s 9(2)(a)

Responses for Fast-track Referral Application Form – Section 2.6: Appropriateness for Fast-track approvals process

FROM: s 9(2)(a) **Counsel acting for Scarbro Environmental Ltd**

DATE: 16 February 2026

Below are responses to the specific questions in section 2.6 of the Fast-track approvals referral application form, with the questions themselves as bold headings and the responses below.

SECTION 2.6 APPROPRIATENESS FOR FAST-TRACK APPROVALS PROCESS

The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria:

1 Scarbro Environmental Limited (**Scarbro**) is seeking resource consents to establish and operate a managed fill facility at 362 Jones Road, Drury, for a period of 10 years. The managed fill is essential infrastructure to enable the continuing urban growth and development in the Auckland Region. Without disposal of clean/managed fill which cannot be repurposed on site, construction, whether greenfield or brownfield, cannot happen.

2 The Scarbro Group specialise in civil works especially earthworks to prepare sites for construction projects including residential and commercial development and roading. Current projects include:

s 9(2)(b)(ii)

3 The Scarbro Group has previously been using other managed fill sites. However, due to the expanding needs of the business and fill sites in the Auckland region filling up and closing, Scarbro are forced to transport managed fill to more distant sites, outside of Auckland in the Bombay Hills (Ridge Road Quarry and Landfill) or Silverdale (White Pine Landfill), which is increasing time, cost and emissions. For example, the distance from

Ridge Road to 362 Jones Road is 32 kms. The lack of available managed fill sites is becoming a significant barrier to housing and urban development in the greater Auckland region which has significantly increased the time and cost of constructing new housing and other infrastructure.

4 Scarbro's proposal will enable the disposal of 790,000m³ of managed fill. Following the estimated five to 10 year fill period the land would be returned to grazing with a number of improvements including weed and pest control and wetland and riparian replanting, leaving the site in a better condition than it is currently.[1]

5 This proposed managed fill site would significantly reduce the distance travelled to dispose of managed fill and therefore greatly increase the efficiency/speed of development and reduce the cost, as well as reducing emissions and congestion, when compared to where Scarbro are currently disposing of managed fill for current civil earthworks projects. This situation will only worsen as existing sites are filled up and remaining operators are able to further increase their prices as a result, forcing Scarbro to travel even further out to dispose of managed fill.

6 The Drury managed fill project will therefore increase the speed and efficiency of urban growth including residential and infrastructure development across the Auckland Region. While the direct economic benefits (from investment and new employment) may be modest, the fill site will crucially support hundreds of millions of dollars of development in Auckland to happen more quickly and at a reduced cost, representing a significant economic contribution to the region.

7 The comprehensive economic impact assessment prepared by s 9(2)(a) of Property Economics (**Attachment 1 – the Economic Impact Assessment)** supports the significant regional or national benefits of the Drury managed fill infrastructure and development project. The report estimates that the Drury managed fill could support civil earthworks for a total of 12,000 dwellings over the 10-year lifespan, "based on an average development and construction cost this would result in an estimated $6 billion of economic value"[2]. As their report states:[3]

> The Drury Managed Fill is considered to facilitate significant economic impacts that are felt beyond the operational costs and benefits to the site operator themselves, which are the result of the profitable operation of the site.

8 The summary states:[4]

> Our assessment is that this Project will facilitate a significant positive regional economic impact, especially with regard to 'downstream' benefits and facilitation of development, and as a result will materially contribute to the efficient and timely provision of critical building and infrastructure within the region.
>
> Not only does this facility support a significant sector of the regional economies but its efficient provision is likely to have positive impacts by reducing construction costs within the market.

[1] Section 42A Report (Attachment 5), Executive Summary on pages 5 – 6.

[2] Economic Impact Assessment (Attachment 1), section 5.3, page 18.

[3] Economic Impact Assessment (Attachment 1), section 3, page 7.

[4] Economic Impact Assessment (Attachment 1), section 7, page 22.

9 The executive summary states:[5]

> Quantified direct and wider economic benefits, as detailed below in this report, include:
>
> 1. $28m (NPV) of regional economic activity generated from the managed fill operations over 11 years supporting 100 full time job years. Or around 100 FTE years over the 2026-2037 project period.
>
> 2. Conservatively lower transport costs equalling over $10m (NPV) through to 2037 from the managed fill accommodation.
>
> 3. Lower environmental costs (associated with transportation) totalling $1.3m (NPV) through to 2037 from the managed fill.
>
> 4. Directly contributing to the efficient provision of approximately $6b (over the life of the project) of development value, with an example scenario resulting in potential delay cost reductions of $85m.
>
> 5. In turn, this supports the efficiency and competitiveness of the $8.6b per annum wider construction industry.
>
> …
>
> qualitative economic benefits for the wider regional market and communities, including:
>
> - Potential cost decrease in transportation costs, which lowers base development costs
> - Reduction in environmental impacts from reduced travel time and increased efficiency
> - Generating additional employment opportunities
> - Facilitating local and regional development at a faster rate. Insufficient disposal capacity can lead to increased construction costs, project delays, and reduced certainty for developers and infrastructure providers
> - Greater growth in local and regional economy
> - Rehabilitation of land e.g. planting and replanting/enhancement pre and post the managed fill site operation
>
> Based on the overview of economic benefits in the context of the FTAA, Property Economics considers that the Project, in conjunction with the downstream economic benefits it facilitates, has the capacity to facilitate significant regional economic benefits for the sector and economy, the local market, and the broader economy in terms of more efficient, cost effective and timely delivery of critical greenfield and brownfield development and core infrastructure required to accommodate the National Policy Statement on Urban Development and regional growth aspirations.

10 Significant regional economic and employment benefits from Scarbro's proposal are also supported by the **attached** testimonials s 9(2)(b)(ii) (**Attachment 2 - Testimonials**). They estimate that millions of dollars would be saved through the new managed fill as well as significant time savings increasing efficiency and the economic viability of their projects:

[5] Economic Impact Assessment (Attachment 1), section 2, page 5.

- s 9(2)(a) [6]
    - Recent projects with Scarbro include s 9(2)(b)(ii)
    - "Access to the proposed Drury facility would provide clear logistical and programme benefits, including a reliable disposal option closer to many project locations, reduced haulage distances, faster truck turnaround times, improved excavation and material removal productivity, better utilisation of labour and plant, reduced congestion impacts, and improved sequencing of downstream construction works."
    - "…the bottom line benefit we see is s 9(2)(b)(ii) savings across the baseline metrics of trucking, haulage, tipping & waste management in projects with civil works which would allow our construction company to build core infrastructure to benefit Auckland faster. It would also allow us to build more infrastructure given the cost and time efficiencies. s 9(2)(b)(ii)
- s 9(2)(a) :[7]
    - Recent and current projects with Scarbro include s 9(2)(b)(ii)
    - "All of the above projects s 9(2)(b)(ii) required removal of significant quantities of managed fill, and the cost effectiveness, efficiency and speed of removal were essential to project viability, and in each case these projects provided significant employment, community and commercial opportunities for Auckland."
    - "Without access to the proposed fill site, our projects with Scarbro will take considerably longer s 9(2)(b)(ii) which will add significant cost and impact the viability of many projects. If Scarbro cannot proceed with this fill, then the future is bleak as they would have to drive even further once the White Pine Landfill and Ridge Road Landfill are full up, which would really slow our project programmes down and drive up costs."
- s 9(2)(a) :[8]
    - Recent projects with Scarbro include s 9(2)(b)(ii)

[6] s 9(2)(a)

[7] s 9(2)(a)

[8] s 9(2)(a)

s 9(2)(b)(ii)

s 9(2)(b)(ii)

- "…if the Drury managed fill does not proceed, the result will be lost productivity and delays on site due to the additional travel time and it would also result in additional congestion, emissions and wear and tear on the roading network. We would estimate the lost productivity due to additional travel time would s 9(2)(b)(ii)

- s 9(2)(a) :[9]
  - Recent projects with Scarbro include s 9(2)(b)(ii)
  - "We understand that Scarbro has submitted a fast-track application for a managed fill site at Drury. This would significantly assist in reducing travel times to alternative tip sites across Auckland and would therefore contribute to lowering construction costs. This would also increase the speed at which we can build, especially at brownfield sites."
  - "We are really concerned that if Scarbro cannot get a consent for this new Drury managed fill, then the economic viability of our core infrastructure projects will be materially and detrimentally affected. Trucks are already having to drive to White Pine Landfill which is near Silverdale and Ridge Road Landfill which is near the Bombay Hills to tip and then return to pick up their next load. That's very slow and expensive and those tip sites are filling up. Having to drive even further out to tip clean/managed fill will significantly impair the construction of our core infrastructure projects in the Auckland region that are so critically needed. The problem is only going to get worse if this managed fill in Drury is not consented".

Explain how referring the project to the fast-track approvals process:

Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and

11 Scarbro previously applied to Auckland Council for the necessary consents under the Resource Management Act 1991 (**RMA**) to establish and operate the managed fill site in Drury on 22 November 2024. Auckland Council requested further information under section 92 of the RMA on 13 January and 19 February 2025 which Scarbro responded to on 4 April 2025.

12 Council Officer issued a recommendation in the section 95 report that the application could be processed without public notification under section 95A and that limited notification was not required under section 95B. However, the decision was made by the Duty Commissioner on 28 May 2025 that the application needed to be publicly notified which

[9] s 9(2)(a)

s 9(2)(b)(ii)

took place from 16 June 2025 to 15 July 2025 resulting in 520 submissions, with 6 in support and 514 in opposition.

13 Auckland Council then made an additional request for further information on 9 September 2025 responded to by Scarbro on 9 December 2025. There were a range of further improvements and amendments to the project to remedy, mitigate and manage any adverse effects, following public notification, due to feedback from Auckland Council and consideration of public submissions as set out in **Attachment 4 – Responses to Section 3: Project Details**.

14 The hearing was scheduled for 25 - 27 February 2026 and the section 42A report was released on 30 January 2026 recommending that the application be refused. Given the recommendation that the application be refused despite all of the mitigations and changes Scarbro had already made to their proposal, and the potential for appeals of any decision, if a consent for the managed fill was granted, Scarbro decided to suspend their resource consent application under the RMA and submit an application under the Fast-track Approvals Act 2024 (the **Act**).

15 Scarbro have already made extensive efforts to refine and revise the proposal through the RMA process, s 9(2)(b)(ii) in response to feedback from Auckland Council and the Franklin Local Board, Auckland Transport (**AT**), Watercare (all bodies referred to in section 11 of the Act) and public submissions as detailed further in **Attachment 4**.

16 Given the difficulties faced so far in the one and a half year long RMA process to date, Scarbro expect that achieving approval for the necessary consents for the managed fill site through the RMA process may not be possible and even if it is, appeals to the Environment Court may add further cost and delay of another 12 – 18 months (minimum) to the approval process.

17 As stated in the testimonial from s 9(2)(a) (**Attachment 2**):[10]

> We know Scarbro have done mitigations and adjusted their proposed clean fill after consultation during their RMA process, but without consents under the Fast Track Applications Act, this essential infrastructure will not get built which is essential for the economic and employment benefit of Auckland.

18 Scarbro therefore consider that seeking the necessary consents under the RMA through the fast-track process would be much more timely and cost-effective than continuing to pursue the RMA process given the relevance of significant economic and employment benefits to the Auckland region under the Act.

Is unlikely to materially affect the efficient operation of the fast-track approvals process.

19 The Drury managed fill proposed by Scarbro a fairly simple project. It is limited in size, scope and complexity. The only necessary consents are resource consents under the RMA and there are no complicating factors. The land for the managed fill site is privately owned and Scarbro have a contract in place to purchase the land on the condition that resource consent is obtained. There are no other certificates, consents or authorities required by Scarbro for the project.

[10] s 9(2)(a)

s 9(2)(b)(ii)

20 If referral is granted then much of the work for the substantive application has already been completed through the one and a half year long RMA process with a range of expert and technical evidence already prepared, tested and questioned/commented on by Auckland Council/AT and Watercare and public submissions, with the managed fill proposal revised accordingly in response. The proposal and the conditions to be imposed have also been informed and refined following extensive engagement and submissions through the public notification process.

21 This will greatly increase the efficiency of completing and filing the substantive application, if the project is referred by the Minister, meaning there will be no material effect on the efficient operation of the fast-track approvals process.

22 The site does not contain any particular areas of interest or any complicating factors rendering it ineligible under the Act. Scarbro has already consulted with Ngāti Tamaoho under the RMA process as the site is within their statutory area of acknowledgement. Scarbro met with Ngāti Tamaoho on the site and Ngāti Tamaoho confirmed they do not oppose the proposal provided certain measures are provided for. These measures are now included in the proposal (see **Attachment 6** for the relevant correspondence).

23 The proposal also has limited effects on the environment. The position set out on page 35 of the Section 42A Report (**Attachment 5**) is that (emphasis added):

- The proposal will result in significant adverse effects with regard to traffic safety, and more than minor adverse effects with regard to landscape and visual values for the southern fill area that cannot be mitigated through conditions of consent.

- It is likely that the proposal would result in unacceptable adverse effects in terms of damage to pavement / the roading network (which could further exacerbate safety effects), although these effects could be mitigated through conditions of consent requiring further traffic surveying, pavement impact assessment, and the requirement for the consent holder to undertake repairs of the road if damage is caused.

- There remains a degree of uncertainty in relation to the potential landslide risk affecting the southern fill area, as discussed. While no active instability has been confirmed at this stage, the available information does not fully discount the possibility of future geotechnical risks. This uncertainty has been taken into account in the assessment and is addressed through the recommended conditions of consent, which would avoid any fill taking place within the southern filling area unless sufficient technical evidence is provided to and certified by the Council. This would need to be offered on an Augier basis, and the applicant will need to confirm this in writing. If this confirmation is provided, the adverse effects will be no more than minor.

- *With regard to all other aspects of the proposal not specifically discussed here, my opinion is that adverse effects will be no more than minor, and would therefore be acceptable*.

24 The only remaining concerns are traffic, roading network and safety effects and the landscape and visual values for the southern fill area (2 ha, compared to the 9 ha northern fill area).

25 The project is a discretionary activity under the Auckland Unitary Plan. There is no proposed activity within the streams and wetland areas on the site and instead further work is proposed to improve and protect those areas with further planting, fencing and monitoring.

26 Given the issues currently faced by the Scarbro group in disposing of clean/managed fill for live projects it is engaged in for residential and infrastructure development in the Auckland Region, Scarbro is strongly incentivised to urgently finalise and submit a substantive application so that the managed fill site can be established and operational to allow the cost/time savings/efficiencies to flow through to ongoing urban development projects in the Auckland region.

27 Scarbro's best current estimate is that the necessary work to establish the Drury managed fill site and put it into operation will take approximately one year. Scarbro estimate that the internal site works including the internal road, water bore, earth bund, and riparian planting on streams and wetlands within the site will take approximately five months. However, they expect the necessary improvements to the section of Hunua road leading to the proposed Drury managed fill site will take longer. Of course, the exact time this takes will depend on exactly what improvements are imposed as conditions of the consent and then how long it takes AT to complete the necessary work. Liam Scarborough, the managing director of Scarbro, is prepared to sign a statement setting out the above if that would assist.

28 As set out in the testimonials s 9(2)(b)(ii) (**Attachment 2**), the Drury managed fill site is essential to their ongoing urban development in the Auckland region worth hundreds of millions of dollars. The civil earthworks which are a precondition for that development will be cheaper, easier and quicker to complete. Concerns about delays to critical building projects are very real from key leaders of major construction companies and another clean/managed fill operator working in the Auckland region, as set out above in paragraph 10.

RELEVANT CRITERIA OF SECTION 22(2) OF THE FAST-TRACK APPROVALS ACT 2024

Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure? (section 22(2)(a)(ii) of the Act)

29 The Drury managed fill will "deliver" new regionally significant infrastructure for Auckland as a whole and will enable continuing urban development including residential and infrastructure construction worth hundreds of millions of dollars, or even billions of dollars, in the Auckland region.

30 As set out in the five testimonials (**Attachment 2**), hundreds of millions of dollars of residential and infrastructure development depend upon the efficient disposal of clean fill and the Drury managed fill site is regionally significant infrastructure that will facilitate quicker, cheaper and more efficient development. Without it that development will be slowed down, made more expensive or simply not be cost effective to complete at all due to the lack of sufficient clean/managed fill sites for the Auckland region.

31 As s 9(2)(a) states in s 9(2)(a) testimonial (**Attachment 2**):[11]

> The Drury managed fill is needed now but it is even more critical that we think ahead and future proof. Otherwise, Auckland construction will grind down to a much slower pace.

[11] s 9(2)(a)

32 As s 9(2)(a) states in s 9(2)(a) testimonial (**Attachment 2**), if the Drury managed fill is not approved:[12]

> The longer-term outlook would be much more difficult for construction of infrastructure.

33 As s 9(2)(a) states in s 9(2)(a) testimonial (**Attachment 2**):[13]

> Having to drive even further out to tip clean/managed fill will significantly impair the construction of our core infrastructure projects in the Auckland region that are so critically needed. The problem is only going to get worse if this managed fill in Drury is not consented.
>
> Given our very successful pipeline of very significant construction contracts, we are concerned that those projects will be significantly slowed down if the Drury managed fill proposal cannot be consented.

34 The Economic Impact Assessment (**Attachment 1**) estimates that "the total (direct, indirect and induced activities) impact on business activity within the Auckland region as a result of the proposed managed fill activity over a 11-year period is estimated to be around $28 million Net Present Value (NPV)."[14] It goes on to state "[i]n terms of employment multipliers, this would contribute around 100 FTE years over the 11-year 2026-2037 project period."[15]

35 The analysis in the Economic Impact Assessment is based on the following scenario:[16]

> On average the Project site is 33km closer than the identified alternative (Smeeds Quarry Road, Pukekawa, Waikato) to the localised Drury market. Given the difficulty in assessing the amount of managed fill that will exist in the Auckland market and travel to the Project site annually, it is important to establish a scenario that illustrates the potential level of cost savings resulting from this Project.
>
> Given the site will accommodate 80,000 m3 per annum, the average return distance of 66km, this figure would result in a transport saving of $1.3m per annum. Over the life of the site this would result in cost savings of over $10m (NPV) in direct savings for development projects (or $13m over a 5-year period).
>
> Additionally, these reduced truck movements would save approximately $1.2m to $1.5m in environmental cost of over this period.
>
> In terms of long-term price stability, a component of the Scarbro Project safeguards a reliable capacity for cleanfill for the localised and wider catchment.

36 The Economic Impact Assessment goes on to state:[17]

> … a key concern for developers in the Auckland Region, relating to development delays resulting from increased travel times and lack of access to efficiently located managed fill sites. This approach provides an indication of the extent of this impact and undertakes the following steps:
>
> 1. Estimate development value facilitated by the proposed fill capacity
>
>> a. At between 60 – 70 m3 per dwelling (this is dependent on the slope, typology and nature (e.g. brownfield versus greenfield)) the proposed site

[12] s 9(2)(a)

[13] s 9(2)(a)

[14] Economic Impact Assessment (Attachment 1), section 5.1, page 16.

[15] Economic Impact Assessment (Attachment 1), section 5.1, page 16.

[16] Economic Impact Assessment (Attachment 1), section 5.2, page 17.

[17] Economic Impact Assessment (Attachment 1), section 5.3, pages 18 – 19.

would accommodate the fill from approximately 1,200 residential dwellings annually.

b. In total, over the 10-year period this would equate to fill for 12,000 dwellings.

c. Based on an average development and construction cost this would result in an estimated $6 billion of economic value.

2. At a discount rate of 8% a 10-year timeframe would result in a Net Present Value of $4.24 billion.

3. Essentially delaying these projects, on average 3 months, would result in a loss of $85m of NPV over the period.

a. The 3-month period of delay is sourced through information provided by references of Scarbro clients.

Table 3 below summarises these figures:

TABLE 3: ESTIMATED TIME DELAY COSTS TO THE AUCKLAND ECONOMY

Factor	$m
10 year Facilitation est.	$6,000
8% discount rate	$339
Delay of 3 months	$85

Source: Property Economics

37 As also noted in the Economic Impact Assessment, the Drury managed fill is highly significant **for Drury in particular** because:[18]

Drury is a new regionally significant growth node within Auckland. By way of context, the projected population of the new Drury-Opāheke area, at approximately 66,000 people, is comparable in scale to Napier City's current (2025) population. At present, only 17 of New Zealand's 67 territorial authorities have populations of this magnitude.

Supporting the multi-billion dollar private and public investment required to develop a new suburb of this magnitude and regional significance requires appropriately scaled enabling infrastructure. In this regard, the Project plays a critical role in facilitating the timely, cost effective and efficient implementation of Council's Drury – Opāheke Structure Plan.

This level of growth has direct implications for the construction sector, which is not only responsible for around one-third of the area's employment growth but also plays a key role in delivering the new housing, infrastructure, and commercial developments needed to support the expanding population and workforce.

Construction and demolition (C&D) materials are an unavoidable by-product of this development cycle, particularly during the initial growth phases when bulk earthworks, subdivision works, and building construction are most intensive. Efficient, proximate disposal capacity for cleanfill and related materials is therefore a significant enabling component of growth, rather than an optional activity.

If C&D waste cannot be disposed of in a timely, cost effective and efficient manner, there is a material risk that development momentum in the area would be constrained. Insufficient disposal capacity can lead to increased construction costs, project delays, and reduced certainty for developers and infrastructure providers. These effects can,

[18] Economic Impact Assessment (Attachment 1), section 4.2, page 12.

> in turn, slow the delivery of infrastructure, housing and employment land, undermining the area's ability to accommodate future growth.

Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020)? (section 22(2)(a)(iii) of the Act)

38 Policy 1 of the National Policy Statement on Urban Development 2020 states (emphasis added):

> **Policy 1**: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
>
> (a) have or enable a variety of homes that:
>
> (i) meet the needs, in terms of type, price, and location, of different households; and
>
> (ii) enable Māori to express their cultural traditions and norms; and
>
> *(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
>
> (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
>
> *(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
>
> *(e) support reductions in greenhouse gas emissions; and*
>
> (f) are resilient to the likely current and future effects of climate change.

39 Availability of managed fill sites is essential for ongoing residential development and construction in the Auckland region. All residential developments require some civil earthworks to prepare the site for foundations and construction, including flattening sites, digging for basement carparks and/or taking away what is currently on the site (brownfield development) and all civil earthworks require disposal of managed/clean fill from the site to allow for construction to commence due to the fact that cut / fill volumes almost never align on site.

40 As a result, civil earthworks and managed fill sites are essential to enable the urban development in the National Policy Statement.

41 There are currently insufficient managed fill sites available in the Auckland region to meet demand and to facilitate the necessary level of residential and infrastructure development.[19]

42 s 9(2)(a) testimonial that (**Attachment 2**):[20]

> Their proposed managed fill facility introduces another option when existing landfill facilities are traffic-congested, and trucks are waiting to load off. Having the option to access another consented facility in the region will prevent long queuing times for

[19] Economic Impact Assessment (Attachment 1), sections 4.1, 4.3 and 5.2.

[20] s 9(2)(a)

s 9(2)(b)(ii)

> trucks and therefore reduce noxious vehicle emissions produced by continual re-starting or idling trucks, while making the round trip for our trucks more timely, efficient and cost effective.
>
> As new "towns" and subdivisions are created south of Auckland, e.g. Drury, Tuakau and Pokeno, Scarbro's proposed managed fill facility will create new local jobs and employment for those living in these new areas. It will also reduce motorway congestion.
>
> As commercial and residential development grows and sprawls south of Auckland, it is important to have additional capacity in new locations ready to help accept the increased volume of clean and managed fill resulting from earthworks and construction associated with this growth.
>
> Based on my s 9(2)(b)(ii) of industry experience, it's my opinion that if Scarbro's proposed managed fill was not consented then this will significantly slow down millions, if not billions, of dollars of desperately needed development work for greater Auckland, as well as increasing the costs of those development works.

43 This is leading to adverse effects on the competitive and efficient deployment of land for residential and infrastructure development which is dependent on civil earthworks.[21] Civil earthworks operators such as the Scarbro Group are having to travel further and pay more to access sites to dispose of clean and managed fill – these time and cost inefficiencies in turn impact the efficiency of development.

44 Approving the Drury managed fill would reduce and limit those adverse effects and increase competition and efficiency in the managed/clean fill disposal market in the Auckland region.

45 It would also reduce greenhouse gas emissions, due to reduced distances for clean/managed fill to be transported by trucks and trailers, as set out in further detail below.[22]

46 In addition, the Government Policy Statement on Housing and Urban Development – November 2025 states that "[f]ixing New Zealand's housing crisis is one of the most important things we are doing to grow the economy and help Kiwis thrive." One of the five key priorities in that policy statement is "improving efficiency and competition in building and construction – making it cheaper and easier to build" and the Government's role is said to include "addressing residual barriers to housing and urban development."

47 Ongoing urban growth, construction and development in Auckland consistent with this Government policy will continue to generate significant volumes of fill (dirt/clay/sand/rock and similar) which needs to be transported and deposited elsewhere. As s 9(2)(a) testimonial states, cut volumes generally far exceed fill volumes especially in modern apartment builds including basement carparks and just s 9(2)(b)(ii) .[23] Not all cut volume can be repurposed to make up the fill volume, as this depends on its quality.

48 The lack of managed fill sites in the Auckland region is currently a residual barrier to housing and urban development. As s 9(2)(a) testimonial states, "constrained disposal options and extended haulage requirements currently impact project delivery across our

[21] Economic Impact Assessment (Attachment 1), section 4, pages 9-10.

[22] Economic Impact Assessment (Attachment 1), pages 10 and 20, and s 9(2)(a)

[23] s 9(2)(a) .

s 9(2)(b)(ii)

programmes, with limited managed fill capacity adding cumulative delays of several months across projects"[24]

Will the project deliver significant economic benefits? (section 22(2)(a)(iv) of the Act)

49 For detail see the Economic Impact Assessment, **Attachment 1**.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions? (section 22(2)(a)(vii) of the Act)

50 Due to the expanding needs of the Scarbro Group civil earthworks business and local fill sites filling up and closing, Scarbro are currently forced to transport clean and managed fill to more distant sites, which is increasing greenhouse gas emissions from the necessary transport (in addition to time and cost).

51 If the Drury managed fill proceeds, the Scarbro Group's trucks will only have to travel a shorter distance to deposit clean and managed fill to facilitate ongoing civil earthworks projects enabling residential and infrastructure development in the Auckland region.

52 An expert report detailing the exact reductions to greenhouse gas emissions can be provided should Scarbro's fast-track application for the Drury managed fill be referred. See also footnote 23.

Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards? (section 22(2)(a)(viii) of the Act)

53 Scarbro's civil earthworks and development projects, which the Drury managed fill will enable and facilitate, contain a range of climate change adaptation measures in preparing sites for the risks of natural hazards and climate change in the future. For example, at a s 9(2)(b)(ii) This takes account of the increasing prevalence of "one in a hundred-year events" that are now all too regular, which experts attribute to the effects of increased global warming.

54 The proposed Drury managed fill would also provide a further disposal area for excess material from weather events and natural hazards in the area such as landslides across roads and similar. Due to the difficulty of transporting fill long distances there is a need for disposal sites near to the location of the events and this will provide another facility to assist with emergencies and recovery efforts.

Will the project address significant environmental issues? (section 22(2)(a)(ix) of the Act)

55 Scarbro will be implementing a range of restoration and rehabilitation measures as part of the Drury managed fill project. These measures include fencing and sediment treatment for the stream and wetland areas of the site and riparian planting both before and after the managed fill site is closed and the land restored to pastoral grazing. The details of these actions are set out in **Attachment 4.**

[24] s 9(2)(a) (Attachment 2). And see further statements in other testimonials as set out at paragraph 10 above.

Identify the planning documents including spatial strategies and explain how the project is consistent. (section 22(2)(a)(x) of the Act)

56 As observed in the Section 42A Report (**Attachment 5**) the proposal sits within the context of the Auckland Plan 2050 and the Auckland Future Development Strategy 2023 – 2053 (**FDS**), which signal significant urban expansion in the southern Auckland corridor. The Section 42A report stated:

> **Tāmaki – Whenua Taurikura | Auckland Future Development Strategy 2023-2053 (FDS)**
>
> The FDS is required under the required by the National Policy Statement on Urban Development 2020 and sets out the blueprint for urban development in the Auckland Region over the next 30 years. As set out in the FDS, much of the region's projected greenfield growth is situated in the South Auckland area, with Drury-Opaheke, Pukekohe and Paerata being identified as growth clusters that contain a mix of development ready land and land earmarked for development in the next decade. The proposed managed fill facility would contribute to facilitating development in these areas, thereby supporting the aspirations of the FDS and NPS:UD.
>
> **Auckland Plan 2050**
>
> The FDS is embedded in the Auckland Plan. By implication, the proposal is consistent with the strategic direction set out in the Auckland Plan by contributing to the disposal of soil from land development, near areas earmarked for future urban growth.

57 The Auckland Plan 2050 sets the direction for how Auckland will grow and develop. It responds to the key challenges of high population growth, sharing prosperity among all Aucklanders, and reducing environmental damage.

58 The FDS shows how Auckland will physically grow and change over the next 30 years. It takes account of the above identified outcomes, as well as population growth projections and planning rules in the AUP(OP). The FDS provides a pathway for Auckland's future physical development and a framework to prioritise and coordinate the required supporting infrastructure.

59 The proposed Drury managed fill is therefore consistent with the Auckland Plan 2050, as detailed in section 4 and 4.1 (pages 9-11) of the Economic Impact Assessment (**Attachment 1**). And in the testimonials (**Attachment 2**).

60 Fill is a consequence of housing and other development where cut to fill balances cannot be achieved on site, particularly as flat building platforms are sought after by the market. The rural environment is identified in the AUP(OP) as suitable for managed fill deposition. In this regard the proposed activity, in an indirect manner, will contribute to Homes and Places and in particular - Direction 1 *"Develop a quality compact urban form to accommodate Auckland's growth"*, and Opportunity and Prosperity - Direction 1 *"Create the conditions for a resilient economy through innovation, employment growth and raised productivity."*

61 With respect to the Environment and Cultural Heritage and Māori Identity and Wellbeing outcomes it is considered that the effects and attributes of the proposal are acceptable.[25] There are no known sites of cultural, spiritual or historic significance on the site and Ngāti Tamaoho have provided recommendations adopted by the applicant.[26]

[25] Section 42A Report (Attachment 5), page 35.

[26] See detail in the consultation section of Attachment 4.

62 The proposal will also not undermine rural production by avoiding the use of highly productive land or resulting in reverse sensitivity effects. Furthermore, when the activity is complete the site will be returned to rural production.[27]

63 Approving the proposed Drury managed fill is critical to achieving the Auckland Plan 2050's outcomes that seek a better standard of living, including secure, healthy, and affordable homes, and the protection of environmental and cultural values and rural production.

s 9(2)(a)

s 9(2)(a)

[27] Section 42A Report (Attachment 5), page 34.

s 9(2)(b)(ii)