discretionary activity for the purposes of constructing and operating a landfill or a cleanfill area.	Discretionary	Stormwater will be diverted and discharged within a 100 m setback from a natural inland wetland.
Stream reclamation	Regulation 57(1) – Reclamation of the bed of any river.	Discretionary	The managed fill footprint covers 35 m of Stream I1, resulting in the complete loss of this section of intermittent stream.

4.4 Other Consents and Approvals Required

An archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is not considered to be required as no works are proposed in the vicinity of known archaeological features. If an accidental discovery occurs during the works, an archaeological authority will be obtained in accordance with the accidental discovery protocol in the AUP.

The Auckland Council and Auckland Transport Signs Bylaw 2022 requires that freestanding signs within rural zoned land obtain approval. Therefore, consent is sought for this under this Section 7 (3) of the Bylaw associated with site signage.

No other approvals are considered to be required.

5. Assessment of Effects on the Environment

5.1 Introduction

The following sections identify and assess the types of effects that may arise from the proposed works. This assessment also outlines the measures that the Applicant proposes to avoid, remedy or mitigate any potential adverse effects on the environment.

Actual and potential effects on the environment have been identified as including:

- Positive effects;
- Geotechnical stability;
- Effects on soils;
- Erosion and sedimentation effects;
- Stormwater discharge and diversion effects;
- Ecological effects;
  - Freshwater ecology
  - Terrestrial ecology
- Landscape and visual effects;
- Construction effects;
  - Construction noise effects
  - Dust effects
- Operational effects;
  - Traffic effects;
  - Operational noise effects;
- Landscape and visual effects; and
- Cultural effects.

5.2 Positive Effects

The establishment and operation of a managed fill facility itself provides a positive benefit to the region, as it provides a necessary service, which provides for the cultural, social and economic wellbeing of communities. The proposed managed fill facility will provide a contained and controlled location for the disposal of managed fill material, which will be operated in accordance with best practice environmental controls in place.

The proposal will increase managed fill capacity for the region, thereby supporting the construction sector and in turn supporting and enabling Auckland's population growth and development. In addition, the proposal will provide economic benefits for the surrounding community, including new employment associated with the construction and operation of the managed fill facility.

5.3 Geotechnical Stability

Geotechnical investigations have been undertaken across the site. A Geotechnical Report is provided in **Appendix J**.

As set out in the Geotechnical Report, the key area of potential environmental effects relates to the short and long term stability of the managed fill. Acceptable levels of stability for the fill site can be achieved provided:

- The managed fill is constructed as per the plans in **Appendix F**, with an overall slope angle not exceeding 1V:3H (18 degrees from horizontal);

- Foundation stripping is undertaken to undercut and remove soft alluvium from within the fully floor and expose firm materials;
- Prior to placing fill within the Central gully, additional targeted investigation is undertaken to verify the materials assumed within the geology model;
- Sub-soil drainage is provided along the gully axis, including picking up any identified groundwater seepages;
- Surface water management features to be incorporated into the design surface to minimise erosion/scour which could affect the stability of the slope (i.e. drainage benches);
- Excess porewater pressure to be monitored and managed during fill placement; and
- Fill material is placed in accordance with the measures set out in **Section 3.3.1**.

Taking into account these measures, and the stability assessment that has been undertaken (refer to **Appendix J**), adverse effects on geotechnical stability from the proposal are considered to be less than minor.

5.4 Effects on Soils

As discussed in **Section 2.10**, the site is identified as having poor soil quality, which is unsuitable for agricultural activities. On that basis, the proposal is an efficient use of the land, which will not adversely affect any prime soils.

5.5 Erosion and Sedimentation Effects

Earthworks activities have the potential to cause adverse erosion and sedimentation effects. In particular, earthworks and the associated mobilisation of sediment may adversely affect high quality freshwater habitats and associated aquatic organism in the vicinity of the works, if not managed appropriately.

The proposed works will be undertaken in accordance with best practice erosion and sediment control measures as set out in Auckland Council's guidance document *'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region'*, June 2016 (GD05). The measures to be implemented to protect against the adverse effects from earthworks include:

- Stablished entry / exit points and wash down facilities;
- Silt fences (as required);
- Sediment retention devices (as required);
- Stockpiles to generally be avoided (and if not avoided, covered when not in use); and
- Runoff diversion bunds where appropriate to capture sediment in any surface water runoff.

All works will be undertaken in accordance with the measures set out in the Erosion and Sediment Control Plan (ESCP). The ESCP is attached as Appendix B to the FMP (**Appendix G**). The ESCP will be updated with reference to relevant resource consent conditions and stage-specific controls prior to commencement of earthworks.

5.6 Stormwater Discharge and Diversion Effects

As outlined in the Water Management Plan (**Appendix K**), the construction of the managed fill will raise the land surface by a maximum height of approximately 40-50 m, with the highest elevation located at the southern extent of the fill (i.e. the head of the fill). The fill will be sloped so that surface water runs off via overland flow paths.

A key design requirement of the proposed managed fill surface (i.e., the final land surface design) is that it will not alter the overall surface water catchment area or location. For further information, refer to the Water Management Plan in **Appendix K**.

On that basis, the proposed stormwater discharge and diversion will have a less than minor adverse effect on the receiving environment and instead will assist with ensuring flow is maintained to the wetland at the foot of the fill is maintained.

5.7 Ecological Effects

A full assessment of potential and actual ecological effects resulting from the proposal is provided in the Ecological Impact Assessment in **Appendix D**.

5.7.1 Freshwater Ecology

5.7.1.1 Stream I1

As discussed in **Section 3.4.1**, the proposal will result in the loss of 35 m of intermittent Stream I1. The loss of this section of stream cannot be avoided under the current proposal.

The planting of 20 m on both banks of Stream P1 will offset the loss of value of Stream I1 but it does not replace the extent of the stream that will be lost. The extent of stream lost will be offset through the re-creation of wetland, as a 'trade-up' offset from stream extent to wetland extent.

The level of effect of the loss of 35 m of Stream I1 has been assessed as being low, as although the magnitude of the effect has been assessed as high, the value of the stream is negligible due its short length, deeply incised channel, and lack of suitable fish habitat. Implementing these proposals for offsetting the loss of the stream will enhance the value of Stream P1 and restore 471.5 m² of wetland, thus creating a net biodiversity gain.

On that basis, adverse effects on Stream I1 are more than minor initially, reducing to minor when taking into account the offset planting.

5.7.1.2 Wetland W7

The proposal will result in approximately 2,108 m^2 of Wetland W7 being filled in.

The proposal, therefore, is to offset the loss of Wetland W7 through creation of wetlands, and through restoration planting of wetlands elsewhere on the site. Most of the offset planting is proposed around the central section of Stream P2, to re-create the former extent of wetland in this area, as indicated by aerial imagery from 1944. The remainder of the offset planting will take place in Wetland W5 and W6.

The results of the Wetland Ecological Valuation (WEV) calculations indicate that 1,800 m² of impacted W7 will be offset by planting and recreating 2,677 m² of wetland at the historic wetland around Stream P2, and the remaining 308 m² of impacted W7 will be offset by planting and restoring 1,554 m² of wetland at Wetlands W5 and W6.

On that basis, adverse effects on Wetland W7 are more than minor initially, reducing to minor when considering the offset planting.

5.7.2 Terrestrial Ecology

5.7.3 Habitat for Native Birds

Six species of birds were recorded during the site visits, including five native species, none of which are listed as 'At Risk' or 'Threatened'. The area of native bush at the south western edge of the site was not surveyed for birds, but is likely to support a similar suite of species as noted for the rest of the site.
There are no species of birds listed as 'At Risk' or 'Threatened' that are expected to utilise the site.

On that basis, adverse effects on avifauna are considered less than minor.

5.7.4 Habitat for Native Lizards

The lack of lizard records close to the site along with the absence of suitable habitat indicate that it is very unlikely that native lizards are present within the footprint of the managed fill development. On that basis, adverse effects on native lizards is nil.

5.7.5 Summary of Effects on Ecological Values

The proposed development will impact one intermittent stream and the filling in of one natural inland wetland. Adverse effects on birds, lizards, and long-tailed bats are nil or less than minor.

The development will result in the removal of Wetland 7 (approximately 2,108 m^2) and of 35m of Stream I1.To offset these effects, 20 m wide planting around Stream P1 is proposed, as well as the restoration of 471.5 m^2 of wetland. The overall result from this is a net gain in biodiversity value across the site.

Taking into account this offsetting, the proposal will have a less than minor adverse effect on ecological values overall.

5.8 Construction Effects

5.8.1 Construction Noise Effects

An Acoustic Assessment has been prepared and is attached in **Appendix L**.

It is envisaged that the construction enabling works will not exceed 20 weeks. This will involve the construction of the office and the vehicle access route across the site. These activities are located at least 65 m away from the nearest dwellings. Based on the typical plant expected to be used for this work, noise and vibration from establishment works are expected to comply with relevant AUP construction noise and vibration limits. On that basis, adverse construction noise effects will be less than minor.

5.8.2 Dust Effects

During both the construction and filling phase of the proposal, dust may result from the disturbance of exposed soil surfaces. Disturbance of dust from exposed surfaces may be through mechanical disturbance (e.g. vehicle movements) or through wind erosion.

There are no dwellings in close proximity to either fill area on the site and therefore the proposed works are unlikely to be a nuisance or affect surrounding properties. Notwithstanding this however, appropriate dust control measures will be implemented to minimise potential effects. Dust mitigation measures, included in the ESCP and FMP (**Appendix G**) will include the following:

- Minimise the extent of exposed areas at any given time where possible;
- Maintain site accesses in good condition, including with gravel to minimise dust generation;
- Enforcement of maximum speed limits on the site to prevent dust generation;
- Any vehicle loads moving fine material to be covered appropriately; and
- Use of suppressants (water application via truck or misting lines).

Overall, with these control measures in place, dust effects are considered to be less than minor.

5.9 Operational Effects

5.9.1 Traffic Effects

A Traffic Assessment has been prepared and is attached as **Appendix C**.

The vehicle crossing will be formed with a width of 23 m (in exceedance of the 9 m permitted under the zone provisions – refer to **Section 4.2**). The increased vehicle crossing width has been provided for in order to facilitate the turning of a dump truck and trailer, which is approximately 17 m long. As a result, a larger vehicle crossing width and corner radius has been provided to allow for two-way truck movement at the access where connecting to Ararimu Road, and to allow to turn left from the site without crossing the centreline of Ararimu Road.

The proposed vehicle access gradient also exceeds the maximum gradient permitted under the AUP. With regards to this, the following is noted:

- As Ararimu Road is a low volume rural road, very low volumes of pedestrians and cyclists are anticipated to travel past the site on a weekly basis;
- Over a distance of 6 m, the proposed gradient will result in a height difference of 72 mm compared to a compliant and is not expected to result in reduced sightlines;
- The proposed access will predominantly service dump trucks, where the driver would be in an elevated position compared to passenger vehicles, thereby allowing for increased visibility from the platform to the east and west;
- Vehicles are not anticipated to have any difficulties coming to a controlled and complete stop on a the proposed gradient (6.2%), noting that public roads are permitted gradients of up to 1 in 8 (12.5%) routinely and demonstrate vehicles are able to start / stop safely on these higher gradients.

Based on these points, operational traffic effects are considered to be less than minor.

5.9.2 Operational Noise Effects

As set out in the Acoustic Assessment (**Appendix L**), the predicated operational noise levels show that compliance with the daytime AUP noise limits can be achieved at surrounding receivers. On that basis, adverse effects from operational noise are considered to be less than minor.

5.10 Landscape and Visual Effects

The Landscape and Visual Assessment (**Appendix H**) considers effects that can occur in relation to physical features, viewing audiences and visual amenity as well as effects on existing landscape character and amenity values. This is set out as follows:

- Natural character effects are considered as they relate to a change in the baseline condition of the level of natural character. This includes visual amenity effects under the ambit of ‘experiential attributes’; and
- Landscape effects as they derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape.

5.10.1 Visual Amenity Effects

The proposal will result in the progressive introduction of a new landform which will modify the existing terrain. Stage 1 will result in the infilling of the Eastern and Central gullies and the creation of a new northerly trending spur landform. Both spur landforms will extend from the main easterly trending ridge and will be of a height and form that is consistent with the existing and natural landforms. The new landforms will be contained by existing landform on their southern, western and eastern sides, although views from public and private locations will be possible from viewpoints to the north-west, north and north-east. For the most part however, the visual catchment of the proposal is relatively contained, with a limited number of potentially affected individuals. Longer views are possible from elevated locations to the north-west.

Properties to the west and east of the site tend to be screened from the western and eastern gullies by the containing ridges. Occupants of these dwellings will have the potential to gain views of activity during later phases of the stages when the height of fill rises above the ridges, but this will be experienced intermittently and

for a short duration. The dwelling located adjacent to the western boundary will be screened by existing and proposed vegetation.

Occupants of dwellings within the southern quadrant will have the potential to gain views 'into' the gullies and therefore to the proposed works. Views of the activity will, however, only be possible for more elevated properties, and will be fragmented by vegetation. It is anticipated that the level of effects experienced by these individuals will be temporarily and, at most, less than minor to minor.

Within the wider context, the experiential attributes will be affected to a low level, but a small number of proximate individuals will experience an elevated temporary adverse visual amenity effect. Due to the staged phasing of the proposal, and the screening offered by the gully landforms of the operation when contained within these landforms (during the early phases of each stage), the adverse effects experienced by potentially affected individuals will be intermittent. Furthermore, the proposed mitigation planting, as it becomes established, offer screening for these individuals.

On that basis, adverse effects on visual amenity values are anticipated to be more than minor in the short-term, reducing to less than minor once screening becomes established.

5.11 Cultural Effects

The Applicant has provided the application documents to mana whenua (refer to **Section 7** for further information on consultation), however no comments have been received as of yet.

However, at a broad level the following is noted:

- A range of environmental management and mitigation measures are proposed in this application to ensure that potential adverse effects associated with the proposed works are appropriately managed;
- The proposed earthworks will be undertaken in accordance with best practice guidelines, including in accordance with Accidental Discovery Protocols; and
- Riparian planting along the wetland areas will provide ecological benefits.

On that basis, cultural effects are anticipated to be less than minor however this is yet to be confirmed.

5.12 Summary of Effects

The proposal has the potential to give rise to a range of adverse effects. In terms of positive effects, the proposal will enable the site to be used efficiently as a managed fill facility, which supports construction and development activities in the Auckland region by providing a safe means of disposing of managed fill. In doing so, the proposal provides social and economic benefits to the Auckland region.

While the proposal has potential to result in minor adverse effects on ecological values, a robust mitigation package is proposed which will result in improved biodiversity values across the site. The proposed screening of the site will also ensure adverse effects on landscape and visual values are appropriately managed, to ensure adverse effects are less than minor in the long-term.

In addition to this, all works associated with the construction and operation of the managed fill will be undertaken in accordance with robust environmental controls as set out in the FMP to ensure adverse effects on the receiving environment overall are less than minor.

6. Statutory Assessment

6.1 Section 104 of the RMA

Section 104 of the RMA sets out the matters to which a consent authority must have regard to, subject to Part 2 of the RMA, when considering an application for resource consent. These are:

- Any actual and potential effects on the environment of allowing the activity (refer **Section 5** above);
- Any relevant provision of:
  - a national environmental standard;
  - other regulations;
  - a national policy statement;
  - a New Zealand coastal policy statement;
  - a regional policy statement or proposed regional policy statement;
  - a plan or proposed plan; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application; and
- Section 105 and 107 matters.

The following subsections address the relevant provisions identified above.

6.2 Part 2 of the RMA

Part 2 of the RMA sets out the purpose and principles of the Act. The purpose of the RMA is to promote the sustainable management of natural and physical resources.

The Court of Appeal decision in *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 clarifies that if a plan has been "competently prepared" under the RMA then it may be that in many cases the consent authority will feel assured in taking a view that there is no need to refer to Part 2 as it would not add anything to the evaluation exercise. The AUP has only recently been made operative in part. It is considered to contain provisions prepared having regard to Part 2, and a coherent set of policies designed to achieve clear environmental outcomes. Based on the direction established by the Court of Appeal, it is considered that an assessment against Part 2 therefore adds little, if any value, to the overall evaluation.

Based on the assessment of the proposal against the objectives and policies set out in **Section 6.5**, the proposal is considered to be consistent with Part 2 of the RMA.

6.3 National Environmental Standards

6.3.1 Resource Management Act (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) Regulations (2011) came into effect in 2012. The NESCS applies to assessing and managing the actual or potential adverse effects of contaminants in soil on human health from five activities, including soil disturbance. The NESCS only applies to land which is considered to have had an activity occur which is on the Hazardous Activities and Industries List (HAIL). As set out in **Section 2.9**, the HAIL assessment undertaken indicates that there are no HAIL activities on the site and therefore the NESCS does not apply to this proposal.

6.3.2 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The NES-Freshwater sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. The resource consent requirements under the provisions of the NES-Freshwater are set out in **Section 4.3** of this report.

6.4 National Policy Statements

6.4.1 National Policy Statement Freshwater Management 2020

The NPS-FW directs local authorities on how they are to manage freshwater under the RMA. An assessment against the relevant provisions of the NPS-FW is set out in **Table 8** below. Overall, the proposed works are consistent with the NPS-FW.

Table 7. NPS-FW objectives and policies assessment.

Objective/policy	Comment
Objective 1 – The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: a. First, the health and well-being of water bodies and freshwater ecosystems b. Second, the health needs of people (such as drinking water) c. Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.	The proposed works will be undertaken in accordance with best practice controls in place to manage the potential for adverse effects on freshwater ecosystems. Overall, the proposal priorities the health and well-being of waterbodies, while also ensuring the ability of people and communities to provide for their social, economic and cultural wellbeing is enabled by the provision of an efficient managed fill operation.
Policy 1 – Freshwater is managed in a way that gives effect to Te Mana o te Wai.	The construction and operation of the managed fill area has been designed to try and avoid adverse effects on freshwater where at all practicable. The ongoing operation of the managed fill will be managed carefully to manage sediments and other contaminants in order to give effect to Te Mana o te Wai.
Policy 6 – There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	The fill footprint was designed to avoid natural inland wetlands as far as practicable. The proposal involves extensive planting around the wetlands to the north of the fill footprint. Specifically, 1,800 m² of impacted Wetland W7 will be offset by planting and recreating 2,677 m² of wetland at the historic wetland around Stream P2, and the remaining 308 m² of impacted W7 will be offset by planting and restoring 1,554 m² of wetland at Wetlands W5 and W6.
Policy 7 – The loss of river extent and values is avoided to the extent practicable.	The design of the fill footprint avoids the loss of river extents (and streams) as far as practicable, noting this is difficulty in situations involve gullies. To offset the loss of Stream I1, Stream P1 is proposed to be enhanced with planting and there will be restoration of 471.5 m² of wetland, thus creating a net biodiversity gain.
Policy 15 – Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.	The proposed works will provide an efficient and well-managed managed fill operation and in doing so, will enable communities to provide for their social, economic and cultural well-being in way that manages and protects freshwater values.

6.4.2 National Policy Statement for Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) came into force on 4 August 2023. It provides direction to local authorities on the protection, maintenance and restoration of indigenous biodiversity. Amongst other things, the NPS-IB provides a nationally consistent framework for the identification of Significant

Natural Areas (SNAs), and for their protection through the careful management of activities that could adversely affect the values that make such areas significant.

The NPS-IB establishes strong national direction for the management of activities in SNAs with which all future resource consents applicants must comply and provides direction on the management of indigenous biodiversity outside of SNA sites. There are no SEAs listed in the AUP for this site, and therefore by default there are no NPS-IB SNA areas. There is a process which Councils must work through to declare areas of new SNA under the NPS-IB; we understand that this process is managed by Council and that we cannot identify areas as SNA unless they are already identified in a District Plan as SNA (or equivalent). Therefore, the analysis contained in the Ecological Impact Assessment (**Appendix D**) focusses on the management of biodiversity values within the site in the context of the requirements of the NPS-IB for managing biodiversity outside of SNAs.

For completeness, an assessment against the relevant provisions of the NPS-IB is provided in **Table 9** below. Overall, the application is found to be consistent with the NPS-IB.

Table 8. NPS-IB objectives and policies assessment.

Objective/policy	Comment
Objective 2.1 (1) – The objective of this National Policy Statement is: a. To maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and b. To achieve this: i. Through recognising the mana of tāngata whenua as kaitiaki of indigenous biodiversity; and ii. By recognising people and communities, including landowners, as stewards of indigenous biodiversity; and iii. By protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and iv. While providing for the social, economic and cultural wellbeing of people and communities now and in the future.	The proposal involves extensive offset planting which will increase biodiversity values on site, while providing for the social, economic and cultural wellbeing of people and communities now and in the future.
Policy 8 – The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.	The proposal maintains indigenous biodiversity values on site by providing extensive offset planting.
Policy 12 – Indigenous biodiversity is managed within plantation forestry while providing for plantation forestry activities.	The proposal maintains indigenous biodiversity within the plantation by providing bat roosting options on site.

6.5 Auckland Unitary Plan Assessment

The AUP is a single comprehensive plan which includes the Regional Policy Statement (RPS) provisions, regional provisions and district provisions that apply across the Auckland region. A full assessment of the proposed works against the relevant objectives and policies in the AUP is provided in **Table 10** below.

Table 9. AUP objectives and policy assessment.

Objective/policy	Comment
Auckland Regional Policy Statement (Chapter B)	
Chapter B1: Urban Growth and form	
B2.2.1 Objective (3) – Sufficient development capacity and land supply is provided to accommodate residential,	The proposal will increase development capacity in the Auckland Region, by providing a facility for the disposal of fill from construction

Objective/policy	Comment
commercial, industrial growth and social facilities to support growth.	activity. The disposal of fill to approved facilities is necessary to enable development.
Chapter B7: Natural resources	
B7.3.1 Objective (3) – The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.	The proposal aims to avoid, as far as practicable, and offset adverse effects on freshwater.
B7.3.2 Policy (4) – Avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral stream), and wetlands and their margins, unless all of the following apply: (a) It is necessary to provide for: (i) The health and safety of communities; or (ii) The enhancement and restoration of freshwater systems and values; or (iii) The sustainable use of land and resources to provide for growth and development; or (iv) Infrastructure; (b) No practicable alternative exists; (c) Mitigation measures are implemented to address the adverse effects arising from the loss in freshwater systems functions and values; and (d) Where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.	The proposal will provide for a fill operation that is necessary to provide for the sustainable use of land and resources to enable growth and development in Auckland. Environmental benefits are provided for in the form of on-site offsetting, which involves approximately 1,800 m² of impacted W7 being offset by planting and recreating 2,677 m² of wetland at the historic wetland around Stream P2, and the remaining 308 m² of impacted W7 will be offset by planting and restoring 1,554 m² of wetland at Wetlands W5 and W6.
B7.3.2 Policy (6) – Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occurs.	The proposal involves high-quality offsetting of approximately 2,677 m^2 of planting around the historic wetland by Stream P2, as well as planting and restoring 1,554 m^2 of planting at Wetlands W5 and W6. This will result in the restoration and enhancement of freshwater systems within the Auckland region.
Chapter B9: Rural environment	
B9.2.1 Objective (3) – Rural production and other activities that support rural communities are enabled while the character, amenity, landscape and biodiversity values of rural areas, including the coastal environment, are maintained	The rural character of the area is a mixture of farmland, forestry and rural residential living. Visually, the fill area is well contained by existing topography and vegetation and any visual amenity effects will be limited.
B9.2.2 Policy (1) – Enable a diverse range of activities while avoiding significant adverse effects on and urbanisation of rural areas, including within the coastal environment, and avoiding, remedying, or mitigating other adverse effects on rural character, amenity, landscape and biodiversity values.	The proposed works will not result in significant adverse effects on the rural character of the wider area. As discussed in **Section 5**, adverse effects on landscape values are mitigated as far as practicable by providing a range of mitigation measures, including riparian planting.
B9.3.1 Objective (2) – Land containing prime soil is managed to enable its capability, flexibility and accessibility for primary production	The site is not identified as having prime soils and therefore the proposal will not result in any loss of productive capability.
B9.3.2 Policy (5) – Encourage land management practices that retain the physical and chemical capability of rural soils	
Regional Plan	
Chapter D26: National Grid Corridor Overlay	
D26.2 Objective (1) The efficient development, operation, maintenance and upgrading of the National Grid is not compromised by subdivision, use and development.	The proposal is considered consistent with the National Grid Corridor Overlay objectives and policies. In particular; • The works will comply with NZECP;

Objective/policy	Comment
	• The proposed works will not compromise any national grid assets; • Access to conductors and support structures will be maintained; • The proposal will not hinder operation and maintenance works; • No new structures are proposed within the national grid corridor; and The proposal, being a managed fill facility is not sensitive to the national grid.
Chapter E3: Lakes, rivers, streams and wetlands	
E3.2 Objective (3) – Significant residual adverse effects on lakes, rivers, streams or wetlands that cannot be avoided, remedied or mitigated are offset where this will promote the purpose of the Resource Management Act 1991.	The proposal involves extensive offsetting planting, particularly around Stream P1 and P2 (to restore the historic wetland). The result of this offset planting will be a net gain in biodiversity values, which promotes the purpose of the RMA.
E3.2 Objective (6) – Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.	As discussed in **Section 3.5**, there is a functional and operational requirement for the proposal to be situated in this location, due to the presence of gullies.
E3.3 Policy (2) – Manage the effects of activities of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by: (a) Avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands; and (b) Where appropriate, restoring and enhancing the lake, river, stream or wetland.	The proposal avoids adverse effects on streams and wetlands as far as practicable. As some reclamation and wetland loss is unavoidable, extensive offset planting is proposed to restore and enhance the existing streams and wetlands on site.
E3.3 Policy (13) – Avoids the reclamation and drainage of the bed of lakes, rivers, streams and wetlands, including any extension to existing reclamations or drained areas unless all of the following apply: (a) There is no practicable alternative methods for undertaking the activity outside the lake, river, stream or wetland; (b) For lakes, permanent rivers and streams, and wetlands the activity is required for any of the following: (i) As part of an activity designed to restore or enhance the natural values of any lake, river, stream or wetland, any adjacent (ii) For the operation, use, maintenance, repair, development or upgrade of infrastructure; or (iii) To undertake mineral excavation activities; and (c) The activity avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.	The following is noted: • There are no practicable alternatives methods for the fill extent, given the landform and the presence of the wetlands in proximity to the gullies. • The proposal is for the purpose of establishing a managed fill facility – which will service the Auckland region. • As described in **Section 5**, the proposal avoids significant adverse effects on the environment.
Chapter E11: Land disturbance – Regional	
E11.2 Objective (1) – Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.	The proposed earthworks will be undertaken in accordance with the draft ESCP (refer to **Appendix G**). Erosion and sediment controls will be in place at all times during land disturbance in order to minimise

Objective/policy	Comment
E11.2 Objective (2) – Sediment generation from land disturbance is minimised.	sediment generation. Overall, adverse effects from the proposed earthworks will be no more than minor (see **Section 5).**
E11.3 Policy (2) – Manage land disturbance to: (a) Retain soil and sediment on the land by the use of best practicable options for sediment and erosion control appropriate to the nature and scale of the activity; (b) Manage the amount of land being disturbed at any one time, particularly where the soil type, topography and location is likely to result in increased sediment runoff or discharge; (c) Avoid, remedy or mitigate adverse effects on accidentally discovered material; and (d) Maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu and kaimoana gathering.	
Chapter E12: Land disturbance – District	
Objective E12.2 (1) – Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.	The proposed earthworks will be undertaken in accordance with best practice erosion and sediment controls in order to minimise, remedy and mitigate adverse effects on the environment.
E12.3 Policy (3) – Enable land disturbance necessary for a range of activities undertaken to provide for people and communities social, economic and cultural well-being, and their health and safety.	The proposed earthworks are for the purpose of developing a managed fill facility, which will provide for the communities social, economic and cultural well-being.
Chapter E13: Cleanfills, managed fills and landfills	
E13.2 Objective (1) – Cleanfills, managed fills and landfills are site, designed and operated so that adverse effects on the environment, are avoided, remedied or mitigated.	The proposed managed fill has been designed to minimise adverse effects on the environment. It will be operated in accordance with best practice guidelines to avoid, remedy or mitigate adverse environmental effects.
E13.3 Policy (1) – Avoid significant adverse effects and remedy or mitigate other adverse effects of cleanfills, managed fills and landfills on lakes, rivers, streams, wetlands, groundwater and the coastal marine area.	The proposed works will be undertaken in stages, minimising the area of soil exposed and effects of sediment runoff into waterbodies. The control measures that will be in place during both the construction and operation of the managed fill will mean significant adverse effects are avoided on waterbodies.
E13.3 Policy (2) – Require cleanfills, managed fills and landfills to be sited, and where appropriate, designed and constructed, to avoid the risk of land instability.	The site has no identified seismic risks. Fill material will be placed in a staged manner to avoid the risk of land instability.
E13.3 Policy (3) – Require cleanfills, managed fills and landfills to be designed and operated in accordance with relevant industry best practice.	The proposed managed fill will be designed and operated in accordance with industry best practice guidelines.
Chapter E15: Vegetation management and biodiversity	
E15.2 Objective (2) – Indigenous biodiversity is restored and enhanced in areas where ecological, or where development is occurring.	The proposal will result in the planting of 2,677 m^2 of planting around the historic wetland by Stream P2, as well as planting and restoring 1,554 m^2 of planting at Wetlands W5 and W6. Overall, indigenous biodiversity will be restored and enhanced on site.
E15.3 Policy (3) – Encourage the offsetting of any significant residual adverse effects on indigenous vegetation and biodiversity values that cannot be avoided, remedied or mitigated, through protection, restoration and enhancement	As discussed in **Section 5**, the proposal is not expected to result in significant residual effects on indigenous vegetation or biodiversity. Nonetheless, significant offsetting is proposed around historic wetlands on site and streams to enhance biodiversity values on site.

Objective/policy	Comment
measures, having regard to Policy E15.3(4) below and Appendix 8 Biodiversity Offsetting.	
E15.3 Policy (4) – Protect, restore, and enhance biodiversity when undertaking new use and development through any of the following: … (b) Requiring legal protection, ecological restoration and active management techniques in areas set aside for the purpose of mitigating or offsetting adverse effects on indigenous biodiversity.	Ecological restoration is proposed along the margins of the wetlands on the site in form of wetland and riparian planting.
E15.3 Policy (7) – Manage any adverse effects from the use, maintenance, upgrading and development of infrastructure in accordance with the policies in E15.3, recognising that it is not always practicable to locate or design infrastructure to avoid areas with indigenous biodiversity values.	There are operational and locational requirements for the proposed managed fill to be located on the subject, specifically the presence of large gullies and proximity to State Highway 1. Adverse effects from the proposed development have been managed as set out in **Section 5** of this report.
Chapter E27: Transport	
E27.2 Objective (1) – Land use and all modes of transport are integrated in a manner that enables: (a) The benefits of an integrated transport network to be realised; and (b) The adverse effects of traffic generation on the transport network to be managed.	There will be no adverse effects from traffic generation resulting from this proposal and land use will be well-integrated with the land use. It is noted that the site has good access to State Highway 1 and does not require any trucks to travel along roads that have not been designed to regularly accommodate heavy vehicles.
Policy E27.3 (20) – Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrian and cyclists on the adjacent road network.	The vehicle crossing accommodates heavy vehicles and will allow for the simultaneous movement of two truck and trailers. It will be designed and located to provide for safe, effective and efficient movement to and from the site.
E36: Natural hazards and flooding	
E36.2 Objective (1) – Subdivision, use and development outside urban areas does not occur unless the risk of adverse effects to people, property, infrastructure and the environment from natural hazards has been assessed and significant adverse effects are avoided, taking into account the likely long-term effects of climate change.	The proposed works will not result in adverse effects to people, property, infrastructure and the environment from the natural hazards present.
E36.3 Policy (18) – Enable flood tolerant activities to locate in the 1 per cent annual exceedance probability (AEP) floodplain where these activities do not involve buildings or structures that exacerbate the flood hazard to other properties upstream or downstream of the site.	The proposal will not exacerbate flood risk on properties upstream or downstream of the site and is considered to be flood tolerant.
E36.3 Policy (30) – Require changes to overland flow paths to retain their capacity to pass stormwater flows safely without causing damage to property or the environment.	The proposed placement of fill on the overland flow paths will not exacerbate flood risk and will allow stormwater flows to pass safely without causing damage to property to the environment (refer to **Section 5.6**).
Chapter H19: Rural zones	
H19.2 Objective (1) – A range of rural production, rural industries and rural commercial activities take place in the zone.	The proposal is consistent with other rural commercial activities that take place in the zone.
H19.2.1 Objective (2) – The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.	The site is not identified has having highly productive soils and therefore there will be no loss of productive capability of the land.

Objective/policy	Comment
H19.3.3 Policy (1) – Provide for a range of existing and new rural production, rural industry and rural commercial activities and recognise their role in determining the zone's rural character and amenity values.	The proposal is similar to other rural activities that take place in the zone in terms of determining the zone's rural character and amenity values.
H19.2.6 Policy (4) – Restrict managed fills and managed fills in the Rural – Rural Conservation Zone and Rural – Countryside Living Zone. Where managed fills are established in other rural zones: (a) They should not adversely affect or inhibit the use of surrounding land for productive purposes or for carrying out any permitted, restricted discretionary or discretionary activity; and (b) Their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.	The proposed fill facility is in the rural production zone. The facility will not inhibit other, more productive land uses, or other activities permitted in the zone from establishing on surrounding properties. Fill closure procedures outlined in the FMP (**Appendix G**), which includes re-grassing and planting, will ensure the completed state of the site is in keeping the appearance, form and location of existing rural character and amenity values.

6.6 Section 105 and 107

Sections 105 and 107 are relevant to applications for discharge under section 15 of the RMA. Section 105 requires the consent authority to have regard to the nature of the discharge and sensitivity of the receiving environment, the applicant's reasons for the proposed choice and possible alternative methods of discharge. These matters have been addressed throughout this report, particularly in **Section 2** which describes the receiving environment, **Section 3** which describes the nature of the discharge and **Section 5** which assesses the effects on the environment.

Section 107 of the RMA restricts the granting of discharge permits in certain circumstances, namely if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

- The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
- Any conspicuous change in the colour or visual clarity;
- Any emission of objectionable odour;
- The rendering of fresh water unsuitable for consumption by farm animals; and
- Any significant adverse effects on aquatic life.

The effects of the proposed discharges are considered in **Section 5** above. Overall, it is concluded that the discharge would meet the tests set out in section 1070(1)(c) to (g), and therefore, the resource consent application can be granted.

6.7 Other matters

6.7.1 Iwi Management Plans

6.7.1.1 Ngāi Tai Ki Tāmaki Take Taiaomaurikura

Ngāi Tai Ki Tāmaki Take Taiaomaurikura provides the objectives, policies and methods in response to identified natural resource issues. The document outlines key issues, values and objectives and policies for Ngāi Tai Ki Tāmaki. Of relevance to this proposal are the following objectives:

- Objective 8.3.1(2) – The health and wellbeing of Te Wai Ngāi Tai is protected for present and future generations including access, fisheries, water, quality, mahinga kai, rongoa Māori, and cultural landscapes; and

- Objective 8.6.1(1) – Subdivision and land development is undertaken in a manner that is sensitive to the whenua, avoids all unreasonable risks to Te Taiao and protects culturally significant areas.

The proposal will be undertaken in accordance with robust environmental management controls in place and is an area that does not have notified cultural significance overlays. On that basis, it is considered that the proposal is consistent with this document.

6.7.2 Waikato-Tainui Environmental Plan

The Waikato-Tainui Environmental Plan sets out the aspirations of Waikato-Tainui and grow their participation in resource and environmental management.

It sets out a suite of aspirations and objectives for the environmental management within their rohe. This includes as a summary:

- Protecting wāhi tapu sites and sites of cultural significance;
- Allow Waikato-Tainui to actively engage in resource management decision-making;
- Protection of natural heritage values; and
- Protection and enhancement of natural ecosystems, including protecting freshwater and biodiversity values.

As discussed in **Section 5**, the proposal will have a less than minor effect on the receiving environment. The proposal includes extensive wetland planting, resulting in a net gain in ecological values. Overall, the project is considered consistent with the aspirations expressed in this document.

6.8 Notification Assessment

Section 95A of the RMA is relevant when a consent authority is considering whether a consent application should be considered with or without public notification.

The Applicant seeks public notification of this application.

7. Proposed Conditions of Consent

Section 108AA of the RMA sets out the requirements for conditions of resource consent as follows:

(1) A consent authority must not include a condition in a resource consent for an activity unless –

(a) The applicant for the resource consent agrees to the condition; or

(b) The condition is directly connected to one or both of the following:

(i) An adverse effect of the activity on the environment;

(ii) An applicable district or regional rule, or a national environmental standard; or

(c) The conditions relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.

Draft conditions proposed by the Applicant are set out in **Appendix I**. The Applicant recognises and expects that a full suite of conditions will be developed through the resource consent process. The conditions proposed by the Applicant capture the key mitigation measures and management plans addressed in the specialist reports and assessment of effects. These key conditions are intended to support the conclusions in the specialist assessments and to provide certainty to Auckland Council on key issues. The conditions have been structured broadly by specialist area, and if consent is granted, these conditions may be restructured in accordance with the consent authority's preferred consenting format.

8. Consultation

8.1 Mana Whenua

A draft application was sent to the following mana whenua on 25 October 2023 for comments (refer to **Appendix M**):

- Ngāi Tai ki Tāmaki Tribal Trust;
- Ngāti Maru Rūnanga Trust;
- Ngāti Tamaoho Trust;
- Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua;
- Te Ākitai Waiohua Iwi Authority; and
- Te Whakakitenga o Waikato Incorporated

Comments have yet to be received on the application from Mana Whenua, however the Applicant will keep Council informed of any progress.

8.2 Transpower

The Applicant has consulted with Transpower regarding the proposed development, including with regards to their easement area and planting setbacks.

9. Conclusion

This AEE report has been prepared on behalf of SAL Land Ltd to accompany a resource consent application to Auckland Council for the construction and operation of a managed fill facility at 1618 Ararimu Road in Papakura[4] (the site). The proposal requires resource consent from Auckland Council as a non-complying activity under the rules of the AUP and NES-Freshwater.

The AEE report draws the following conclusions:

- The proposal is consistent with Part 2 of the Resource Management Act 1991;
- The proposal is consistent with the objectives and policies of the AUP, NPS-FW and NPS-IB;
- The proposal will be undertaken in accordance with robust mitigation measures to ensure adverse effects on the receiving environment is appropriately mitigated. The proposal will also provide positive effects in relation to providing managed fill facility that will support development and construction activities in Auckland.

On that basis, we seek that this application is processed on a non-notified basis, subject to fair and reasonable conditions. We would appreciate the opportunity to review draft conditions.

[4] Note the physical address of the property as per Google Maps is 1618, however there is no physical address on Auckland Council Geomaps Viewer with the parcel being referenced only by its legal description on Council records (being Lot 2 Deposited Plan 77813).

Appendix A. Record of Title

Appendix B. Lease Agreement

Appendix C. Traffic Assessment

Appendix D. Ecological Impact Assessment

Appendix E. Preliminary Site Investigation

Appendix F. Site Layout Plan & Cut and Fill Plans

Appendix G. Fill Management Plan

Appendix H. Landscape and Visual Assessment

Appendix I. Draft Proposed Conditions

Appendix J. Geotechnical Assessment

Appendix K. Water Management Plan

Appendix L. Acoustic Assessment

Appendix M. Iwi Consultation Correspondence