Hon Chris Penk

Minister for Building and Construction
Minister for Land Information
Minister for Small Business and Manufacturing
Minister for Veterans
Associate Minister of Defence
Associate Minister of Immigration

7 April 2026

Hon Chris Bishop
Minister for Infrastructure

infrastructure.portfolio@parliament.govt.nz

FTAA-2602-1169

Subject: Fast-track referral application for the Drury Managed Fill Project under the Fast-track Approvals Act 2024

Dear Minister,

Thank you for the opportunity to comment on the application from Scarbro Environmental Limited for referral of the Drury Managed Fill project under the Fast-track Approvals Act 2024 (application reference FTAA-2602-1169).

I support referral of the Drury Managed Fill project to the fast-track process. My support is based on the importance of ensuring adequate managed fill capacity to enable ongoing housing and infrastructure development, particularly in a region experiencing significant growth in construction activity.

The current lack of a nearby, easily accessible managed fill site has the potential to become a significant constraint on housing delivery and associated infrastructure development. As construction and development activity increases, particularly in a high-growth area, the absence of suitable local disposal options for clean fill as well as construction and demolition material can add cost, increase transport distances, and delay project delivery. In my view, this represents a material risk to meeting housing supply objectives if not addressed.

The Economic Impact Assessment accompanying the application highlights that an accessible managed fill facility is of particular importance for the Drury area, which is described as “a new regionally significant growth node within Auckland.” Drury is expected to experience substantial growth in residential and associated development, with a corresponding increase in construction and demolition waste volumes. The availability of a local managed fill facility will therefore play an important supporting role in enabling this growth to proceed efficiently and at scale.

On this basis, I consider the proposed project has the potential to support housing and infrastructure delivery in a strategically important growth area and to provide regionally significant benefits by addressing an identified capacity gap. I therefore support the application being accepted and referred for consideration under the fast-track process.

Hon Chris Penk

Minister for Building and Construction
Minister for Land Information
Minister for Small Business and Manufacturing
Minister for Veterans
Associate Minister of Defence
Associate Minister of Immigration

To confirm, no conflict of interest has been identified.

Kind regards

Hon Chris Penk
Minister for Building and Construction

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand | +64 4 817 6816 | c.penk@ministers.govt.nz

Hon Nicola Willis

Minister of Finance
Minister for Economic Growth
Minister for Social Investment

30 MAR 2026

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

REQ-0029357

Dear Chris

Thank you for the opportunity to comment under the Fast-track Approvals Act (FTAA) on the referral application of Drury Managed Fill, FTAA-2602-1169.

I am providing comment in my capacity as Minister for Economic Growth, focusing on whether the application is likely to have significant economic benefits under section 22(2)(a)(iv) of the FTAA, based on the information provided.

Drury Managed Fill, FTAA-2602-1169

This application is for the establishment and operation of a new, managed fill facility in Drury, Auckland. The 25-hectare site is expected to have an annual waste capacity of approximately 80,000 m^3 over its proposed 10-year operations until 2037. The site is planned to be returned to its rural production use after operations.

Based on the economic impact assessment provided by the applicant for its referral application, direct development expenditure is estimated at $500K with related employment of three full-time equivalent (FTE) over the one-year construction period. Over its 10-year operations, direct operational expenditure is estimated at $31.6 million with related employment averaging 7.9 FTE over the 10-year operations. Across the full 11-year project period, this proposal is estimated to increase economic activity by $28 million in net present value (NPV) in the Auckland region and supporting a total of 100 FTE years of employment in the same period.

Other estimated quantitative economic impacts include lower transport costs of $10 million due to shorter distances for transporting construction and demolition wastes. The applicant also estimated that delaying construction and development for a few months from lack of managed fill access could result in a loss of $85 million NPV.

The economic impact assessment provided by the applicant provides a modest job and GDP impact, however the primary benefit of this proposal is the certainty it provides to construction businesses and property developers through the availability of reliable construction waste services. This is particularly important in Auckland where construction and development are critical in supporting economic growth through housing supply and infrastructure delivery. By reducing the risk of construction disruptions, the project could support the momentum of development activity in one of New Zealand's economically significant regions.

Yours sincerely

Hon Nicola Willis
Minister for Economic Growth

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand | +64 4 817 6801 | n.willis@ministers.govt.nz

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Drury Managed Fill

Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Auckland Council		
***First name**	Doug		
***Last name**	Fletcher		
Postal address	Auckland Council, 135 Alber Street, Auckland		
***Contact phone number**	s 9(2)(a)	**Alternative**	
***Email**	s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff

Principal Project Lead, Premium Unit

Planning and Resource Consents

Auckland Council **Date 7.4.2026**

07 April 2026

FTAA-2602-1169) – Referral of Drury Managed Fill

Auckland Council comments

Application number(s):	FTAA-2511-1148
Auckland Council Reference:	PRR00043812
Project name:	Drury Managed Fill
Applicant name:	Scarbro Environmental Limited
Address:	362 Jones Rd, Drury
Proposed activity(s):	The project is to establish and operate a new managed fill facility comprising two separate areas of 9 hectares (ha) and 2ha (including associated drains and sediment ponds) on the northern and southern sides of the site with corresponding estimated fill volumes of 720,000 cubic metres (m3) and 70,000m3, giving a combined fill volume of 790,000m3. The fill will operate for a period of 10 years and will comprise: • contaminated soil and other contaminated materials. • natural materials such as clay, gravel, sand, soil, rock. • inert manufactured materials such as concrete and brick. At the completion of the project the site will be grassed and returned to rural production use.

Regarding section 17 – invitation to provide comment

1. Under section 17(1)(a) of the Act, Auckland Council provide the following written comments on the referral application.

Auckland Council has received comments on this fast-track referral application from Councillor Andy Baker, the Frankling Local Board, Watercare Services Limited, Auckland Transport; and Council Subject Matter Experts with expertise in Economics and Contamination (see summaries below and their respective full comments in attachment 1).

Auckland Council confirms that it has significant concerns with this referral application and therefore strongly questions whether this referral application is suitable for being accepted for processing under Fast Track Legislation.

Auckland Council considers there are reasons why this referral application should be declined under s21(5)(c) of the Fast Track Act, which relates to the potential for a project to have significant environmental effects on the environment; these include:

1. Contamination, drinking water, public health: The proposal seeks to locate a managed fill (an activity which has inherent unavoidable contaminations risks) within a drinking water supply catchment. This scenario raises significant public health concerns. See summary of comments below from Watercare Services Limited and their full comments in attachment 1.
2. Road safety: Hunua Road has constrained geometry in several sections and there are significant safety concerns due to the additional traffic volumes being generated on Hunua Road by the proposed truck-and-trailer movements. Required operating clearances are not achieved, creating residual safety effects for all users. See summary of comments below from Auckland Transport and their full comments in attachment 1.

In addition to the above significant environmental effects, Auckland Council questions whether the referral application has provided sufficient information to appropriately demonstrate whether it will deliver significant regional or national benefits, including economic benefits, see comments below from the Council consultant Economist and their full comments in attachment 1.

Finally, and as outlined in Councils s42a report for the related resource consent application referenced BUN60440759 (a document lodged in support of this referral application) The application is inconsistent with the Regional Policy Statement and the Auckland Unitary Plan (AUP), including but not limited to:

1. Chapter B Regional Policy Statement, B3 (Infrastructure, transport and energy) including policy B3.3.2(5)(f)
2. Chapter B Regional Policy Statement, B9 (rural environment) including objectives B9.2.1(3) and (4).
3. Chapter E12 (Earthworks - District), including policy E12.3(2) re earthworks
4. Chapter E27 (Transportation), including Objective E27.2(1) and Policy E27.3(1) re transportation
5. Chapter H19 (Rural zones), including Objectives H19.2.3, H19.2.5, and Policies H19.2.4, H19.2.6.

In addition, WSL considers that the proposal is inconsistent with the following chapter of the AUP.

6. Chapter E13 (Clean fills, managed fill and landfills), including Objective E13.2(1) and (2), and Policy E13.3(1). This is because, if a discharge of contaminants to the Hays Creek Dam catchment were to occur (noting that Watercare's hydrogeological and contamination experts consider that such a discharge cannot be avoided), it would pose a significant public health risk.

Summary of written Comments provided by Councillor and Local Board.

Councillor Andy Baker

Cllr Baker has provided brief comments on this referral application via an email, and a copy of a letter dated 10 March 2026 which he sent the Minister, Hon Chris Bishop. The email and letter provided by Cllr Baker can be viewed in full, in attachment 1.

Cllr Baker has asserted that he considers this referral application is an unbelievably cynical attempt by the applicant to avoid the RMA process because they know there is Council family, community and political opposition. Cllr Baker considers the referral application is absolutely the wrong activity in the wrong place with little or no benefits to offset the negative impacts.

Councils below response to item 2 re s17(3) and competing applications provides further details as to the level of opposition to the applicant's resource consent application referenced (BUN60440759) which is being sought under the RMA process. BUN60440759 which seeks the exact same activity as this fast-track referral, was publicly notified and received 520 submissions. 514 of these submissions were in opposition to the activity.

Franklin Local Board

Amanda Hopkins has provided comments on the referral application on behalf of the Franklin Local Board (FLB). These can be viewed in full, in attachment 1.

The Fraklin Local Board opposes acceptance of the application for the Fast Track process. They also reference the considerable opposition to the applicant's consent application which is being sought under the RMA process.

The FLB question whether the proposal will deliver significant regional or national benefits and refer to there being existing fill sites already near to future development in Drury and Papakura.

The FLB raise concerns with the proposal being within the catchment of the Hayes Creek Dam which forms part of Auckland Water Supply network managed by Watercare Services Limited; and the risks of having a managed fill (an activity which has contamination risks) in the catchment of an existing water supply dam, (also see the comments provided by Watercare Services Limited).

The FLB raise concerns with transport safety issues, particularly regarding Hunua Road; and amenity issues for may surrounding properties.

Summary of written Comments provided by Asset Owners

Watercare Services Limited

Mark Bourne, Chief Operations Officer for Watercare Services Limited (WSL) has provided comments on the referral application on behalf of WSL. These comments are supported by technical input drafted by:

- Sian France and Philip Ware from Beca Limited re hydrogeology and contamination matters, and
- Sharon Danks, Head of Water, WSL, and
- Phil Comer from Harrision Grierson re planning matters

These can be viewed in full, in attachment 1.

WSL strongly opposes the Application and seeks that the Minister declines to refer the Application because the project may have significant adverse effects on the environment (as per section 21(5)(c) of the Act).

Locating a managed fill facility within a drinking water supply catchment raises significant public health concerns for Watercare. The Technical Authors, engaged by Watercare, explain that managed fill facilities should not be sited in a drinking water supply catchment where:

a) A plausible pathway for leachate to reach the catchment cannot be ruled out; and

b) Fill material is likely to originate from multiple urban and potentially brownfield donor sites, where the variability in soil quality cannot be reliably assessed prior to establishing the facility.

Technical Authors, who were engaged by Watercare to undertake an assessment, conclude that the potential for water and sediment to move towards Hays Creek Dam from the Site cannot be precluded. The Technical Authors are not satisfied that the risk of unexpected contamination can be fully mitigated.

Given Watercare's obligations to provide a safe drinking water supply, any detection of key contaminants of concern such as Per and poly- fluorinated Alkyl Substances (PFAS) would necessitate an immediate response at Hays Creek Dam. It is estimated that if PFAS were found in the raw water at the Hays Creek Dam this would cost approximately $5,000,000 - $7,000,000 for a capital solution to rectify, additional opex expenditure of approximately $800,000p/a, and the Papakura Water Treatment Plant (which treats water from Hays Creek Dam) would be out of service for a prolonged period to allow for the upgrade works. Therefore, Watercare considers the Project may not meet the criteria under section

22(1)(a) of the Act as the assessment of whether the Project would have significant regional or national benefits needs to factor in these potential capital and opex costs.

While there are always some risks involved in running a managed fill facility, locating a facility in a drinking water supply catchment necessitates a more stringent level of risk assessment and degree of confidence in there being no contamination beyond the Waste Acceptance Criteria (WAC). The Applicant did not assess the drinking water supply catchment as a key constraint prior to selecting the Site. Watercare considers the Applicant should have identified and pursued an alternative site. At this Site, the Technical Authors have advised Watercare that the risk of contamination entering the proposed fill facility, and ultimately the Hays Creek Dam water supply, cannot be fully mitigated with measures proposed by the Applicant, or by any other practicable controls and mitigations for an operation of this scale.

<u>Auckland Transport</u>

Matthew Ford, Senior Development Planner from Auckland Transport (AT) has provided comments on the referral application which can be viewed in attachment 1.

Auckland Transport oppose the application because:

Road safety: Hunua Road has constrained geometry in several sections (Sections A–D)2 and there are significant safety concerns from AT's road safety specialist due to the additional traffic volumes being generated on Hunua Road by the proposed truck-and-trailer movements. Required operating clearances are not achieved, creating residual safety effects for all users. Operational controls such as those proposed in the previous resource consent process which place a reliance on GPS monitoring of trucks and radio communications between truck drivers are insufficient to overcome the geometric constraints and safety risks.

Road widening: AT notes significant uncertainty as to whether sufficient physical widening along Sections A–D of Hunua Road is achievable to provide compliant clearances for opposing truck-and-trailer movements, given corridor constraints (narrow platform, bends, cliff/gorge

edge). There is an absence of supporting geotechnical and/or engineering assessment to demonstrate that widening could be delivered.

Pavement and asset effects: AT considers there is a risk of accelerated pavement deterioration from additional heavy vehicle loading. Accelerated pavement deterioration can lead to increased maintenance and repair costs for the Road Controlling Authority, reduced pavement service life, and increased safety risks for road users.

Summary of written Comments provided by Subject Matter Experts

Economist

Council consultant Economist – Mr Tim Denne from Resource Economics has provided comments on the referral application which can be viewed in attachment 1.

Mr Denne reviewed the Economic Impact Assessment (EIA) report produced by Property Economics (PE). Mr Denne identified several shortcomings with the PE report including:

- As a general comment, the analysis is highly untransparent, with little justification of the numbers or references for assumptions used.

- A counterfactual has been used in analysis of the change in transport and emission costs, but not for the estimate of other impacts. It should have been.

    - The development and operational impacts analysis is a gross calculation that does not measure the change in impacts relative to a counterfactual of disposal elsewhere. The estimated impact ($28.1 million) is therefore not an estimate of how Auckland GDP would change as a result of the project.

    - The benefits of delay are the largest individual benefit category, but the result depends on anecdotal evidence and does not properly explore the potential for a counterfactual with more trucks to collect and deliver C&D waste to a more distant landfill site. In addition, even using PE's numbers as inputs, the calculation itself is not properly explained and does not appear to be correct.

- The potential environmental costs of site development and operation should be included, particularly the risks of contamination to drinking water supply reflecting its catchment location.

- The transport an emission cost estimates appear to underestimate the per kilometre costs but significantly over-estimate the number of trips (and total kms).

- Several wider economic benefits are noted. These appear to be a mix of double counting of benefits already included, or they are unexplained or unjustified.
- For decisions affecting communities or nations, Cost Benefit Analysis (CBA) provide a far more meaningful assessment of net benefits because it evaluates changes in wellbeing, not just changes in measured activity.
- Mr Denne suggests that CBA would provide a better picture of the benefits of the proposal.

Contamination

Council consultant Contamination specialist – Ms Sarah Pinkerton, has provided comments on this referral application which can be viewed in attachment 1.

Ms Pinkerton, has outlined the following:

- Water from the site (leachate) and any unexpected contaminants (such as PFAS) have the potential to reach the WSL Hays Creek water supply Dam including via groundwater pathways.
- There is the potential for small quantities of contaminants such as PFAS to enter the site unintentionally, and therefore a risk of PFAS discharging into surface water, groundwater and into Hays Creek Dam cannot be ruled out. Based on the Councils experience in compliance monitoring of similar Managed Fill sites, unexpected contaminants of concern occasionally appear within the imported material. PFAS has recently been detected at one of the monitored Managed Fill sites in the Auckland Region.
- Compliance with Managed Fill standard requirements (the use of a SQEP in determining donor site selection, and sampling on donor sites prior to importation of the excavated material into the Managed Fill) works on a high trust model and therefore is associated with the potential risk of unexpected contaminants within the fill entering the site, due to the impracticalities of sampling every fill load.
- She agrees with Watercare that the applicant has not considered the potential effects on the receiving environment, specifically the Hays Creek Dam catchment, from the unintended contaminants which have the potential for low-probability but high-consequence effects.
- To address the concerns, she has raised Ms Pinkerton also listed a number of recommendations such as:
    - a thorough assessment of the potential adverse effects on the Hays Creek Dam.
    - in addition to SQEP-led donor site selection and pre-importation donor site sampling, sediment testing within retention ponds and water quality monitoring within the receiving stream to include analysis for the contaminants of concern to Watercare to further reduce the risk of undetected discharges and allow relevant contingency measures to be put in place.
    - the provision of thorough risk assessment to Hays Creek Dam be undertaken to determine whether the siting of the proposed facility is suitable to avoid any low probability but high-consequence effects.

2. Under section 17(3) of the Act and without limiting any general comments under subsection (1)(a), Auckland Council must provide comments advising on the following matters:

1. any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please provide written confirmation

2. in relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please provide written confirmation.

Response to 1.

- The site of the proposed referral application (362 Jones Rd, Drury) is currently subject to an existing RMA resource consent application referenced (BUN60440759) LUC60440790, DIS60440791 and LUC60445125. BUN60440759 seeks the same managed fill activities as this referral application and has the same applicant - Scarbro Environmental Limited. Auckland Council publicly notified BUN60440759. At the close of submissions 520 submissions had been received. 514 of these submissions were in opposition to the proposal and 6 were in support. A hearing was scheduled for late February 2026. However, on 10 February 2026, just 2 weeks prior to the booked hearing. Scarbro Environmental Limited, suspended their resource consent application BUN60440759 under s91A of the RMA. They then proceeded to lodge this fast-track referral application under the Fast Track Act 2025 (FTA).

  As BUN60440759 is the same in scope and detail as this referral application (but via the standard RMA resource consent process) and as Scarbro Environmental Limited is the applicant for both BUN60440759 and this referral application, Auckland Council confirms that BUN60440759 is not considered a competing application. Rather, Scarbro Environmental Limited are seeking consent for their proposal via both the RMA and FTA processes.

  Auckland Councils confirms that there are no other existing lodged RMA resource consent applications listed against 362 Jones Rd, Drury. Therefore, Auckland Councils confirms that there are no competing applications.

Response to 2.

- Auckland Council confirms there are not any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA.

3. Under section 20 (1) of the Act we request the following information to assist with the assessment of the project.

1. if there are any upgrades planned for Hunua Road by Auckland Transport and, if so, when these upgrades are expected to commence and be completed.

2. whether Auckland Council considers the project meets the definition of 'infrastructure' in the Auckland Unitary Plan.

Response to 1.

- The comments from Auckland Transport (see attachment 1), specifically, those made by Mathew Ford, Senior Development Planner at Auckland Transport, dated 30.03.2026 state:

There is programmed work for resurfacing approximately 800m of pavement approaching the Winstone (Hunua) Quarry entrance. This is thin asphalt concrete renewal that requires milling off the old surface and laying new asphalt. This work is programmed for 2028/2029 subject to funding. Between the Winstone (Hunua) Quarry entrance and 362 Jones Road, AT has chipseal works programmed for 2028/2029 for two specific sections of Hunua Road. The chipseal work includes a sprayed binder (bitumen or emulsion) being applied to the road, then aggregate (chips) is spread and rolled in. This is a surface renewal / preservation treatment, and it is not structural works. One section is approximately 1km in length and located roughly between the two sites. The other section is located along the site's frontage of Hunua Road and is approximately 2.7km in length. A visual representation of the extent of these works can be seen in Attachment 1.
These programmed works are not confirmed until AT have funding approved from Council. Council approves the budget on an annual basis and AT adjusts the programme to suit the approved budget.

Response to 2.

Auckland Council do not consider that the project meets the definition of 'infrastructure' in the Auckland Unitary Plan, because:

- The AUP references the RMA, and the definition of infrastructure under the RMA does not include a managed fill or cleanfill.
- The AUP specifically includes "municipal landfills" as being in addition the RMA definition of infrastructure. However, a managed fill or a cleanfill are defined separately to a landfill. The definitions for each of these types of activity specifically exclude "municipal solid waste".
- Further, a standard interpretation of "municipal" would imply that a facility is run by or on behalf of the city, which is not the case for this proposed privately operated managed fill facility.

If you have any queries, please contact me on 021 319 813 and quote the application numbers referenced above.

Yours sincerely,

Doug Fletcher

Principal Project Lead

Premium Resource Consents, Planning and Governance Directorate

Auckland Council.

From:	Councillor Andrew Baker
To:	Doug Fletcher; Councillor Richard Hills; Councillor Josephine Bartley; Taff Wikaira; Tau Henare; RES Local Board Franklin
Cc:	Amanda Hopkins; Karl Anderson
Subject:	RE: Fast Track Referral - PRR00043812 (FTAA-2602-1169) - Drury Managed Fill, 362 Jones Rd, Drury.
Date:	Wednesday, 18 March 2026 10:20:33 am
Attachments:	Chris Bishop re Jones Rd.doc image001.png

Hi Doug

This an unbelievably cynical attempt by the applicant to avoid the RMA process I believe because they know there is Council family, community and political opposition. I attach a letter I sent to Minister Bishop last week as Councillor.

Absolutely wrong activity in the wrong place with little or no benefits to off set the negative impacts.

Andy

Andy Baker
Councillor, Franklin Ward
Chair: Transport and Infrastructure Delivery Committee
Mobile: s 9(2)(a)
Email: s 9(2)(a)
Visit our website: www.aucklandcouncil.govt.nz

From: Doug Fletcher s 9(2)(a)
Sent: Tuesday, 10 March 2026 2:29 pm
To: Councillor Richard Hills s 9(2)(a) Councillor Josephine Bartley s 9(2)(a) ; Taff Wikaira s 9(2)(a) Tau Henare s 9(2)(a) RES Local Board Franklin s 9(2)(a) ; Councillor Andrew Baker s 9(2)(a)
Cc: Amanda Hopkins s 9(2)(a) ; Karl Anderson s 9(2)(a)
Subject: Fast Track Referral - PRR00043812 (FTAA-2602-1169) - Drury Managed Fill, 362 Jones Rd, Drury.

Kia Ora,

An application from the Ministry of Justice has been received by the Minister for Infrastructure (the Minister) for referral of the proposed Drury Managed Fill (362 Jones Rd, Drury) to the Fast-Track approvals process.

The Council has received an invitation for comment on this referral application as part of the Minister's consideration and decision on whether the project meets specific eligibility criteria to be accepted onto the fast-track approvals process. On receipt of the invitation from the Minister this email is issued to the Chair of Planning Committee, Chair of Regulatory Committee, Ward Councillors, Local Board and Houkura (Independent Māori Statutory Board) to make you aware and provide opportunity for feedback to assist with the Council's response on the question of eligibility that the Minister is considering.

10 March 2026

Hon Chris Bishop
Minister For Infrastructure
Private Bag 18888
Parliament Buildings
Wellington 6160

Dear Minister Bishop

Re: Fast Track Referral - (FTAA-2602-1169) - Drury Managed Fill, 362 Jones Rd, Drury

I write as the Councillor for Franklin and representative of the wider community affected by the above mentioned Fast Track Approval.

I appreciate and acknowledge the process the applicant is entitled to take part in and note they have also undertaken the standard resource consent process which has been vehemently opposed by the community and also opposed by the wider Council family.

This is the wrong activity in the wrong place as has been recognised by so many people and organisations.

It is my view this is a very cynical step and attempt to achieve an outcome that is detrimental to the community, environment and likes of Council infrastructure in particular Watercare Service's water supply at Hays Dam and a major road connecting Hunua and Papakura that is the main road used for that connection and that is already failing and is not in a position to manage the huge increase in heavy vehicles. The safety concerns regarding the volumes of heavy trucks competing for limited space with other vehicles cannot be ignored and has not been mitigated with the application as far as I can see.

This would be an indictment of the fast track process should it be allowed to proceed or is approved.

I feel it is important for you to understand the depth of opposition to this application from a very engaged and determined community.

I have copied in Local MP Hon Judith Collins for her information.

Yours faithfully

Andy Baker
Councillor, Franklin Ward
Chair: Transport, Resilience and Infrastructure Committee
Mobile: s 9(2)(a)
Email: s 9(2)(a)
Visit our website: www.aucklandcouncil.govt.nz

cc. Hon Judith Collins, MP for Papakura

Referral Application Feedback Form

This form is to be used by Council agencies, asset owners and specialists to provide feedback on referral applications under section 17 of the Fast-track Approvals Act 2024 (FTAA). Please complete the relevant sections below, considering the criteria set out in section 22 of the FTAA.

Project Information

Project Name	Drury Managed Fill
Address	362 Jones Road, Drury
FT application number	PRR00043812 (FTAA-2602-1169)

Respondent Information

Name	Amanda Hopkins
Role	Fast Track Lead, Wairoa Subdivision
Agency / Department	Franklin Local Board
Date	25 March 2026

Do you support the proposal proceeding through fast-track?

☐ Support

☒ Oppose

☐ Neutral

Agency/Department Response

The Franklin Local Board **opposes** acceptance of the application for the Fast Track process, for the following reasons:

The Applicant's resource consent application process was paused a short time before the public hearings were due to be held. There has been considerable opposition to the proposed landfill from the public, the Franklin Local Board, the Papakura Local Board, Watercare, Auckland Transport and Auckland Council.

The proposal does not represent infrastructure or development that would deliver significant regional or national benefits and therefore we question whether it meets the threshold typically expected for projects seeking referral to a fast-track process.

The proposed site is in the rural area of Hunua. There are existing quarry and landfill sites near future development in Drury and Papakura with capacity and better transport connections that are more appropriate for these managed fill activities.

The proposed site sits within the catchment of the Hayes Creek Dam, which forms part of Auckland's water supply network. The site includes flood prone areas, flood plains, overland flow paths, streams and intermittent streams. Part of the site is a wetland and part is an extension of a Significant Ecological Feature. A managed fill activity would potentially have significant negative environmental impacts.

Transport and safety issues are of significant concern, including the Hunua Road which is narrow, and subject to land instability and a high crash rate. The road has been down to one lane for the past six months due to a continuing landslip in the gorge area. Truck and trailer movements raise safety concerns on these narrow rural roads. Road resilience in the rural area is an issue.

Other concerns include:

- the environmental impact of a managed fill - contaminants including toxic and emerging persistent chemicals (eg PFAS and other chemicals) from fill containing, for example, plastics, paints, tyre waste leaching into the wetlands and water table.

- Loss of amenity value for many surrounding properties – including landform change, dust – the properties will be significantly impacted by this change in use of rural land.

There are other more suitable sites available currently for managed filling activities and the Franklin Local Board's view is that this activity at this site is not appropriate.

Please see original comments on the proposed activity from the Franklin Local Board.

Having considered the assessment criteria on the following page, please explain your position and provide any other relevant details.

Assessment Criteria (Section 22 FTAA)

Please consider the below assessment criteria in preparing your response:

- Does the project have significant regional or national benefits?
- Would referring the project facilitate its delivery in a more timely and cost-effective way?
- Is the referral unlikely to materially affect the efficient operation of the fast-track approvals process?
- Has the project been identified as a priority in any government or sector plan or strategy?
- Will the project deliver new or support existing regionally/nationally significant infrastructure?
- Will the project increase housing supply or contribute to a well-functioning urban environment?
- Will the project deliver significant economic benefits?
- Will the project support primary industries (e.g., aquaculture)?
- Will the project support development of natural resources (e.g., minerals, petroleum)?
- Will the project support climate change mitigation (e.g., reduce/remove greenhouse gas emissions)?
- Will the project support climate change adaptation or recovery from natural hazard events?

- Will the project address significant environmental issues?
- Is the project consistent with local or regional planning documents (e.g., spatial strategies)?
- Are there any other relevant matters to consider?

Auckland Council assessment criteria for fast-track referrals

Please consider the below assessment criteria in preparing your response:

- Is the application clearly inconsistent with the Auckland Unitary Plan and/or not aligned with the outcomes in the Auckland Plan 2050?
- Is the application out of sequence with the Auckland Plan Development Strategy and Future Urban Land Supply Strategy?
- Is there insufficient infrastructure to support the application, or would the project result in significant impacts on Auckland Council, CCO, or third-party infrastructure, including the need for substantial investment or upgrades?
- Is there the potential for significant adverse environmental effects to occur?

Watercare Services Limited
73 Remuera Road, Remuera,
Auckland 1050, New Zealand
Private Bag 92521, Victoria Street West,
Auckland 1142, New Zealand
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30 March 2026

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington
referral@fasttrack.govt.nz

Re: Watercare comments on the Drury Managed Fill Project

Introduction

1. Watercare Services Limited (**Watercare**) appreciates the opportunity to comment on the Drury Managed Fill referral application (**Application**) submitted under the Fast-track Approvals Act 2024 (**Act**).

2. The Application proposes a managed fill facility at 362 Jones Road, Drury (the **Site**) for a period of 10 years, with associated enabling works, discharges of contaminants, earthworks, and a new water bore (the **Project**).

3. The Site is located within the drinking water supply catchment draining to the Hays Creek Dam, which raises significant public health concerns for Watercare. 55,000 people rely on drinking water from this catchment. Whilst Hays Creek Dam contributes a comparatively small part of Auckland's total water consumption, it represents significant capital investment and forms a strategic part of the public water supply network for the city. In order to provide for growth and provide a resilient water supply, Watercare needs to maintain the full suite of water sources available.

4. Locating a managed fill facility in a drinking water supply catchment has the potential to adversely affect the operation and management of the infrastructure for the Hays Creek Dam and related Papakura Water Treatment Plant. It also has the potential to compromise Watercare's ability to meet its statutory obligations under the Water Services Act 2021 to provide a safe and clean potable water supply for Auckland.

5. Increased operational and capital costs incurred by Watercare, associated with managing the risk of this activity, will fall to the Auckland community. The consequences of a risk not being adequately managed in this catchment are very serious, and ultimate responsibility for managing that risk would fall to Watercare as the water supplier.

6. Watercare has reviewed the Application submitted by Scarbro Environmental Ltd (**Applicant**) and commissioned independent experts to assist with assessing the Application. Watercare strongly opposes the Application for the reasons outlined below. Watercare's comments are supported by technical notes that address the following matters and are attached as Appendices A-C respectively and summarised below:

a) Hydrogeology (Sian France) and Contamination (Phillip Ware) (the **Technical Authors**).

b) Operational matters (Sharon Danks Head of Water at Watercare).

c) Planning (Philip Comer).

Summary of opposition to the Application

7. Watercare seeks that the Minister declines to refer the Application because the project may have significant adverse effects on the environment (as per section 21(5)(c) of the Act).

8. Locating a managed fill facility within a drinking water supply catchment raises significant public health concerns for Watercare. The Technical Authors, engaged by Watercare, explain that managed fill facilities should not be sited in a drinking water supply catchment where:

   a) A plausible pathway for leachate to reach the catchment cannot be ruled out; and

   b) Fill material is likely to originate from multiple urban and potentially brownfield donor sites, where the variability in soil quality cannot be reliably assessed prior to establishing the facility.

9. In this case, the Technical Authors, who were engaged by Watercare to undertake an assessment, conclude that the potential for water and sediment to move towards Hays Creek Dam from the Site cannot be precluded. The Technical Authors are not satisfied that the risk of unexpected contamination can be fully mitigated.

10. Given Watercare's obligations to provide a safe drinking water supply, any detection of key contaminants of concern such as Per and poly- fluorinated Alkyl Substances (**PFAS**) would necessitate an immediate response at Hays Creek Dam. It is estimated that if PFAS were found in the raw water at the Hays Creek Dam this would cost approximately $5,000,000 - $7,000,000 for a capital solution to rectify, additional opex expenditure of approximately $800,000p/a, and the Papakura Water Treatment Plant (which treats water from Hays Creek Dam) would be out of service for a prolonged period to allow for the upgrade works. Therefore, Watercare considers the Project may not meet the criteria under section 22(1)(a) of the Act as the assessment of whether the Project would have significant regional or national benefits needs to factor in these potential capital and opex costs.

11. While there are always some risks involved in running a managed fill facility, locating a facility in a drinking water supply catchment necessitates a more stringent level of risk assessment and degree of confidence in there being no contamination beyond the Waste Acceptance Criteria (**WAC**). The Applicant did not assess the drinking water supply catchment as a key constraint prior to selecting the Site. Watercare considers the Applicant should have identified and pursued an alternative site. At this Site, the Technical Authors have advised Watercare that the risk of contamination entering the proposed fill facility, and ultimately the Hays Creek Dam water supply, cannot be fully mitigated with measures proposed by the Applicant, or by any other practicable controls and mitigations for an operation of this scale.

12. As the risk of contaminating Hays Creek Dam and public health effects cannot be avoided, the Application for referral should be declined.

Hydrogeology matters

13. The Technical Authors find that the potential for water and sediment to move towards Hays Creek Dam cannot be precluded.

14. The Technical Authors have advised Watercare that the geotechnical site investigations undertaken by the Applicant are limited and there are no reliable measurements to establish the seasonal and annual range in groundwater levels beneath the Site and may have underestimated the likelihood that shallow groundwater could come into direct contact with fill material. The proposed undercutting of alluvial sediments, and the potential for benches to be cut into steeper slopes prior to filling, further increases the potential for direct contact between fill and shallow groundwater.

15. The Applicant proposes underfill drains and sediment retention ponds to capture water that may percolate through the fill. These drains are said to limit contact between seasonal groundwater levels and fill material, so that the groundwater is unlikely to become contaminated.

16. The Technical Authors have advised Watercare that the lower the permeability of the material being drained, the closer the spacing of these drains must be to maintain lowered groundwater levels. As the proposed spacing between drains is very wide, in conjunction with the low confidence on groundwater levels and the presence of low permeability soil, there is a risk that groundwater levels will rise to the base of fill between drains. This means that there is a risk of water percolating through the landfill and infiltrating into the shallow soil and groundwater between the drains, and:

    a) Bypassing the sediment retention ponds and instead discharging to surface water bodies discharging to Hays Creek Dam; and

    b) Entering the deeper groundwater and travelling towards Hays Creek Dam via fractures in the underlying rock.

17. While these pathways generally involve slow travel times to Hays Creek Dam, a more rapid pathway cannot be ruled out. The Technical Authors have advised Watercare that the proposed engineering controls (e.g. undercut and benching into the natural slopes), whilst industry standard, could inadvertently exacerbate the additional groundwater flow paths identified above by shortening the flow path or providing more direct contact with underlying saturated soils or fractured rock. Filling will also inherently increase instability risk which could result in increased sediment load to the surface water catchment of Hays Creek Dam.

Operational impacts

18. Ms Danks discusses her concerns about the implications of importing material into the drinking water supply catchment, especially material from construction sites. Emerging contaminants such as PFAS are known as forever chemicals and are persistent in the environment. PFAS are common on building sites around Auckland especially if there has been a historic fire on the site. It is difficult to test for PFAS. If a small amount of the contaminant enters the source water, it is then impossible for this to be removed.

19. It is estimated that if PFAS were found in the raw water at the Hays Creek Dam this would cost approximately $5,000,000 - $7,000,000 for a capex project to rectify the issue and the Papakura Water Treatment Plant (which treats water from Hays Creek Dam) would be out of service for a prolonged period to allow for the upgrade works. There will also be ongoing additional opex of approximately $800,000p/a for consumables associated with the removal process. This estimate is based on the similar costs for the additional process unit at the Onehunga Water Treatment Plant which is now required after the Onehunga aquifer showed intermittent PFAS results above the maximum acceptable value for PFAS

in the Drinking Water Quality Assurance Rules 2022.

20. The Papakura Water Treatment Plant currently meets quality criteria because the drinking water is tested as required by the Drinking Water Quality Assurances Rules 2022. Moreover, Ms Danks notes that Watercare is also legally obligated to ensure that clean and safe potable water supply is provided for Auckland.

Contamination risks

21. Given Watercare's obligations to provide a safe drinking water supply, any detection of key contaminants of concern such as PFAS would necessitate an immediate response at Hays Creek Dam to shut the plant down and lose the source of water until the upgrade works at the Papakura Water Treatment Plant are completed.

22. The Technical Authors explain that the proposed Fill Management Plan measures rely heavily on donor site self-reporting and limited sampling (1 per 500m^3), which is insufficient given the variability of contaminants that are sourced from multiple sites. Additional proposed verification sampling is infrequent and lacks clear actions for exceedances.

23. While there are always some risks involved in running a managed fill facility, locating a facility in a drinking water supply catchment necessitates a more stringent level of risk assessment and degree of confidence in there being no contamination beyond the WAC. At this Site, the Technical Authors find that the risk of contamination entering the proposed fill facility, and ultimately the Hays Creek Dam water supply, cannot be fully mitigated with measures proposed by the Applicant, or by any other practicable controls and mitigations for an operation of this scale.

24. Watercare is particularly concerned about the risk of PFAS contamination, as the detection of any amount of measurable PFAS would likely require Watercare to put in place contingencies and preventable controls. Given the potential consequences on Hays Creek Dam of even a very small amount of soil entering the fill site containing PFAS, the level of certainty required to ensure it does not enter the Site is at a level that is not feasible for the Applicant to obtain.

25. In addition, the Technical Authors conclude that the correct WasteMinz classification for this facility is Class 4 (not Class 5), which should have required an assessment of drinking water aquifers and water supply catchments as key siting constraints. Watercare understands the Applicant did not assess the drinking water supply catchment as a key constraint prior to selecting the Site, which Watercare considers should have required an alternative site to be identified.

Planning issues

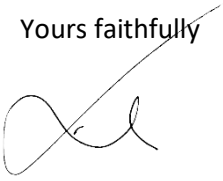
26. Locating a managed fill facility within a drinking water catchment creates a significant public health risk from a contamination event, the risk of which cannot be satisfactorily mitigated or avoided.

27. Watercare's planning expert Mr Philip Comer has assessed the actual and potential effects of the Application against the applicable planning framework and concludes that these effects are unacceptable and the Application is inconsistent with, and contrary to, key provisions of the Auckland Unitary Plan: Operative in Part, the National Environmental Standards for Sources of Human Drinking Water, and sections 104G, 105 and 107 of the Resource Management Act 1991.

Conclusion

28. Watercare seeks that the Application is declined by the Minister.

Yours faithfully



Mark Bourne
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Appendix A – Hydrogeology and Contamination Technical Memo

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Watercare Services Ltd
Private Bag 92521 Wellesley Street
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27 March 2026

Attention: Annika Swanberg

Dear Annika

Summary of Technical Factors Relating to Contamination Risk to Hays Creek Dam

Beca Ltd (Beca) has been engaged by Watercare Services Ltd (Watercare) to comment on the potential risks to the Hays Creek Dam water supply that may arise from the proposed managed fill activity at 362 Jones Road. The below summarises a more detailed substantive assessment by Phillip Ware (Technical Director – Environments, Beca) and Sian France (Technical Director - Hydrogeology, Beca). As the Fast-Track Approvals Act 2024 (FTA) referral application is less comprehensive than what was previously submitted by the Applicant to Auckland Council, our commentary below is based on the information submitted in support of the Auckland Council hearing.

Approach to the assessment

To determine the overall risk the managed fill poses to the Hays Creek Dam water supply, two key questions were posed. Firstly, is there a likely hydraulic connection (i.e., a pathway) for leachate or runoff from the proposed landfill area to the Hays Creek Dam, either via surface water, or groundwater? Secondly, if there is a likely hydraulic connection, then what is the likelihood, or risk of contamination being present within the landfill that could migrate off site? These two questions are covered separately below.

Hydraulic Connection

The previous Council application acknowledged one primary groundwater pathway:

> ***Through-fill to underfill drains → Sediment Retention Ponds (SRPs) → surface water → Hays Creek Dam.***

Further to the above pathway, **two additional groundwater pathways** are either likely or at least not adequately assessed to be discounted:

1. **Bypass between drains to surface water:**

   Water percolating through the landfill infiltrates into shallow soils / groundwater *between* the widely spaced underfill drains, bypassing the SRPs and discharging directly to streams and wetlands that in turn drain to Hays Creek Dam.

2. **Bypass between drains to deeper groundwater:**

   Water again infiltrates between the widely spaced drains into shallow soils / groundwater, but instead of remaining shallow it moves downward into deeper groundwater and then flows towards Hays Creek Dam via fractures or defects in the underlying rock mass.

Geotechnical site investigations undertaken by the Applicant are, in our view, limited. Investigations comprised only shallow, 1.3 m to maximum 5 m deep hand augered holes, with no reliable measurements of short- or longer-term seasonal groundwater levels, no observations of the underlying rock mass, and no measurements of soil or rock hydraulic conductivity[1], with which to fully conceptualize the ground and groundwater conditions or design drainage.

Even with deeper investigations, it would not be possible to map with any confidence the extent, openness or interconnectivity of defects in the underlying rock mass, and so the risk of higher groundwater flow through defects cannot be fully excluded, even with additional site investigations.

Furthermore, the proximity of the site to the Source Water Management Risk Area 2 (SWRMA2 – the parts of the catchment in which travel time to the Hays Creek Dam via surface water bodies is 8 hours or less) has not been fully considered or mitigated. The activity of filling will inherently increase the risk of instability and runoff which could result in increased sediment load to the surface water catchment. **This is a further potential pathway for contaminants to surface water**, and ultimately to the Hays Creek Dam.

In our experience, if instability were to occur this would likely coincide with periods of high rainfall, when stream flow conditions are also elevated, enhancing the potential for sediment to move off-site and into the down-stream catchment(s). In the last 10 years there have been at least eight regionally significant rainfall events. The filling operation is proposed to occur over 5-10 years and so further such events should be expected over the operation life of the filling activity. It is not clear if site engineering controls have been (or practicably, could be) designed to adequately provide for such events.

Whilst the previous Council application has acknowledged shallow instability risk, in the absence of deeper investigations, the potential for a deeper-seated failure plane (e.g. a shear surface) in the rock cannot be precluded. Furthermore, the proposed engineering controls (e.g. undercut and benching into the natural slopes) whilst industry standard, could inadvertently exacerbate the additional groundwater flow paths identified above (by shortening the flow path or providing more direct contact with underlying saturated soils or fractured rock).

Based on the above, it is not possible to preclude all potential pathways for the movement of water and sediment towards Hays Creek Dam.

Contamination Risk

Overview

The Applicant has not demonstrated that the risks to Auckland's water supply can be managed. In short:

- Water from the site (leachate) can reach the Hays Creek Dam (refer commentary above).
- As a facility that is going to accept material from sites across Auckland, there is a possibility that contaminants will be introduced to the site that when leached, can affect the public water supply, even in very small quantities.
- At present there are no effective controls that can ensure that contaminants are not present in fill that is brought onto the site.

Although the Applicant has indicated that they intend to manage incoming material to achieve a low risk of downgradient contamination, the controls available to reduce risk are not sufficient to manage these to a degree that the risks will be acceptable to protect Auckland's public water supply.

[1] The speed at which water can move through the ground.

The applicant classifies the fill as “Cleanfill” (Class 5), but the WasteMINZ Guidelines clearly identify that where the concentrations of the fill material do not meet the published background concentrations applicable to the fill site location (as is the case here), the facility should be Class 4 (or lower). The WasteMINZ Guidelines require stricter siting constraints for Class 4 fills, especially regarding drinking water catchments.

In this case the catchment is relatively small and therefore not overly restrictive in terms of siting constraints. On this basis sites located as close by as the opposite side of Hunua Road or Jones Rd would be more suitable from a water quality risk perspective.

Discussion

It is our understanding, based on the information submitted by the Applicant as part of the Auckland Council hearing process, that the applicant intends to manage material contamination risk via a Fill Management Plan (FMP) and associated Waste Acceptance Criteria (WAC). The measures rely heavily on donor site self-reporting and limited sampling (1 per 500m^3), which is insufficient given the variability of contaminants that are sourced from multiple sites. Additional proposed verification sampling is infrequent and lacks clear actions for exceedances.

The majority of self-reporting and site sampling is proposed to be carried out by the fill site operators and not contaminated land specialists, with only larger donor site assessments and less frequent in-situ fill testing being done by a contaminated land specialist. In practical terms, the testing only acts to lower risk and is only effective for the contaminants that are known to be tested for, and then only for the discrete sample of soil that is tested. The system relies on extrapolating these results to represent large volumes of soil and is therefore a tool for risk reduction and can never be seen as prevention.

As an example, per- and polyfluoroalkyl substances (PFAS) is a group of emerging contaminants of concern that are putting significant pressure on public water supplies globally. Watercare recently stopped abstracting from the Onehunga aquifer supply due to PFAS being recorded within the groundwater. The Applicant proposed to manage PFAS risk through excluding fill material from certain high-risk land uses (this understanding is based on the information submitted at the Auckland Council hearing process). Unfortunately, the list of high-risk land uses is not exhaustive, and screening is not a reliable way of preventing fill material containing PFAS from entering the facility.

A selection of the individual compounds that are collectively referred to as PFAS can be, and are, routinely tested down to 0.001 μg/l or lower. The current New Zealand drinking water standard (Maximum Allowable Value of the Sum of PFHxS + PFOS) is 0.07 μg/l. This concentration is approximately equivalent to 1 drop in an Olympic size swimming pool (if 1 drop was approximately 0.1 grams, and an Olympic pool at 2,500m^3).

Essentially the applicant proposes to manage the above-mentioned risks in a way that may be suitable for a catchment where the consequence of material slipping through the proposed controls is minimal, not a catchment where a public water supply is sourced.

Twenty years ago, it is unlikely that contaminants such as PFAS would have been assessed or considered in any way within a similar assessment of landfill risks. There are many emerging contamination risks that are likely to become a concern for the management of public health risks from water supply systems. As these risks, by their very nature, are unknown, a precautionary approach should be applied to the siting of fill facilities within water supply catchments.

Conclusions

In general, there is strong industry support for new facilities that accept Class 4 or Class 5 fill (WasteMINZ Guidelines). The exception to this is where these facilities are within a water supply catchment and:

- There is a plausible pathway for leachate to reach the catchment; and
- Fill material is from multiple urban / brownfield sites with variable, hard-to-assess soil quality.

In our view, the shallow geotechnical investigations undertaken on site do not provide sufficient confidence in ground and groundwater conditions, and even with additional site investigations, it would not be possible to preclude all potential pathways for the movement of water and sediment towards Hays Creek Dam.

We also consider that the risk of contamination entering the proposed fill facility, and ultimately the Hays Creek Dam water supply cannot be fully mitigated with measures proposed by the Applicant, or by any other practicable controls and mitigations for an operation of this scale..

There are other sites, outside of water supply catchments, that would be more suitable from a water quality risk perspective.

Yours sincerely

Sian France

Technical Director - Hydrogeology

on behalf of

Beca Limited

Phone Number: s 9(2)(a)
Email: s 9(2)(a)

Phillip Ware

Technical Director – Environments,

Certified Environmental Practitioner Contaminated Site Specialist

on behalf of

Beca Limited

Phone Number: s 9(2)(a)
Email: s 9(2)(a)

Copy
Philip Comer, Harrison Grierson
Natasha Garvan, Bell Gully

Limitations

The scope of Beca's work for Watercare Services Ltd (Watercare) has been to inform Watercare's referral comments on the Managed Fill Application for 362 Jones Road, Drury, under the Fast Track Approvals Act (the "Purpose"). The contents of this letter are in relation to this specific proposal and catchment context.

The contents of this letter may not be used by Watercare for any other purpose other than in relation to the Purpose, nor may this report be relied on by any other party, other than as set out below.

- This letter is confidential and addressed to Watercare Services Limited. This Report is given to Watercare Services Ltd solely for the Purpose. Subject to the terms set out below, the report may be relied on by the following parties: Watercare Services Ltd and Auckland Council.
- Beca consents to making this report available to the above-named parties on the understanding that by accepting and relying on the report, the parties confirm that: (a) Beca's duty of care is owed solely to Watercare Services Ltd and no other person; (b) Beca's liability to the above-named parties in relation to this report shall be subject to the same limitation of liability provided in Beca's terms of engagement with Watercare Services Ltd; and any amounts for which Beca is liable in relation to this report or the Services (whether in contract, tort or otherwise) may only be recovered once as between the above-named parties.

Other than as set out above, Beca accepts no liability to any person other than to Watercare Services Ltd] for issues arising out this letter.

Appendix B – Operational Matters Technical Memo

Technical Memorandum

To: Mark Bourne, Chief Operations Officer, Watercare Services Limited

From: Sharon Danks, Head of Water, Watercare Services Limited

Subject: Drury Managed Fill Fast-track Application Comments

Date: 23rd March 2026

1.0 Introduction

1.1 This memorandum provides high-level technical advice on the risks associated with the proposed Drury Managed Fill referral application (**Application**) lodged by Scarbro Environmental Limited (the **Applicant**) under the Fast Track Approvals Act 2024 (**Act**).

1.2 The purpose of this advice is to outline the technical risk considerations associated with importing fill material into the drinking water supply catchment for Hays Creek Dam.

2.0 Qualifications

2.1 My qualifications are a Bachelor of Engineering (Environmental), and I am a Chartered Professional Engineer.

2.2 I have worked in the water industry for over 25 years, working in planning, project delivery and operational management. A key focus of my career has been compliance with drinking water regulations and preservation of public health through the development and operation of water supply assets.

2.3 My current role at Watercare Services Limited (**Watercare**) is Head of Water. I am responsible for operation and maintenance of Auckland's water supply network.

3.0 Application Overview

3.1 The Application seeks to establish and operate a managed fill activity for the deposition of approximately 790,000m³ of fill at 362 Jones Road, Hunua (the **Site**) (the **Project**). The Site is located on land that falls within the water supply catchment area for the Hays Creek Dam.

4.0 Hays Creek Dam

4.1 Watercare operates the Hays Creek Dam, which forms part of Auckland's water supply network. The Hays Creek Dam contributes a comparatively small part of Auckland's total water consumption; however, it also represents a critical and vital part of the wider water supply network and 55,000 people rely on drinking water from the catchment. There has been significant capital investment in the Papakura Water

Treatment Plant (**WTP**) over the last 10 years. The Papakura WTP abstracts raw untreated water from the Hays Creek Dam.

4.2 Auckland has invested significantly in the construction and maintenance of the city's water supply infrastructure. Recently, the Papakura WTP was rebuilt at a cost of $81M to allow all water sources in the Auckland Region to be fully utilised.

4.3 Watercare is responsible for managing and operating the city's water supply and ensuring water supply resilience. In accordance with the Water Services Act 2021, Watercare is also legally obligated to ensure that clean and safe potable water supply is provided for Auckland.

5.0 Operational Risk

5.1 The implications of importing material into the water supply catchment are concerning, especially material from construction sites. For example, emerging contaminants such as Per and poly- fluorinated Alkyl Substances (**PFAS**) are known as forever chemicals and are persistent in the environment. PFAS are common on building sites around Auckland especially if there has been a historic fire on the site. It is difficult to test for PFAS. If a small amount of the chemical enters the source water, it is impossible for this to be removed.

5.2 If contamination were detected at Hays Creek Dam, Watercare would be required to respond immediately to protect public health and maintain compliance with drinking water standards. From an operational perspective, this would necessitate substantial treatment upgrades at the Papakura WTP.

5.3 During this period, the Papakura WTP could be removed from service to allow upgrades to be undertaken. This would increase reliance on other parts of the network and reduce overall system resilience while the response is implemented.

5.4 From an operational drinking water protection perspective, the proposed Project presents a high-consequence risk that is difficult to manage once realised.

6.0 Cost

6.1 Any detection of key contaminants of concern such as PFAS would necessitate an immediate response at Hays Creek Dam. It is estimated that if PFAS were found in the raw water at the Hays Creek Dam this would cost approximately $5,000,000 - $7,000,000 for a capital solution to rectify, additional operational expenditure of approximately $800,000p/a and the Papakura WTP (which treats water from Hays Creek Dam) would be out of service for a prolonged period to allow for the upgrade works.

6.2 These estimates are based on similar costs for the additional process unit at the Onehunga Water Treatment Plant, which is now required after the Onehunga aquifer showed intermittent PFAS results above the maximum acceptable values in the Drinking Water Quality Assurance Rules 2022.

6.3 Should contamination occur, any required upgrades to the Papakura WTP would not be classified as growth-related works, but rather the expenditure would divert funding away from other projects across Auckland.

6.4 The associated capital expenditure would need to be accommodated within Watercare's existing capital programme. This would likely require reprioritisation, resulting in the delay or deferral of other planned infrastructure investment across Auckland. In addition, ongoing operational costs would be recovered through water charges.

6.5 Customers would bear higher water charges to fund mitigation measures associated with risk originating from the Application. This represents a transfer of risk and associated costs from the Applicant to the public.

7.0 Conclusion

7.1 The proposed Project is located within the Hays Creek Dam drinking water supply catchment and presents a high-level risk to source water quality, water supply operations and public health.

7.2 From an operational and drinking water protection perspective, these risks are significant, difficult to manage, and inconsistent with Watercare's requirements to protect its registered drinking water supply.

8.0 Note:

8.1 This memorandum has been prepared for the purpose of informing Watercare's referral comments on the Application under the Act. It reflects Watercare's operational and economic considerations in relation to this specific proposal and catchment context. Any broader enquiries regarding Watercare's drinking water supply operation should be directed to Watercare directly.

Sharon Danks
Head of Water
Watercare Services Limited

Appendix C – Planning Technical Memo

Technical Memo

362 Jones Road, Drury, Auckland

Proposed Managed Fill Activity – Planning Assessment

Watercare Services Limited

To:	Chloe Jacobs, Watercare Services Limited	**HG Project No.:**	A2515976.00
From:	Phil Comer, Technical Director – Planning, Harrison Grierson	**Signature:**	
Date:	25 March 2026	**Status:**	FINAL

1.0 Introduction

Scarbro Environmental Limited (Scarbro) lodged a resource consent application with Auckland Council (Council) to establish a managed fill activity at 362 Jones Road under the Resource Management Act 1991 (RMA). The application (Council reference BUN60440759) was accompanied by a suite of technical reports and engineering drawings.

The application was publicly notified by Auckland Council under s95A of the RMA and Watercare Services Limited (Watercare) made a detailed submission in opposition to the proposal on the basis that a managed fill activity located within a municipal drinking water catchment was inappropriate, would compromise Watercare's ability to meet its statutory obligations under the Water Services Act 2021, and would pose a significant and unavoidable risk to public health.

The resource consent application was due to go to a Council hearing in late February 2026. However, Scarbro decided to suspend the application under the RMA and has instead made a referral application to the Minister under the Fast-track Approvals Act 2024 (FTAA) to establish the same managed fill activity.

In this memorandum, I provide a summary of the planning assessment that I undertook in preparing my expert planning evidence on behalf of Watercare for the Council hearing. In preparing my evidence, I had particular regard to the application documentation submitted under the RMA and to the s42A report prepared by Auckland Council's Planner which recommended that resource consent be refused.

I also provide comments in relation to the proposed managed fill activity having regard to Attachment 3, "Responses for Fast-track Referral Application Form - Section 2.6: Appropriateness for Fast-track Approvals Process", submitted with the referral application.

2.0 Planning Assessment Under the RMA

I provide below a summary of the planning assessment that I undertook in preparing my expert evidence for the Council hearing on BUN60440759. The conclusions that I reached in preparing my expert evidence are valid to the Minister's assessment and consideration of the referral application because all necessary resource consents under the RMA must be sought and approved under the FTAA. Referral and substantive

applications under the FTAA must confirm the resource consents that are required under the RMA having regard to the relevant provisions of the district/regional plans, in this case the Auckland Unitary Plan – Operative in Part (AUP(OP)), and the applications must include an assessment of the anticipated and known adverse effects of the proposal on the environment.

2.1 Assessment under the AUP(OP)

With regard to the AUP(OP), it is my opinion that the proposed managed fill activity is inconsistent with Objectives E13.2(1) and (2), and with Policy E13.3(1) of the AUP(OP) as, if a discharge of contaminants to the Hays Creek Dam catchment were to occur (noting that Watercare's hydrogeological and contamination experts consider that such a discharge cannot be avoided), it would pose a significant public health risk.

As the appropriateness of a site is a matter of discretion under Rule E13.4.1(A5), the wider (unique) context of the application site needs to be considered in assessing the proposal; in my view, this matter has not been adequately considered or assessed by the applicant or Auckland Council's reporting Planner in preparing the s42A report.

Because the potential discharge of contaminants from the managed fill activity cannot be avoided, I am of the opinion that resource consent should be refused with regard to Rule E13.4.1(A5) because the applicant has failed to demonstrate that the site is appropriate for the proposed activity and because the risk of the discharge of contaminants via surface water or groundwater to the dam cannot be eliminated (avoided).

The proposed managed fill activity is also inconsistent with the provisions of Part D3 of the AUP(OP), High-use Stream Management Areas Overlay, and Part D7 of the AUP(OP), Water Supply Management Areas Overlay. In combination, Parts D4 and D7 of the AUP(OP) send a clear signal that very careful consideration should be given to any proposed activity that has the potential to discharge contaminants to High-use Streams, especially when those streams are connected to a municipal water supply catchment. Avoiding the potential adverse effects of discharges is prioritised over remedying or mitigating effects (e.g. after the event of a discharge of contaminants occurring).

2.2 Assessment under the RMA

I disagree with the conclusion reached by the reporting planner in the s42A report prepared for the resource consent application lodged under the RMA that the proposed managed fill activity satisfies the matters set out in ss104G, 105 and 107(1) of the RMA.

S104G

I consider that the proposal could result in significant adverse water quality effects that cannot be avoided. A managed fill activity in this location is therefore contrary to s104G of the RMA.

S105

I consider that the proposal is also contrary to s105 of the RMA because:

1. The discharge of contaminants from the managed fill activity could give rise to significant adverse effects on the receiving environment, being the Hays Creek Dam and municipal water supply, contrary to s105(1)(a);
2. The applicant has not confirmed its reasons for proposing a managed fill activity at this site; neither has the applicant confirmed why it selected this site over others. No information has been provided by the applicant on the alternative sites considered. The proposal is therefore contrary to s105(1)(b); and
3. Possible alternative methods of discharge, including discharge into any other receiving environment, has not been considered by the applicant as alternative sites do not appear to have been considered. The proposal is therefore contrary to s105(1)(c).

S107(1)

With regard to s107(1), Watercare's hydrogeological and contamination experts have confirmed that the risk of contaminant discharges, including the discharge of PFAS, cannot be avoided. I disagree with the reporting planner's conclusion in section 18 of the s42A report (page 51) that the proposed discharge will not give rise to any of the effects listed in s 107(1).

Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES:DW)

Regulations 6 and 7 of the NES:DW set an expectation that there shall be greater scrutiny where discharge permits are proposed upstream of an abstraction point for drinking water, i.e. the Hays Creek Dam.

Abstraction of drinking water from the Hays Creek Dam meets the requirements of Regulation 6 because the water supply is a registered drinking water supply that provides significantly more than 501 people with drinking water for in excess of 60 days each calendar year. Regulation 7 directs Auckland Council to refuse a discharge permit where an activity is likely to compromise Watercare's ability to meet either the health quality criteria or guideline values for drinking water.

It is my opinion that, where a managed fill activity is proposed within a drinking water catchment, it is not sufficient to rely on an assessment conclusion that the likelihood of contamination of an essential municipal water supply is 'unlikely'. Any potential risk to human health is a serious matter that should not be ignored.

2.3 RMA/AUP(OP) Assessment Conclusion

Because the potential discharge of contaminants from the managed fill activity cannot be avoided, and because the applicant has failed to demonstrate that the managed fill activity needs to be located on this particular site without providing information on alternative sites considered, I am of the opinion that resource consent should be refused with regard to Rule E13.4.1(A5).

I also consider that the proposed managed fill activity is not an appropriate activity within a drinking water catchment because the consequences of a contamination event would be very significant, and because the risk of potential contaminant discharges from such an activity cannot be avoided. The proposal will pose a significant risk to public health and compromise the provision of safe and clean drinking water to South Auckland. The proposal is therefore contrary to the provisions of ss 104G, 105 and 107(1) of the RMA, and Regulation 7 of the NES:DW.

3.0 Watercare Planning Response on the FTAA Referral Application

Appendix 3 of the referral application discusses the challenges of transporting managed fill to receiving sites that are distant from their construction sites and how this has significantly increased the time and cost of constructing new housing and other infrastructure (paragraph 3, Appendix 3).

Paragraph 4 of Appendix 3 states that the proposed managed fill site would significantly reduce the distance travelled to dispose of managed fill and increase the efficiently/speed of development and reduce cost.

An Economic Impact Assessment prepared for Scarbro further concludes that the proposed managed fill would result in an estimated $6 billion of economic value, and facilitate a significant economic regional economic impact (paragraphs 7 and 8, Appendix 3).

Paragraphs 14-16 of Appendix 3, confirm that Scarbro decided to suspend their resource resource consent application under the RMA as Auckland Council's reporting Planner's recommendation was that resource consent be refused and because of the potential for appeals to be made on a decision which would add further cost and delay.

Paragraph 18 of Appendix 3 states that:

> 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.

3.1 Planning Response on Behalf of Watercare

Whilst I acknowledge the purpose of the FTAA to facilitate the delivery of infrastructure and development projects with significant regional or national benefit (s3 FTAA), I make the following comments in relation to the proposed managed fill activity:

- I accept that there is a need for managed fill sites to support the growth and development of Auckland. South Auckland is an identified growth area and the site selected by Scarbro may be conveniently located to receive fill.
- However, the significant economic and employment benefits stated in the referral application are not site-specific and could be realised from a managed fill on any site, in alternative locations.
- The original application submitted to Auckland Council under the RMA was submitted without any acknowledgement that the site was located within the drinking water catchment of the Hays Creek Dam; no assessment of environmental effects was provided by the applicant in this regard and no assessment has been provided in the referral application.
- The absence of any acknowledgement that the site is located within the Hays Creek Dam municipal drinking water catchment in the application originally lodged with Auckland Council, and the absence of any assessment of effects on drinking water supply, indicates that the applicant likely did not know that the site was within the Hays Creek Dam municipal drinking water catchment and this factor was not considered when selecting the site at the outset.
- Where such an activity is proposed within a drinking water catchment, the need to consider siting and location is, in my opinion, of utmost importance and the applicant's consideration of alternative sites was likely undertaken at a point in time when the applicant was unaware that the application site is located within the Hays Creek Dam catchment. No information was provided by the applicant on what alternative sites were considered.
- In submitting a referral application under the FTAA greater weight may be placed on the consideration of 'significant economic and employment benefits to the Auckland Region' relative to the consideration of other effects on the environment that are routinely considered under the RMA. However, this does not mean that other effects on the environment should be dismissed, especially where those effects could pose a significant public health risk and associated potential costs as discussed in Watercare's comments.
- My planning assessment of the proposal under the AUP(OP), and the RMA, has concluded that:
    - Resource consent should be refused with regard to Rule E13.4.1(A5) of the AUP(OP); and
    - The proposal is inconsistent with Regulation 7 of the NES:DW, and with ss104G, 105 and 107(1) of the RMA because the risk of a contaminant discharge cannot be satisfactorily mitigated or avoided. Should a discharge occur, it would pose a significant risk to public health and compromise the provision of safe and clean drinking water to South Auckland.
- In my opinion, the economic and employment benefits of the proposed managed fill activity should not take precedence over the potential risk to public health when that risk cannot be avoided. To do so would be reckless and ignore the fact that the same economic and employment benefits could be achieved if a managed fill activity was proposed on an alternative site that is not located within a municipal drinking water catchment.

4.0 Limitations

4.1 General

This memorandum is for the use by Watercare Services Limited only and should not be used or relied upon by any other person or entity or for any other project.

This memorandum has been prepared for the particular project described to us and its extent is limited to the scope of work agreed between the client and Harrison Grierson Consultants Limited. No responsibility is accepted by Harrison Grierson Consultants Limited or its directors, servants, agents, staff or employees for the accuracy of information provided by third parties and/or the use of any part of this memorandum in any other context or for any other purposes.

Referral Application Feedback Form

This form is to be used by Council agencies, asset owners and specialists to provide feedback on referral applications under section 17 of the Fast-track Approvals Act 2024 (FTAA). Please complete the relevant sections below, considering the criteria set out in section 22 of the FTAA.

Project Information

Project Name	Drury Managed Fill
Address	362 Jones Road
FT application number	PRR00043812 (FTAA-2602-1169)

Respondent Information

Name	Matthew Ford
Role	Senior Development Planner
Agency / Department	Auckland Transport (AT)
Date	30 March 2026

Do you support the proposal proceeding through fast-track?

☐ Support

☐ Oppose

☒ Neutral

Agency/Department Response

Q: how you (Local Authority officer) consider the benefits associated with the project are significant in the context of the Auckland region or if they are not, why not?

AT has no opinion on the project's benefits, as they are unrelated to transport.

Under section 20 (1) of the Act the Minister of Infrastructure (the Minister) requests the following information to assist with the assessment of the project;

- *if there are any upgrades planned for Hunua Road by Auckland Transport and, if so, when these upgrades are expected to commence and be completed*.

There is programmed work for resurfacing approximately 800m of pavement approaching the Winstone (Hunua) Quarry entrance. This is thin asphalt concrete renewal that requires milling off the old surface and laying new asphalt. This work is programmed for 2028/2029 subject to funding.

Between the Winstone (Hunua) Quarry entrance and 362 Jones Road, AT has chipseal works programmed for 2028/2029 for two specific sections of Hunua Road. The chipseal work

includes a sprayed binder (bitumen or emulsion) being applied to the road, then aggregate (chips) is spread and rolled in. This is a surface renewal / preservation treatment, and it is not structural works. One section is approximately 1km in length and located roughly between the two sites. The other section is located along the site's frontage of Hunua Road and is approximately 2.7km in length. A visual representation of the extent of these works can be seen in Attachment 1.

These programmed works are not confirmed until AT have funding approved from Council. Council approves the budget on an annual basis and AT adjusts the programme to suit the approved budget.

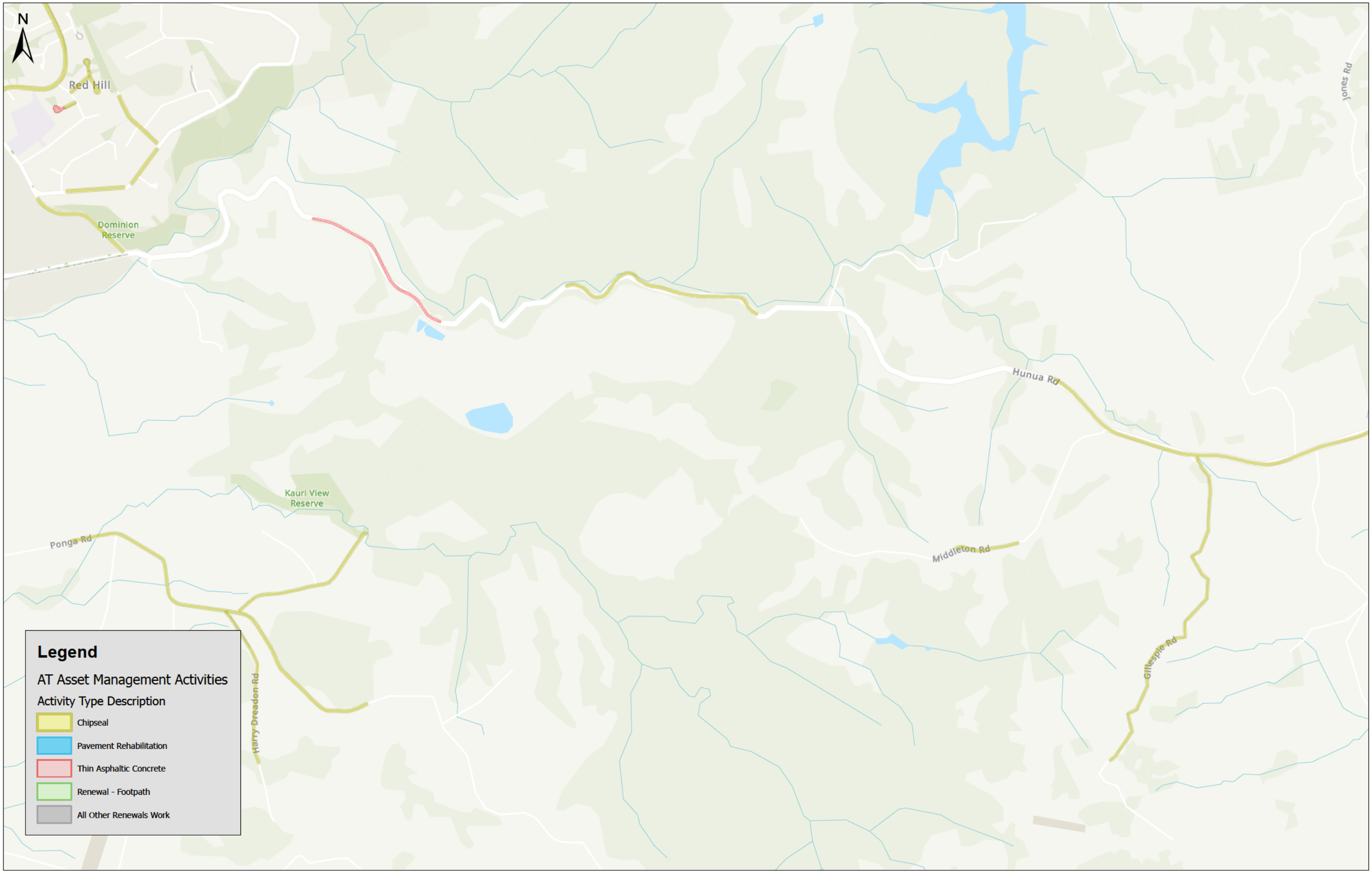
Having considered the assessment criteria on the following page, please explain your position and provide any other relevant details.

In AT's view, there are several factors that should be considered as relevant 'other' matters under Section 22 of Fast-track Approvals Act 2024[1]. These include (but are not limited to):

- Road safety: Hunua Road has constrained geometry in several sections (Sections A–D)[2] and there is significant safety concerns from AT's road safety specialist due to the additional traffic volumes being generated on Hunua Road by the proposed truck-and-trailer movements. Required operating clearances are not achieved, creating residual safety effects for all users. Operational controls such as those proposed in the previous resource consent process which place a reliance on GPS monitoring of trucks and radio communications between truck drivers are insufficient to overcome the geometric constraints and safety risks.
- Road widening: AT notes significant uncertainty as to whether sufficient physical widening along Sections A–D of Hunua Road is achievable to provide compliant clearances for opposing truck-and-trailer movements, given corridor constraints (narrow platform, bends, cliff/gorge edge). There is an absence of supporting geotechnical and/or engineering assessment to demonstrate that widening could be delivered.
- Pavement and asset effects: AT considers there is a risk of accelerated pavement deterioration from additional heavy vehicle loading. Accelerated pavement deterioration can lead to increased maintenance and repair costs for the Road Controlling Authority, reduced pavement service life, and increased safety risks for road users.

[1] Section 22 (2)(b) - Criteria for assessing referral application, Fast-track Approvals Act 2024.

[2] Figure 3-1 of Commute Transport Consultant's Section 92 Memo titled 'Section 92 Request for Information: BUN604407594' and dated 24 November 2025.



Map Title

Sub Title

0 0.13 0.25 0.5
km

Scale 1:19,025 @ A3

Date: 24/03/2026
Job Code:

Review of Drury Landfill Economic Analysis

Tim Denne, 2nd April 2026

This note provides a review of the Economic Impact Assessment (EIA) report produced by Property Economics (PE).[1] I first describe the analysis completed, alongside some initial comments, without initially critiquing the approach to analysis. I then provide a review of the approach – the estimates of benefits using GDP impacts rather than cost benefit analysis (CBA) to estimate the impacts on community wellbeing.

Summary of Analysis and Initial Commentary

The PE analysis estimates the following impacts:

- cost estimates provided by Scarboro Environmental Ltd (Scarboro) for the development and operation of the site, have been combined with regional multipliers to estimate a total development and operational impact;
- savings in transport costs and related emissions costs relative to a counterfactual disposal facility; and
- a value of reduced risk of development delay; and
- a summary of unquantified wider benefits.

The reduced risk of development delay is the largest component of the total value.

Development and Operational Impacts

The development and operational impacts are estimated to have a net present value (NPV) of $28.1 million (see Figure 1 which reproduces PE's Table 2), although how this is derived is not clear. Purportedly, the estimates include site development in 2026, operation for ten years (presumably 2027-2036) and land restoration to pastoral grazing in 2037. The data provided by PE are for two years: 2026 and 2037, although the implication is that the 2037 number is a discounted value (in 2026?). The $28.1 million figure is then derived from the direct expenditure estimates ($0.5 and $31.6 million) and regional multipliers that are not provided.

Figure 1 PE Summary of development and operational impacts

TABLE 2: TOTAL DIRECT (INCLUDING INDIRECT AND INDUCED) IMPACT ON AUCKLAND REGIONAL GDP

	2026	2037	Total
Direct Expenditure ($m)			
Total Development Costs (excl. land)	$0.5		
Construction			
Total Operational Impacts		$31.6	
Increased Local Spend*			
Total Direct Expenditure (excl. land)	**$0.5**	**$31.6**	
Level 2 Multiplier Impacts			
Total Auckland Output NPV (48 sector multipliers)**	**$0.9**	**$27.2**	**$28.1**
Employment (FTE Years)			
Total Employment (FTE years)	**3**	**79**	**98**

Source: Table 2 in Property Economics (2026)

[1] Property Economics (2026)

It is not possible to check or verify these numbers. Original cost data were provided to PE by Scarboro, but presumably these were for each of the years of operation rather than just the two years shown in the table. The original cost data by year have not been provided by PE. If we try to back calculate the numbers, and assuming the NPV represents the discounted cash flow to 2026 at an 8% discount rate, an NPV of $31.6 million is equivalent to an annual cost of $4.7 million over years 2027 to 2036, plus an assumed restoration cost of $0.5 million (equal to the 2026 development cost). For a total of 80,000m^3 of waste per year, this is equivalent to a cost of $59/$m^3$ of construction and demolition (C&D) waste or $49/tonne.[2] This appears in the right ballpark; for example, one researcher cites gate fees of $65/t (in 2017) for C&D waste at Hampton Downs.[3]

The multipliers used and the calculations made are not provided.

The analysis does not include any quantification or monetisation of the potential adverse environmental effects of development and operation of the site, including noise, dust or leachate release. A recent submission by Watercare has suggested the risk of leachate contamination of a drinking water supply catchment with potential for significant costs to manage and rectify, including supply disruptions.[4] These risks would be expected to increase over time with more waste added to the landfill. I note that Watercare and its consultants do not provide any assessment of the probability of such an event, so it is not possible to estimate an *expected cost* for inclusion in analysis. Usefully, such an assessment would be provided, eg based on historical experience elsewhere. Given its significance, potential costs should be included in the economic analysis and subject to sensitivity analysis.

What is also missing from this calculation is the impacts under the counterfactual. Elsewhere, the argument PE is making is not that without the Drury landfill there would be less development and fewer houses in Auckland, but that there would be a development delay. So, absent the Drury landfill, C&D waste will still be delivered somewhere else, and the annual costs (operational impacts) will still occur, just somewhere else and potentially with a slight delay. Thus the $31.6 million cost (and the $28.1 million impact derived from it) appears to be a gross figure for this landfill rather than an estimate of the change in total GDP for the Auckland region or the nation. The change from the counterfactual is the measure of regional or national impact.

Under PE's suggested counterfactual (a new landfill at Smeeds Quarry Road, Pukekawa), the development and operational costs might be the same. I discuss the counterfactual issue more below.

Transport and Emission Cost Savings

Transport cost savings are estimated relative to the Pukekawa counterfactual. It is not clear why this has been chosen rather than say, transport to Hampton Downs.

PE suggests the Drury landfill would be 33km closer on average, with average transport cost savings of $0.20/km for the 66km return trip (or a total of $13.20/trip). This seems low. A simple calculation using readily available data suggests costs 50% higher, simply for fuel costs.[5] Any additional vehicle or road wear and tear would be additional. Table 1 shows the estimated costs for fuel for an assumed Diesel Rigid 10-20 tonne heavy vehicle.

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[2] Using a conversion factor of 1.2t/m^3 – See Appendix 1 in Ministry for the Environment (undated)
[3] See Table 7 in Tran (2017)
[4] Watercare (2026)
[5] This uses 2025 average fuel costs to avoid this year's price spikes

Table 1 Estimated diesel costs per kilometre

Unit	Value	Source
g CO_2/km	556	VEPM (Diesel Rigid 10-20 t)
g CO_2/litre	2689	Barber and Stenning (2021)
litre/km	0.20662	Calculated
$/litre (excl all taxes)	$1.49 (2025 weekly average)	MBIE
$/km	$0.31	Calculated

Sources: VEPM = Vehicle Emissions Prediction Model (VEPM) https://www.vepm.co.nz/ (see Appendix); Barber and Stenning (2021); MBIE (2026)

Using the $0.20/km figure, PE estimates the annual cost savings of $1.3 million, suggesting 98,485 return trips.[6] PE suggests the total annual waste delivered to the landfill would be 80,000m^3, which suggests an average of 0.81m^3 (0.97 tonnes) per truck trip. This seems very small.

Emission cost savings are based on emission factors (not provided) and the costs per tonne for pollutants, taken from the 2020 NZTA Monetised Benefits and Costs Manual (MBCM). This is estimated as a saving of $0.016/km, although the calculation is not provided. This per km value appears to be an underestimate. Table 2 shows the calculations using pollution costs from the latest MBCM) emission factors from the VEPM (see Appendix) and an inflation factor of 1.23 to convert to current dollar values. The MBCM splits pollution costs into urban and rural, based on the difference in population that would be exposed to the pollutants. Assuming the additional transport would be rural (transporting costs outside of Auckland and therefore lower cost), the estimated costs per kilometre are seven times higher than PE's estimate.

Table 2 Estimated Emission Costs

Pollutant	Emission Costs - Rural (2021$/t)	Emission Factor (g/km)[1]	Emission Costs - Rural (2026$/km)[3]
$PM_{2.5}$	$49,075.00	0.1219[2]	$0.01
NOx	$24,040.00	3.5461	$0.10
CO	$0.19	1.7523	$0.00
VOC	$61.00	0.2863	$0.00
SO_2	$1,546.00	-	$0.00
Total			$0.11

Notes: [1] assumes 15 tonne truck; [2] including exhaust and non-exhaust (tires etc); [3] Inflation from 2021 to 2026 using RBNZ Inflation calculator to 2025(Q4) = 1.23. www.rbnz.govt.nz/monetary-policy/about-monetary-policy/inflation-calculator
Source: Emission costs ($/t) from: Table 9 in NZ Transport Agency Waka Kotahi (2025); Emission factors from VEPM (see Appendix – assumes Diesel Rigid 20-25 tonne HCV).

Ignoring for the moment these suggested corrections, using the $0.016/km number, the total benefit from emission savings appears to be over-estimated. Using the same trip number and length estimates as above (98,485 x 66km) suggests a total of 6.5 million kms saved. At $0.016/km, this represents an annual saving of $104,000 or an NPV of $697,848 over ten years at 8% (the discount rate used by PE). This is half the $1.2 to $1.5 million that PE estimates.[7] PE's calculations should be checked.

[6] $1.3 million/$13.20 per trip = 98,485
[7] Note the $104,000 figure can also be estimated as $1.3 m / 0.2 X 0.016

Development Delay

PE suggests the landfill would accommodate the C&D waste from 1,200 dwellings annually, and that the total value of these new dwellings over ten years is $6 billion. This suggests each dwelling contributes an economic value of $0.5million. This figure is not referenced or justified.

Noting the importance of C&D waste disposal to developers, PE suggests (p12) "*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, in turn, slow the delivery of infrastructure, housing and employment land, undermining the area's ability to accommodate future growth.*"

It is not clear why the absence of a local landfill would have such an impact on development, rather than a marginal impact on cost. PE suggests that there would be 80,000m^3 (96,000 tonnes) of waste delivered from 1,200 new dwellings per annum, which suggests an average of 67m^3 (80 tonnes) per dwelling. We noted above that C&D disposal charges were estimated as $65/t at Hampton Downs (for 2017) and that the Drury costs would be approximately $49/t. Using a round and possibly over-estimated cost differential of $50/t would suggest a total higher cost per dwelling of $4,000 under the counterfactual. It not clear that this cost could not be passed on to purchasers in a competitive local housing development market.

In addition, because the landfill operator would have a local monopoly (there won't be two Drury landfills) the calculation assumes they will charge gate fees to reflect costs, rather than raising prices to just below the costs of disposing via a more distant competitor, or (theoretically) to a level at which marginal cost equals marginal revenue, taking account of price elasticity of demand. Because of this, the local housing developers would not be expected to receive the full benefit of the lower costs of transport.

PE has used statements by local developers to suggest a three-month delay to housing developments across the whole ten years of the landfill duration. This is not fully justified, and the accompanying calculations are not clear.

The statements suggests that the landfill supply from a Drury landfill cannot be substituted with additional trucks providing more frequent transport to an existing landfill, viz Hampton Downs. The anecdotal statements have not been questioned or tested. This is a critical missing element of the work, especially given the very large claimed impact ($85 million).

PE's Table 3 has a ten-year value of the new housing serviced by the landfill of $6 billion (or $4.24 billion discounted over ten years at 8%, as explained in the text). PE then calculates an amount ($339 million) that appears to be 8% of the $4.24 billion NPV. It then calculates the cost at one quarter of this to represent the three-month delay. Using 8% of the NPV value as an annual benefit only makes sense if the benefits of the landfill (or the new houses) will last to infinity.[8]

PE's argument is not that the housing will not be built but that it will be delayed by three months. Even if every house that otherwise would be built was delayed three months, there would still be 1,200 houses built every year, apart from the first year of building. Three hundred houses that might have been built in 2027 will now be built in 2028, and 300 houses that might have been built in 2028 will now be built in 2029 and so on. Assuming PE's numbers are valid for the moment, a ten year benefit of $6 billion, means an annual undiscounted value of $600 million and a three-month value

[8] $4.24 billion is the present value of a stream of annual values of $339 million for an infinite number of years.

of $150 million. The lost value (discounted to year zero or 2026) is then a $150m reduction in benefit in year 1 (2027) and a $150m increase in benefit in year 11 (2037). So, the calculation (with r = 8%) is:

$$\frac{(\$150)}{(1+r)^{11}} - \frac{(\$150)}{(1+r)^{1}} = \$74.6$$

This is not very different from PE's $85 million, but I believe makes more sense of PE's numbers.

Wider Economic Benefits

PE suggests wider economic benefits that it does not quantify. These include:

- Potential Construction Cost Decrease – these appear to be already counted in the savings in transport costs and the impacts of the new landfill on construction activity.

- Greater Economies of Scale – these are not explained.

- Potential for Additional Job Opportunities – the expected increases in jobs are already counted in their analysis rather than being a wider benefit. However, as with the estimate of GDP impacts from the landfill development and operation, these are not estimated relative to the counterfactual disposal scenario. They should be.

- Increased Relevant Business Activities – the suggested impacts include the development of infrastructure and other local facilities, contingent on the new landfill. This is at odds with the suggestion otherwise adopted that the project would bring forward housing development rather than changing the total number of houses built.

- Facilitating Local and Regional Development - as above.

- Greater Growth in Local Economy – as above.

These appear to be a mix of double counting of benefits already included, or they are unexplained or unjustified.

Overview comments on the PE Analysis

Even if we accept the methodology used as valid (and see below for commentary on this), there are several shortcomings with the analysis.

- As a general comment, the analysis is highly untransparent, with little justification of the numbers or references for assumptions used.

- A counterfactual has been used in analysis of the change in transport and emission costs, but not for the estimate of other impacts. It should have been.

    - The development and operational impacts analysis is a gross calculation that does not measure the change in impacts relative to a counterfactual of disposal elsewhere. The estimated impact ($28.1 million) is therefore not an estimate of how Auckland GDP would change as a result of the project.

    - The benefits of delay are the largest individual benefit category, but the result depends on anecdotal evidence and does not properly explore the potential for a

counterfactual with more trucks to collect and deliver C&D waste to a more distant landfill site. In addition, even using PE's numbers as inputs, the calculation itself is not properly explained and does not appear to be correct.

- The potential environmental costs of site development and operation should be included, particularly the risks of contamination to drinking water supply reflecting its catchment location.

- The transport an emission cost estimates appear to underestimate the per kilometre costs but significantly over-estimate the number of trips (and total kms).

- Several wider economic benefits are noted. These appear to be a mix of double counting of benefits already included, or they are unexplained or unjustified.

Approach to Analysis

The results of the analysis have been used by PE to suggest the project has the capacity to produce significant regional economic benefits. Below, I provide some comments on the task required and PE's approach.

The Analytical Task

The criterion for assessing an application is specified in Section 22(1)(a) as being that the project would have "significant regional or national benefits". Two other Sections address this task.

- Section 22(2) sets out matters the Minister may consider for the purpose of deciding if the project would have significant regional or national benefits". This includes *inter alia*, whether the project "*will deliver significant **economic** benefits*" (22(2)(iv)) (*emphasis added*). This suggests economic benefits are a subset of benefits and that they are not necessarily considered.

- Section 85 sets out when a panel must or may decline an approval. The panel may consider whether there are adverse impacts that "***are sufficiently significant** to be out of proportion to the project's regional or national benefits*" (85(3)(b)) (*emphasis added*).

PE has used an economic impact analysis (EIA) to estimate economic benefits largely in the form of impacts on GDP. However, it is not clear that a GDP increase is a benefit or even an economic benefit in the way the term is generally understood. It is not clear, for example, that GDP captures sufficient of the total effects of a project to know that people's lives have improved.

The Treasury has adopted a Living Standards Framework to measure impacts on wellbeing as the metric for the things that matter most for current and future living standards.[9] And it has noted separately that "*EIA differs from CBA in that it measures the economic impact of a project, that is to say the activity generated, rather than the net benefit created*"[10] and that "*EIA can provide useful*

[9] The Treasury (2021)
[10] The Treasury *op cit*, p54

contextual information for decision-makers, but it is not suitable as a tool for measuring the balance of costs and benefits of a decision to society."[11]

The CBA methodology builds on a history which has considered exactly how to measure benefits to a community (region or nation). Moral philosophers from the 18th and 19th Centuries asked what is the standard by which we judge whether an action (or law) is right or good, and concluded that the good decision is that which produces the greatest happiness for the greatest number.[12] Happiness was used as a synonym for something that produces a *benefit* (or utility, advantage, good and pleasure).[13]

Welfare economics developed as the branch of economics concerned with how limited resources can be used to increase utility or wellbeing.[14] Nicholas Kaldor and John Hicks (writing in the 1930s) had provided a decision criterion under which there is an aggregate wellbeing improvement for society as a whole, even if there are both winners and losers (some who benefit and some who face net costs), provided the benefits exceed the costs in aggregate.[15] This calculation is formalised in CBA which seeks to estimate the total change in economic surplus (benefit) for the community, measured as the sum of producer and consumer surpluses.

In contrast, GDP is measuring the amount that the population has available to spend on all the things that it values and that are traded in an observable market. At one level this suggests the main difference is in the absence of the things that are valued that are not priced or traded in a market. However, there are other differences. Chief amongst this is the measurement of opportunity cost.

CBA measures all costs as opportunity costs because of its concern with optimising the use of resources in the form of achieving the Kaldor-Hicks optimum (or efficiency). If a resource is being used for something that would not provide the most wellbeing for the nation, pursuing that activity is a cost.

EIAs estimate increases in output, income, and employment by assuming fixed relationships between industries — for example, a certain amount of steel or timber for construction always requires a certain amount of labour and other inputs. However, this static structure overlooks the underlying opportunity costs: resources used by the project (land, capital, skilled labour) cannot be used elsewhere. GDP-based impact studies therefore tend to measure gross activity, not whether the activity represents a genuine change in the overall wellbeing of a community or nation. They also generally ignore the cost of capital, treating investment dollars as if the cost is equal to the up-front investment amount, rather than there being an additional cost as the investment funds are diverted from alternative uses that might generate higher returns.

For decisions affecting communities or nations, CBA provides a far more meaningful assessment of net benefits because it evaluates changes in wellbeing, not just changes in measured activity.

How Would this Affect the Drury Landfill Analysis?

A CBA approach to analysis would include the following benefits and costs discounted over the lifetime of the landfill and its restoration.

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[11] ibid
[12] pii in Bentham (1776See discussion in Galbraith (1987) and Heilbroner (1953)
[13] Bentham (1781)
[14] Johansson (1991)
[15] As proposed by Kaldor (1939). Hicks (1939) proposed a similar criterion in which the losers were not willing to pay (or 'bribe') the winners sufficiently for them not to act.

- An analysis of the relative value of the land as a landfill versus its current agricultural use. This would include the revenue from disposal fees, less the costs of developing, operating and restoring the site,[16] and the opportunity costs of land equal to the current annual margin from farming. This represents the initial estimate of producer surplus (PS).

- The costs of adverse impacts of a landfill, including any associated dust and noise or other impacts on local residents. If these costs can be monetised, they can be used to adjust the PS to produce a social value.

- Analysis of the consumer surplus (CS) as the difference between the costs of landfill supply (disposal fees) and the willingness to pay (WTP) for disposal, which might be estimated as the costs of an alternative disposal site plus the additional costs of transport. Including the environmental costs of transport provide add to the WTP and to the estimated CS. The change in transport costs, including external environmental costs would be similar to that provided by PE, with suggested improvements.

Multiplier effects are excluded.

- Multipliers usually represent the average level of activity in another industry (the indirect effects) associated with increased activity in the industry or sector being analysed (the direct effects). In an EIA it is assumed that the marginal indirect effects of an increase in activity in one sector (one more landfill or housing development) are equal to the average effects of the economy in its current equilibrium. This is extremely unlikely and would imply that there are idle resources ready to be allocated to this new downstream or upstream activity. In a CBA, it is usually assumed that these other industries are operating efficiently and that there are no idle resources; multipliers are assumed not to exist, apart from in certain circumstances.

  NZ Treasury puts it like this: "*Proponents of projects often claim that their projects have multiplier effects. They claim that the expenditure on the project provides income for construction workers and for operating and maintenance staff, who will spend their wages and create income for local businesses, which in turn will spend their income and create income for other businesses, etc. This thinking either assumes that there are significant unemployed resources available, or it ignores the fact that the new activity displaces other activity that would have occurred.* ***Unless there is significant unemployment of people with the requisite skills, it is therefore likely that multiplier effects do not exist***" (emphasis added).[17]

I suggest a CBA would provide a better picture of the benefits of the proposal.

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[16] Labour costs are included as a cost in this equation. Payment of a wage is effectively a transfer payment. It is a cost to the employer and a benefit to the employee. However, what is lost to society when new employment arises is the benefit of what the worker would have been doing otherwise. Labour costs can be reduced from market rates if there is perceived to be high unemployment so that the opportunity cost of labour is lower than market rates. But if there is relatively high employment in the economy (and normal/natural levels of unemployment), we can assume that workers will be displaced from some other activity and the wage rate represents the cost to society of the loss of productive activity.

[17] p19 in NZ Treasury (2015)

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Appendix: Vehicle Emission Factors

Emission factors														
														Electric
Fleet: 2026	VKT	CO	CO_2-e	VOC	NOx	NO_2	$PM_{2.5}$ Exhaust	PM_{10} non-exhaust	$PM_{2.5}$ non-exhaust	FC	CO_2	N_2O	CH_4	EC Electric
	%	g/km	g/km	g/km	g/km	g/km	g/km	g/km	g/km	l/100km	g/km	g/km	g/km	MJ/km
Heavy vehicle fleet average emission factors	6.729	2.5186	733.0	0.2188	3.2297	0.3484	0.0928	0.1303	0.0714	27.3792	722.6	0.0340	0.0492	0.01
Diesel Rigid 3.5-7.5 t	1.360	0.7990	289.4	0.1143	1.1783	0.1311	0.0388	0.1011	0.0509	10.7544	283.8	0.0163	0.0425	0.00
Diesel Rigid 7.5-10 t	0.409	1.8064	437.8	0.2584	2.1878	0.2419	0.0562	0.1011	0.0509	16.3749	432.2	0.0141	0.0676	0.00
Diesel Rigid 10-20 t	0.767	1.7523	564.5	0.2863	3.5461	0.3789	0.0649	0.1098	0.0570	21.0526	555.6	0.0272	0.0600	0.00
Diesel Rigid 20-25 t	0.265	2.8309	702.7	0.3613	4.0419	0.4452	0.1081	0.1185	0.0631	26.2573	693.0	0.0263	0.0968	0.00
Diesel Rigid 25-30 t	0.516	2.5047	743.0	0.2129	3.7280	0.3960	0.0866	0.1273	0.0692	27.8090	734.0	0.0290	0.0481	0.00
Diesel Rigid > 30 t	0.711	3.2777	845.1	0.1709	3.7078	0.3912	0.0989	0.1360	0.0753	31.5392	832.4	0.0449	0.0290	0.00
Diesel Articulated 20-28 t	0.005	1.8508	711.0	0.2148	3.6470	0.3945	0.0845	0.1360	0.0753	26.6037	702.1	0.0272	0.0598	0.00
Diesel Articulated 28-34 t	0.030	1.9189	758.1	0.2138	3.6218	0.3935	0.0880	0.1360	0.0753	28.2422	745.4	0.0417	0.0598	0.00
Diesel Articulated 34-40 t	0.156	3.1979	869.3	0.3784	4.3160	0.4788	0.1333	0.1447	0.0814	32.3987	855.1	0.0438	0.0924	0.00
Diesel Articulated 40-50 t	1.511	3.3173	963.5	0.2424	3.9244	0.4241	0.1248	0.1534	0.0875	35.9807	949.6	0.0471	0.0490	0.00
Diesel Articulated >50 t	0.983	3.8928	1158.2	0.2355	4.2261	0.4547	0.1455	0.1621	0.0936	43.3609	1144.4	0.0478	0.0384	0.00
Electric HCVs	0.015	0.0000	0.0	0.0000	0.0000	0.0000	0.0000	0.1068	0.0549	0.0000	0.0	0.0000	0.0000	3.33

Source: Vehicle Emissions Prediction Model (VEPM) https://www.vepm.co.nz/

FAST TRACK REFERRAL APPLICATION	
Referral and property details	
Fast-Track project name:	Drury Managed Fill, 362 Jones Road, Drury
Fast-Track Referral number:	FTAA-2602-1169
Applicant's name:	Scarbro Environmental Limited
Activity type:	Discharge of contaminants to land and water from a Managed Fill operation

Technical Specialist Comments – Sarah Pinkerton – Disposal to land – Managed Fill	
To:	Karl Anderson – Lead Planner & Doug Fletcher – PPL, Planning and Resource Consents
From:	Sarah Pinkerton, Contaminated Land Consultant for Contamination, Air & Noise, Specialist Input, Planning and Resource Consents
Date:	2 April 2026

The following documents relevant to the Fast track referral application have been reviewed:

- *Fast-track Referral Application Form – Section 3: Project Details* prepared by Scarbro Environmental Limited, and dated February 2026
- *Re: Watercare comments on the Drury Managed Fill Project,* prepared by Watercare Services Limited, dated 30 March 2026
    - *Appendix A Hydrogeology and Contamination Technical Memo, Summary of Technical Factors Relating to Contamination Risk to Hays Creek Dam,* prepared by Beca Limited, and dated 27 March 2026

- *Appendix B Operational Matters Technical Memo,* prepared by Water Services Limited, and dated 23 March 2026

- *Appendix C Planning Technical Memo, Proposed Managed Fill Activity – Planning Assessment,* prepared by Harrison Grierson Limited, dated 25 March 2026

- The applicant is proposing to develop a Managed Fill facility at 362 Jones Road, Drury.

- Under the Auckland Unitary Plan (Operative in part) a Restricted Discretionary Activity Rule E13.4.1(A5) of the AUP(OP) covers the discharges from Managed Fills that do not comply with Controlled Activity Standard E13.6.2.2. The applicant has stated the proposal does not comply with Standard E13.6.2.2, because the concentrations of contaminants must not exceed the Permitted Activity (PA) soil acceptance criteria, specified in Chapter E30 of the AUP(OP).

- The proposed waste acceptance criteria for some contaminants (nickel and zinc) proposed to be disposed at the site will exceed the PA soil acceptance criteria, therefore the proposed importation of Managed Fill is considered to be a Restricted Discretionary Activity under Rule E13.4.1(A5).

- The applicant intends to import approximately 790,000m^3 of fill onto the site to create two Managed Fill areas. The Northern Fill area will be approximately 9 hectares in size with approximately 720,000m^3 of fill at the completion of filling. The Southern Fill area will be approximately 2 hectares in size, with approximately 70,000m^3 of fill at the completion of filling.

- The applicant proposes to import Managed Fill that falls within a combination of the following guideline values:

  - Background levels from "*Background Concentrations of Inorganic Elements in Soils from the Auckland Region*", Appendix 2 – volcanic range, upper limit, Auckland Regional Council (2001). The geology of the site is non-volcanic, but the applicant is proposing to allow imported material that could meet the higher volcanic soil range concentrations for nickel and zinc.

  - Acceptance limits for organic contaminants from WasteMINZ *Technical Guidelines for Disposal to Land* for Class 5 Fills (Cleanfills), September 2023, Rev 3.1 – Appendix H.

- Managed fills within the Auckland Region prohibits the importation of hazardous substances or materials.

Watercare technical comments regarding the importation of Managed Fill

Watercare has raised concerns with regards to locating a Managed fill facility within a drinking water supply catchment area.

In particular:

1) Water from the site (leachate) can reach the Hays Creek Dam from multiple groundwater pathways.

   Council comment:

   During the previous consenting process, the applicant acknowledged that the primary contaminants pathway was through surface water and groundwater infiltrating into the fill, then surface water/groundwater discharging into the stormwater ponds, prior to discharging to surface water. The applicant therefore proposed controls, such directing all surface water collected from the site and underfill drains into sediment ponds prior to discharging it to surface water, as well as quarterly monitoring of surface water upstream and downstream of the subject site and sampling the sediment accumulated within the stormwater water ponds.

   The Council agrees that the proposed measures would be aimed to adequately manage the potential adverse effects on surface water, however, there is still the potential for unexpected contaminants (such as PFAS) to be discharged to the Hays Creek Dam through this pathway and potentially through deeper groundwater that may flow towards Hays Creek Dam. ***Considering the specific nature of the downgradient environment, i.e. the presence of Watercare's water-take reservoir, the Council recommends that a thorough assessment of the potential adverse effects on the Hays Creek Dam be undertaken.***

2) Unexpected contaminants (such as PFAS) could be introduced to site, that when leached can affect the public water supply, even in very small quantities.

   Council comment:

   The Managed Fill definition in the AUP(OP) prohibits the importation of hazardous substances or materials *such as PFAS, however, the Council acknowledges that only a limited volume of Managed Fill imported onto the site is sampled (approximately 1 sample per 500m^3), therefore, there is the potential for small quantities of contaminants such as PFAS to enter the site unintentionally, and therefore a risk of PFAS discharging into surface water, groundwater and into Hays Creek Dam cannot be ruled out.*

   Based on the Councils experience in compliance monitoring of similar Managed Fill sites, unexpected contaminants of concern occasionally appear within the imported material. PFAS has recently been detected at one of the monitored Managed Fill sites in the Auckland Region.

3) At present, there are no effective controls that can ensure that contamination is not present in fill brought to the site. Watercare acknowledges that the applicant intends to manage incoming material to achieve a low risk of downgradient contamination, however, the controls available to reduce risk are not sufficient to manage these to a degree that the risks will be acceptable to protect Auckland's public water supply.

Council comment:

The Council acknowledges that compliance with Managed Fill standard requirements (the use of a SQEP in determining donor site selection, and sampling on donor sites prior to importation of the excavated material into the Managed Fill) works on a high-trust model and therefore is associated with the potential risk of unexpected contaminants within the fill entering the site, due to the impracticalities of sampling every fill load.

The contaminants of concern to Watercare (such as PFAS), if present within material to be imported to the subject site, have the potential to be discharged into surface water/groundwater, and end up in the Hays Creek Dam.

*Considering the potential for unexpected contaminants (such as PFAS) in occasional batches, even with full adherence to the Managed Fill Standard requirements**, the Council recommends that, in addition to SQEP-led donor site selection and pre-importation donor site sampling, sediment testing within retention ponds and water quality monitoring within the receiving stream to include analysis for the contaminants of concern to Watercare to further reduce the risk of undetected discharges and allow relevant contingency measures to be put in place.***

4) The applicant classifies the fill as "Cleanfill" (Class 5), but the WasteMINZ Guidelines clearly identify that where the concentrations of the fill material do not meet the published background concentrations applicable to the fill site location (as is the case here), the facility should be Class 4 (or lower). The WasteMINZ Guidelines require stricter siting constraints for Class 4 fills.

Council comment:

The applicant's adopted Waste Acceptance Criteria comply with the "Cleanfill" (Class 5), WasteMINZ (2023) Guidelines*, except for nickel and zinc which are proposed to exceed the natural soil background concentrations, due to the site being located within a non-volcanic soil area, and the proposed nickel and zinc concentrations are at the volcanic soil background concentrations.*

It has been the Council's understanding that allowing nickel and zinc to be within the volcanic soil ranges would provide the Managed Fill operator with the ability to import naturally occurring soil of volcanic origin into the site, and such metals would have low potential to leach out if they were of volcanic origin, therefore the risk of them causing significant adverse effects on the receiving surface and or groundwater would be low. The applicant therefore provided a limited assessment of the effects on surface water

and groundwater from the elevated concentrations of nickel and zinc to be imported into the site.

The Council recommends that the SQEPs involvement in determining donor site selection includes confirmation that any nickel and zinc concentrations above the natural background levels of the receiving site are derived from naturally occurring volcanic soils.

Watercare planning comment with regards to AUP(OP) E13

Assessment under the AUP(OP): With regard to the AUP(OP), it is the opinion of Watercare's planning advisor that the proposed managed fill activity is inconsistent with Objectives E13.2(1) and (2), and with Policy E13.3(1) of the AUP(OP) as, if a discharge of contaminants to the Hays Creek Dam catchment were to occur (noting that Watercare's hydrogeological and contamination experts consider that such a discharge cannot be avoided), it would pose a significant public health risk.

As the appropriateness of a site is a matter of discretion under Rule E13.4.1(A5), the wider (unique) context of the application site needs to be considered in assessing the proposal; in the view of Watercare's planning advisor, this matter has not been adequately considered or assessed by the applicant or Auckland Council's reporting Planner in preparing the s42A report. Because the potential discharge of contaminants from the managed fill activity cannot be avoided, Watercare's planning advisor is of the opinion that the resource consent should be refused with regard to Rule E13.4.1(A5) because the applicant has failed to demonstrate that the site is appropriate for the proposed activity and because the risk of the discharge of contaminants via surface water or groundwater to the dam cannot be eliminated (avoided).

Council Comment:

The Council agrees with Watercare that the applicant has not considered the potential effects on the receiving environment, specifically the Hays Creek Dam catchment, from the unintended contaminants which have the potential for low-probability but high-consequence effects. ***Therefore, the Council recommends that a thorough assessment of the risk to the Hays Creek Dam be undertaken to determine whether the siting of the proposed facility is suitable to avoid any low-probability but high-consequence effects.***

With regards to Objectives E13.2(1) and (2), and Policy E13.3(1) of the AUP(OP), unfortunately, *the Council is not in a position to confirm whether the proposal meets the objectives and policy until the abovementioned assessment has been provided.*

Technical Specialist Comments prepared by:

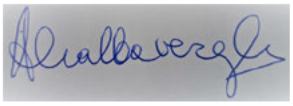
Sarah Pinkerton

Consultant to Contamination, Air & Noise,
Specialist Input, Planning & Resource Consents

Date: 2 April 2026

Technical Specialist Comments reviewed by:

Andrew Kalbarczyk



Senior Specialist, Contamination, Air and Noise
Specialist Input, Planning & Resource Consents

Date: 2 April 2026